



Leicester
City Council

MEETING OF THE CABINET

DATE: TUESDAY, 1 SEPTEMBER 2009
TIME: 1PM
**PLACE: TEA ROOM, TOWN HALL, TOWN HALL SQUARE,
LEICESTER**

Members of the Cabinet

Councillor Willmott (Chair)
Councillor Dempster (Vice-Chair)

Councillors Connelly, Dawood, Kitterick, Osman, Palmer, Patel, Russell,
and Westley

Members of the Cabinet are invited to attend the above meeting to
consider the items of business listed overleaf.

for Director of Democratic Services

MEMBERS OF THE PUBLIC:

**YOU ARE VERY WELCOME TO ATTEND TO OBSERVE THE PROCEEDINGS.
HOWEVER, PLEASE NOTE THAT YOU ARE NOT ABLE TO PARTICIPATE IN
THE MEETING.**

*Officer contact: Heather Kent/ Julie Harget
Democratic Support,
Leicester City Council
Town Hall, Town Hall Square, Leicester LE1 9BG
Tel: 0116 229 8816/8809 Fax: 0116 229 8819
email: Heather.Kent@Leicester.gov.uk*

INFORMATION FOR MEMBERS OF THE PUBLIC

ACCESS TO INFORMATION AND MEETINGS

You have the right to attend Cabinet to hear decisions being made. You can also attend Committees, as well as meetings of the full Council.

There are procedures for you to ask questions and make representations to Scrutiny Committees, Community Meetings and Council. Please contact Democratic Support, as detailed below for further guidance on this.

You also have the right to see copies of agendas and minutes. Agendas and minutes are available on the Council's website at www.cabinet.leicester.gov.uk or by contacting us as detailed below.

Dates of meetings are available at the Customer Service Centre, King Street, Town Hall Reception and on the Website.

There are certain occasions when the Council's meetings may need to discuss issues in private session. The reasons for dealing with matters in private session are set down in law.

WHEELCHAIR ACCESS

Meetings are held at the Town Hall. The Meeting rooms are all accessible to wheelchair users. Wheelchair access to the Town Hall is from Horsefair Street (Take the lift to the ground floor and go straight ahead to main reception).

BRAILLE/AUDIO TAPE/TRANSLATION

If there are any particular reports that you would like translating or providing on audio tape, the Democratic Support Officer can organise this for you (production times will depend upon equipment/facility availability).

INDUCTION LOOPS

There are induction loop facilities in meeting rooms. Please speak to the Democratic Support Officer at the meeting if you wish to use this facility or contact them as detailed below.

General Enquiries - if you have any queries about any of the above or the business to be discussed, please contact Heather Kent or Julie Harget, Democratic Support on (0116) 229 8816/8809 or email heather.kent@leicester.gov.uk or call in at the Town Hall.

Press Enquiries - please phone the Communications Unit on 252 6081

PUBLIC SESSION

AGENDA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are asked to declare any interests they may have in the business to be discussed and/or indicate that Section 106 of the Local Government Finance Act 1992 applies to them.

3. LEADER'S ANNOUNCEMENTS

4. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 3 August 2009 have been circulated to Members and the Cabinet is asked to approve them as a correct record.

5. MATTERS REFERRED FROM COMMITTEES

6. REVIEW OF THE CHILDREN AND YOUNG PEOPLE'S PLAN 2009 [Appendix A](#)

Councillor Dempster submits a report that presents the Children and Young People's Plan Review 2009 for approval. Cabinet is recommended to approve the document attached to the report, subject to the further actions outlined in Paragraph 4.4 of the report.

A minute extract from the meeting of the Children & Young People's Scrutiny Committee, held on 18 August 2009, will be circulated as soon as it is available.

7. WATER HYGIENE REMEDIAL WORKS, AUTHORISATION OF CAPITAL EXPENDITURE [Appendix B](#)

Councillor Russell submits a report that seeks authorisation for the release of capital monies for essential Water Hygiene Health and Safety Works. Cabinet is recommended to approve the release of the allocated funds of £345,000 within the Capital programme for the implementation of the Water Hygiene works identified in Appendix 1 & 2 of the report.

8. REVISIONS TO CODE OF PRACTICE FOR MEMBER INVOLVEMENT IN DEVELOPMENT CONTROL DECISIONS [Appendix C](#)

Councillor Russell submits a report that enable the necessary approvals to be given for further revisions to be made to the Council's current Code of Practice

for Member Involvement in Development Control Decisions. Cabinet is asked to recommend to Council the approval of the revised Code of Practice contained at Appendix 1 of the report, to come into effect from 7th September 2009, and to delegate authority to the Director of Legal Services, in consultation with the Chair and Vice-chair of the Planning and Development Control Committee, to make any further amendments to the Code should this be required in consequence of future changes to the statutory Model Code of Conduct.

Minute extracts from the meetings of the Planning & Development Control Committee, held on 14 July 2009, and the Standards Committee, held on 15 July 2009, are attached.

9. ANNUAL PERFORMANCE OUTTURN REPORT 2008/09 [Appendix D](#)

Councillor Osman submits a report that presents a summary of performance against the priorities set out in *One Leicester* for 2008/9. Progress is primarily measured against the targets set in our Local Area Agreement (LAA). The report also includes brief commentary on performance on the remaining measures in the National Indicator Set. Cabinet is asked to approve the recommendations as set out in Paragraph 2.1 of the report.

10. AREA BASED GRANT ALLOCATION 2009/10 [Appendix E](#)

Councillor Patel submits a report that presents a summary of recommended Area Based Grant (ABG) allocations for 2009/10 and establishes the financial framework under which the ABG will operate. Cabinet is asked to approve the recommendations as set out in Paragraph 2.1 of the report.

11. INTERNATIONAL DEVELOPMENT WORKING PARTY [Appendix F](#)

Councillor Willmott submits a report that sets out proposals for establishing an International Development Working Party with revised Terms of Reference and membership. Cabinet is asked to approve the recommendations as set out in Paragraph 2.1 of the report.

12. CORPORATE CAPITAL PROGRAMME: PROPERTY SCHEMES [Appendix G](#)

Councillor Willmott submits a report that seeks authorisation for the release of capital monies for Property Schemes as identified within the report. Cabinet is recommended to approve the list of Property schemes identified in Appendix 1 of the report and to approve the release of £700,000, from the capital programme which has been allocated for Property Schemes by Council at its meeting on 26th March 2009.

13. ANY OTHER URGENT BUSINESS

14-19 EDUCATION PROCUREMENT UPDATE

The Deputy Leader (in the Leader's absence) has agreed to consider the above item on the grounds of urgency under Cabinet Procedure Rule 7d as there is a requirement for the City Council to act to secure continuity of provision for City learners this Autumn term as a result of impending changes in national policy with respect to the Learning and Skills Council"

The report for Cabinet and a minute extract from the meeting of the Children & Young People's Scrutiny Committee, held on 18 August 2009, will be circulated as soon as they are available.

14. PRIVATE SESSION

AGENDA

MEMBERS OF THE PUBLIC TO NOTE

Cabinet deals with most business in public but is legally entitled to consider certain items in private. Members of the public and the press will be asked to leave the meeting when such items are discussed.

Cabinet is recommended to consider whether or not to deal with the following reports in private on the grounds that they contain 'exempt' information as defined in the Local Government (Access to Information) Act 1985, as amended, and consequently that the Cabinet makes the following resolution:-

- i. "that the press and public be excluded during consideration of the following reports in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because they involve the likely disclosure of 'exempt' information, as defined in the Paragraphs detailed below of Part 1 of Schedule 12A of the Act; **AND**
- ii. taking all the circumstances into account, it is considered that the public interest in maintaining the information as exempt outweighs the public interest in disclosing the information.

SITE AT KERRIAL ROAD, NEW PARKS: RELEASE OF RESTRICTIVE COVENANTS

Paragraph 1

Information relating to any individual

Paragraph 2

Information, which is likely to reveal the identity of an individual.

Paragraph 3

Information relating to the financial or business affairs of any particular person

(including the authority holding that information).

SINGLE STATUS UPDATE

Paragraph 4

Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

Paragraph 5

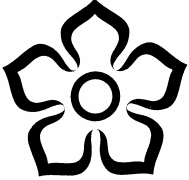
Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

**15. SITE AT KERRIAL ROAD, NEW PARKS: RELEASE OF [Appendix B1](#)
RESTRICTIVE COVENANTS**

Councillor Westley submits a report.

16. SINGLE STATUS UPDATE [Appendix B2](#)

Councillor Patel submits a report.



Leicester
City Council

WARDS AFFECTED
All Wards

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

CYPS Scrutiny Committee
Cabinet

10th June & 18th August 2009
1st September 2009

Review of the Children and Young People's Plan 2009

Report of the Strategic Director, Invest in our Children

1. PURPOSE OF REPORT

1.1 To present the Children and Young People's Plan Review 2009 for approval.

2. SUMMARY

2.1 C&YP DMT and LCYPSP agreed in November 2008 that the CYPP would be reviewed in 2009, following guidance issued by DCSF on this matter. The review has been underway for the last few months and the review document is now being presented for approval to Cabinet.

3. RECOMMENDATIONS (OR OPTIONS)

3.1 It is recommended that Cabinet approve the attached document subject to the further actions outlined in 4.4.

4. REPORT

4.1 C&YP DMT and LCYPSP agreed in November 2008 that the CYPP would be reviewed in 2009, following guidance issued by DCSF on this matter.

4.2 This review supports the delivery of the One Leicester vision and in particular the priority to Invest In Our Children.

4.3 The plan focuses on the priorities for children and young people in Leicester and the indicators that are used to measure progress against these. These are summarised on pages 5 and 6 of the review. The review incorporates the actions that have been taken over the past year and those that will occur over the year ahead in order to make progress, mapped against the every child matters outcomes. These outcomes were identified as being the most important to children and young people during the consultation on Every Child Matters, the national framework for local change

programmes to build services around the needs of children and young people to improve their life chances.

4.4 The review has been informed by a range of factors and consultation exercises. Many of these are listed in appendix A of the review document. Much of the work to produce the document has been co-ordinated through the ECM theme groups.

4.5 In addition to this, a panel of young people has edited the review document to help ensure that the document is accessible to young people. Many of the comments have already been taken on board with further actions identified to inform the presentation of the publicised review.

4.6 *Areas of work outstanding*

There are some areas of work that are still outstanding on this review document. These are:

- Once approved, work will be undertaken to improve the presentation of the document and to include the relevant hyperlinks. This work will be carried out by Creativity Works. An example of the new template is included as appendix D.
- Delivery plans linked to the review are being updated.

5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

5.1. Financial Implications

5.1.1 "The implementation of the priorities to be achieved in the coming year as described in the Annual Review document will need to be balanced with, and contained within, the resources available to the Council and its partners.

Colin Sharpe, Head of Finance and Efficiency, CYPS, ext. 29 7750"

5.2 Legal Implications

5.1.2 There are no legal implications of this report

Susan Holmes, Team Manager/Senior Solicitor, Community Services

6. OTHER IMPLICATIONS

OTHER IMPLICATIONS	YES/NO	Paragraph References Within the Report
Equal Opportunities	Y	An EIA is currently underway
Policy	N	
Sustainable and Environmental	N	
Crime and Disorder	Y	Some actions contained in the review will impact on crime and disorder
Human Rights Act	N	

Elderly/People on Low Income	Y	Some actions contained in the review will impact on households on a low income
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7. CONSULTATIONS

- 7.1 A range of consultations have informed this review. Much of this work has taken place through the ECM theme groups operating in the City with a range of partners feeding information into the document at various stages.
- 7.2 Areas of work covered in the 'how do we make it happen' section of the document have been informed by input from the leads in these areas at various stages.

8. REPORT AUTHOR

Sally Vallance
Interim Service Manager, Planning and Policy
Sally.vallance@leicester.gov.uk
(0116) 252 6406

Key Decision	Yes
Reason	Is significant in terms of its effect on communities living or working in an area comprising more than one ward
Appeared in Forward Plan	Yes
Executive or Council Decision	Executive (Cabinet)

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Appendix A: Key Sources of Evidence

Inspections

1. JAR Action Plan
2. APA Letter November 08
3. New CAA arrangements
4. Lord Laming report

Priority setting

5. LAA Priority Indicators and targets
6. Existing CYPP Priorities
7. GOEM Priorities meetings and Government Priorities conversations
8. Notice to improve priorities
9. Public Health Priorities including rising birth rate with an increasing proportion of children born into poverty

Organisational

10. Commissioner/Community Health Provider split planned for PCT
11. Disaggregation of Bridges
12. Integrating Services especially Integrated Service Hubs
13. Delivering Excellence Outcomes

Legislative/Govt Policy

14. Aiming High for Disabled Children Developments
15. Think Family
16. Universal Prevention and Early Intervention National Policy Agenda

Strategic

17. LLR CAMHS Strategy
18. 14-19 Strategy and the Machinery of Government (MOG) agenda
19. Joint Strategic Needs Assessment exercise findings

Key Initiatives/Changes

20. Introduction of CAF/LP and eCAF
21. Transforming Leicester's Learning

22. Building Schools for the Future

Financial

23. Area Based Grant allocations

Consultation

24. Feedback from consultations e.g. Stakeholder Day and Making it Real workshops

25. Response to the Tell Us survey

Environmental

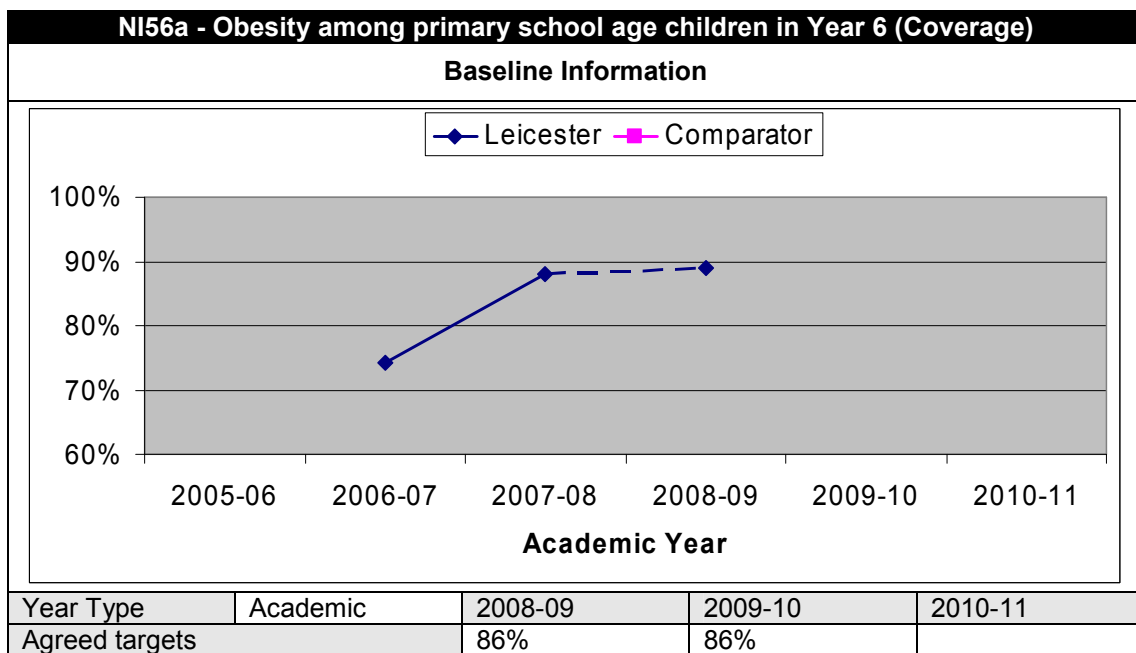
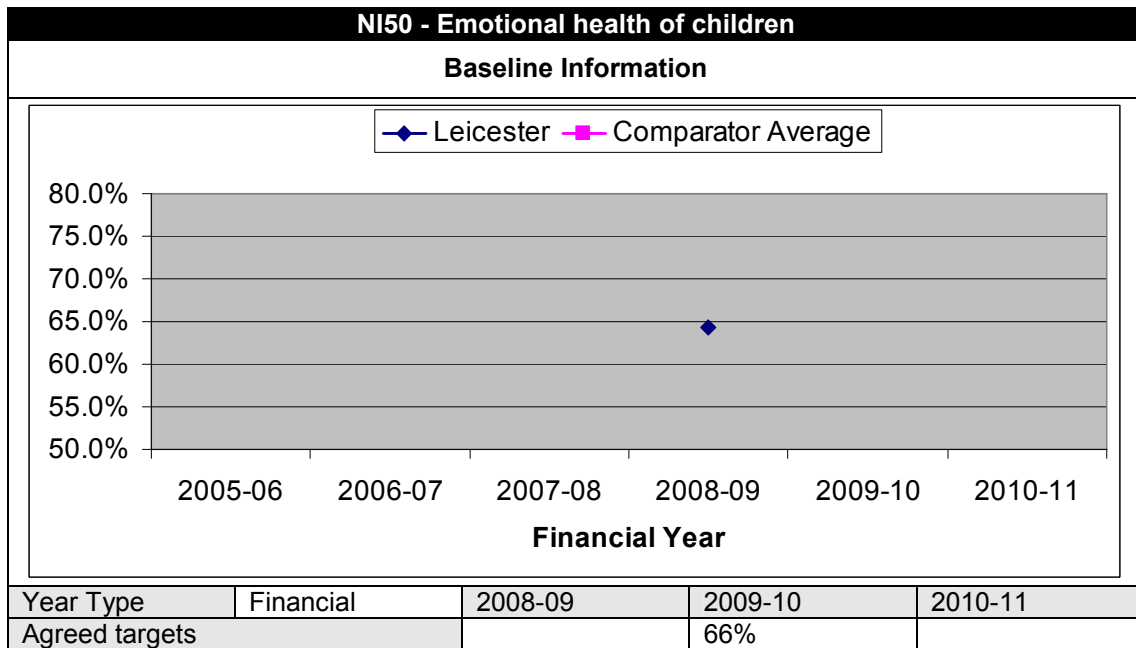
26. Population Changes & forecasting

27. Current economic recession

Appendix B: Recent history and targets

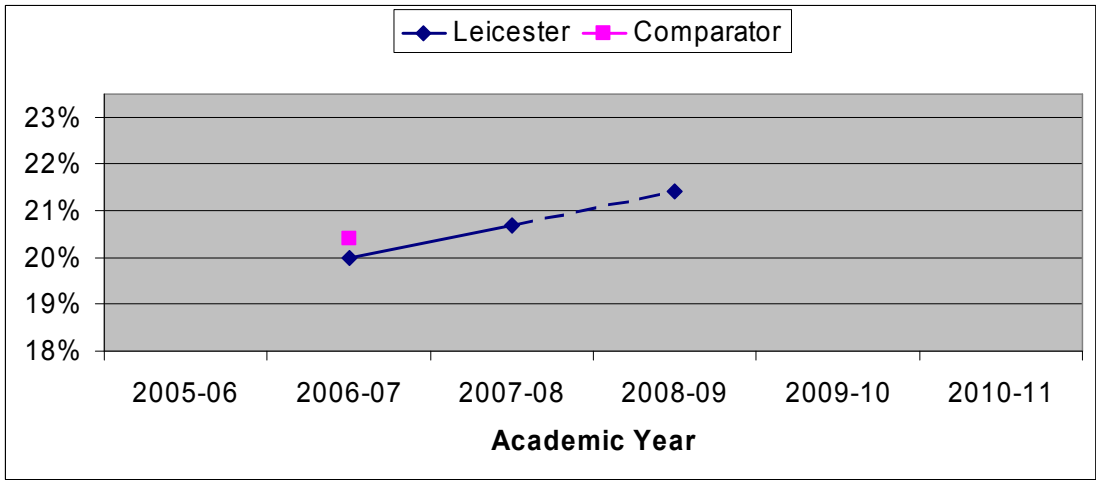
Be Healthy	2
EMOTIONAL RESILIENCE	ERROR! BOOKMARK NOT DEFINED.
LIFESTYLES	ERROR! BOOKMARK NOT DEFINED.
THE QUALITY OF SERVICES FOR DISABLED CHILDREN	ERROR! BOOKMARK NOT DEFINED.
Stay Safe	5
RISK OF HARM OR NEGLECT	ERROR! BOOKMARK NOT DEFINED.
THE INCIDENCE OF CHILDHOOD ACCIDENTS.....	ERROR! BOOKMARK NOT DEFINED.
THE QUALITY OF CHILD PROTECTION PLANNING	ERROR! BOOKMARK NOT DEFINED.
Enjoy and Achieve	7
CHILDREN'S READINESS FOR SCHOOL.....	ERROR! BOOKMARK NOT DEFINED.
SCHOOL ATTENDANCE	ERROR! BOOKMARK NOT DEFINED.
ATTAINMENT AT AGE 11 AND 16	ERROR! BOOKMARK NOT DEFINED.
OUTCOMES FOR CHILDREN IN PUBLIC CARE.....	ERROR! BOOKMARK NOT DEFINED.
THE EFFECTIVENESS OF INTERVENTIONS FOR CHILDREN WITH ADDITIONAL NEEDS	ERROR! BOOKMARK NOT DEFINED.
Make a Positive Contribution	12
PARTICIPATION IN POSITIVE OUT OF SCHOOL ACTIVITIES	ERROR! BOOKMARK NOT DEFINED.
THE EFFECTIVENESS OF PROBATION SERVICES	ERROR! BOOKMARK NOT DEFINED.
Achieve Economic Wellbeing	13
POST-16 DESTINATIONS	ERROR! BOOKMARK NOT DEFINED.
TAKE-UP OF CHILDCARE BY LOW INCOME FAMILIES ..	ERROR! BOOKMARK NOT DEFINED.

Be Healthy



NI56b - Obesity among primary school age children in Year 6 (Prevalence)

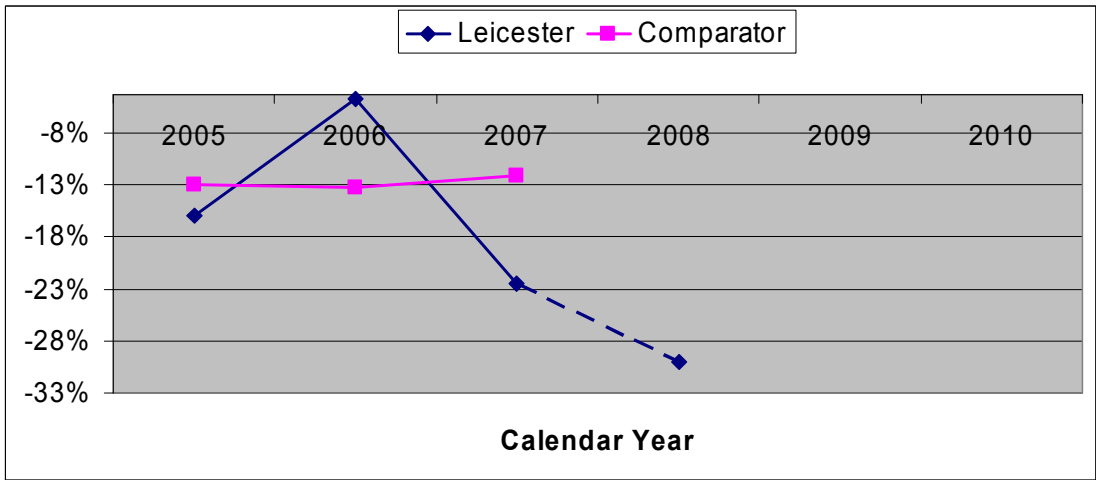
Baseline Information



Year Type	Academic	2008-09	2009-10	2010-11
Agreed targets		22%	21%	20%

NI112 - Under 18 conception rate

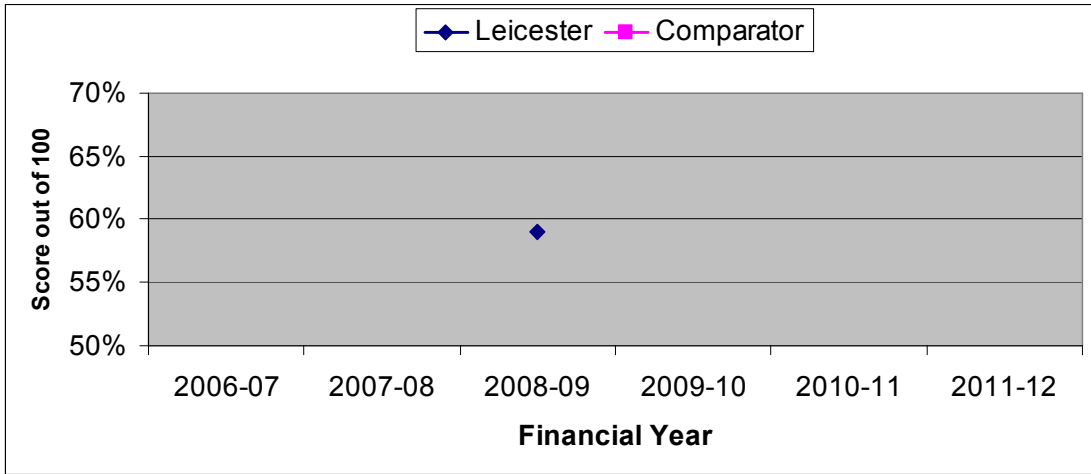
Baseline Information



Year Type	Calendar	2008-09	2009-10	2010-11
Agreed targets		-30%	-43%	-55%

NI54 - Services for disabled children

Baseline Information

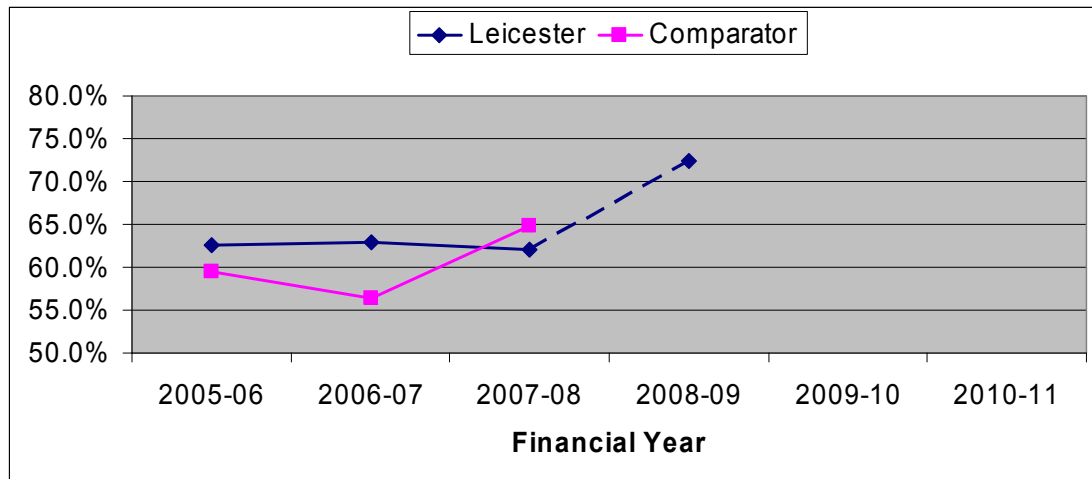


Year Type	Financial	2009-10	2010-11	2011-12
Agreed targets		62%	65%	

Stay Safe

NI59 - Initial assessments for children's social care carried out within 7 working days of referral

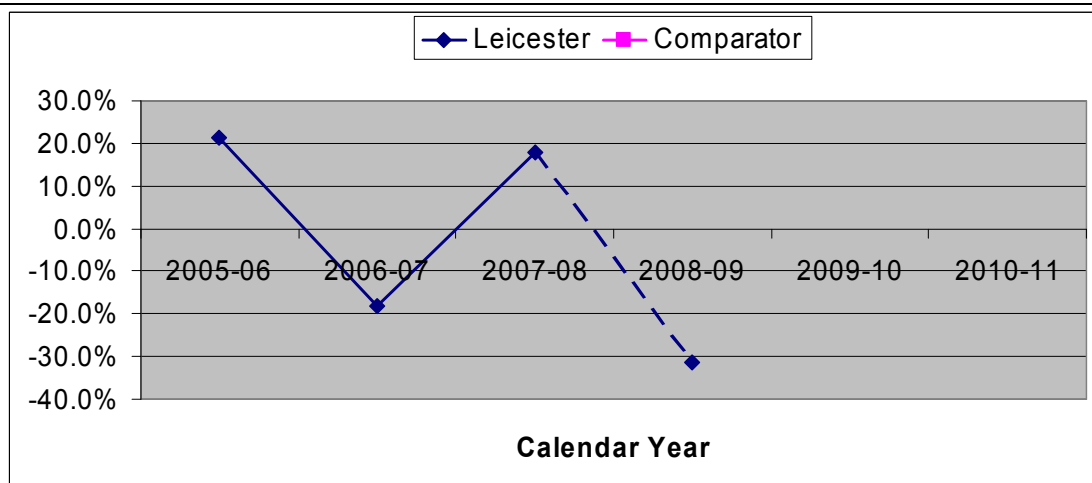
Baseline Information



Year Type	Financial	2008-09	2009-10	2010-11
Agreed targets		63.0%	70.0%	77.5%

NI48 - Children killed or seriously injured in road traffic accidents

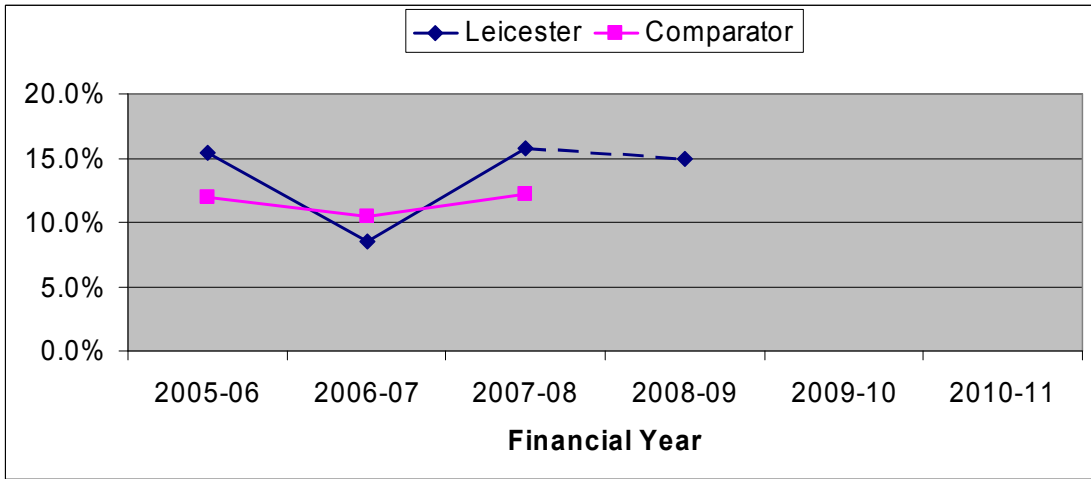
Baseline Information



Year Type	Calendar	2008-09	2009-10	2010-11
Agreed targets		-21.9%	-7.7%	

NI65 - Children becoming the subject of a Child Protection Plan for a second or subsequent time

Baseline Information

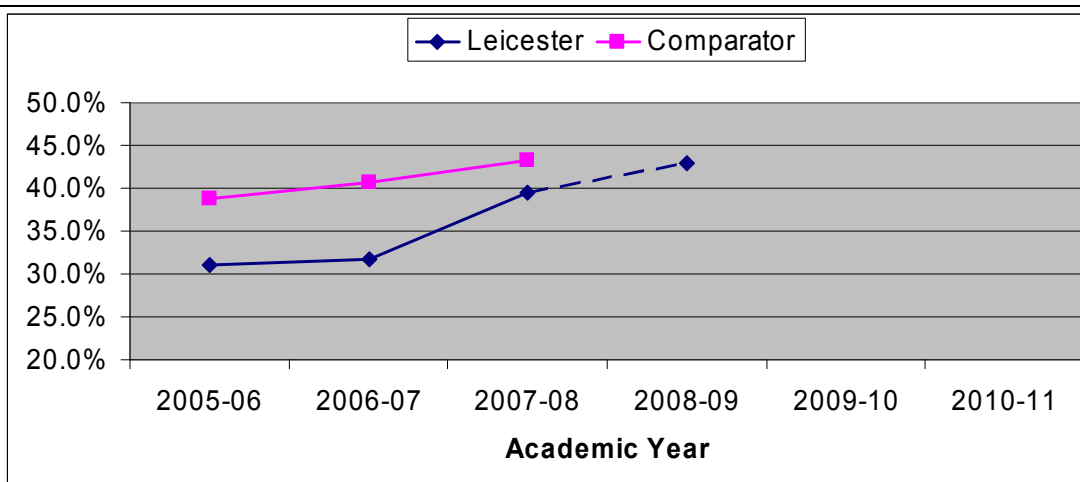


Year Type	Financial	2008-09	2009-10	2010-11
Agreed targets		11.0%	10.0%	10.0%

Enjoy and Achieve

NI72 - Achievement of at least 78 points across the Early Years Foundation Stage with at least 6 in each of the scales in Personal Social and Emotional Development and Communication, Language and Literacy

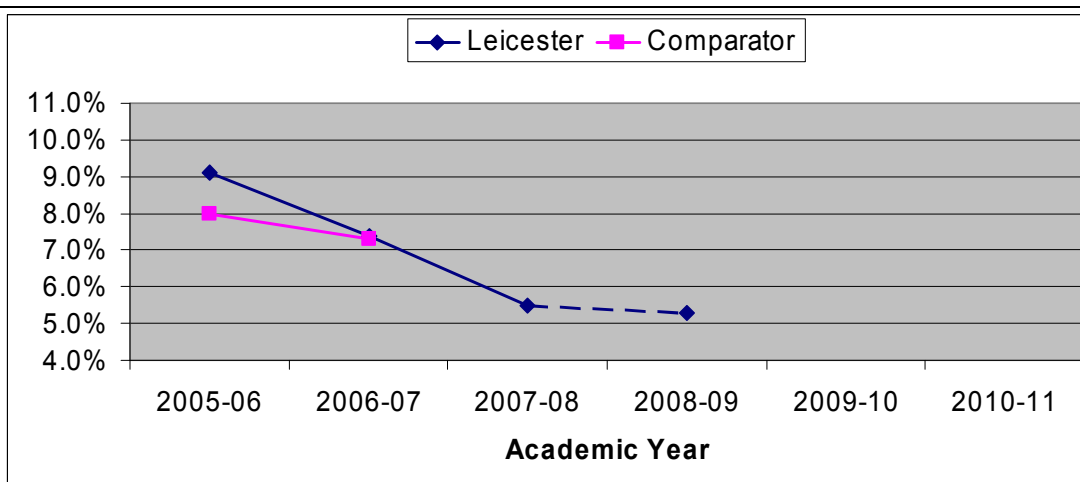
Baseline Information



Year Type	Academic	2008-09	2009-10	2010-11
Agreed targets		40.0%	45.0%	

NI87 - Secondary school persistent absence rate

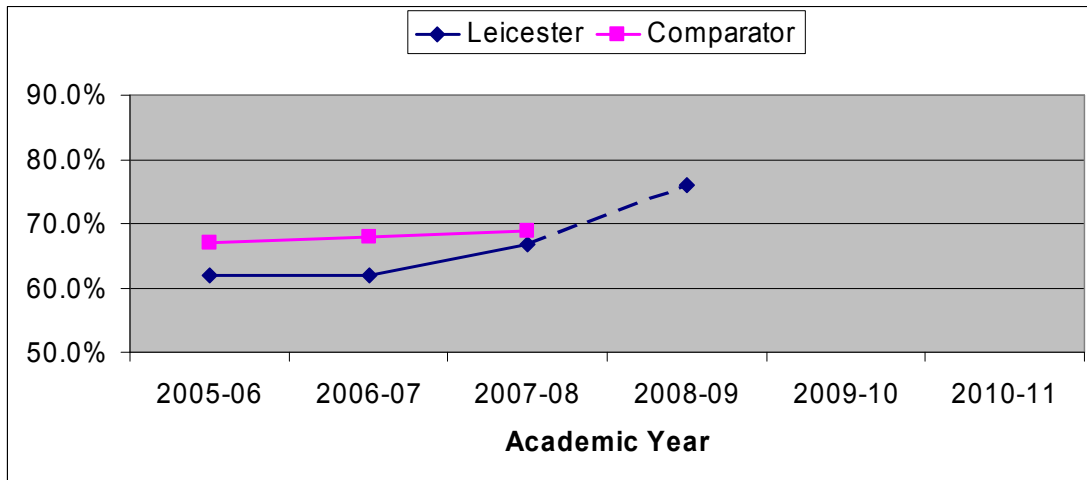
Baseline Information



Year Type	Academic	2008-09	2009-10	2010-11
Agreed targets		6.0%	5.3%	

NI73 - Achievement at level 4 or above in both English and Maths at Key Stage 2

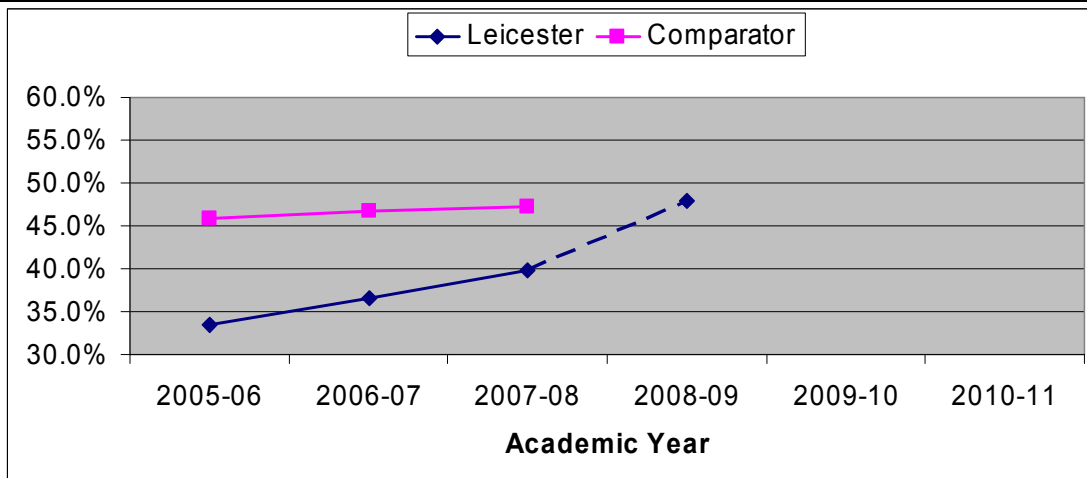
Baseline Information



Year Type	Academic	2008-09	2009-10	2010-11
Agreed targets		76.0%	78.0%	

NI75 - Achievement of 5 or more A*-C grades at GCSE or equivalent including English and Maths

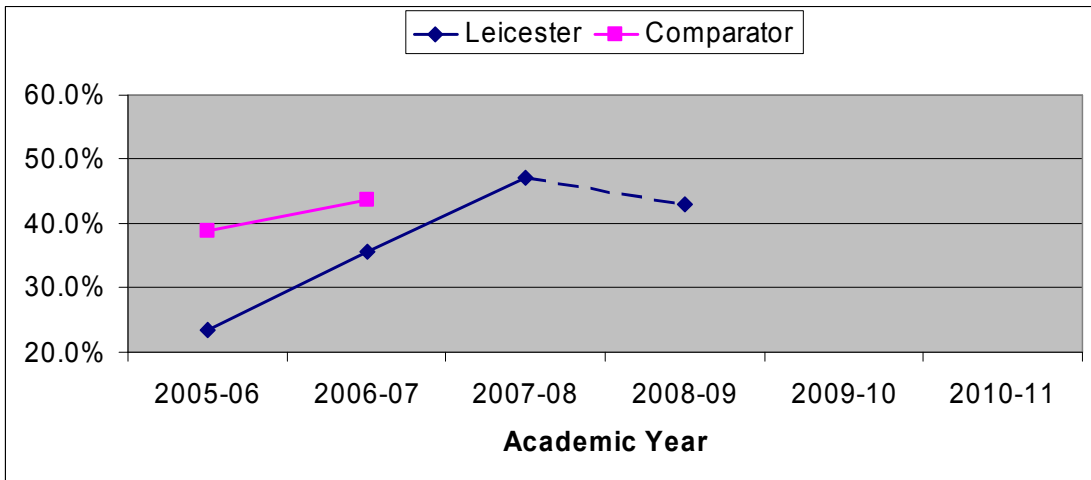
Baseline Information



Year Type	Academic	2008-09	2009-10	2010-11
Agreed targets		48.0%		

NI99 - Children in care reaching level 4 in English at Key Stage 2

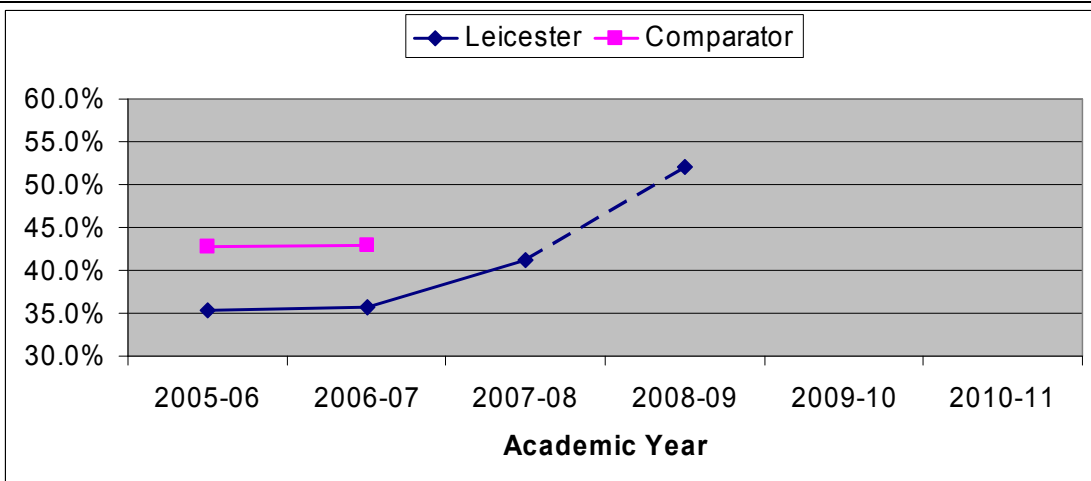
Baseline Information



Year Type	Academic	2008-09	2009-10	2010-11
Agreed targets		43.0%		

NI100 - Children in care reaching level 4 in Maths at Key Stage 2

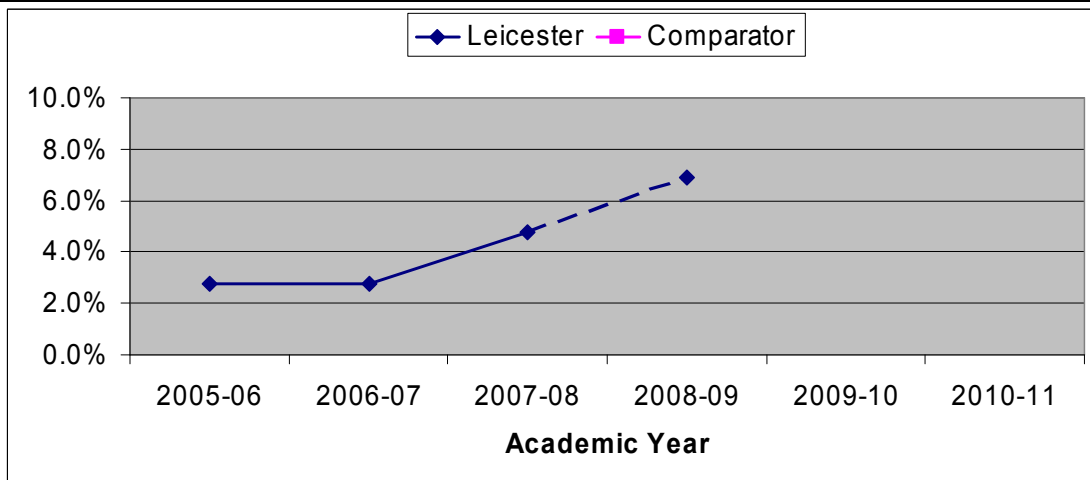
Baseline Information



Year Type	Academic	2008-09	2009-10	2010-11
Agreed targets		52.0%		

NI101 - Children in care achieving 5 A*-C GCSEs (or equivalent) at Key Stage 4 (including English and Maths)

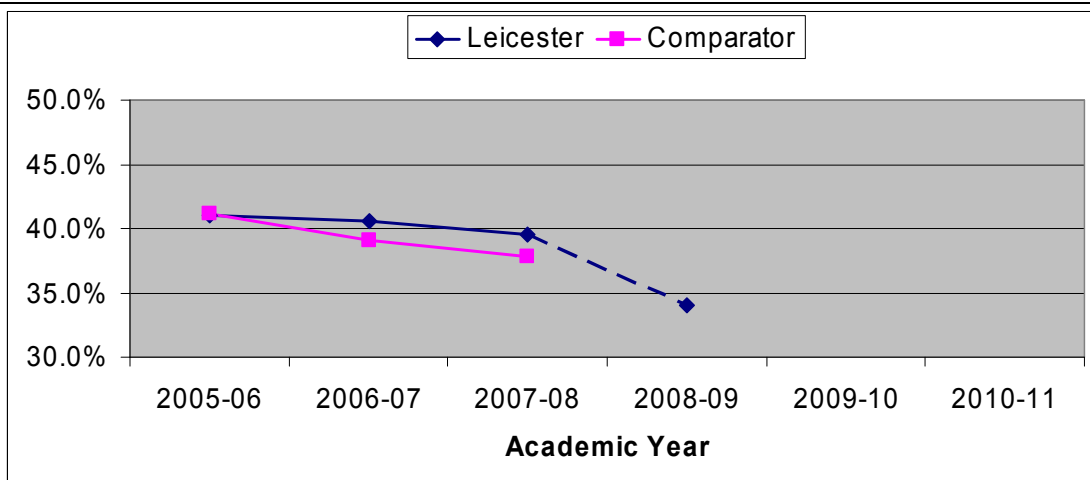
Baseline Information



Year Type	Academic	2008-09	2009-10	2010-11
Agreed targets		27.0%		

NI92 - Narrowing the gap between the lowest achieving 20% in the Early Years Foundation Stage Profile and the rest

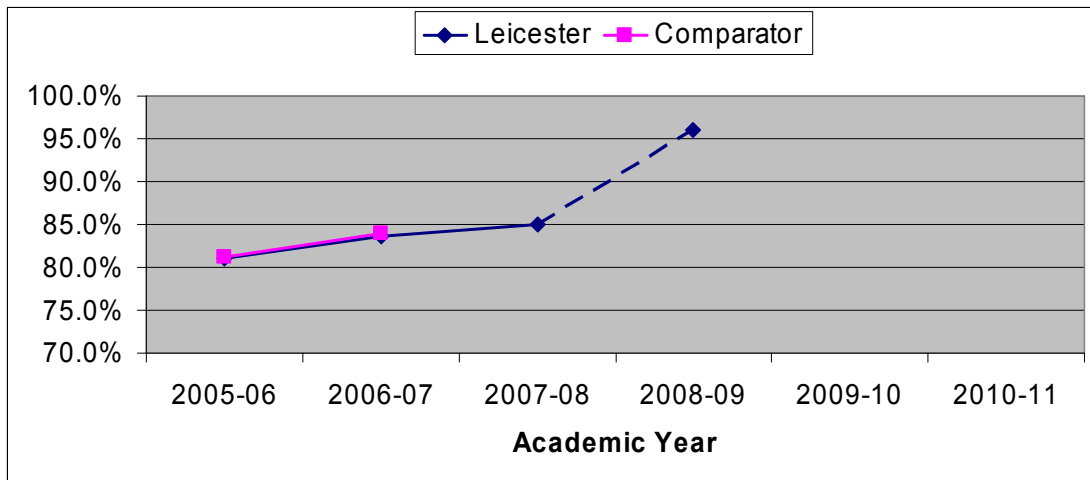
Baseline Information



Year Type	Academic	2008-09	2009-10	2010-11
Agreed targets		34.0%	32.0%	

NI93 - Progression by 2 levels in English between Key Stage 1 and Key Stage 2

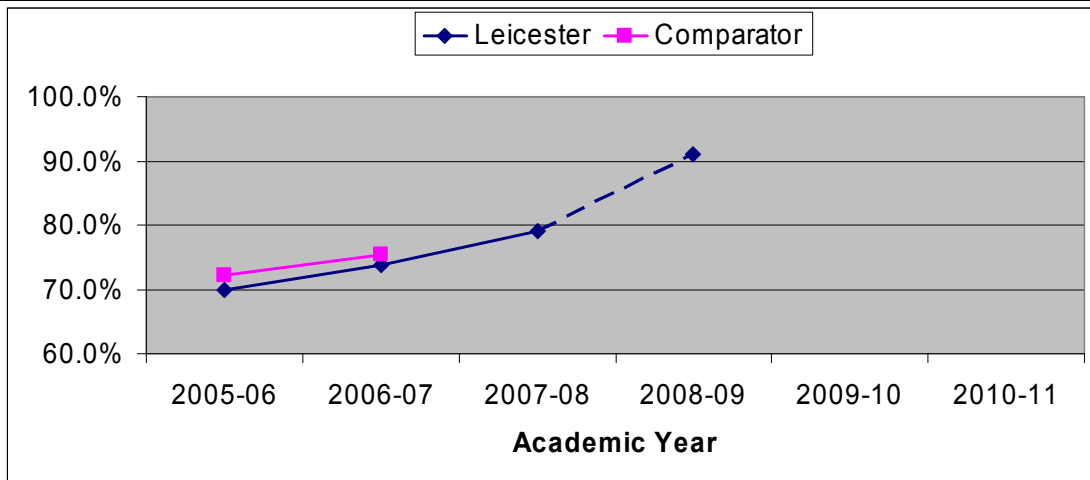
Baseline Information



Year Type	Academic	2008-09	2009-10	2010-11
Agreed targets		96.0%	95.2%	

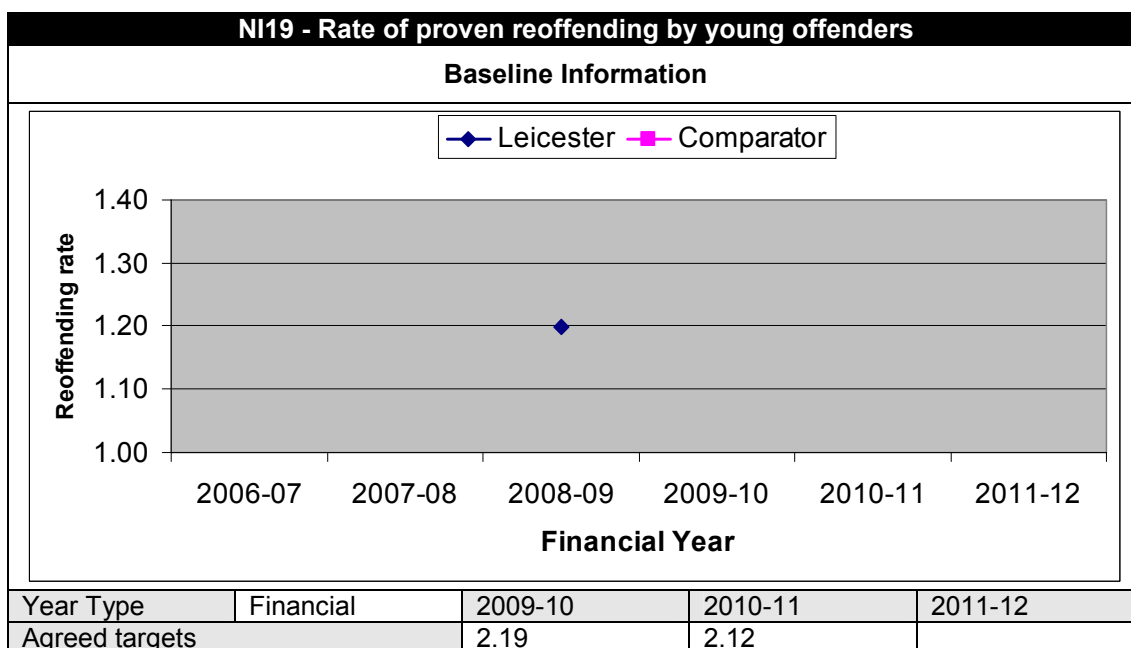
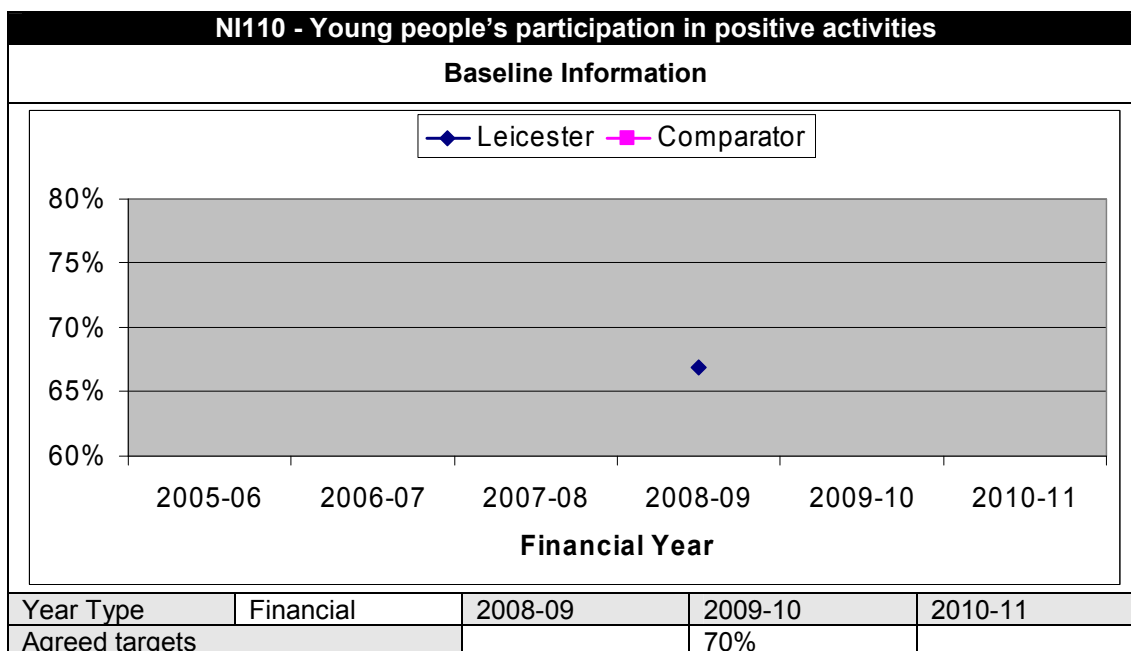
NI94 - Progression by 2 levels in Maths between Key Stage 1 and Key Stage 2

Baseline Information

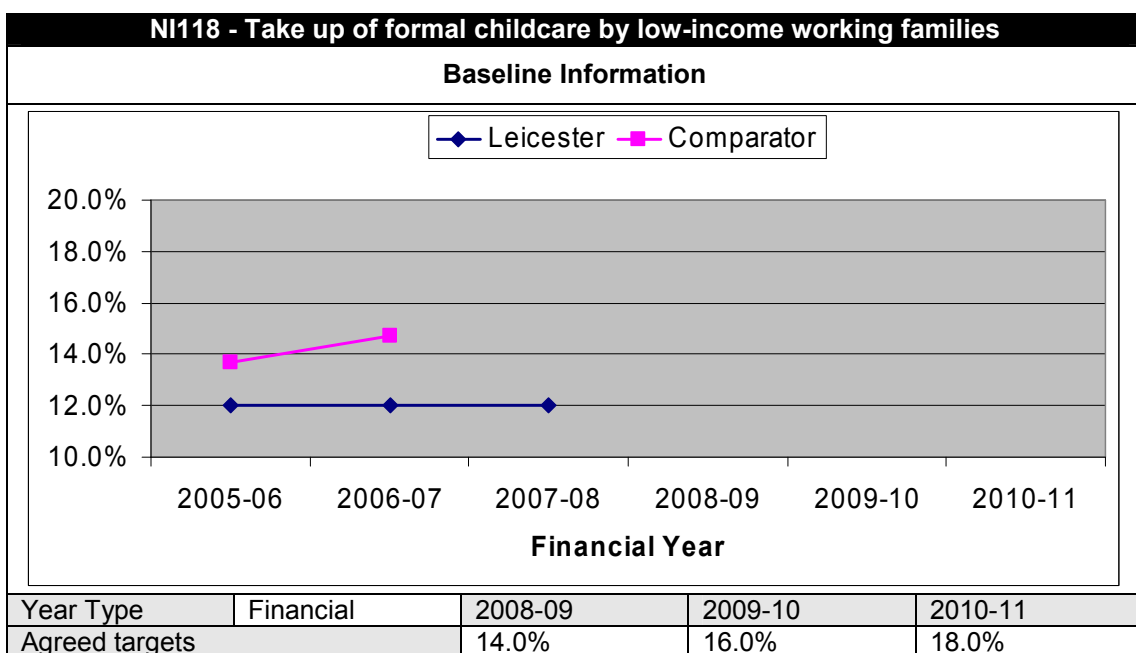
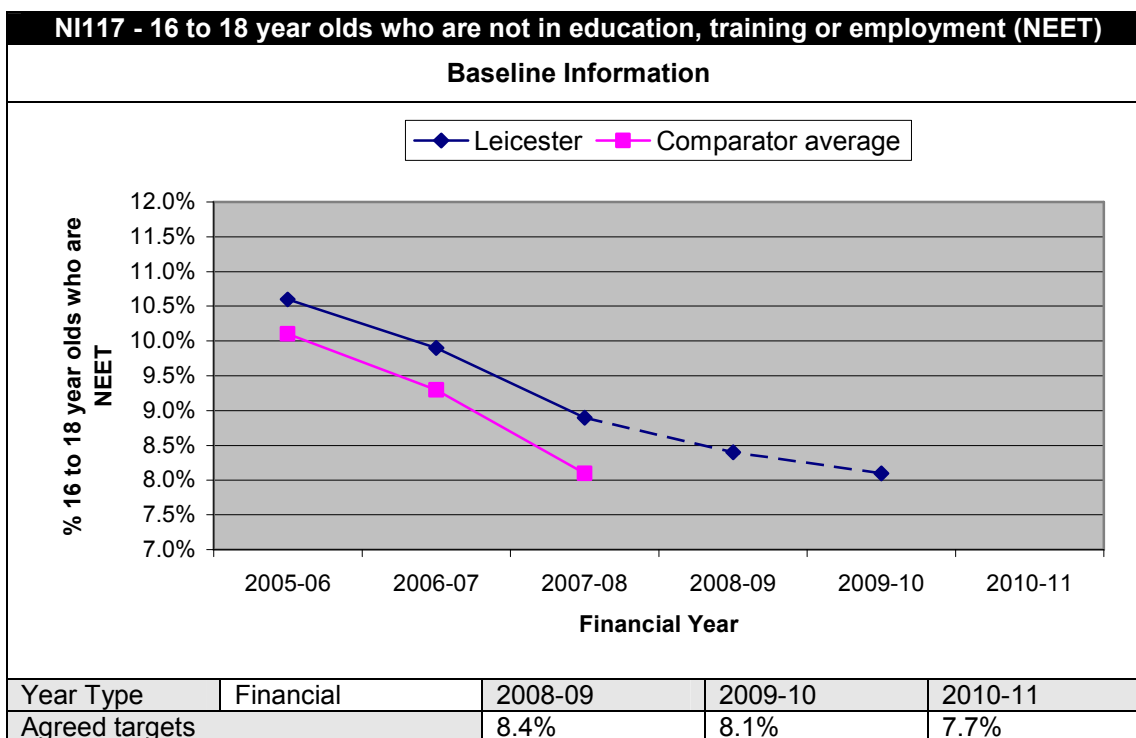


Year Type	Academic	2008-09	2009-10	2010-11
Agreed targets		91.0%	93.0%	

Make a Positive Contribution



Achieve Economic Wellbeing



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Appendix C: Principles underpinning service planning and delivery for children and young people

The Children and Young People's Plan must include a specific focus on:

- The integration of services
- Safeguarding and promoting the welfare of children and young people
- Early intervention and preventative action

Integrated services means services working together in a joined up way. It works at all levels across the City, from agreeing strategy and priorities to delivering services in communities. One of the main ways in which services are integrating on a neighbourhood basis in Leicester is through Integrated Service Hubs (ISH). Within each area, it is proposed that there will be at least two co-located teams making up the ISH: one based around a children's centre and focusing on the needs of those 0-12 and one based in or around a secondary school (depending on the views of the community and availability of suitable accommodation), serving the needs of those 12-19. More details on the ISH programme can be found at [\(insert hyperlink\)](#)

All services for Leicester's children and young people contribute to safeguarding children and promoting their welfare, including their emotional wellbeing:

- By providing secure and caring environments in which to support the development of children and young people, our universal services act as protectors for children and young people and make good parenting easier to achieve.
- There is timely help for families who need it from pre-birth to adulthood. Early prevention services provide accessible and responsive care, and support parents and carers to find solutions to problems early on. Youth support services provide young people with things to do, places to go and people to talk to outside of school – all important to supporting their development, diverting them from harmful or illegal activity, and helping them progress into adult life;
- Specialist services are there to ensure that those children at the highest risk are protected and given the care and support they need.

Early intervention and preventative action means nipping problems in the bud. A range of Council-led initiatives are underway to promote the resilience of Leicester's children, young people and families. This includes anti-bullying work in and around schools, work to tackle substance misuse and anti-social behaviour, and work to reduce the teenage conception rate and support young parents. There is also more targeted work with groups such as unaccompanied asylum-seeking children. To embed this good practice and sustain it into the future, the Council and its partners are investing in more personalised services and providing children and young people with more opportunities for self-directed support. This includes the introduction of a common assessment framework (CAF) for children with additional needs, the commitment to deliver a core offer for disabled children, and the work across a range of programmes and services to involve children and young people in decision-making.

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Make a Positive Contribution

Our priorities are:

- To ensure provision, across all sectors, is responsive to the voices of children and young people
- To ensure children and young people have the opportunity to contribute to building safer and stronger communities.

Our headline measures of progress towards, and achievement of, these outcomes are:

NI110 Young people's participation in positive activities
NI19 The rate of proven re-offending by young offenders

Our recent history and improvement targets are included at Appendix B.

Progress in the last year

In universal approaches

- Established a Children's Council to run alongside the Young People's Council, enabling 5-19 year olds to influence the council and partners. The following are some examples of the difference they have made:
- Influencing the agenda of the Overview and Scrutiny Management Board
- Influencing the Workforce Development Plan, including the development of a list of authorised young recruiters
- Involvement in developing and designing a city centre hub for children and young people
- Supporting the LCYPSP Stakeholder Conference. This focused on the CYP priorities. In addition to helping to plan and deliver the conference, children and young people collected and collated the views of stakeholders on the priorities and presented their findings with recommendations to LCYPSP
- We have made progress in our plans to increase the involvement of all young people in positive activities through the development of our Integrated Youth Support Strategy.

In targeted approaches

- NI 110 working group is targeting identifiable vulnerable groups, eg looked after young people and young offenders.
- Increased the involvement of disabled children and young people in influencing the services needed to improve their inclusion in universal provision. Young people have influenced the reviews of provision for Autistic Spectrum Disorder, Speech and Language and the Aiming High short breaks.

- Yopital Wonga, the young people's panel that decides the allocation of the Youth Opportunities and Capital funds, has ring-fenced 20% of the budget for 2009-10 to meet the needs of disabled children and young people.
- Progress has been made in supporting Youth Support Services to become more aware of and equipped to respond to substance misuse, through workforce development initiatives with specialist substance misuse services.
- Established a disabled children and young people's forum to participate in future service developments. This forum is linking with the Young People's and the Children's councils to co-ordinate work and to develop the inclusiveness of the two councils.
- We have also involved parents of disabled children through developing a Parents Forum, which has influenced the reviews of provision for Autistic Spectrum Disorder, Speech and Language and the Aiming High short breaks.
- Through the multi-agency Parenting Strategy, we have increased our support to parents to enable them to influence services and to participate in parenting provision to improve their children's outcomes. Examples include:
 - Enhanced capacity to develop and support a pool of parent volunteers to increase peer support to parenting programmes.
 - Good progress in developing parent representation on Sure Start Children's Centres Advisory Boards, resulting in parents influencing the agenda and decision making about services.

In specialist approaches

- The Stand Up Speak Out group (SUSO) that represents children in need and looked after children and young people continues to impact on service design and provision. For example, the local universities have agreed to young people from SUSO delivering sessions to student social workers on participation and the Local Authority has agreed to young people from SUSO contributing to the inductions of new social workers.
- Progress in developing a Children in Care Council, which will add to and complement the work of the SUSO group. A multi-agency task group has been meeting to develop this council.
- Young people known to the Youth Offending Service (YOS) have been trained to help recruit YOS staff. They sat on an interview panel last year to recruit the YOS Deputy Head of Service.
- Progress has been made in preventing youth offending and re-offending, which is a priority in our LAA (NI 19). The following provides evidence of this:
 - Achieved 40% reduction in first time entrants to the youth justice system in April to December 2008 compared to the same period in 2007
 - YOS has led in achieving significant reductions in re-offending when comparing current cohort with 2005 baseline cohort.
 - Achieved reduction in % of LAC cases who are convicted from 6.2% of all known LAC cases in 2003/04 to 2.2% of all known LAC cases in 2006/07



Achieve Economic Wellbeing

What we want to achieve this year

- A wider and more inclusive range of children and young people influencing service planning.
- Increased partner involvement in the Participation Strategy.
- Increased parental involvement in service planning and peer support activity.
- Increased participation by young people in positive activities (NI 110).
- More vulnerable young people identified and provided with co-ordinated support through the Pathway to Success pilot in North West Leicester. (The pilot will offer co-ordinated cross-agency support to young people within the area who are identified as being at risk of poor outcomes, including risks associated with teenage conception, NEET, substance misuse and criminal offending.)
- Increase the capacity of the children's workforce to identify and intervene in substance misuse.
- Reduce further the rate of proven re-offending by young offenders by 3.4% in 2009/10 and by 9.8% by 2011 (NI 19).

Further details

Detailed actions to support the Make a Positive Contribution priorities are included in the Make a Positive Contribution Delivery Plan, available at: [\(insert hyperlink\)](#)

Our priorities are:

- To ensure a continued reduction in "Not in Education, Employment or Training" (NEET) levels
- To reduce long-term unemployment and numbers of children growing up in workless households

Our headline measures of progress towards, and achievement of, these outcomes are:

- NI117 16-to-18 year olds who are not in education, training or employment (NEET)
- NI118 Take up of formal childcare by low-income working families

Our recent history and improvement targets are included at Appendix B.

Progress in the last year

Through co-ordinated activity across partners, we have focused on improving the economic wellbeing of children and young people across universal, targeted and specialist provision.

In universal approaches

- The 2008/09 NEET target was met with rising involvement of vulnerable groups
- High local rates of children and young people in post 16 learning.
- Met targets for providing an offer of a learning opportunity to Year 11 and 17 year old young people, including a successful matching event
- Development of a universal post-16 'common application' process used across all maintained schools in Leicester
- Targets exceeded in the City Strategy development plan for retail job interviews
- Successfully reviewed 'Positive Activities for Young People' initiative and completed summer college project and pilots
- Funding confirmed and project manager recruited to support an increase in the uptake of formal childcare to support work recruitment
- Secured and improved computer system to upgrade the Childcare Information Service with family information
- On target to retain 95% of our funded out of school childcare places
- Achieved a target of 38.4% of young parents in education, employment and training (EET) in March 2009 (target was 40%).



In targeted approaches

- Ongoing identification of need to inform service delivery and provision for vulnerable groups
- Successful start to short term work experience placements for young people
- Addressing low take up of the nursery education grant as well as increasing the grant to support the implementation of new terms and conditions
- Launch of project in Children's Centre Neighbourhood North to pilot new approaches to increase take-up childcare element of Working Tax Credit and Black and Minority Ethnic families of school age children
- Young parents have been offered very targeted support and provision resulting in higher levels of teenage parents and teenage mothers involved in education, employment and training
- Continued improvement in engagement of young people who offend into suitable education, training and employment (NI 45.76% for 08/09 compared to 71% for 07/08, see Youth Crime Action Plan).
- The Parenting Information and Pregnancy Support (PIPS) continues to provide targeted support to young parents and parents to be and Connexions have expanded outreach work at neighbourhood level to particularly vulnerable clients.
- Connexions continues to provide a range of learning provision to young parents and parents to be that recognises that 'no one size fits all'. Provision includes young mums to be, home based study, family learning and progression opportunities.
- Piloted a project to support access to childcare for disabled children in Beaumont Leys

In specialist approaches

- Work started by the ETE 14-19 partnership co-ordinator to focus on YOS work placements and NEET
- ETE YOS roadshow successfully working with schools and colleges.
- YOS working alongside the Leicester City Council apprenticeship scheme

What we want to achieve this year

- Use Working Neighbourhood Funds to support families back into employment, so supporting a reduction in childhood poverty
- Improved targeting of schools funding formula to support schools in areas of deprivation
- Mitigate the impact of the current national economic recession on children, young people and families.
- A step change in partners' understanding of, and engagement in achieving, outcomes is evidenced i.e. local plans underpin our aspirations, notably NEET plans including vulnerable groups, the JAR action plan, Connexions and LSC business plans, Parenting Support Action Plan and Child Care Strategy
- Continued progress in the achievement of local targets, including apprenticeships, vocational training, sixth forms and further education

- Maintain improvements in ETE YOS targets, working towards 80% full time engagement by 2010/11
- Increase the number of mentoring opportunities for young people involved in the YOS ETE project
- Ensure the provision of sufficient nursery education
- Increase numbers of parents taking up affordable formal childcare, especially in the most deprived areas of the City
- Reduce the rate of local child poverty
- Ensure sufficient childcare for adult learners to support the securing of employment
- Ensure the nursery education grant reaches families with the most disadvantaged 3 and 4 year olds
- Further improvement of post-16 provision and economic regeneration:
 - Ensure sufficient post-16 places in schools/sixth form colleges
 - Support 14-19 collaborative arrangements
- Increase numbers of young parents in EET to 60%

Further details

Detailed actions to support the Economic Well Being priorities are included in the Economic Wellbeing Delivery Plan, available at: [\(insert hyperlink\)](#)



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Leicester City Children and Young People's Plan

Annual Review 2009

CYPP Annual Review 2009 Contents

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2	Be Healthy <ul style="list-style-type: none"> • Priorities • Progress in the last year • What we want to achieve this year 	
3	Stay Safe <ul style="list-style-type: none"> • Priorities • Progress in the last year • What we want to achieve this year 	
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Introduction

The Children and Young People's Plan¹, is the main plan setting out the priorities for children and young people in Leicester. Delivery of the plan is overseen by the Leicester Children and Young People's Strategic Partnership (LCYPSP), which includes the City Council, the NHS, the police, and representatives from the private, voluntary and independent sectors.

This review is an important way to make sure that all people with an interest in outcomes and services for children and young people are kept informed about progress and achievements. It also helps people to understand what needs improving, and to agree the main activities for 2009-10.

The priorities for 2009-10 are set out in the table below alongside the range of indicators that are used to measure our progress against these priorities. These are repeated again at key points in the document as progress is assessed in each of the five Every Child Matters Thematic areas. These areas reflect the outcomes which were identified as being the most important to children and young people during the consultation on Every Child Matters, the national framework for local change programmes to build services around the needs of children and young people to improve their life chances.

The review is informed by a range of evidence, including the views of children and young people and their parents and carers, the views of Ofsted and other inspection and regulatory bodies, and information generated by the City Council and local service organisations about outcomes and service performance. In addition a group of 14 children and young people aged between 7 and 14 years were involved in two workshops to help to edit this document. The key sources of evidence are listed at Appendix A.

The LCYPSP's first stakeholder conference, held on the 24th November 2008, was a major opportunity for children, young people, parents, staff and managers from agencies delivering services for children and young people, to offer their views. All those who attended were able to learn together about the work of the partnership, and to comment on the services for children and young people in the city. A full report about the event can be found at [\(insert hyperlink\)](#).

The other major opportunity to offer views was the national TellUs survey, which took place in summer 2008. Over 2,000 of the city's children and young people took part and, as well as providing feedback on key services, answered questions about themselves, including their emotional wellbeing and participation in out-of-school activities. The results, which paint a picture of Leicester as a child-friendly, aspirational city, are available to download from the City Council's website: <http://www.leicester.gov.uk/your-council--services/education--lifelong-learning/about-schools/tellus-survey-results>

¹ Leicester produced its first Children and Young People's Plan (CYPP) in 2006, and it has been reviewed each year since. Forthcoming changes to the law mean that the City Council and its partners will be required to prepare a completely new plan from 2011. In the interim, the partners have agreed to extend the period of the current plan.

Outcomes for children and young people

To enjoy a good quality of life, LCYPSP believes that every child should:

- Be Healthy
- Stay Safe
- Enjoy and Achieve
- Make a Positive Contribution
- Achieve Economic Well-Being

The citywide priorities for Leicester's children and young people reflect this ambition and were agreed by LCYPSP in 2006 following wide consultation. Our progress against these priorities is measured using nationally set indicators; a summary of the priorities and the indicators used to measure progress is detailed on the next page.

In Leicester, partners' efforts to improve outcomes give particular attention to:

- Improving the life chances for children and young people in care;
 - Improving the life chances for children and young people with learning difficulties and/or disabilities;
 - Ensuring the needs of children from BME communities are addressed within planning (equalities and community cohesion);
 - Supporting parents and carers;
 - Increasing the participation of children and young people, their parents and carers in the design and delivery of services.
- An important 'cross-cutting' performance measure for children and young people's services is NI54 (parents' experience of services for disabled children and the 'core offer').

An improvement target for NI54 is included in the city's Local Area Agreement.

The 2009 review has considered the progress made to date in pursuing Leicester's agreed priorities for children and young people and, where necessary, has revised ambitions and planned actions for the coming year. A summary of the evidence considered and conclusions reached is provided for each of the five Every Child Matters outcome areas.

More detail on the Every Child Matters Framework can be found on www.everychildmatters.gov.uk

SUMMERY OF KEY PRIORITIES AND MEASURES OF PROGRESS

Outcomes	Priorities	Measures of progress
Be Healthy	<ul style="list-style-type: none"> • To reduce health inequalities • To promote emotional resilience and positive mental health • To reduce teenage pregnancy and support young parents 	NI 56 Obesity in Year 6 NI54 Parents experience of services for disabled children and the 'core offer' NI 50 Emotional health NI 112 Under 18 conception rate
Stay Safe	<ul style="list-style-type: none"> • To safeguard children from abuse, neglect, the impact of crime, domestic violence, substance misuse, and bullying • To reduce childhood accidents both inside and outside the home • To improve early practical and family support for vulnerable families and increase the proportion of families from Black and Minority Ethnic (BME) and new communities who take up services 	NI 59 Initial Assessments carried out within 7 working days NI 65 % of CPP re-registrations
Enjoy and Achieve	<ul style="list-style-type: none"> • To raise standards of achievement for all children through successful implementation of the policy for school improvement in conjunction with the Strategy for Inclusion and the Policy for Admissions and School Place Planning. 	NI 72 Achievement of at least 78 points across the Early Years Foundation Stage with at least 6 in each of the scales in Personal Social and Emotional Development and Communication, Language and Literacy NI 87 Secondary school persistent absence rate NI 73 Achievement at level 4 or above in both English and Maths at Key Stage 2 NI 75 Achievement of 5 or more A*-C grades at GCSE or equivalent including English and Maths NI 99 Children in care reaching level 4 in English at Key Stage 2 NI 100 Children in care reaching level 4 in Maths at Key Stage 2 NI 101 Children in care achieving 5 A*-C GCSEs (or equivalent) at Key Stage 4 (including English and Maths)

		<p>NI 92 Narrowing the gap between the lowest achieving 20% in the Early Years Foundation Stage Profile and the rest</p> <p>NI 93 Progression by 2 levels in English between Key Stage 1 and Key Stage 2</p> <p>NI 94 Progression by 2 levels in Maths between Key Stage 1 and Key Stage 2</p>
Make Positive Contribution	<p>a</p> <ul style="list-style-type: none"> To ensure provision, across all sectors, is responsive to the voices of children and young people To ensure children and young people have the opportunity to contribute to building safer and stronger communities 	<p>NI110 Young people's participation in positive activities</p> <p>NI19 The rate of proven re-offending by young offenders</p>
Achieve Economic Wellbeing	<ul style="list-style-type: none"> To ensure a continued reduction in "Not in Education, Employment or Training" (NEET) levels To reduce long-term unemployment and numbers of children growing up in workless households 	<p>NI117 16-to-18 year olds who are not in education, training or employment (NEET)</p> <p>NI118 Take up of formal childcare by low-income working families</p>

Governing and managing local services for children and young people

Each of the main service organisations in Leicester, including the City Council, is responsible for managing its own resources and performance in accordance with regulatory requirements. Each organisation will have a plan for how it will deliver its services, for the City Council this is the corporate plan. The Children and Young People's plan sits across these organisational plans, bringing together the collective ambitions and actions.

The Leicester Children and Young People's Strategic Partnership (LCYPSP) is a collaborative federation of services organisations, led by the City Council, which enables joint planning and commissioning of services for children and young people. Its work on safeguarding children and young people is scrutinised by the Local Safeguarding Children Board. Forthcoming changes to the law will mean that, in future, the Strategic Partnership will be known as a Children's Trust, and the Trust's board members will be collectively responsible for preparing and delivering the city's Children and Young People's Plan.

LCYPSP is currently reviewing its constitution and working arrangements.

A Raising Achievement Board has been established in Leicester to direct and manage the Raising Achievement Plan. The plan tackles the issues raised in recent inspections in Leicester as outlined below.

Recent inspections of children and young people's services in Leicester

Ofsted, the inspection body for children and learners in England regulates and inspects registered childcare and children's social care, including adoption and fostering agencies, residential schools, family centres and children's homes. It also inspects all state maintained schools, some independent schools, pupil referral units, further education, the Children and family Courts Advisory Service (CAFCAS).

The findings from these and other inspections², along with other evidence of service quality, impact and value for money, are used by Ofsted to assess the performance of the City Council's services for children and young people, and the impact of joint working between partners to improve outcomes in the local authority area.

In October 2008, Leicester City Council's performance was found to be 'adequate', with 'adequate capacity to improve'. The inspection identified some key strengths, particularly in relation to safeguarding and services for children in care. It praised the clear vision and prioritisation of partners, but also found that more work is needed to improve health and education outcomes.

Ofsted conducted a Joint Area Review (JAR) in Leicester during January and February 2008. This looked at services delivered by the council and partner agencies, including health and the police. It found evidence of much good practice, but concluded that improvements were needed in the contribution that services make to children and young people's educational attainment, and to supporting the well being of vulnerable children.

² Including those conducted by the Care Quality Commission and HMI Inspectorate of Probation.

Following the JAR, the Secretary of State for Children, Schools and Families issued the council with an Improvement Notice due to poor performance/decline in the school improvement service, school attainment and teenage pregnancy provision.

The issues raised through the inspections, particularly the JAR, are being addressed through the Raising Achievement Board which is responsible for overseeing the Raising Achievement Plan.

Any outstanding areas for development identified by Ofsted in the most recent annual performance assessment and the JAR have been incorporated into the business plans of the relevant agencies and, where necessary, have resulted in revisions to CYPP ambitions and planned actions for the coming year.

Comprehensive Area Assessment

With effect from 1st April 2009, Ofsted's Annual Performance Assessment (APA) and Joint Area Review (JAR) processes were discontinued. In future, the external assessment of outcomes and services for children and young people in Leicester will take place as part of the Comprehensive Area Assessment (CAA), which is an Audit Commission-led assessment of the effectiveness of local strategic partnerships. The CAA brings together the work of seven inspecting organisations, including Ofsted. More detail on the CAA can be found on the Audit Commission website www.audit-commission.gov.uk/caa.

Be Healthy

Our priorities are:

- To reduce health inequalities
- To promote emotional resilience and positive mental health
- To reduce teenage pregnancy and support young parents

Our headline measures of progress towards, and achievement of, these outcomes are:

NI 56 Obesity in Year 6

NI54 Parents experience of services for disabled children and the 'core offer'

NI 50 Emotional health

NI 112 Under 18 conception rate

In addition, a priority of the city's Health and Wellbeing Partnership is to improve early access for women to maternity services (NI 126).

Our recent history and improvement targets are included at Appendix B.

Progress in the last year

Progress in relation to the Be Healthy Outcome is particularly challenging in Leicester. There is an increasing birth rate, and more children are being born into relative poverty. Leicester therefore has a higher proportion than the national average of children and young people, and Infant Mortality is also significantly higher in Leicester than the national average. Despite these challenges we have made some good progress.

In universal approaches:

- Made a good start on the National Child Measurement Programme with the achievement of 2008/9 targets and a range of local projects supporting healthy weight in children. The development of school travel plans, and the use of legislation to restrict fast food outlets around schools are also designed to support healthy weights.
- Maternity Support Workers working in the community from Children's Centres. To date this service has been delivered within specific areas.
- Ensured that the mumps, measles, rubella (MMR) catch up programme protected more children from these infectious illnesses.
- Exceeded the target for early access for women to maternity services.
- Developed a range of activities to support the new Aiming High for Disabled Children Programme, including good progress on the Parents/Carers Forum and the Young People's Forum.
- 108 out of 110 schools registered with the National Healthy Schools Programme, and 71 schools accredited.
- New survey measurements of emotional health indicate that the proportion of Leicester's children and young people who enjoy good relationships with family and friends is higher than national and comparator averages.
- Continued to have good take up of Tier One Child and Adolescent Mental Health Services (CAMHS) training for professionals from a wide range of services. More

staff in universal settings have therefore developed skills to recognise common mental health and emotional and/or behavioural problems in children and young people and to respond appropriately to them without the need for referral on to more specialist services (Annual Evaluation Report available).

- Helped 333 callers (parents and professionals) to the open access Child Behaviour Intervention Initiative advice line to improve their confidence in taking the next appropriate step in managing children's emotional well-being. The evaluation of this intervention continues to indicate 100% increase in the callers' confidence to take the next appropriate step.
- Used evidence from a local research project to support funding for the development of Sex and Relationships Education (SRE) in local primary schools. National research suggests SRE in primary schools is an important protective factor against teenage pregnancy.

In targeted approaches:

- Achieved the 100th smoke free home, protecting 103 children and young people whose parents have stopped smoking with the help of the Smokefree Service.
- Provided a range of services to disabled children and their families to enhance their healthy lifestyles, including healthy eating and exercise. Evaluations demonstrate families' increased understanding and awareness of these factors in improving health.
- Established school nurse led health shops in six targeted secondary schools.
- Devised a range of early intervention services in schools with the new Pathfinder Targeted Mental Health in Schools (TaMHS) Funding. These services use outcome measures and most are demonstrating good impact.
- Continued to demonstrate, through its annual self evaluation report, the strong contribution made by the Child Behaviour Intervention Initiative in providing families with effective help to tackle common emotional and behavioural concerns (direct work with 317 families and direct group work with 76 parents).
- Achieved an overall reduction of 22.5% in the under 18 conception rate from the baseline figure for 1998. The comparison is based on Teen Pregnancy Data for 1997. Elsewhere in England there are upward trends.
- In consultation with young people, developed a programme for Chlamydia screening of 15-24 year olds.
- Set up safer sex provision with agencies that work with young people at risk of teenage pregnancy including Looked After Children, YOS, BME groups and NEET.

In specialist approaches:

- Established Specialist Midwives for teenage parents and parents who misuse substances, providing ante- and post-natal specialist support.
- Increased short break provision for children and young people with a health need between the ages of 12-19.
- Involved a group of looked after 16+ young people to help to design an appropriate health assessment service for them. As a result, we appointed a nurse specifically for 16+ Looked after Children and there has been a much better take up of health assessments by this group since. We received a regional award and were runners

up for the national award for the way that we involved young people in designing this new service.

- Launched multi-agency pathways for Autism and for ADHD to ensure that children and young people with the most severe difficulties receive the most appropriate specialist help, at the same time as offering appropriate early intervention to those with less serious problems.
- Invested in five additional clinical staff in the specialist CAMHS City Outpatient Service (this was a Joint Area Review recommendation).
- Invested in therapy services for children and young people following Multi level surgery.
- The Parenting Information and Pregnancy Support (PIPS) continues to provide targeted support to young parents and parents to be and Connexions have expanded outreach work at neighbourhood level to particularly vulnerable, hard to reach clients. 38.4% young parents in EET in March (40% target to reach for March 09) this shows a remarkable increase in EET figures for young parents.

What we want to achieve this year

It is an exciting time to make a difference to children's health. The Government has just published "Healthy lives, brighter futures. The strategy for children and young people's health".

This document spells out the changes that are needed and how these changes will be achieved. In Leicester we will be particularly concentrating on the new antenatal and preparation for parenthood programme, the strengthened role for Children's Centres in promoting children's health, the strengthened National Healthy Schools Programme, and the additional funding for the Aiming High for Disabled Children Programme.

The first Joint Strategic Needs Assessment was produced in Leicester in 2008 and this year it will focus on children's health. This work will help us to make decisions about future child health priorities and commissioning for the best outcomes for children.

In broad terms, over the next year we will improve outcomes in antenatal and neonatal care, including reducing infant mortality and increasing breastfeeding, by: mainstreaming Midwifery Support Workers across the city; increasing specialist midwifery provision for homeless and asylum seeking women; and supporting the development of the Infant Feeding Strategy. We need to roll out the obesity strategy to reverse the increasing trend, including specialist services for children and young people who are very overweight and/or have Type II diabetes.

We need to make "Aiming High for Disabled Children" a reality. We need to build on the strong start we have made in giving support to families and to schools to enhance children and young people's emotional well-being, including specialist services for speech and language therapy, short break provision, and psychological support. Finally, we need to continue working towards reducing teenage pregnancy.

Further details

Detailed actions to support the Be Healthy priorities are included in the Be Healthy Delivery Plan, available at: [\(insert hyperlink\)](#)

Stay Safe

Our priorities are:

- To safeguard children from abuse, neglect, the impact of crime, domestic violence, substance misuse, and bullying
- To reduce childhood accidents both inside and outside the home
- To improve early practical and family support for vulnerable families and increase the proportion of families from Black and Minority Ethnic (BME) and new communities who take up services

Our headline measures of progress towards, and achievement of, these outcomes are:

NI 59 Initial Assessments carried out within 7 working days

NI 65 % of CPP re-registrations

In addition a priority of the city's Safer Leicester Partnership is to reduce repeat incidents of domestic violence (NI32)

Our recent history and improvement targets are included at Appendix B.

Progress in the last year

Through co-ordinated activity across partners, we have improved the safeguarding of children and young people across universal, targeted and specialist provision.

In universal approaches:

- Inter-agency safer recruitment guidance approved and being implemented and evaluated, and a Safer Recruitment assessment tool in development
- E-safety project progressed with training, procedures and guidance, and mapping of need
- Excellent progress in anti-bullying project including guidance, training and participation of children and young people and a positive response reported in the Leicester 'TellUs3' survey
- Fire Service Safeguarding Manager post created and framework set up for Safeguarding training for all fire fighters and other Fire Service staff who engage with the community
- All 'Phase 2' Children's Centres are fully operational and areas identified for 5 new Phase 3 Centres
- Improving Information Sharing and Management team established
- Education child protection procedures have been revised and circulated

In targeted approaches:

- Work on strengthening safeguarding links between adults' and children's services is progressing, with a successful conference held, and a comprehensive action plan being worked on
- LSCB plans for reviewing child deaths implemented with review panel started and Child Death Overview Panel manager in post

-
- Early progress in implementing the Hidden Harm Action Plan including initial identification of need, some practice interventions and limited training
 - Progress has been made in preventing youth offending and re-offending, which is a priority in our LAA (NI19) and this information is reported in the section on *Make a Positive Contribution*
 - Good progress in implementing the domestic violence action plan with training to staff and students, information booklets, as well as good progress in Cracking Conflicts – Alternatives to Violence (CC-AV) and Multi Agency Risk Assessment Conference (MARAC) work and policy and strategy development
 - Families affected by domestic violence are now accorded a priority under admission arrangements for City schools
 - Youth diversion projects taken place to deter young people from arson and associated anti-social behaviour, including 'Fireskills³' for 12 -17 year olds who have offended or who are at risk of offending, run in partnership with the YOS over a six week period
 - Training of volunteer fire fighters as mentors for young people at risk of offending
 - 1,183 referrals to the healthy homes service received with 1,052 properties having a home safety assessment survey and 980 fittings completed
 - Two central CAF co-ordinators recruited to, and a CAF accountability framework completed
 - For ISH we have completed all of our planned stakeholder events and are operational in 5 out of 8 areas of the City
 - Plans for 'Aiming High for Disabled Children' and short breaks proposals approved by LCYPSP and progressing well and readiness criteria met
 - Significant progress on Safeguarding in Madrassas⁴ project, including a conference, training and production of draft guidance and procedures
 - Consultation completed with members of the Somalian Community on safeguarding needs
 - Access to parenting support has improved through the establishment of a Parenting Co-ordinator post in the Children's Information Service and 136 families have been linked to early preventative parenting support service.

In specialist approaches:

- Sexual exploitation project scoping work and plan completed, funding agreed and project officer recruited
- Revised Serious Case Review framework agreed, with new process to be implemented in Spring 2009
- Care Matters – appointed Way Ahead co-ordinator for 16+, and advertising for a care experienced project worker to lead on Children in Care Council, and an additional reviewing officer post
- LAC action group, Permanence and Placement Panel meetings ensures LAC figures maintained at about 460

³ 'Fireskills' is a course run by Leicester Fire and Rescue Service which includes fire drills, physical activity, fire safety and arson education.

⁴ Madrassas are Islamic schools that are held daily, after the normal school day, and teach Muslim children the morals and values of being a Muslim. The "Safeguarding in Madrassas" project is a joint initiative between the Federation of Muslim organisations and the Local Safeguarding Children's Board to develop policies and practices to ensure that the safeguarding of children and young people in Madrassas is promoted as a priority.

-
- Significant improvement in LAC health assessment figures
 - First draft of Disabled Children's Strategy completed with a section on safeguarding disabled children and young people and involvement from parents
 - Numbers of looked after children allocated to a qualified social worker are now aligned with the national average
 - Reduced offending rates of looked after children reflect the good use of restorative justice approaches
 - The number of children adopted/on special guardianship has exceeded the target and is well above the national average

What we want to achieve this year

- Ensure that there remains a good fit between the LSCB business plan and this Children and Young people's Plan
- Ensure through the LSCB that the lessons learned through Serious Case Reviews are used to improve safeguarding practice across agencies
- Increased numbers of children and young people accessing anti-bullying support
- Increased numbers of children and young people and their families who access substance misuse support services, including children and young people affected by parental misuse
- Ensure positive impact of domestic violence action plan and strategy on children and young people and their families
- Develop the Children in Care Council
- Continue to implement Care Matters action plan through Executive Board
- Improve educational attainment for children in care
- Implement personal education allowances for children in care
- Continue work on proactively managing the children in care population, including providing family support services for those at risk of entering the care system
- Manage at a strategic and practice level the increase in looked after children following the House of Lords judgement that now places a duty on Children's Services to accommodate homeless 16-18 year olds, rather than them being dealt with through Housing
- Reduce the rate of proven re-offending by young offenders
- Increase impact of school travel planning, road safety education and fire safety agendas
- Increase the inclusiveness of services for disabled children and their families
- Complete the roll out of Integrated Service Hubs (ISH) by September 2009
- More children, young people and their families receiving help through use of CAF and subsequent support packages
- Develop phase 3 of children's centres
- Increase community participation through continued implementation of the Safeguarding Madrassas project, and engaging with the Somali community
- Respond to the Laming Progress Report
- Ensure better co-ordination of work across services on accident prevention

Further details

Detailed actions to support the Stay Safe priorities are included in the Stay Safe Delivery Plan, available at: [\(insert hyperlink\)](#)

Enjoy and Achieve

Our priorities are:

- To raise standards of achievement for all children through successful implementation of the policy for school improvement in conjunction with the Strategy for Inclusion and the Policy for Admissions and School Place Planning.

Our headline measures of progress towards, and achievement of, these outcomes are:

Children's readiness for school

NI 72 Achievement of at least 78 points across the Early Years Foundation Stage with at least 6 in each of the scales in Personal Social and Emotional Development and Communication, Language and Literacy

School attendance

NI 87 Secondary school persistent absence rate

Attainment at age 11 and 16

NI 73 Achievement at level 4 or above in both English and Maths at Key Stage 2

NI 75 Achievement of 5 or more A*-C grades at GCSE or equivalent including English and Maths

Outcomes for children in care

NI 99 Children in care reaching level 4 in English at Key Stage 2

NI 100 Children in care reaching level 4 in Maths at Key Stage 2

NI 101 Children in care achieving 5 A*-C GCSEs (or equivalent) at Key Stage 4 (including English and Maths)

The effectiveness of interventions for children with additional needs:

NI 92 Narrowing the gap between the lowest achieving 20% in the Early Years Foundation Stage Profile and the rest

NI 93 Progression by 2 levels in English between Key Stage 1 and Key Stage 2

NI 94 Progression by 2 levels in Maths between Key Stage 1 and Key Stage 2

Our recent history and improvement targets are included at Appendix B.

Progress in the last year

Over a third of Leicester's children live in poverty, reducing life chances and holding back growth and prosperity. Despite this, there are encouraging signs that progress is being made.

In universal approaches:

- Evidence that the Transforming Leicester's Learning (TLL) initiative, introduced in 2007 to tackle the issue of underachievement, is making a difference. In 2008, Early Years Foundation Stage scores increased in line with our LAA target, while the achievement of pupils at both KS2 and KS4 improved more rapidly than the national average.
- Persistent absence also reduced in line with the 2010 national target.

-
- Improved partnership with schools and risk management strategies to prevent schools going into Ofsted categories
 - Leicester City is now an established Reading Recovery city under the Every Child a Reader (ECaR) initiative. There are now 30 schools with trained Reading Recovery teachers. Results show that 74% of pupils taking part in the programme are achieving age-related expectations
 - Developed a new educational data and analysis system (DataNet). The 2010 target-setting process indicates that schools are using pupil-level data more effectively and setting challenging targets for pupil progress and attainment.
 - Provided significant professional development opportunities for staff (including "Talk Matters", buddying schemes, Assessment for Learning, Hub and Spoke professional learning communities, and a range of leadership development initiatives)
 - Ensured the provision of a range of targeted support activities for children and young people with additional needs (including speech and language therapy, and academic coaching)
 - Delivered advice and support for key areas of the curriculum including PSHE
 - Improved arrangements for mid-year admissions to school
 - Continued to implement the Strategy for Change – Primary and Secondary
 - Further developed the city's play strategy. New survey measurements of satisfaction indicate that Leicester's children and young people's ratings of parks and play areas are higher than national and statistical neighbour averages
 - 6 play sites in Leicester were substantially refurbished through grant funding of £311,015 from the Department for Children Schools and Families under the Playbuilder programme

In targeted approaches:

- Continued to roll-out children's centres and extended schools (which provide access to a range of services, including family support)
- Undertaken a refresh of the council's 'Meeting Individual Needs' policy
- Launched a range of anti-bullying initiatives, including a text, email and web-based reporting system for children, young people and their parents/carers
- Progressed the city's Behaviour and Attendance Strategy (including the deployment of mentors in targeted schools)
- Launched roll out of bespoke (CASPA) data collection for measuring attainment of pupils with SEN. Now in all special schools with mainstream schools coming on line in next year.
- Reviews of educational provision for pupils with Autistic Spectrum Disorders and Speech, Language and Communication needs have been undertaken
- Leicester has established a Raising Achievement Board with responsibility for directing and managing a Raising Achievement Plan (as is required for schools that have been given a notice to improve). In addition to elected members, head teachers and school governors, the Board includes representatives from DCSF, GOEM and the National Strategies. This plan is providing targeted support to early years settings, schools and pupils and for school leadership development.

In specialist approaches:

- During 2008, the City Council was awarded Beacon status for services and outcomes for children in care, providing a strong foundation from which to improve further the

progress and attainment of some of Leicester's most vulnerable children and young people.

- Continued to monitor the progress of children in care, to identify where there may be potential barriers to attainment, and to provide suitably tailored interventions. This includes help for children not accessing full-time schooling
- Introduced Personal Education Plans for children in care in the early years age group
- Significant reduction in the percentage of children in care missing 25 hours or more education per week.

What we want to achieve this year

A higher rate of educational achievement across the city:

- Improve levels of progress and attainment from 0-19
- Remove barriers to learning for vulnerable groups of children and young people, including children in care and disabled children

Further improvement of Leicester's schools and early years settings:

- Ensure sufficient places and viable schools/settings
- Improve diversity and choice for parents
- Improve inclusion, including an increased level of extended school provision
- Encourage and support provider-led improvement partnerships
- Reduce the number of schools and settings causing concern
- Increase the number of schools and settings judged to be good or outstanding
- Roll out CASPA (data collection for measuring attainment of pupils with SEN) to mainstream schools
- Reduce fixed-term exclusion rates and exclusions of children with LDD.

Greater personalisation of support for children in need:

- Improve the attendance rates and educational attainment of children and young people in care
- Enable the personal education allowances of children in care to be used to commission individual tuition in English and maths

Further improvements to Leicester's play provision:

- In 2009/10 a further 8 sites will receive grant funding from the DCSF Playbuilder programme totaling £403,040.
- Grant funding received under the Big Lottery Children's Play Programme will also see the development of six further play sites in the city and will fund a mobile play team of 4 part-time Play Rangers, delivering mobile play opportunities within 8 wards in Leicester

Further details

Detailed actions to support the Enjoy and Achieve priorities are included in the Enjoy and Achieve Delivery Plan, available at: [\(insert hyperlink\)](#)

Make a Positive Contribution

Our priorities are:

- To ensure provision, across all sectors, is responsive to the voices of children and young people
- To ensure children and young people have the opportunity to contribute to building safer and stronger communities.

Our headline measures of progress towards, and achievement of, these outcomes are:

NI110 Young people's participation in positive activities

NI19 The rate of proven re-offending by young offenders

Our recent history and improvement targets are included at Appendix B.

Progress in the last year

In universal approaches

- Established a Children's Council to run alongside the Young People's Council, enabling 5-19 year olds to influence the council and partners. The following are some examples of the difference they have made:
 - Influencing the agenda of the Overview and Scrutiny Management Board
 - Influencing the Workforce Development Plan, including the development of a list of authorised young recruiters
 - Involvement in developing and designing a city centre hub for children and young people
 - Supporting the LCYPSP Stakeholder Conference. This focused on the CYPP priorities. In addition to helping to plan and deliver the conference, children and young people collected and collated the views of stakeholders on the priorities and presented their findings with recommendations to LCYPSP
- We have made progress in our plans to increase the involvement of all young people in positive activities through the development of our Integrated Youth Support Strategy.

In targeted approaches

- NI 110 working group is targeting identifiable vulnerable groups, eg looked after young people and young offenders.
- Increased the involvement of disabled children and young people in influencing the services needed to improve their inclusion in universal provision. Young people have influenced the reviews of provision for Autistic Spectrum Disorder, Speech and Language and the Aiming High short breaks.
- Yoppital Wonga, the young people's panel that decides the allocation of the Youth Opportunities and Capital funds, has ring-fenced 20% of the budget for 2009-10 to meet the needs of disabled children and young people.
- Progress has been made in supporting Youth Support Services to become more aware of and equipped to respond to substance misuse, through workforce development initiatives with specialist substance misuse services.

-
- Established a disabled children and young people's forum to participate in future service developments. This forum is linking with the Young People's and the Children's councils to co-ordinate work and to develop the inclusiveness of the two councils.
 - We have also involved parents of disabled children through developing a Parents Forum, which has influenced the reviews of provision for Autistic Spectrum Disorder, Speech and Language and the Aiming High short breaks.
 - Through the multi-agency Parenting Strategy, we have increased our support to parents to enable them to influence services and to participate in parenting provision to improve their children's outcomes. Examples include:
 - Enhanced capacity to develop and support a pool of parent volunteers to increase peer support to parenting programmes.
 - Good progress in developing parent representation on Sure Start Children's Centres Advisory Boards, resulting in parents influencing the agenda and decision making about services.

In specialist approaches

- The Stand Up Speak Out group (SUSO) that represents children in need and looked after children and young people continues to impact on service design and provision. For example, the local universities have agreed to young people from SUSO delivering sessions to student social workers on participation and the Local Authority has agreed to young people from SUSO contributing to the inductions of new social workers.
- Progress in developing a Children in Care Council, which will add to and complement the work of the SUSO group. A multi-agency task group has been meeting to develop this council.
- Young people known to the Youth Offending Service (YOS) have been trained to help recruit YOS staff. They sat on an interview panel last year to recruit the YOS Deputy Head of Service.
- Progress has been made in preventing youth offending and re-offending, which is a priority in our LAA (NI 19). The following provides evidence of this:
 - Achieved 40% reduction in first time entrants to the youth justice system in April to December 2008 compared to the same period in 2007
 - YOS has led in achieving significant reductions in re-offending when comparing current cohort with 2005 baseline cohort.
 - Achieved reduction in % of LAC cases who are convicted from 6.2% of all known LAC cases in 2003/04 to 2.2% of all known LAC cases in 2006/07

What we want to achieve this year

- A wider and more inclusive range of children and young people influencing service planning.
- Increased partner involvement in the Participation Strategy.
- Increased parental involvement in service planning and peer support activity.
- Increased participation by young people in positive activities (NI 110).
- More vulnerable young people identified and provided with co-ordinated support through the Pathway to Success pilot in North West Leicester. (The pilot will offer co-ordinated cross-agency support to young people within the area who are identified as being at risk of poor outcomes, including risks associated with teenage conception, NEET, substance misuse and criminal offending.)

-
- Increase the capacity of the children’s workforce to identify and intervene in substance misuse.
 - Reduce further the rate of proven re-offending by young offenders by 3.4% in 2009/10 and by 9.8% by 2011 (NI 19).

Further details

Detailed actions to support the Make a Positive Contribution priorities are included in the Make a Positive Contribution Delivery Plan, available at: [\(insert hyperlink\)](#)

Achieve Economic Wellbeing

Our priorities are:

- To ensure a continued reduction in “Not in Education, Employment or Training” (NEET) levels
- To reduce long-term unemployment and numbers of children growing up in workless households

Our headline measures of progress towards, and achievement of, these outcomes are:

NI117 16-to-18 year olds who are not in education, training or employment (NEET)
NI118 Take up of formal childcare by low-income working families

Our recent history and improvement targets are included at Appendix B.

Progress in the last year

Through co-ordinated activity across partners, we have focused on improving the economic wellbeing of children and young people across universal, targeted and specialist provision.

In universal approaches

- The 2008/09 NEET target was met with rising involvement of vulnerable groups
- High local rates of children and young people in post 16 learning.
- Met targets for providing an offer of a learning opportunity to Year 11 and 17 year old young people, including a successful matching event
- Development of a universal post-16 ‘common application’ process used across all maintained schools in Leicester
- Targets exceeded in the City Strategy development plan for retail job interviews
- Successfully reviewed ‘Positive Activities for Young People’ initiative and completed summer college project and pilots
- Funding confirmed and project manager recruited to support an increase in the uptake of formal childcare to support work recruitment
- Secured and improved computer system to upgrade the Childcare Information Service with family information
- On target to retain 95% of our funded out of school childcare places
- Achieved a target of 38.4% of young parents in education, employment and training (EET) in March 2009 (target was 40%).

In **targeted** approaches

- Ongoing identification of need to inform service delivery and provision for vulnerable groups
- Successful start to short term work experience placements for young people
- Addressing low take up of the nursery education grant as well as increasing the grant to support the implementation of new terms and conditions

-
- Launch of project in Children's Centre Neighbourhood North to pilot new approaches to increase take-up childcare element of Working Tax Credit and Black and Minority Ethnic families of school age children
 - Young parents have been offered very targeted support and provision resulting in higher levels of teenage parents and teenage mothers involved in education, employment and training
 - Continued improvement in engagement of young people who offend into suitable education, training and employment (NI 45 76% for 08/09 compared to 71% for 07/08, see Youth Crime Action Plan).
 - The Parenting Information and Pregnancy Support (PIPS) continues to provide targeted support to young parents and parents to be and Connexions have expanded outreach work at neighbourhood level to particularly vulnerable clients.
 - Connexions continues to provide a range of learning provision to young parents and parents to be that recognises that 'no one size fits all'. Provision includes young mums to be, home based study, family learning and progression opportunities.
 - Piloted a project to support access to childcare for disabled children in Beaumont Leys

In specialist approaches

- Work started by the ETE 14-19 partnership co-ordinator to focus on YOS work placements and NEET
- ETE YOS roadshow successfully working with schools and colleges.
- YOS working alongside the Leicester City Council apprenticeship scheme

What we want to achieve this year

- Use Working Neighbourhood Funds to support families back into employment , so supporting a reduction in childhood poverty
- Improved targeting of schools funding formula to support schools in areas of deprivation
- Mitigate the impact of the current national economic recession on children, young people and families.
- A step change in partners' understanding of, and engagement in achieving, outcomes is evidenced i.e. local plans underpin our aspirations, notably NEET plans including vulnerable groups, the JAR action plan, Connexions and LSC business plans, Parenting Support Action Plan and Child Care Strategy
- Continued progress in the achievement of local targets, including apprenticeships, vocational training, sixth forms and further education
- Maintain improvements in ETE YOS targets, working towards 80% full time engagement by 2010/11
- Increase the number of mentoring opportunities for young people involved in the YOS ETE project
- Ensure the provision of sufficient nursery education
- Increase numbers of low income families taking up formal childcare, making it affordable to them through maximising uptake of the child care element of working tax credit
- Reduce the rate of local child poverty
- Ensure sufficient childcare for adult learners to support the securing of employment

-
- Ensure the nursery education grant reaches families with the most disadvantaged 3 and 4 year olds
 - Further improvement of post-16 provision and economic regeneration:
 - Ensure sufficient post-16 places in schools/sixth form colleges
 - Support 14-19 collaborative arrangements
 - Increase numbers of young parents in EET to 60%

Further details

Detailed actions to support the Economic Well Being priorities are included in the Economic Wellbeing Delivery Plan, available at: [\(insert hyperlink\)](#)

How do we make it happen?

It is not possible to detail all of the work undertaken by operational services in the city to support improved outcomes for children and young people. This review therefore makes reference to the major areas of activity in education and health, family and youth support, and social care, and provides links to more detailed plans and documents where possible.

Outlined below are those activities that enable agencies working to improve outcomes in Leicester to take joint decisions, and improve the overall efficiency and effectiveness of public services.

Governance and Partnerships

Leicester Children and Young People's Strategic Partnership (LCYPSP) is part of a wider 'family' of city partnerships, which together make up the Leicester Partnership – see <http://www.oneleicester.com/leicester-partnership>.

On the basis of wide ranging consultation with service providers, people that use services and the wider community, the Leicester Partnership has agreed a 25-year strategy to make Leicester a beautiful, prosperous and confidence-building city. This strategy is called 'One Leicester'. The work of LCYPSP supports delivery of the One Leicester vision and, in particular, the priority to Invest In Our Children.

LCYPSP is a 'commissioning partnership'. This means that it is responsible for making decisions about how best to use the total resources available to achieve the improved outcomes for children and young people.

Decisions are made based on: a shared analysis of local needs (Joint Strategic Needs Analysis); a shared understanding about what resources are available to meet particular needs, and any gaps in supply; agreement about how best to use the resources (including stopping doing some things in order to do others); and agreement about how progress will be measured and reviewed.

This approach is underpinned by agreed national principles (see appendix C), and the six values outlined in One Leicester:

- Driving out inequalities
- Delivering quality services
- Delivering outcomes
- Having a customer focus
- Joining up what we do
- Being sustainable in everything we do

What we want to achieve this year

A Children's Trust for Leicester which promotes outcome based accountability and enables more innovative use of resources across children and young people's services.

Participation

The LCYPSP agreed a participation strategy for children and young people's services in 2008. The strategy outlines how children and young people will be involved in all areas of work to influence:

- The strategic work and priorities of LCYPSP;
- The ways in which services deliver in communities across the city;
- Individual personal service planning and delivery.

The strategy is designed to connect and extend existing participation networks and activity, and to build on good practice currently in place in many services. The full participation strategy can be found at [\(insert hyperlink\)](#).

What we want to achieve this year

A wider and more inclusive range of children and young people influencing service planning and increased partner involvement in the Participation Strategy.

Joint Commissioning

Each of the LCYPSP organisations does its own commissioning, but in order to work towards the shared One Leicester vision it is increasingly happening across organisations to ensure a joined up approach to priorities. A good example of this in the children's context is the Joint Teenage Pregnancy Planning & Advisory Board that oversees implementation of the city's action plan

LCYPSP is developing a joint commissioning strategy in 2009 that will ensure improved use of the total resources available. It will set some key principles about commissioning, and establish an action plan. The action plan will be informed by local evidence from service reviews and reviews of project activity (e.g. Children's Fund).

What we want to achieve this year

A clear focus on value for money across the partnership in order to improve system-wide cost-effectiveness and maximise impact on systemic need (e.g. reducing child poverty)

Workforce development

In March 2009 LCYPSP approved the local Children's Workforce Strategy. This strategy has a vision for a workforce in 2020 that will be:

- Ambitious for every child and young person
- Excellent in their practice
- Committed to partnership and integrated working
- Respected and valued as professionals

The full vision for the workforce, the principles, objectives and key areas for development can be found in the strategy document at [\(insert hyperlink\)](#)

What we want to achieve this year

Tackle problems of capacity through joint workforce planning and development. An urgent priority is to recruit high quality, permanent staff into the Council's school improvement team.

Performance Management

The specific delivery commitments of LCYPSP and the wider 'family' of city partnerships are set out in the Local Area Agreement (see <http://www.oneleicester.com/leicester-partnership/leicesters-local-area-agreement>).

The CYPP includes all LAA targets relevant to children and young people, as well as the statutory DCSF education and early years targets. These LAA targets are referred to as National Indicators or NI's and are referenced throughout this document. CYPP targets, including those refreshed as part of the most recent LAA review, are included at Appendix B.

Progress towards achievement of these targets, including details of accomplishments and action to manage risks, is reported to the LCYPSP Board on a quarterly basis.

What we want to achieve this year

We want to establish a robust system of service management across the partnership, which supports ongoing assessment of the cost, quality and impact of operational activity, and enables timely and informed development of the workforce and local children's services market.

Future Developments

There are a number of developments which will require careful consideration during the next year and will necessitate revisions to future versions of this plan. These are as follows:

Homeless 16/17 yr olds

In May there was a House of Lords decision which gave responsibility for homeless 16 and 17 year olds to the Local Authority Children's services rather than the housing authorities. This means that the 16/17 year olds will have to become 'looked after' under section 20 of the Children Act 1989. It is anticipated that this will increase the numbers of 16/17 yr old Looked After Children.

Child Poverty Bill

The Government is introducing a Bill to end child poverty by 2020. The Bill will place a new duty on Local Authorities and their partners to co-operate in tackling child poverty. Guidance is expected shortly, for local authorities and their partners about the content of their needs assessment and local child poverty strategies.

Schools White Paper

A Schools White Paper '*Your child, your schools, our future : building a 21st Century schools system*' contains a large number of proposals to improve the quality of schools in England. This will have significant implications for both schools and local authorities.

Abbreviations List – CYP Review 2009

ADHD	Attention Deficit Hyperactivity Disorder
APA	Annual Performance Assessment
BME	Black and Minority Ethnic
BSF	Building Schools for the Future
CAA	Comprehensive Area Assessment
C&YP	Children and Young People
CAF	Common Assessment Framework
CAF/LP	Common Assessment Framework/Lead Professional
CAMHS	Children and Adolescent Mental Health Service
CC-AV	Cracking Conflicts Alternatives to Violence
CDOP	Child Death Overview Panel
CPD	Continuing Professional Development
CYP	Children & Young People
CYPP	Children & Young People's Plan
CYPS	Children & Young People's Services
DAAT	Drug and Alcohol Action Team
DCS	Disabled Children Services
DCFS	Department for Children , Schools & Families
ETE	Education Training and Employment
ECM	Every Child Matters
GCSE	General Certificate Of Secondary Education
HE	Higher Education
ISH	Integrated Service Hub
JAR	Joint Area Review
KS	Key Stage
LA	Local Authority
LAA	Local Area Agreement
LAC	Looked After Children
LCYPSP	Leicester Children & Young Peoples Strategic Partnership
LP	Leicester Partnership
LSC	Learning and Skills Council
LSCB	Local Safeguarding Children's Board
MARAC	Multi Agency Risk Assessment Conference
MMR	Measles Mumps and Rubella
NEET	Not in Education, Employment or Training
NI	National Indicators
NHS	National Health Service

OfSTED	Office for Standards in Education, Children’s Services and Skills
PSHE	Personal Social Health Economic
SATs	Standard Assessment Tests
SRE	Sex and Relationship Education
SUSO	Speak Up Speak Out
TaMHS	Targeted Mental Health in Schools
TLL	Transforming Leicester’s Learning
YOS	Youth Offending Service

Contact and consultation details

We want to hear what you think of this plan.

- Have we missed anything out?
- Is the plan working?
- Do you have any ideas to help us improve children and young people’s lives

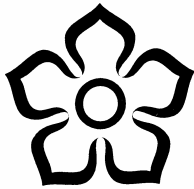
Please email your comments to:

lcypsp@leicester.gov.uk

Or you can contact us at:

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Leicester
City Council

Appendix B

CABINET

1 SEPTEMBER 2009

WATER HYGIENE REMEDIAL WORKS AUTHORISATION OF CAPITAL EXPENDITURE

Report of the Interim Director of Strategic Asset Management

1. Purpose of the Report

- 1.1 To seek authorisation for the release of capital monies for essential Water Hygiene Health and Safety works as identified in the report.

2. Summary

- 2.1. On 27th March 2008 cabinet approved the sum of £345,000 in the capital programme for 2009-2010 to fund Water Hygiene remedial works subject to the submission of details of the works to be undertaken. This report provides that detail and requests the release of the £345,000 funding for the year 2009-2010.
- 2.2. The attached appendix sets out the proposed programme of works, which relates to the identified priorities in relation to water hygiene. The implementation of these works will improve the Council's ability to meet legal and service objectives.

3. Recommendations

- 3.1. Cabinet are recommended to:
 - 3.1.1. Approve the release of the allocated funds of £345,000 within the Capital programme for the implementation of the Water Hygiene works identified in Appendix 1 & 2.

4. Report

- 4.1 New codes of practice and guidance have been introduced over the years that are not directly retrospective, but have rendered practices that were deemed satisfactory when our buildings were constructed or altered, to become unsatisfactory unless remedial works are actioned. Under the Approved Code of Practice L8 (The Control of Legionella Bacteria in Water Systems) organisations are required by law to manage their water systems.

- 4.2 This legislation and guidance was introduced by the Health and Safety Commission in 2002. The Council, being an employer and provider of services to the public, has a duty to ensure, so far as reasonably practicable, the health and safety of its employees and others affected by its work. The actions being undertaken to manage our water systems have been set and reported to Directors Board.
- 4.3 As part of the ongoing management process the risk assessments carried out within the last twelve month period identified high priority works that should be carried out in this financial year.
- 4.4 This work is additional to the annual maintenance/renewal of systems and arises out of the requirements of the new legislations.
- 4.5 The estimated costs of works needing to be undertaken over the next 2 years is £345,000 per year. Funds to this value were allocated for the 2009/10 Capital Programme.
- 4.6 Water hygiene risk assessments have identified high and medium priority works that amount to £345,000 and these will be undertaken in the current financial year 2009/10 from the funding allocated. Sites that have a low user risk but have schemes identified for high priority works are detailed in Appendix 1. The schemes identified as medium priority detailed in Appendix 2 and relate to further works in building containing high risk users where highest priority works have already been completed.
- 4.7 To date water hygiene risk assessments have been conducted at all of the 191 operational properties detailed in Appendix 1 & 2 of this report. The Corporate Water Hygiene Co-ordinator has commissioned £39,500 of water hygiene remedial works to 14 of the sites targeted for this years capital funding. The other 177 properties currently have estimated values issued against them totalling £306,100. A detailed programme of works and exact costs and dates for completion, will be devised and reported upon to the Corporate Asbestos & Water Hygiene Task and Finish Group bi-monthly, following a tendering and programming process conducted by Engineering Services. This programme of works which will meet legal and service objectives and bring benefits over and above basic compliance with legislation in terms of improved safeguards for the health and safety of those who use, operate and maintain our buildings, improved operational and maintenance efficiency and are a positive contribution to safeguarding the continuity of service delivery.
- 4.8 This report recommends that Cabinet release the allocated funds to enable these works to be undertaken.

5. Financial and Legal Implications

5.1 Financial Implications – (Nick Booth, Extn. 297460)

There is provision of up to £345,000 for Water Hygiene remedial works from the Corporate Capital programme for financial year 2009/10, subject to details of the proposed works being approved by Cabinet. This report provides the breakdown of the proposed works.

Failure to implement the recommended changes from the risk assessments could affect the validity of Leicester City Councils insurance cover and would also lead to additional or elevated insurance premiums.

5.2 Legal Implications – (Joanna Bunting, Extn. 296450)

Leicester City Council has a legal obligation under Section 4 of the Health and Safety at Work Act 1974 to control the risks associated with water hygiene in its properties so far as is reasonably practicable.

Responsible officers and members of the Council (as well as the Council itself) could be liable to prosecution under the Health and Safety at Work Act and under extreme cases the law of manslaughter, and if found guilty could be liable to a fine or imprisonment. Also under Owners Liability and Employers Liabilities the Council could have civil liability. This is usually covered by insurance. Case law has established the principle that if one could reasonably foretell that events could occur, then reasonable action must be put in place to mitigate risks.

6. **Other Implication – Table**

Other Implications	Yes/No	Paragraph References within this Report
Equal Opportunities	NO	
Policy	YES	All council policies could be affected.
Sustainable and Environmental	YES	Action enables a more sustainable building and service provision.
Crime and Disorder	NO	
Human Rights Act	NO	
Elderly Persons/People on Low Incomes	YES	Elderly persons are identified as high risk with regards to contracting Legionnaires disease.

7. **Risk Assessment**

A risk assessment has been undertaken on each of the properties identified in the attached Appendix 1 & 2. The works identified and the service use of the building have been used as a basis for prioritisation using a risk algorithm.

8. **Background Papers-Local Government Act 1972**

The Health and Safety at Work etc Act 1974(HSWA).

Management of Health and Safety at Work Regulations 1999 (MHSWR).

Control of Substances Hazardous to Health Regulations 1999 (COSHH).

The Approved Code of Practice L8: The control of Legionella bacteria in water systems-Approved Code of Practice & Guidance. Health and Safety Commission (HSC)(ACOP L8).

Report of the public meetings into the outbreak in Barrow-in-Furness, August 2002. Health and Safety Executive(HSE).

Zurich Municipal Audit 2005

Corporate Directors Board (CDB) Water Hygiene Report 11/09/07

CDB Water Hygiene Follow up report 16/10/07

Capital Programme Submissions.

9. Consultation

Consultation has been carried out with officers in the Strategic Asset Management Division and representatives from Children and Young Peoples Services (CYPS), Resources, Regeneration and Culture, and Adults and Housing at the regular Corporate Asbestos & Water Hygiene Task and Finish Group meetings.

10. Report Author

Maurice Brice
Acting Head of Service
Strategic Asset Management – Projects
Extn 298070

Neil Gamble

Report of the Interim Director of Strategic Asset Management.

Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Executive (Cabinet)

APPENDIX 1 : Summary of Water Hygiene Register / Programme for 2009/10 (High Priority Works only)

Note : This list may be subject to some variation, due to possible reprioritisation during 2009/10 and unforeseen problems being encountered e.g. asbestos, emergency/reactive high risk remedial works from new risk assessments.

Target dates for all proposed schemes is 31 March 2010

Department	Number of Properties	Cost
Education	16	£25,500.00
Regeneration and Culture	46	£27,000.00
Resources	8	£12,200.00
Adults and Housing	36	£59,400.00
Totals	106	£124,100.00

Schemes commissioned to date for 2009/10

Site	Department	Commissioned	Estimate
495 Welford Road	CYPS		500
68 Knighton Lane Factory	RAC		0
15 New Street	Resources		500
Adult Education College	Adults	4000	
Armada Centre	Adults		3000
Aylestone Pavilion	RAC	3500	
Barleycroft YPC and Healthy Living Centre	Adults		3000
7 Greyfriars	Resources		1000
Beaumont Leys Office	CYPS		4000
Belgrave Library	RAC		500
Bowls Pavilion / Green Workshop & Compound	RAC		1000
Braunstone Frith Community Centre	Adults		2000
Braunstone Oak NHC	Adults		2000
Braunstone Park Stable Block	RAC		0
Brite Centre	Adults	2000	
Cavendish House and Adjoining Toilets	RAC		0
City Gallery	RAC		1500
COLEMAN CENTRE ILC	CYPS		0
Coleman Lodge, Coleman Road	Adults		500
Beaumont Enterprise Centre	Resources		0
Cort Crescent Community Centre Leicester	Adults		2000
Depot Abbey Grounds,	RAC		200
Edward Street (Mobile Kitchen)	Adults	5000	
Evington Park House	RAC		3000
Evington Park Stores and Workshop	RAC		200
Gilmorton Neighbourhood Centre	Adults	1000	
Gilroes Cemetery Crematorium Chapel	RAC		200
Gilroes Cemetery Lodge	RAC		0
Glen Street Rooms	Adults		200
Highfields Youth and Community Centre	Adults		1000

Hillview	CYPS	4000	
Humberstone Education Project	CYPS		500
Humberstone Heights Golf Course	RAC		200
Humberstone Park Bowls Pavilion	RAC		1500
Humberstone Park Café	RAC		0
Information Centre / Offices Abbey Park	RAC		0
Inglehurst Infant School	CYPS	500	
Inglehurst Junior School	CYPS		3000
ISU Community Centre 124 Wigston Lane	CYPS		500
Short Stay School	CYPS	4000	
Kingfisher Youth Centre	Adults	3000	
Knighton Park Depot	RAC		0
Lansdowne Centre	Adults		2000
Lincoln Street (Divisional Office)	Adults		0
Collegiate House	Resources	2000	
Lodge No 2 Abbey Park,	RAC		0
Magpie (Part of Eyres Monsell Community Centre)	Adults		0
Market Centre Offices	RAC		0
Mental Health Shop	Adults		2500
Monks Rest Gardens Bowling Green Depot	RAC		500
Mowmacre Division Office	Adults		1500
Netherhall NHC	Adults		1000
New Found Pool NHC	Adults		2000
New Parks Community and Youth Centre	Adults		1000
Ocean Road Recreation Centre	Adults		1500
Park House (Parks HQ) Abbey Park,	RAC		0
Linwood Workshops	Resources		1000
Phoenix Theatre	RAC		0
Raven Thurnby Lodge Youth and Community Centre	Adults	3500	
Rushey Fields Depot	RAC		500
Rushey Fields Pavilion and Changing Rooms	RAC		3000
Rushey Mead Recreation Centre	Adults		1000
Saffron Hill Cemetery Chapel	RAC		0
Saffron Hill Cemetery Depot / Store	RAC		200
Saffron Hill Cemetery Muslim Prayer HC	RAC		0
Savera	Adults		2000
Southfields Drive Community Centre	Adults		1000
Phoenix House	Resources		2000
Spinney Hill Park Public Conveniences and Pavilion	RAC		1000
St Marks Youth Centre	Adults		2000
St Matthews NHC and Sports Hall	Adults		3000
Stocking Farm Y & CC & Healthy Living Centre	Adults		1000
Surestart Centre	CYPS		0
The Linwood Centre	Adults		1500
The Pavilion Abbey Grounds,	RAC		1000
Tudor Rose NHC and Healthy Living Centre	Adults		1500
Watershed Youth Centre	Adults		1000
Welford Road Cemetery Office and Store	RAC		0
West End Neighbourhood Centre	Adults		0
Western Park Changing Rooms	RAC		1500
Western Park Depot	RAC		500
Western Park Golf Course	RAC		500
Winstanley Centre	Adults		1500
6-8 St Martins, Social Services Office	Resources		4000
Appleton Avenue / Grounds Maintenance Depot	RAC		0
Aylestone Hall Gardens	RAC		0

Aylestone Playing Fields	RAC		500
Aylestone Recreation ground	RAC		1500
Castle Garden	RAC		0
CherryLeas Assessment Centre,	CYPS		0
DAVENPORT ROAD (PLAYING FIELD	CYPS		500
FORMER DOUGLAS BADER HOME,	Adults		0
GLENFIELD ROAD PAVILION & PLAYING FIELD,	CYPS		3000
MARTIN STREET PLAYING FIELDS & PAVILION	CYPS		3000
MOWMACRE COMMUNITY & SPORTS,	RAC		0
MOWMACRE SPORTS CENTRE	RAC		0
Riverside Rangers Depot	RAC		0
THE MAGAZINE MUSEUM,	RAC		0
VICTORIA PARK BOWLING GREEN,	RAC		1500
VICTORIA PARK PUBLIC CONVENIENCES,	RAC		500
WELFORD ROAD PLAYING FIELD & PAVILION,	RAC		4000
Wellington House	Resources		0
WHEATLAND ROAD RECREATION CENTRE,	CYPS		1000
WHITTENEY DRIVE SOUTH	RAC		200
WILBERFORCE ROAD (GAUL STREET SITE),	Adults		200
SUB TOTAL		£ 32,500.00	£ 91,600.00
TOTAL			£124,100.00

APPENDIX 2 : Summary of Water Hygiene Register / Programme for 2009/10 (Medium Priority Works only)

Note : This list may be subject to some variation, due to possible reprioritisation during 2009/10 and unforeseen problems being encountered e.g. asbestos, emergency/reactive high risk remedial works from new risk assessments.

Target dates for all proposed schemes is 31 March 2010

Department	Number of Properties	Cost
Education	39	£116,500.00
Regeneration and Culture	17	£32,000.00
Resources	4	£2000.00
Adults and Housing	25	£71,000.00
Totals	85	£221,500.00

Schemes commissioned to date for 2009/10

Site	Department	Commissioned	Estimate
16 NEW WALK,	Resources		1000
ASH FIELD SPECIAL SCHOOL,	CYPS		3000
AYLESTONE LEISURE CENTRE,	RAC		3000
BRAUNSTONE LEISURE CENTRE,	RAC		1000
COSSINGTON STREET BATHS,	RAC		4000
EVINGTON POOL,	RAC		2000

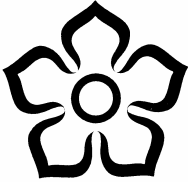
LEICESTER CREATIVE BUSINESS DEPOT,	RAC		0
LEICESTER LEYS LEISURE CENTRE,	RAC		3000
NEW PARKS LEISURE CENTRE,	RAC		3000
SPENCE STREET BATHS/SPORTS CENTRE,	RAC		4000
ST MARGARETS PASTURE CHANGING ROOM	RAC		2000
HILLVIEW	CYPS	5000	
ABBEY HOUSE EPH,	Adults & Housing		4000
AFRICAN CARIBBEAN	Adults & Housing		3000
ARBOR HOUSE EPH,	Adults & Housing		6000
BARNES HEATH HOUSE COMMUNITY HOME,	CYPS	1000	3000
BEAUMANOR HOSTEL,	Adults & Housing		6000
BROOKSIDE COURT EPH,	Adults & Housing		2000
COOPER HOUSE EPH,	Adults & Housing		3000
DE MONTFORT HALL & GARDENS,	RAC		4000
NETHERHALL SPECIAL SCHOOL,	CYPS		4000
OAKLANDS SPECIAL SCHOOL,	CYPS		10000
THE MILLGATE SCHOOL,	CYPS		3000
MARLBOROUGH HOUSE OFFICES,	Resources		1000
Westgate (Formerly Piper Way School)	CYPS		2000
Westgate (Formerly Emily Forzey School),	CYPS		2000
SHORTSTAY SCHOOL	CYPS	4000	
15 NETHERHALL ROAD COMMUNITY HOME,	CYPS		1500
31 DUNBLANE AVENUE COMMUNITY HOME,	CYPS		1500
BELGRAVE CHILDREN & FAMILY CENTRE,	CYPS		1000
BELGRAVE NHC,	Adults & Housing		2000
COLEMAN NHC,	Adults & Housing		1500
ELIZABETH HOUSE EPH,	Adults & Housing		4000
FOSSE NHC,	Adults & Housing		3000
HASTINGS ROAD DAY CENTRE,	Adults & Housing		5000
HERRICK LODGE EPH	Adults & Housing		6000
HOME FARM NHC,	Adults & Housing		1000
LAYTON HOUSE RESOURCE CENTRE,	Adults & Housing		3000
MANOR HOUSE NHC	Adults & Housing		4000
MARTIN HOUSE DAY CENTRE	Adults & Housing		2000
NEW WALK MUSEUM,	RAC		2000
NORTHFIELDS NHC,	Adults & Housing		500
NUFFIELD HOUSE EPH,	Adults & Housing		2000
PRESTON LODGE EPH,	Adults & Housing		1000
TATLOW ROAD COMMUNITY HOME,	CYPS		4000
THE ROWANS, COLLEGE STREET,	Adults & Housing		1000
THURNCOURT EPH	Adults & Housing		3000
WIGSTON LANE COMMUNITY HOME,	CYPS		5000

ABBEY PUMPING STATION,	RAC		500
ANCHOR CLUB, 17-23	Resources		0
BEAUMONT LEYS LIBRARY	RAC		2000
BISHOPDALE CHILDREN & FAMILY CENTRE	CYPS		2000
BRAUNSTONE FRITH INFANT SCHOOL,	CYPS		2000
BRAUNSTONE FRITH JUNIOR SCHOOL,	CYPS		2000
CATHERINE INFANT SCHOOL,	CYPS		1500
CATHERINE JUNIOR SCHOOL,	CYPS		3500
DOUGLAS BADER CENTRE,	Adults & Housing		5000
ELLESMERE COLLEGE,	CYPS		10000
FOSSE CENTRE LIBRARY,	RAC		2000
GREEN LANE INFANT SCHOOL,	CYPS		3000
GUILDHALL,	RAC		500
HAYMARKET THEATRE	RAC		0
HUMBERSTONE INFANT SCHOOL,	CYPS		1000
HUMBERSTONE JUNIOR SCHOOL,	CYPS		3000
IMPERIAL AVENUE INFANT SCHOOL,	CYPS		2000
JEWERY WALL MUSEUM,	RAC		2500
KEYHAM LODGE SCHOOL,	CYPS		4000
KING RICHARD III INFANT SCHOOL	CYPS		1000
EAGLE HOUSE,	Resources		0
MERRYDALE INFANT SCHOOL,	CYPS		2000
MERRYDALE JUNIOR SCHOOL,	CYPS		4000
NEWARKE HOUSES MUSEUM,	RAC		1500
NORTHFIELD HOUSE PRIMARY	CYPS		1500
OVERDALE INFANT SCHOOL,	CYPS		2000
OVERDALE JUNIOR SCHOOL,	CYPS		1000
PARKFIELD NURSERY,	CYPS		2000
QUEENSMEAD INFANT SCHOOL,	CYPS		3000
ST ANDREWS FAMILY CENTRE,	CYPS		1500
ST BARNABAS C E PRIMARY SCHOOL,	CYPS		0
ST CHRISTOPHERS FAMILY CENTRE & ANNEX,	CYPS		1500
ST MARYS FIELDS INFANT SCHOOL,	CYPS		2000
UPLANDS INFANT SCHOOL,	CYPS		3000
UPLANDS JUNIOR SCHOOL,	CYPS		3000
ADULT EDUCATION CENTRE	A&H	1500	1500
SUB TOTAL		£ 11,500.00	£ 210,000.00
TOTAL			£221,500.00

GRAND TOTALS			
HIGH RISK PRIORITY 1 TOTAL		£32,500.00	£91,600.00
MEDIUM RISK PRIORITY 2 TOTAL		£11,500.00	£210,000.00
SUB TOTAL		£44,000.00	£301,600.00
TOTAL EXPENDITURE COMMITTED 2009/10			£345,600.00

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Appendix C



Leicester
City Council

WARDS AFFECTED
All Wards

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

PLANNING AND DEVELOPMENT CONTROL COMMITTEE	14TH JULY 2009
STANDARDS COMMITTEE	15TH JULY 2009
CABINET	1ST SEPTEMBER 2009
COUNCIL	3RD SEPTEMBER 2009

REVISIONS TO CODE OF PRACTICE FOR MEMBER INVOLVEMENT IN DEVELOPMENT CONTROL DECISIONS

REPORT OF THE DIRECTOR OF LEGAL SERVICES

1. PURPOSE OF REPORT

This report is to enable the necessary approvals to be given for further revisions to be made to the Council's current Code of Practice for Member Involvement in Development Control Decisions.

2. SUMMARY

- 2.1 So as to maintain the integrity of Member involvement in the development control decision-making process that the Council has an up-to-date Member Code of Practice. The Council's current Code of Practice was last revised in 2007 and further changes are now required.

3. RECOMMENDATIONS

3.1 Planning and Development Control Committee

The Committee is asked to approve the revisions proposed by officers and make any comments and delegate to the Director of Legal Services and the Director, Planning and Economic Development, in consultation with the Chair and Vice-chair, to undertake any further amendment arising from the committee's consideration and comments from the Standards Committee prior to the final version of the Code being submitted to Council.

3.2 Standards Committee

The Committee is asked to note the proposed revisions and comments of the Planning and Development Control Committee and confirm its agreement to the revised Code of Practice being submitted to Council.

3.3 Cabinet

3.3.1 Cabinet is asked to recommend to Council the approval of the revised Code of Practice contained at Appendix 1 (which incorporates further amendments in relation to the comments of the Planning and Development Control and Standards Committees) to come into effect from 7th September 2009 and to delegate authority to the Director of Legal Services, in consultation with the Chair and Vice-chair of the Planning and Development Control Committee, to make any further amendments to the Code should this be required in consequence of future changes to the statutory Model Code of Conduct.

3.3.2 Council is also asked to delegate to the Director, Planning and Economic Development, in consultation with the Chair of the Planning and Development Control Committee and Director of Legal Services, preparation and finalisation of councillor guidelines to cover the situation where Members, as part of their community role, engage in pre-application discussions in relation to major planning applications linked to regeneration issues or any significant ward applications.

4. REPORT

4.1 The Code was last revised in 2007. Since then the following developments have taken place:

4.1.1 There have been further High Court decisions that touch on local authority planning decision-making.

4.1.2 The Local Government Association have re-issued their "Probity in Planning" document which makes reference to the importance of a local code of planning good practice. I will be arranging to circulate to all Members of the Planning and Development Control Committee a copy of the recently reissued document "Probity in Planning".

4.1.3 The "Probity in Planning" document includes a section on pre-application discussions and the role of members in this part of the planning process. There is potential for conflict in relation to probity issues if Members who are also decision-makers are seen to be actively taking part in formulating and agreeing proposals. In such circumstances, they would clearly have a predetermined view and so would not be able to be a decision-maker. Government guidance has recently been issued – Councillor Involvement in Pre-application Discussions – and on the basis of this, to ensure Members can have a role without prejudicing

those Members who have to make decisions, it is suggested that delegation be given to officers to prepare a pre-application discussions protocol.

- 4.1.4 The Council's Standards Committee (the Committee Chair and the independent members) have reviewed the training provided to members of the Planning and Development Control Committee and also have observed the committee "in action".
 - 4.1.5 The Government's response to the recent Killian Pretty Review on the planning applications process in relation to the role of elected members.
 - 4.1.6 The Government commented last year on the Member Code of Conduct. At the time of preparing this report there has been no announcement about any further changes. Delegated Authority is being requested to be given to the Director of Legal Services, in consultation with the Chair and Vice-chair of the Planning and Development Control Committee, to make any further amendments to the Code of Practice should this be required.
- 4.2 In order that the Code remains up to date, it is therefore timely to look at it critically to ensure that it remains fit for purpose, and as a result of work undertaken by the Head of Planning Management and Delivery and Head of Litigation further changes are now being suggested.
- 4.3 The revised Code is appended at Appendix 1. The key suggested changes are:
- 4.3.1 To reflect the Council's role as a place-shaper in terms of the spatial planning approach. Paragraph 1.5 has been amended and there is a new paragraph 1.7 making it clear that in reaching decisions the Committee has to consider, in the planning context, the wider public interest.
 - 4.3.2 To make a clear cross-reference to the statutory Model Code of Conduct (paragraph 1.6).
 - 4.3.3 To change the current practice that allows a Committee Member, who has been involved with a particular matter that is the subject of a committee report and who wishes to make representations, from participating as a Committee Member at the meeting at which the report is to be discussed – paragraph 4.2. In such circumstances, while the Committee Member could still come along to the committee as a Ward Member and make representations, a substitute (a fully trained Member) would be needed to replace the Member concerned on the committee.
 - 4.3.4 To ensure that where a Ward Member attends committee s/he makes the necessary declarations (paragraph 7.6).
 - 4.3.5 Where Members are proposing to make a decision contrary to the officer recommendation, before the vote is taken the Chair will clarify the planning reasons (paragraph 10.1).

4.3.6 To pick up the Killian Pretty recommendation that local authorities should review and update their schemes of delegation so that the committee work is focussed on applications of major importance or wider significance and that a minimum delegation rate to officers of at least 90% is achieved by all councils before the end of 2009 and to ensure planning reasons are given by Members who wish matters to be considered by committee (paragraph 12.1).

4.3.7 There are also a number of minor amendments in relation to headings, etc.

4.3.8 Appendix 1 now contains further minor amendments to take account of comments made by the Planning and Development Control and Standards Committees. Specifically, the paragraphs that have been further amended are 4.4, 6.4 and 9.1.

4.4 Consultation by the Government has concluded in relation to possible amendments to the statutory Model Code of Conduct. At the time of writing the Government's response is not to hand. Delegated authority to the Director of Legal Services is being recommended so that dependent on revised regulations any necessary/consequential amendments to the Council's Code of Practice can be made.

4.5 Formal approval of the Code under the Council's Constitution is via the Standards Committee and Full Council. The proposed changes to the Code were discussed at officer level and initially with the Chair and Vice-chair of the Planning and Development Control Committee in the municipal year 2008/09 and more recently in the municipal year 2009/10. The proposed changes to the Code have also been forwarded to Group Whips.

5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

5.1 Financial Implications

There are no direct financial implications arising from this report
(Steve Charlesworth, Head of Strategy & Development, x297495)

5.2 Legal Implications

Covered in the report.

6. OTHER IMPLICATIONS

OTHER IMPLICATIONS	YES/NO	Paragraph References Within Supporting information
Equal Opportunities	NO	
Policy	NO	
Sustainable and Environmental	NO	
Crime and Disorder	NO	
Human Rights Act	NO	
Elderly/People on Low Income	NO	

7. BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972

Relevant legislation, court decisions, national policies and guidance – Local Government Association’s “Probity in Planning” document and Department for Communities and Local Government’s “Government’s Response to the Killian Pretty Review”.

8. CONSULTATIONS

Cllr Patrick Kitterick, Cabinet Lead, Regeneration
 Andrew L Smith, Divisional Director, Planning
 Mike Richardson, Head of Planning Management and Delivery

9. REPORT AUTHOR

Anthony Cross, Head of Litigation, Legal Services, x296362

10.

KEY DECISION	REASON	APPEARED IN FORWARD PLAN	EXECUTIVE OR COUNCIL DECISION
NO	NOT APPLICABLE	NOT APPLICABLE	COUNCIL

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Appendix 1

LEICESTER CITY COUNCIL

CODE OF PRACTICE FOR MEMBER INVOLVEMENT IN DEVELOPMENT CONTROL DECISIONS

This Code applies to Members appointed to serve on the City Council's Planning and Development Control Committee or Ward Members who attend at committee to make representations in relation to any planning application / planning contravention considered by the committee. ~~It should be read in conjunction with the Council's Political Conventions.~~

1 General

- 1.1 At the start of each four-year local election cycle Members who wish to serve on the Planning and Development Control Committee must undertake initial training in planning and their decision-making role. This training is also recommended for all Members.
- 1.2 Committee Members (and any substitute Members) must participate in annual refresher training. Training will be provided either by officers or via external training agencies.
- 1.3 Members will respect the role of officers to make professional recommendations to the Council and will not put pressure on individual officers to secure a specific recommendation on a particular application or report.
- 1.4 If Members wish their views to be considered and reported as part of the recommendation and decision-making process, representations must be made in writing to the Head of Planning Management and Delivery.
- 1.5 ~~**[NEW]** Compliance with Government targets means that most planning applications are considered by officers under delegated powers in accordance with the Council's Constitution. The focus role of the Planning and Development Control Committee is now has changed in recent years with the focus being more on consideration of the more significant/strategic planning applications.~~
- 1.6 ~~**[EXPANSION OF THE EXISTING PROVISION CURRENTLY CONTAINED IN THE INTRODUCTION]** This Code should be read in conjunction with the Council's Political Conventions and the statutory Model Code of Conduct applicable to Members. Members are reminded that under the statutory Code a Member (whether or not s/he serves on the Committee) cannot participate at all in any aspect of decision-making where s/he has a personal and prejudicial interest.~~
- 1.7 ~~**[NEW]** As a reminder, the basis of the planning decision-making is the consideration of private proposals against the wider public interest. Often much is at stake and conflicting views may be held by relevant parties. While Ward Members may take account of such views, Committee Members should not favour one person, company, group or locality or put themselves in a position where this may arise so they can freely consider the wider public interest.~~

- 2 Pre-application Presentations by Applicants/Developers
- 2.1 The Head of Planning Management and Delivery will arrange for appropriate presentations to be made in respect of significant planning applications, which will be open to all Members. Such presentations will be of a fact-finding nature to enable Committee and Ward Members to become familiar with development proposals and to ask questions. Provided Committee Members do not at such presentations express a view about the proposals, they will be able to participate in any subsequent committee meeting when the planning application is discussed. Committee Members, however, will be required to declare, in accordance with paragraph 6.1, that they have attended a presentation.
- 3 **[NEW HEADING]** Referral of Applications for Decision to the Planning and Development Control Committee Decisions Taken by Officers Under the Scheme of Delegation
- 3.1 **[AMENDMENT]** Members should contact the Head of Planning Management and Delivery as soon as possible of any applications in their ward being considered by Planning Management and Delivery on the weekly list of planning applications circulated to them that they consider should be the subject of a committee decision.
- 3.2 The contact will need to be in writing, to include e-mail, and specify the planning reason(s) for the request.
- 3.3 Planning ~~Management and Delivery and Development Control~~ case officers are able to assist Members with the formulation of reasons which might include such things as design considerations, highway implications and implications for local residents (amenity), etc.
- 3.4 **[AMENDMENT]** Members are asked to note that decisions may need to be taken soon after the circulation of the weekly list and they are advised to check with the specific case officer the earliest date when a decision may be made.
- 4 **[NEW HEADING]** Prohibition of Committee Member Contact with Applicants, Agents and Third Parties
- 4.1 **[AMENDMENT]** Where Committee Members are ~~contacted~~~~lobbied~~ to support or oppose any planning application or a particular recommendation, they should explain ~~to the lobbyist~~ that they cannot get involved or indicate ~~a personal view on the application or recommendation or~~ the likely decision the Council (at either committee or officer level) will take because they ~~might~~~~will be~~ takeing part in ~~any subsequent committee deliberations and~~ the decision-making process.
- 4.2 ~~The courts have decided that indicating a view on an application or particular recommendation can constitute a predetermined position, ie, meaning that the Member does not have an open mind. A predetermined position requires a declaration of interest under paragraph 12(b).~~
- 4.2 **[AMENDMENT]** Where, for whatever reason, a Committee Member wishes to make representations in respect of an application or report to be considered by the Committee, s/he will not be able to participate as a Committee Member at a Committee meeting when the report on the application, etc, is to be considered. Such a Member would be expected to arrange for a substitute trained Member to attend the Committee meeting. In such circumstances the Committee Member may

attend the Committee meeting as a Ward Member to make representations on the application subject to making an appropriate declaration with regard to their involvement in accordance with paragraphs 7.1 – 7.3.

~~4.3 There is no restriction in relation to Members not appointed to serve on the Planning and Development Control Committee (Ward Members) from expressing their views on an application or recommendation or to assist constituents seeking assistance in relation to any application or recommendation they will be affected by. If the Ward Member subsequently makes representations either before or at committee, s/he will be required to make a declaration with regard to their involvement in accordance with paragraph 7.5.~~

4.3 **[AMENDMENT]** Committee Members should not advise applicants, prospective or otherwise, agents or third parties about the likely acceptability of planning proposals. They should advise them to contact a fellow Ward or other Member and the appropriate officer for advice. ~~Any response must take account of paragraphs 4.1–4.3 of this Code.~~

4.4 Committee Members should not arrange to meet applicants or agents prior to or during the processing of an application unless an officer is present. Where any meeting has taken place with a Committee Member, s/he should refer to any such meeting if they speak about the matter. In accordance with paragraph 6.3, any such meeting would need to be declared at the start of the committee meeting. The position with regard to Ward Members meeting with applicants or agents is covered in paragraph 7.8.

4.5 Where the Chair or Vice-chair have been contacted about a matter being considered by committee, s/he will tell the committee of the contact and explain to committee the issues which were discussed.

4.6 Committee Members should not act as agents or submit planning applications for other parties or voluntary bodies. Members (including Members not on the committee) will not address committee as the applicant's agent.

5 Committee

5.1 Political group meetings held prior to a committee meeting should not be used to decide how Members should vote on a particular planning application. The Local Government Ombudsman has previously expressed the view that the use of political whips to seek to influence the outcome of a planning application could amount to maladministration.

5.2 All matters on the agenda for discussion will be the subject of an officer report containing all relevant information and an officer recommendation to enable a decision to be taken.

5.3 Committee Members are required to read the report in advance of the meeting so as to be able to understand the issues.

5.4 **[AMENDMENT]** To enable any last-minute issues to be considered, the Head of Planning Management and Delivery prepares an Addendum Report. Committee Members will be provided with the report which will be available in the group rooms from 4.00 pm on the date of the committee meeting. Where the last-minute issues would lead to a change of recommendation, ~~for approval of an application~~

~~recommended for refusal in the agenda~~ the Addendum Report will recommend deferral of that application unless the possibility is clearly identified in the recommendation to the original report. As necessary, the presenting officer will refer to the Addendum Report during consideration of any specific report in the committee meeting.

- 5.5 Representations received after the Addendum Report has been finalised will be summarised orally.
- 5.6 Where requested, written representations from applicants, objectors and third parties will be circulated to Committee Members by the Director (Legal Services) only if the necessary copies are provided or paid for and adequate notice is given to Committee Services Section. Written representations will not be accepted at the meeting.
- 5.7 If Committee Members receive letters or any other written information about a matter due to be reported to committee, they will ensure that a copy is made available to the Head of Planning Management and Delivery for inclusion in the Addendum Report and make the appropriate declaration under paragraph 6.3.

6 Declarations of Interest and Representations

- 6.1 **[AMENDMENT]** At the start of each committee meeting Committee Members are required to make any formal declaration of interest in relation to the matters specified on the agenda. Such a declaration will be in accordance with the provisions of the Local Government Act 2000, as amended, the requirements of the Statutory Model Member Code of Conduct and also under the terms of this Code.
- 6.2 When a Committee Member's interest is personal and prejudicial, the Member concerned will leave the room when the matter comes to be considered by the committee and not take part in the decision-making process.
- 6.3 **[AMENDMENT]** Where Committee Members declare they have received representations, they need to identify what those representations were, eg, letter, e-mail, ~~following~~ attendance at a ~~public~~ meeting, presentation, meeting with applicant, etc.
- 6.4 **[AMENDMENT]** Where Committee Members have previously expressed ~~a general or specific~~ any view about any application or report so as not to have an "open mind"; eg, as part of any lobbying process (to include presentations by developers), they will be considered to have a predetermined view and therefore will be required to declare the interest, and when the matter comes to be considered by committee they will leave the room and not take part in the decision-making process.

~~In such circumstances a Committee Member may, with the Chair's permission, make representations to the committee as if s/he were a Ward Member by complying with paragraph 15, subject to the Committee Member then leaving the room and not taking part in the decision-making process.~~

- 6.5 Committee Members who have been appointed by the City Council to serve on any body that has an advisory role in relation to planning applications (eg, CAP) are required to declare whether or not they have previously been involved in any discussion of an application/report before the committee, and where the Member concerned has previously expressed a view or opinion supporting or opposing any

application/report, they will be considered to have a predetermined view and therefore will declare the interest, leave the room and not take part in the decision-making process.

~~6.5 — Declarations of interest are also required to be made by any Member not appointed to the committee who attends to make representations in accordance with paragraph 14.~~

6.6 **[AMENDMENT]** Members are reminded that failure to make appropriate declarations could constitute a breach of the statutory Model Code of Conduct.

6.7 **[AMENDMENT]** Declarations of interest are for Members to make and at times will very much depend on particular factual circumstances. The Director (Legal Services) Town Clerk or his representative (eg, the committee solicitor) will be able to provide advice, but Members are encouraged to seek advice at an early stage and wherever possible not in the immediate run up to the start of a committee meeting.

7 Attendance of Members Not on the Committee (Ward Members)

7.1 **[AMENDMENT]** ~~Unlike Committee Members~~For the avoidance of doubt, Ward Members may meet with constituents who are applicants, ~~or~~ agents or objectors prior to or during the processing of any application and such a meeting does not require an officer to be present. ~~—, but~~Where a Ward Member subsequently attends committee to make representations, a declaration of interest will be required in accordance with paragraphs 6.3 and/or 6.4 where the Ward Member wishes to make any representations at the committee meeting.

7.2 Ward Members who do not serve on the committee and who wish to make representations at committee in respect of any report shall notify the Committee Chair and/or Democratic Services~~Committee Services~~ no later than 12.00 noon on the day of any committee meeting.

7.3 At the discretion of the Committee Chair, the report(s) the Ward Member's representation refers to will be considered by the committee at the beginning of the meeting and so may be taken "out of order".

7.4 Ward Members will sit in the public gallery, and the Chair will call them to the committee table to sit in the designated place.

7.5 The Chair will use his/her discretion taking into account the particular circumstances if more than one Ward Member wishes to make representations on the same report.

7.6 **[AMENDMENT]** Before making any representations the Ward Member will be required to make a declaration of interest in accordance with paragraphs 6.1 – 6.3 and also indicate whether or not the Member concerned has had any meetings with any applicant and/or agent or local residents as the case may be. ~~When a~~ Ward Member with declares a personal and prejudicial interest is not able to attend the meeting to make any representations, ~~s/he will leave the room.~~

7.7 **[AMENDMENT]** A Ward Member making representations~~addressing the committee~~ is expected to keep his/her presentation to within five minutes. The Chair will exercise discretion to allow such additional time as may be required for all valid points to be given an airing. Where a Ward Member wishes to provide written information to the committee, s/he will comply with paragraph 5.6. The Chair will

invite officers to respond to any information or views expressed by Ward Members and give the Ward Members an opportunity to reply. After that reply and before the committee considers the report, the Member will return to the public gallery.

- 7.8 As a matter of courtesy, where a Ward Member is approached to make representations / attend at the committee meeting on behalf of an applicant who does not reside in their ward but in a ward represented by a Committee Member, the Ward Member concerned will notify the Committee Member to make them aware of the other Member's involvement.

8 Section 106 Agreements

- 8.1 An agreement under section 106 of the Town and Country Planning Act can only be required to meet an identified planning need arising from the development envisaged by the application.

- 8.2 **[AMENDMENT]** Where the committee resolve that a section 106 agreement is required, but this has not been recommended by the Director, Planning and Economic Development, Policy Head of Planning Management and Delivery, the application will be deferred for an officer report on the appropriateness and content of the agreement. The report will be brought back to committee as soon as possible in order to comply with statutory or other demonstrably material consequential Government targets.

9 Deferrals and Site Visits

- 9.1 **[AMENDMENT]** The Committee will decide on planning grounds, which will need to be moved, seconded and agreed by the Committee and which will be included in the minutes of the meeting, whether to defer a decision for a site visit taking into account the reasons given by the Committee or Ward Members as well as statutory or other demonstrably material consequential Government targets and the use of IT that enables Committee Members to see photographs of sites covered by committee reports, together with site plans and drawings.

- 9.2 Site visits following a deferral do not have any decision-making status and will be solely an opportunity for Committee Members to visit the site with an officer.

- 9.3 **[AMENDMENT]** Third parties including objectors are not entitled will not be invited to attend site visits, ~~either by officers or Members~~. They will be advised to make any representations in writing to the Head of Planning Management and Delivery or through Ward Members.

- 9.4 Applicants and agents cannot use a site visit as an opportunity to state their case to Committee Members. They will be advised to make written representations to the Head of Planning Management and Delivery or to Committee Members before the site visit or before the committee meeting at which the matter will be reconsidered.

10 Departures from Officer Recommendations

- 10.1 Committee Members wishing the committee to consider a different recommendation from that made by the Corporate Director must move an amendment, giving planning reasons, and have it seconded. The Chair will then clarify the planning reasons~~invite an officer response~~ and, as necessary, the amended recommendation will then be voted on. Should it be accepted by the committee, the planning reasons will be included in the minutes of the meeting.

11 Decision-making **[AMENDMENTS]**

Committee Members ~~undertaking this~~ should approach this ~~do so~~ in accordance with the following:

- 11.1 By considering the material (written or oral) provided by the presenting officer(s).
- 11.2 On the basis of material planning considerations relevant to each report with particular emphasis on identified Development Plan policies.
- 11.3 Approach decision-making with an open mind.—~~Committee Members who have a predetermined view could cause any decision to be struck down by the courts and/or, depending on the nature of the predetermined view and how it has arisen, be in breach of the Member Code of Conduct.~~

12 Delegation of Decisions to Officers

- 12.1 **[AMENDMENT]** Provided consideration of the application in question will meet statutory or other demonstrably material consequential Government targets in relation to decision-making, the committee may agree to delegate any further decision-making (eg, finalisation of the conditions to be attached to the grant of planning permission) to the Head of Planning Management and Delivery~~relevant Corporate Director~~ in accordance with the departmental scheme of delegation~~consultation, as necessary, with the Chair and Vice-chair.~~

13 Briefing Meeting

- 13.1 The Head of Planning Management and Delivery, or his representative, will brief the Chair, Vice-chair and party spokespersons in advance of every committee meeting to explain the basis of the officer recommendations and to go through the Addendum Report.

14 City Council Applications

- 14.1 The City Council's own planning applications must be dealt with on the same basis as all other applications. Recommendations and decisions must be based only on material planning considerations and must not have regard to any other benefit which may accrue to the Council as a result of a particular decision on such an application.

15 Member Applications

- 15.1 Where a Member has a personal interest in a Planning Application (eg, it relates to land owned by them or is made as part of an appointed role of the City Council), they must take no part in the processing of the application, not attend at the committee or participate in the decision-making process. If a Committee Member's application has to be considered by the committee, the Committee Member(s) will declare a personal and prejudicial interest in accordance with paragraph 6.2 by reference to the Member Code of Conduct and when the report on the application is considered the Committee Member will leave the room and not take part in the decision-making process.

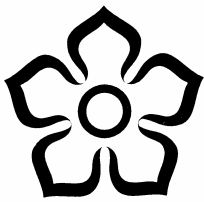
16 Appeals

- 16.1 Officers will prepare, and where necessary present, the City Council's case in an appeal based on the terms of the decision and the material considerations on which that decision was made. They will present the best possible arguments and available evidence in support of the decision, whether or not that decision was in accordance with the Corporate Director's recommendation.
- 16.2 In cases where the decision was not in accordance with the recommendation and where the appeal is to be determined at a hearing or inquiry, the Corporate Director will invite the Chair or, in consultation with the Chair, another appropriate Committee Member to put forward evidence on behalf of the committee.

17 Complaints

- 17.1 Where a complaint is made under the Council's Complaints Procedure about a committee decision, a reply will be prepared by officers in consultation with the Chair.

AJC/DG
6.8.09



Leicester
City Council

MINUTE EXTRACT

Minutes of the Meeting of the
PLANNING AND DEVELOPMENT CONTROL COMMITTEE

Held: TUESDAY, 14 JULY 2009 at 5:30 pm

P R E S E N T :

Councillor Clair - Chair
Councillor Shelton - Vice-Chair

Councillor Bayford
Councillor Chowdhury
Councillor Glover
Councillor Mayat

Councillor Bhavsar
Councillor Desai
Councillor Joshi
Councillor Wann

* * * * *

166. DECLARATIONS OF INTEREST

Members were requested to declare any interests they had in the business to be discussed on the agenda, including under the Council's Code of Practice for Development Control Decisions, and or indicate that Section 106 of the Local Government Finance Act applied to them.

No declarations of interest were received.

Under the Code of Practice for Development Control Decisions, the following declarations were made:

Councillor Bhavsar declared he had received a representation in respect of application 20090300, Tower Street.

Councillor Chowdhury declared he had received a representation in respect of application 20090300, Tower Street.

Councillor Clair declared he had received representations in respect of applications 20090093, Evington Valley Road, and 20090300, Tower Street.

Councillor Desai declared he had received representations in respect of applications 20090093, Evington Valley Road, and 20090300, Tower Street.

Councillor Glover declared she had received a representation in respect of application 20090300, Tower Street.

Councillor Joshi declared he had received a representation in respect of application 20090300, Tower Street.

Councillor Mayat declared he had received a representation in respect of application 20090300, Tower Street.

Councillor Shelton stated that, after being approached by the applicant of application 20090300, he had advised that any points or representations be made in writing to the Committee Members. Councillor Shelton also declared that he had received further representations in respect of the same application.

Councillor Wann declared he had received a representation in respect of application 20090300, Tower Street.

170. REVISIONS TO CODE OF PRACTICE FOR MEMBER INVOLVEMENT IN DEVELOPMENT CONTROL DECISIONS

The Director of Legal Services submitted a report that enabled the necessary approvals to be made to the Council's Code of Practice for Member Involvement in Development Control Decisions.

The Committee was asked to approve the revisions proposed within the report and make any comments and delegate to the Director of Legal Services and the Director, Planning and Economic Development, in consultation with the Chair and Vice Chair, to undertake any further amendments arising from the Committee's consideration and comments from the Standards Committee prior to the final version of the Code being submitted to the Council.

Members of the Committee raised the following points:

- That in relation to the revised text at 4.4 of Appendix 1, advising that Members should avoid meetings with applicants prior to or during the processing of an application unless an officer was present, this was too prescriptive and unenforceable;
- Similarly, that the same revised text at 4.4 was contradictory, as it seemed to recommend that Members should avoid such meetings but then continued to give advice on what to do if one did take place;
- That the advice outlined within the report, particularly in relation to 4.4, was very welcome as Members have, in the past, been close to the line with applications; and
- In the instance where all Councillors from a single ward be Members on the Committee, what action could be taken when a constituent asks for advice on a planning application at surgeries;

In response to the points raised, Officers stated that:

- Members should always exercise judgement and if an applicant requested a meeting, which could be perceived as influencing the process, an Officer should be present;
- That the wording at 4.4 be amended to read 'Committee Members should not *arrange to meet...*'; and
- That in the instance where all Ward Councillors are Committee

Members, they should explain to the applicant that they cannot get involved due to their position on the Committee that will consider any application, and also advise that they contact the relevant planning Officer or neighbouring Ward Councillor for more advice on the matter;

In response to the matter of all Ward Councillors being representatives on the Planning Committee, Councillor Clair also confirmed that the Ward Councillor concerned was able to represent the applicant at the meeting as a Ward Councillor. If this option was taken up, the Ward Councillor concerned would not be able to be involved in the decision making process as a Member of a Planning Committee.

RESOLVED:

that the report and comments be NOTED.

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Leicester
City Council

MINUTE EXTRACT

Minutes of the Meeting of the STANDARDS COMMITTEE

Held: WEDNESDAY, 15 JULY 2009 at 5:30 pm

P R E S E N T:

Mrs Sheila Brucciani (Independent Member) - Chair

Ms Mary Ray

Independent Member

Councillor Draycott
Councillor Scuplak

Councillor Keeling
Councillor Shelton

I N A T T E N D A N C E

Sheila Lock, Chief Executive

* * * * *

65. APOLOGIES FOR ABSENCE

Apologies were received from Kate McLeod, Councillor Corrall and Councillor Thomas.

66. DECLARATIONS OF INTEREST

Members were asked to declare any interests they may have in the business on the agenda and/or declare that Section 106 of the Local Government Finance Act 1992 applied to them. No such declarations were made.

For information, Councillor Shelton declared, in respect of Item 7, "Revisions to the Code of Practice for Member Involvement in Development Control Decisions," that he was Vice-Chair of the Planning and Development Control Committee.

71. REVISIONS TO CODE OF PRACTICE FOR MEMBER INVOLVEMENT IN DEVELOPMENT CONTROL DECISIONS

The Head of Environment and Advocacy Law submitted a report that enabled the necessary approvals to be given for further revisions to be made to the Council's current Code of Practice for Member Involvement in Development Control Decisions. The Head of Planning Management and Delivery was also

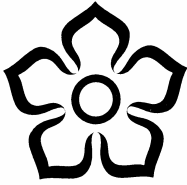
present to answer Members' questions.

The main areas of change were pointed out to the Committee and Members discussed Paragraph 4.2 regarding Committee Members' need to obtain a substitute for the whole meeting if they wished to speak on an application. It was noted that, if a Member had a prejudicial interest, they would not be able to speak on the item at all. Members also considered the need for guidance regarding involvement in pre-application discussions, noting that some issues were of interest to a large part of the community. They discussed the issue of predetermination, and it was noted that if a Member had expressed an opinion in a meeting on an application that was subsequently deferred, they would be asked if they were still open-minded about it.

The meeting discussed concerns regarding the lack of influence local councillors had over planning applications. Members asked if they could be more involved in the pre-application discussions with developers. They also discussed the issue of site visits. It was reported that the need for site visits was reduced by the introduction of presentation technology, and that, when visits were requested, very few Members attended them. Members stated that it was important to retain the opportunity to call for a site visit, as this showed the community that the Council was taking an interest. It was reported that the original reduction in site visits was driven by Government targets. This pressure had since reduced, as targets were consistently being met.

RESOLVED:

that the Standards Committee notes the proposed revisions and confirms its agreement to the revised Code of Practice being submitted to Council.



Leicester
City Council

WARDS AFFECTED
All

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

Cabinet
Performance & Value for Money Select Committee

1st September 2009
TBC

Annual Performance Outturn Report: 2008/9

Report of the Chief Executive

1. Purpose of Report

- 1.1 This report presents a summary of performance against the priorities set out in *One Leicester* for 2008/9. Progress is primarily measured against the targets set in our Local Area Agreement (LAA). The report also includes brief commentary on performance on the remaining measures in the National Indicator Set.
- 1.2 The report focuses on significant achievements and key areas of concern or risk.

2. Recommendations

- 2.1 Members are asked to:
 - (i) Note our performance against LAA targets for 2008/9.
 - (ii) Consider whether the judgement as to which measures carry a high risk of not achieving end of agreement (2010/11) targets are appropriate.
 - (iii) Agree that those measures identified as carrying a high risk of not achieving end of agreement targets are subject to regular re-assessments in quarterly performance reports.

3. Background

- 3.1 Leicester's LAA is the nationally agreed plan that supports our sustainable community strategy, *One Leicester*. It includes those performance measures, drawn from the national indicator set, that best reflect the ambitions for the city articulated in *One Leicester*. It also includes measures identified by central government where our performance in Leicester is comparatively poor. Targets for these measures have been agreed for a period of three years (2008/9 – 2010/11) through a process of negotiation with central government through the regional office (GOEM).
- 3.2 Our 2008/11 LAA was signed off by the Council's Cabinet, the Leicester Partnership and the Secretary of State for Communities & Local Government in the spring of 2008. The LAA was subject to an 'annual refresh' over the winter / spring of 2008/9. The revised agreement was signed off in March 2009.
- 3.3 The City Council is obliged to report on all (188) measures in the national indicator set. However, it is recognised that localities should concentrate their performance management on those priority measures in the LAA.
- 3.4 In our quarterly performance reporting cycle we will collect and by exception report on other performance measures that provide valuable management information to ensure we deliver the outcomes we have agreed for the city. These additional measures are primarily measures from Service Improvement & Efficiency Plans (reported in the first instance to the Operations Board) and organisational performance measures (reported in the first instance to the Organisational Development & Improvement Board).
- 3.5 Managing our performance is a key improvement priority for the Council and the Leicester partnership and is an important aspect of the Comprehensive Area Assessment – the new scheme that the Govt is using to measure the success of public agencies in Leicester.

4. LAA Annual Outturn

- 4.1 Performance information for all measures in the LAA is set out in *Appendix One* of this report. This appendix takes the refreshed LAA as its basis and adds three columns; actual performance for 2008/9 (or Summer '08 for school based targets); confirmation as to whether the 2008/9 target was met and a judgement as to whether there is a significant risk to the indicator meeting its end of agreement target by 2011.
- 4.2 Performance against LAA targets can be summarised as follows:
 - 4.2.1 There are a total of 57 performance measures in the LAA. Of these, for 2008/9, 35 are designated targets (i.e. negotiated with GOEM and subject to Secretary of State approval), 6 are local measures (i.e. adopted unilaterally by Leicester with targets locally set), and 16 are statutory education and early years targets (i.e. covered by a different piece of legislation).
 - 4.2.2 Of the 41 designated and local measures, 12 are known as 'placeholders'. These are measures we wanted to include in our LAA as they were a good reflection of our *One Leicester* priorities, but at the time of sign-off in spring 2008 there was no data available.

This was because they were entirely new performance measures, introduced for the first time in the national indicator set.

- 4.2.3 In the absence of baseline data it was agreed nationally that targets would not be set for these measures for 2008/9. Baseline data for all these 'placeholder' measures has become available during 2008/9 and targets for these measures were negotiated through the annual refresh process and formally signed-off in March 2009. These measures take effect from April 1st 2009 and will be included in all future performance reports.
- 4.2.4 As there was no data available during 2008/9 on which to base risk assessments for these measures they have not been subject to individual RAG (red/amber/green) ratings in this report. Most of the 'placeholder' measures are high level 'outcome' measures, based on public satisfaction and / or perception collected through surveys. These measures are particularly challenging as there is rarely any single intervention that can influence the outcome. Data from both Mori and Place surveys are used as a proxy for these measures.
- 4.2.5 Although not subject to formal risk ratings in this report, we do have some information on which to assess our performance against most of these placeholder measures. For example, for our 'Investing in our children' measures we know that:

- Emotional health of children (NI 50) - Leicester's 08/09 figure of 64.3% puts the city in the upper middle quartile and above the England average. There is also evidence to suggest that Leicester's efforts to improve in this area are well regarded by DCSF.
- Services for disabled children (NI 54) - Leicester's 08/09 score of 59 (out of 100) is in line with the England average.
- Young people's participation in positive activities (NI 110) - Leicester's 08/09 figure of 66.9% puts the city in the lower middle quartile and below the England average.

We also have comparator information for those measures included in the 2008 Place Survey. We can assess our performance against similar local authority areas (including the best and worst performing areas in England), and compare our results with the results of similar questions asked in the 2006 Best value survey. This information is provided in a separate report to Cabinet: 'Headline Results from Leicester's Place Survey 2008'.

- 4.3 Of the remaining 29 designated and local measures (i.e. excluding place holder measures), performance for 2008/9 was as follows:

Targets met	18
Targets not met	10
Data not available yet	1

The measure for which data is not yet available is NI 112 (teenage conception rates). This will be available in February 2010. However, we do have data for 2007 which allows a risk assessment to be made.

It is worth noting that of those measures where targets were not achieved, three were only just missed by a very small margin (see appendix one). This is reflected in the risk

assessments where, subject to the required trajectories, these measures are given an amber rating.

4.3.1 In terms of the assessment of risk of not achieving end of agreement (2011) targets, based on available data, we have the following position for our designated and local measures ('excluding placeholders' – see 4.3.4 above):

Red (high risk)	6
Amber (medium risk)	10
Green (low risk)	12

The following table shows those measures considered to carry a high risk of not achieving end of agreement targets based on the performance detailed in *Appendix One* of this report. Further analysis of this performance and future prospects has resulted in three measures (NIs 65, 112 and 135) being re-classified as an amber risk.

Measure	Analysis of recent performance and future risk
Investing in our children (Cllr Dempster)	
NI 65 - Children becoming the subject of a Child Protection Plan for a second or subsequent time	<p>This target has remained challenging, in the context of fluctuating numbers of children who become subject to child protection plans. The current rate of 17.56% is higher than anticipated which probably reflects a downturn in the number of first time plans during the latter part of the year.</p> <p>The inability to sustain work with families who require continued support to maintain safeguarding after the acute risks have been reduced and a child protection plan is no longer needed is the key issue, although clearly there is need to ensure that decisions to remove child protection plans are not made over optimistically in the first place or that decisions to make a child subject of a second plan are not taken in an overly risk averse way. A recent audit of children subject to a second or subsequent Child Protection Plan showed that the risks tended to be similar to previous concerns. Domestic violence featured heavily as did levels of honesty and “disguised compliance”.</p> <p>There is a review of fieldwork services which should assist in addressing these issues, and the increase in targeted services and the systems which support them should also assist.</p> <p>Challenges will be addressed through local management action to bring performance back line with agreed targets.</p> <p>Risk revised to Amber based on this analysis.</p>
NI 112 - Under 18 conception rate	<p>Recent accomplishments include:</p> <ul style="list-style-type: none"> * Increasing access & choice of sexual health services for young people through safer sex sites, Choices clinics, pharmacies & GPs * Established Health shops including sexual health advice, condoms & pregnancy testing at identified priority schools * Reviewing Sex & Relationships Education (SRE) with post-16 providers in order to inform future commissioning and coordination of SRE provision for young people aged 16-19. * Setting up data sharing agreements for a regular supply of maternity and termination data to provide a more timely analysis of

	<p>teenage pregnancy. * Produced a teenage pregnancy social marketing campaign plan using new technologies and insights. * Increasing both the volume and the quality of SRE provision within 24 primary schools identified through classroom-based support and training.</p> <p>The 2007 under-18 conception data for Leicester City has seen an overall reduction in the under-18 conception rate of 22.5% from the baseline year of 1998. The 2007 rate is now 50.1 per 1000 female population aged 15-17. This accounts for an overwhelming 18.6% reduction in the rate from 2006 to 2007. However, Leicester has not seen a consistent decline since the strategy was implemented in 2001 and all local stakeholders need to continue supporting the TP Strategy to ensure that progress is sustained. Rates will continue to come down if we continue to implement the strategy properly.</p> <p>Our assessment is that we will be making reasonable progress towards target.</p> <p>Risk revised to Amber based on this analysis.</p>
<p>NI 118 - Take up of childcare by low income working families</p>	<p>Current economic climate means that this work is becoming increasingly more complex. The City provides free full-time nursery education for all parents who require it (this is different to other LA areas). Those parents who use this will not appear on the figures as they will not need to claim WTC</p> <p>Have made suggestion to the W.N.F. innovation on potential services to commission in this area. All Children's Centres are offering advice to parents on how to access funding for childcare including commissioning benefit advisors sessions. The increase from 11-18 fully operational Centres means more parents are reached. We continue to work with Job Centre Plus by providing sessions in the Centres and have clear referral routes. Out Childcare Strategy will focus on developing sustainable childcare provision in our most disadvantaged areas although this remains a challenge. Children's Centres continue to extend volunteering opportunities to parents as part of the pathway to into work. Nursery education is being promoted particularly with a focus on how it impacts on children's learning.</p> <p>Local challenges will not be addressed unless further action is taken</p>
<p>Reducing our carbon footprint (Cllr Russell)</p>	
<p>NI 186 - Per capita CO2 emissions in the LA area</p>	<p>Last year target 3.9% reduction, achieved 0.98%.</p> <p>Key factors that limited performance: -</p> <ol style="list-style-type: none"> 1. Lack of Funding: - <ul style="list-style-type: none"> • The ability to control carbon dioxide emissions from disparate organisations will require great effort, and will require some funding beyond the £100,000 allocated from the Working Neighbourhood Fund. • The Area Based Grant process has not allocated funding to support climate change National Indicators

	<ul style="list-style-type: none"> • There is no funding allocated to the Environment Partnership Board to commission reports, fact finding visits or incept small projects <p>2. Lack of awareness: -</p> <ul style="list-style-type: none"> ▪ The impact of climate change is not well understood within the City and a city wide programme of resident involvement is required. <p>Our planned actions include:</p> <ul style="list-style-type: none"> • Environment Partnership Board to encourage other organisations to mainstream actions to reduce CO2 and to share best practice information • De Montfort University to undertake leadership training on climate Change and CO2 reduction opportunities • Awareness training for all organizations within the partnership <p>To achieve our target we would need to deliver a 6% reduction. That is not going to be achieved. Our aim for this year is to maintain performance at our current reduction of about 1%, and that is our forecast for this year. We are being helped by improving vehicle sustainability and by the decline in some industrial emissions because of the economic situation, but emissions from housing remains a major concern – hence the actions in the plan.</p> <p>Those actions will help, but there is something like a 3 year lead time before we see the benefits of initiatives we are now undertaking, so we are anticipating a maintenance of our current position.</p>
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Creating thriving, safe communities
(Cllr Dawood / Cllr Patel / Cllr Westley)

<p>NI 155 (i) - Number of social rented affordable homes delivered (gross)</p>	<p>This has been a difficult year for the construction industry as the financial downturn has restricted the number of new homes being built in the city. Indeed, by the end of 2008, nationwide housing construction had fallen to its lowest level since 1924 (1939-1945 excluded).</p> <p>Although not all of the new build in the City will be affordable housing, the 'knock on' effect for this sector is inevitable because many affordable housing units are provided by 'planning gain' in Section 106 agreements on private developments. It is estimated that 75% of the affordable housing units over the next 25 years will need to be provided by planning gain.</p> <p>As a consequence, the LAA target of achieving 498 social rented homes between 2008/09 and 2010/11 will now not be met.</p> <p>However, the target of providing 992 new affordable homes (social & intermediate) by 2013 is one of the key outcomes in the One Leicester Vision and may still be achievable if there is a speedy recovery in the housing market.</p> <p>The Affordable Housing Strategy 2008-13 is currently in the consultation stage. The document outlines how we intend to meet our One Leicester Vision despite the unprecedented house building crisis currently being experienced.</p>
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	<p>The associated Delivery Plan concentrates on 3 main ways of increasing the supply of affordable housing and ensuring that any opportunities are strategically explored.</p> <p>The 3 main ways are:</p> <ul style="list-style-type: none"> - Working with partners make best use of negotiation skills and planning powers - Optimising affordable housing outcomes from LCC land and property disposals - Maximising the amount of capital funding (subsidy) for affordable housing <p>The implementation of the Delivery Plan will be overseen by the new Affordable Housing Programme Board, which in turn will report on progress to the Wellbeing & Health Partnership, one of the Strategic Theme Groups of the Leicester Partnership.</p> <p>The recent 'Building Britain's Future' strategy announced by the Government has set targets for 20,000 new affordable homes by 2011. This is in addition to the 90,000 already pledged by the Government and investment will be increased to £2.1 billion to support this programme. The Council will be submitting a bid for Local Authority New Build and is awaiting the results of an Expression of Interest for 600 homes for a Private Finance Initiative, both initiatives will increase the number of social rented homes in the City.</p> <p>Delivery of these new affordable homes will be another boost in helping to achieve our One Vision targets.</p>
<p>Improving wellbeing and health (Cllr Dawood / Cllr Palmer)</p>	
<p>NI 120 - All-age all cause mortality rate (Male and Female)</p>	<p>Latest data available for All-age, all cause mortality for 2007 (2006-8 data) shows rates are higher than target (males +3%, females +5.5%). Rates for males and females continue to fall, but there is a risk of not meeting the 2011 target. There are a number of workstreams in place which will reduce death rates in the short to medium term. These include managing CVD risk factors, targeted lifestyle programmes, smoking cessation services, CVD risk screening in pharmacies, cancer screening programmes, other work to improve early identification of cancers, and partnership working with other agencies through LAA agreement.</p>
<p>NI 135 - Carers receiving needs assessment or review and a specific carer's service, or advice and information</p>	<p>Performance clinics led by the Adults and Communities Strategic Director to be undertaken to closely monitor and target the work for NI 135. This is due to take place on 23rd July. Actions which will be highlighted and discussed at the Performance Clinic to improve and drive performance include</p> <ul style="list-style-type: none"> • The launch of the Carers Strategy which took place on 25th June 09. • Undertaking action planning with our Health Partners which includes work for Carers. • Work on information, advice, and identification, which should lead to an update of service and a rise in our figures. • Links to the Adult Social Transformation Agenda with a focus on work with Carers on allowing more choice and

	<p>control with an update on services.</p> <ul style="list-style-type: none"> • Ongoing programme of work to ensure data capture and clear targets developed for teams, breaking it down to individual level targets. • Benchmarking with our Family Authority Comparators and sharing best practise. <p>We fell short of our 08/09 target, so it does remain a risk. There are significant actions in place to mitigate against the risk and that should make the target for 10/11 achievable.</p> <p>Risk revised to Amber based on this analysis.</p>
<p>Investing in skills and enterprise (Cllr Kitterick)</p>	
<p>NI 153 - Working age people claiming out of work benefits in the worst performing neighbourhoods</p>	<p>Though performance appears to have held up reasonably well throughout 08/09 and only narrowly missed the year target, this is largely in my view because there is such a time lag on the data set being used. The data used for the 4th quarter in fact relate to the rolling average of a 12 month period that finished some 6 mths prior to year end i.e from Autumn '07 to autumn '08. In other words well before the recession really started to bite. The prediction has to be therefore that this indicator will worsen considerably throughout the next reporting period.</p> <p>Actions being taken to mitigate the problem next year include i) re-focusing the WNF programme to tackle recession, ii) developing and implementing the future jobs fund programme that will directly tackle youth unemployment, iii) an enhanced offer from Job Centre plus for those out of work, iv) the forthcoming change over to the Flexible New Deal programme, v) the investment in the new Multi Access centre network to locate advice and guidance and job brokering activities closer to disadvantaged communities, vi) the roll out of the successful work Highcross model of brokering job and training opportunities for disadvantaged groups to other vocational sectors.</p> <p>Due to the lag noted above however even if these initiatives are successful in 09/10, their impact won't be recorded and reported until 10/11.</p>
<p>Value for money (Cllr Willmott)</p>	
<p>NI 179 - Value for money – total net value of on-going cash-releasing value for money gains that have impacted since the start of the 2008-9 financial year</p>	<p>Assessed as a red risk despite the 2008/9 target having been met on the advice of the Chief Finance Officer.</p>

Additional information on these measures is contained in *Appendix Two* of this report.

Please note that no risk assessment has been undertaken for NI 175 (Accessibility by public transport) as this measure was withdrawn from the LAA at annual refresh.

This risk assessment does not reflect the fact that improved performance was delivered on all except two of these indicators.

- 4.4 The 16 statutory education and early years targets are based on academic years and so treated differently for the purpose of this report. We are not able to populate the column on achievement of 2008/9 targets as these are the targets for the 2008/9 academic year for which data is not yet available (e.g exams being taken during this current summer term with results not published until later in the year). We do however have performance data for the 2007/8 academic year, which provides us with a sufficient number of data sets to allow a risk assessment to be made.
- 4.4.1 Having said that, the matter is complicated by the fact that most 2007/8 actuals do not have a corresponding target (they are newly established performance measures) and six of these measures have now been withdrawn from the national indicator set (because of the scrapping of SATs at Key Stage 3), these have not been subjected to risk assessment.
- 4.4.2 Accepting these caveats, the risk assessment for statutory education and early years targets is as follows:

Red (high risk)	5
Amber (medium risk)	1
Green (low risk)	4

The following table shows those measures considered to carry a high risk of not achieving end of agreement targets based on the performance detailed in *Appendix One* of this report. Further analysis of this performance and future prospects has resulted in one measure (NI 92) being re-classified as an amber risk, and one measure (NI 100) as green.

Measure	Analysis of recent performance and future risk
Investing in our children (Cllr Dempster)	
NI 73 - Achievement at level 4 or above in both English and Maths at Key Stage 2	<p>Leicester City Challenge meetings or School Improvement Meetings held in 20 schools of concern, areas for improvement flagged up and progress against them tracked Data received indicates that a number of schools are making significant gains on last year's performance Number of outstanding primary schools now greater than number in categories</p> <p>Targets are aspirational (3 percentage points above the national average and requiring an 11 percentage point improvement over one year, 13 points over two). There are a high numbers of schools where children achieve expected levels in English but not maths. Managing the risk includes increased targeting of resources on maths within existing and new programmes (e.g. academic coaching and one-to-one tuition); targeting of maths support in schools with significant English and maths differences.</p>

	<p>Work on assessment for learning ongoing, aims to produce more accurate assessments Progress of schools towards targets being monitored by advisers, School Data issues being addressed by Head of Primary, leading to a more systematic collection of data from September 2009</p> <p>High risk of not achieving aspirational targets. We will continue to improve at faster than the national rate but need to identify additional resources to support maths and development of greater expertise in maths in school and the local authority workforce</p>
<p>NI 75 - Achievement of 5 or more A*-C grades at GCSE or equivalent including English and Maths (Threshold)</p>	<p>Rate of improvement faster than the national average with results in 2007 close to target. Data from schools indicates that we are on track to achieve within 3 percentage points of the 2008/09 target, which will put the city within 3 percentage points of current national performance.</p> <p>Targets are ambitious and require a 9.3 percentage point improvement over one year, and almost 10 percentage points over two. A particular risk is the shortage of maths specialists in secondary schools. Management of risks includes regular monitoring of school tracking data, with responsive intervention to tackle areas of weakness. Hub and spoke arrangements are enabling sharing of maths expertise between schools to the benefit of underperforming schools. National challenge plans are in place in schools below the national floor target (30%).</p> <p>The target remains ambitious, especially so in the light of the shortage of maths expertise and the continuing gap in English and maths, but progress will continue to narrow the gap with national results.</p>
<p>NI 92 - Narrowing the gap between the lowest achieving 20% in the Early Years Foundation Stage Profile and the rest</p>	<p>An early years tracking progress pilot has been set up with 50% of schools and settings opting in. This has improved our ability to identify and target children at risk of low attainment at an earlier stage. Initial analysis of data has been followed up by targeted intervention in schools and settings where there are the biggest gaps</p> <p>A significant risk is the increasing proportion of children entering this phase of learning with a wider range of language needs and difficult personal circumstances. Early assessment (within 6 weeks of entry to a setting) across the full range of EYFS areas of learning, and support for settings in responding to needs of changing cohorts will help reduce these risks.</p> <p>Increase in the time allocated to the Learning Services Early Years Lead so as to ensure that this positive picture is maintained after restructure and improvement is accelerated</p> <p>The range of current raising attainment interventions in the Early Years is proving effective with the children targeted. Earlier analysis of needs will enable us to accelerate progress in line with agreed targets.</p>

	Risk revised to Amber based on this analysis.
<p>NI 93 - Progression by 2 levels in English between Key Stage 1 and Key Stage 2</p>	<p>Leicester's rate of improvement is faster than national, moving from 0.6 percentage points below the national average in 2006 to 2.4 percentage points above in 2008. Some programmes in schools are beginning to show an impact. Visits to schools are picking up on progress data and the importance of the measure of progress half way through the key stage. A national programme for one-to-one tuition established in 30 schools. Increasing understanding in schools of the importance of measuring individual pupil progress within programmes</p> <p>The targets are aspirational and require an 11.4 percentage point improvement required over two years. Action to manage the risk includes a range of intervention programmes and increased targeting of schools where 2 levels of progress is below 95%. The workforce in targeted schools is supported to understand the use of data in: establishing baselines; setting ambitious targets; measuring progress towards targets; and adjusting programmes if necessary.</p> <p>Intervention and support programmes in place in schools causing concern continue. Data issues being addressed by Head of Primary, leading to a more systematic collection of data from September 2009</p> <p>We are likely to maintain levels of progress at or above national averages and to improve at faster than national rates, but with a high risk of not achieving the 11.4 percentage point improvement required over two years to achieve the 2010 target.</p>
<p>NI 94 - Progression by 2 levels in Maths between Key Stage 1 and Key Stage 2</p>	<p>Narrowing the gap between national and local results (from 2.9 percentage points in 2007 to 1 percentage point in 2008). Some programmes in schools are beginning to show an impact. Visits to schools are picking up on progress data and the importance of the measure of progress half way through the key stage. A national programme for one-to-one tuition established in 30 schools. Increasing understanding in schools of the importance of measuring individual pupil progress within programmes</p> <p>Although the rate of improvement is faster than the national average, the target is aspirational and requires a 15.2 percentage point improvement over two years. Skills shortages in schools and the local authority in relation to maths may hinder progress. Action to manage risks includes targeting of schools with significant numbers of pupils achieving two levels of progress in English but not maths, and pupils at risk of not achieving two levels. CPD programmes on effective use of data to identify at risk pupils. One-to-one tuition programmes in place with emphasis on maths, and associated CPD for the workforce</p> <p>Intervention and support programmes in place in schools causing concern continue Data issues being addressed by Head of Primary, leading to a more systematic collection of data from September 2009</p>

	High risk of not achieving targets because of distance to travel from current performance
NI 100 - Children in care reaching level 4 in Maths at Key Stage 2	<p>The RALAC service continues to meet with schools to monitor progress of looked after children and identify where there may be potential barriers to attainment, and provide tailored interventions based on need. This includes help for children not accessing full-time schooling and for those at KS2. Cohort estimated to be 24 and the prediction is that 12 of these will achieve level 4 in maths. We are also working with School Development Support Agency to provide academic coaching for this cohort currently.</p> <p>Risk revised to Green based on this analysis.</p>
NI 101 - Children in care achieving 5 A*-C GCSEs (or equivalent) at Key Stage 4 (including English and Maths)	<p>We are working with School Development Support Agency (SDSA) to provide academic coaching to young people sitting GCSE's this year. This may have a beneficial impact on GCSE results.</p> <p>We have shown we can achieve spectacular success in other education targets, and we will be using our experience of what worked then to work with a range of partners to improve prospects in this area.</p> <p>The Service Manager (RALAC) is newly appointed in post This is a key appointment and will provide strong leadership to move achievement in this Indicator upwards.</p> <p>We now have a definite budget for RALAC and will be able to appoint staff as required.</p> <p>This is a particularly challenging target and one that will be a focus for work next year, although that work also needs to be targeted at Years 9 and 10 as well as Year 11 pupils, so that long-term prospects are enhanced.</p> <p>The 14-19 agenda also brings challenges, as this Indicator currently does not allow for any alternatives to GCSEs being included. Should alternatives to GCSE's be deemed more appropriate for our LAC, and even if they succeed brilliantly, we will not, as things stand currently, be able to include them in this return. However, it is worth remembering that the Social Exclusion Report (2003) that paved the way for Care Matters report in 2003, deliberately recommended that alternatives were not included, as it appeared that LAC were rarely entered for GCSEs, but often entered for the alternatives.</p> <p>We start from a low base point across the City in any case, but the gap between LAC and other pupils has actually increased. This is absolutely unacceptable and we need to set a challenging target for 2009-2010.</p> <p>However, setting a target makes absolutely no difference without action.</p> <p>We know already that the predicted results for next year are not at all encouraging, and we will struggle to improve unless we take urgent and significant action.</p> <p>Personal Education Allowances (via Care Matters) will be available for those students at risk of not meeting key stages. We are looking at options to pool budgets and commission specialist coaching. In addition to the Learning Mentors that are already working with our LAC, we will be developing a</p>

	<p>mentoring scheme across the council for young people in care.</p> <p>We will be reviewing how our services to improve the educational attainment of LAC are delivered across the city, in order to strengthen the integration of the service with schools to maximise young people's opportunities and attainment.</p> <p>The new Service Manager, with the Education of LAC group, will lead on this.</p> <p>We have made links at senior management level with colleagues in Learning Services and this will be of benefit when considering how we improve outcomes for LAC.</p> <p>Local challenges will not be addressed unless further action is taken.</p>
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Additional information on these measures is contained in *Appendix Two* of this report

- 4.4.3 It is worth noting that all those measures identified as carrying a medium/high risk did actually show improved performance between summer 2007 and 2008. However, the rate of improvement was not sufficient to maintain the trajectory required to meet summer 2011 targets.
- 4.4.4 When we look at the LAA as a whole, for those measures where we have some actual data since baselines were set, we see that **93.2%** of these measures have shown improved performance.

5. Other Measures in the National Indicator Set

- 5.1 The overall position on our performance on those indicators from the national indicator set that are not included in our LAA is as follows:

33 Good (significantly above target)
 51 Reasonable (within agreed tolerance for target)
 23 Poor (significantly below target)

24 No data available on which to make a judgement

In percentage terms this equates to:

23% Good
 35% Reasonable
 16% Poor

18% No data available on which to make a judgement

- 5.2 While most of the measures with no data available are legitimate (i.e. they are placeholders or the national indicator is still in draft format), the lack of available data (both actuals and targets) on a small proportion of indicators is currently being investigated with the relevant service areas.

6. **Headline Financial and Legal Implications**

Financial Implications

- 6.1 The report is designed to make use of performance data in order to inform decision making. This could include the re-direction of funding, in order to secure the best value for money and most effective use of resources. There could, therefore, be implications for the development of the Council's financial framework, particularly with regard to budget preparation, budgetary control and budget monitoring. It is important that any such revisions to the financial framework continue to identify clear lines of budgetary and financial responsibility and, therefore, financial control.
- 6.2 The Council is currently implementing a new resource management system (RMS). This should facilitate improved and more responsive reporting but it should be noted that data must first be collected reliably before it can be reported on with accuracy.

(Author: Andy Morley Chief Accountant x 7404)

Legal Implications

There are no legal implications arising.

(Peter Nicholls, Director, Legal Services, x 296302)

7. **Other Implications**

OTHER IMPLICATIONS	YES/NO	Paragraph	References
Equal Opportunities	No		
Policy	No		
Sustainable and Environmental	Yes	4.4.1 &	Appendix 1
Crime and Disorder	Yes	Appendix 1	
Human Rights Act	No		
Elderly/People on Low Income	Yes	4.4.1 &	Appendix 1

8. **Consultations**

Service managers and departmental performance teams.
Strategic Management Board – 30th June 2009

9. **Background Papers**

Performance reporting and management arrangements for 2008-09 and performance report for Quarter One – Cabinet 10th November 2008
Performance Report for Quarter Two – Cabinet, 8th December 2008
Performance Report for Quarter Three – Cabinet, 9th March 2009
Performance Report for Quarter Four – Strategic Management Board, 12th May 2009

10. Report Author

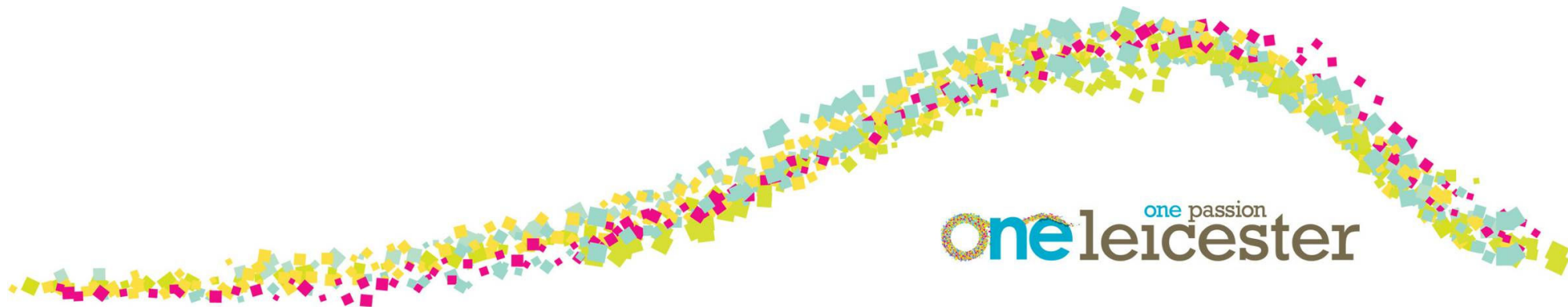
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Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Executive (Cabinet)

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Leicester's Local Area Agreement 2008-11

Annual Outturn 2008/9



Priority	Indicator	Baseline	08/09 TARGET	08/09 ACTUAL	09/10 TARGET	10/11 TARGET	08/9 Target Met?	Risk to Meet 10/11 Target
Investing in our children	NI 50 * Emotional health of children (Placeholder)	64.3% (08/09)	N/A (Placeholder)	64.3%	66.4%*	69.2%*	No data on which to make judgement	
	NI 54 * Services for disabled children (Placeholder)	Available May 2009 at the earliest	N/A (Placeholder)	59%	+3 % points from baseline*	+6 % points from baseline*	No data on which to make judgement	
	NI 56 * Obesity among primary school age children in Year 6	19.6 % % of children in year 6 with height and weight recorded who are obese	21.5%*	Available October 2009	21%*	19.6%*	No data on which to make judgement	
	NI 59 * Initial assessments for children's social care carried out within 7 working days of referral	62% (2007/8)	63%*	67.1 %	70%*	77.5%*	√	G
	NI 65 * Children becoming the subject of a Child Protection Plan for a second or subsequent time	15.8% 2007/8	11%*	17.8%	Between 10% and 15% *(optimum range)	Between 10% and 15%* (optimum range)	X	R

Statutory Education and Early Years Targets

Priority	Indicator(s), including those from national indicator set (shown with a *)	Baseline (Summer '07)	Actual (Summer '08)	Target (Summer '09)	Target (Summer '10)	Target (Summer '11)	Sum mer '09 Target Met?	Risk to Meet Sum mer '11 Target
Investing in our children	NI 72 * Achievement of at least 78 points across the Early Years Foundation Stage with at least 6 in each of the scales in Personal Social and Emotional Development and Communication, Language and Literacy	31.7%	39.5%	40%	45%	X	N/A	G
	NI 73 * Achievement at level 4 or above in both English and Maths at Key Stage 2	62%	66.7%	76%	78%	X	N/A	R
	NI 74 * Achievement at level 5 or above in both English and Maths at Key Stage 3 (Threshold)	59%	61%	69%	Dropped from National Indicator Set		N/A	

Investing in our children	NI 75 * Achievement of 5 or more A*-C grades at GCSE or equivalent including English and Maths (Threshold)	36.4%	39.9%	48%	49%	X	N/A	R
	NI 83 * Achievement at level 5 or above in Science at Key Stage 3	64%	64%	71%	Dropped from National Indicator Set		N/A	
	NI 87 * Secondary school persistent absence rate	7.36%	5.5%	6% (school year 08/09)	5.3%	X	N/A	G
	NI 92 * Narrowing the gap between the lowest achieving 20% in the Early Years Foundation Stage Profile and the rest	40.6%	39.5%	34%	32%	X	N/A	R
	NI 93 * Progression by 2 levels in English between Key Stage 1 and Key Stage 2	83.6%	85%	96%	96%	X	N/A	R
	NI 94 * Progression by 2 levels in Maths between Key Stage 1 and Key Stage 2	73.7%	79%	91%	93%	X	N/A	R
	NI 95 * Progression by 2 levels in English between Key Stage 2 and Key Stage 3	25%	25.7%	36%	Dropped from National Indicator Set		N/A	

Investing in our children	NI 96 * Progression by 2 levels in Maths between Key Stage 2 and Key Stage 3	54%	53.4%	64%	Dropped from National Indicator Set		N/A	
	NI 97 * Progression by 2 levels in English between Key Stage 3 and Key Stage 4	53.7%	55.7%	62%	Dropped from National Indicator Set		N/A	
	NI 98 * Progression by 2 levels in Maths between Key Stage 3 and Key Stage 4	24.2%	21.8%	33%	Dropped from National Indicator Set		N/A	
	NI 99 * Children in care reaching level 4 in English at Key Stage 2	5 out of 14	47.1%	10 of the estimated 23	44%	X	N/A	G
	NI 100 * Children in care reaching level 4 in Maths at Key Stage 2	5 out of 14	41.2%	12 of the estimated 23	44%	X	N/A	R
	NI 101 * Children in care achieving 5 A*-C GCSEs (or equivalent) at Key Stage 4 (including English and Maths)	1 out of 36 (2.7%)	4.8% (Provisional)	6 of the estimated 22 (27.3)	X	X	N/A	R

Priority	Indicator	Baseline	08/09 TARGET	08/09 ACTUAL	09/10 TARGET	10/11 TARGET	08/9 Target Met?
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Investing in our children	NI 110 * Young people's participation in positive activities (Placeholder)	66.9% (08/09)	N/A (Placeholder)	66.9%	70.4%*	74.1%*	No data on which to make judgement	
	NI 112 * Under 18 conception rate	61.2 (2006) (4.7% reduction from 1998 figures)	45.1* (2008) (30% reduction from 1998 figures)	Available February 2010 2007 actual = 50.1 (22.5% reduction from 1998 figures)	37.1* (43% reduction from 1998 figures)	29.1* (55% reduction from 1998 figures)	N/A	R
	NI 117 * 16 to 18 year olds who are not in education, training or employment (NEET)	8.9% Nov 07-Jan 08 average	8.4%**	8.4%	8.1%**	7.7%**	✓	A
	NI 118* Take up of childcare by low income working families	12%	14%	12.4%	16%	18%	X	R
Planning for people rather than cars	NI 154 * Net additional homes provided	1,100 (2003/4 – 2006/7)	940*	1162	470*	940*	✓	G
	NI 167 * Congestion – average person journey time per mile during the morning peak	4.6 minutes per person mile (2004/5)	4.82*	4.58	4.87*	4.89*	✓	G

	NI 175 * Access to services and facilities by public transport, walking and cycling	79.1% (2007/8)	79.4%*	MEASURE WITHDRAWN FROM LAA (86.1%)			✓	N/A
Reducing our carbon footprint	NI 186 * Per capita CO2 emissions in the LA area	6.9 tonnes per capita (1,985,640 tonnes total emissions) (Defra 2005) (Based on population estimate of 286,300)	6.63 tonnes per capita* (3.9% reduction from baseline - 1,908,200 tonnes total emissions)	6.83 tonnes per capita (1% reduction from baseline - 1,965,784 tonnes total emissions)	6.4 tonnes per capita* (7.7% reduction from baseline - 1,832,746 tonnes total emissions)	6.1 tonnes per capita* (11.4% reduction from baseline - 1,759,277 tonnes total emissions)	X	R
	NI 188* Planning to adapt to climate change	Level 2 (June 2008)	Level 2	LEVEL 2	Level 4	Level 4 (review and update)	✓	A
	NI 193 * Municipal waste land filled	66% 2006/7	56%*	54.4%	54%*	52%*	✓	G
Creating safer and stronger communities	NI 1* % of people who believe people from different backgrounds get on well together in their local area (Placeholder)	76.2% (Place Survey 2008/9)	N/A (Placeholder)	76.2%	N/A	80%*	No data on which to make judgement	
	NI 5* Overall/general satisfaction with local area (Placeholder)	71.7% (Place Survey 2008/9)	N/A (Placeholder)	71.7%	N/A	80%*	No data on which to make judgement	

Creating safer and stronger communities	NI 16* Serious acquisitive crime rate	28.1 offences per 1,000 population (2007/8)	27.3* (3% reduction from baseline)	27.49	26.5* (6% reduction from baseline)	25.6* (9% reduction from baseline)	X	A
	NI 18* Adult re-offending rates for those under probation supervision (Placeholder)	0% (predicted re-offending based on 2007/8 cohort is 8.7%)	N/A (Placeholder)	0% (predicted re-offending based on 2007/8 cohort is 8.7%)	N/A	-7.97%* (reduction against predicted re-offending rate for cohort)	No data on which to make judgement	
	NI 19* Rate of proven re-offending by young offenders (Placeholder)	235 (offences per 100 offenders within 12 months) (2005/6)	N/A (Placeholder)	235 (offences per 100 offenders within 12 months) (2005/6)	219* (offences per 100 offenders within 12 months – 6.7% reduction against baseline)	212* (offences per 100 offenders within 12 months – 9.8% reduction against baseline)	No data on which to make judgement	
	NI 20* Assault with injury crime rate	14.4 offences per 1,000 population (2007/8)	13.9* (3% reduction from baseline)	12.8	12.3* (3% reduction from 2008/9 baseline, predicted as 12.7)	11.9* (6% reduction from 2008/9 baseline, predicted as 12.7)	√	G

Creating safer and stronger communities	NI 27* Understanding of local concerns about anti-social behaviour and crime by the local council and police (Placeholder)	25.9% (Place Survey 2008/9)	N/A (Placeholder)	25.9%	N/A	40%*	No data on which to make judgement	
	NI 32 * Repeat incidents of domestic violence (Placeholder)	31% (midpoint of the average rate of repeat cases) MARAC 2008/9	N/A (Placeholder)	31%	30%* (of repeat cases reviewed at MARAC, defined as repeat incidents to that victim within the 12 months period preceding the review)	27%* (of repeat cases reviewed at MARAC, defined as repeat incidents to that victim within the 12 months period preceding the review)	No data on which to make judgement	
	NI 35 * Building resilience to violent extremism	9/20 Mean baseline: 11/4 = 2.75 = 3	13/20 Mean target 13/4 = 3.25 = 3*	13/20 Mean target 13/4 = 3.25 = 3	17/20 Mean target: 17/4 = 4.25 = 4*	20/20 Mean target: 20/4 = 5 = 5*	√	A
	NI 140 * Fair treatment by local services (Placeholder)	66.6% (Place Survey 2008/9)	N/A (Placeholder)	66.6%	N/A	76.6%*	No data on which to make judgement	

	NI 143* Offenders under probation supervision living in settled and suitable accommodation at the end of their order or licence	80.5%	70%	82.6	83%	85%	√	G
	Number of social rented affordable homes delivered (gross) <i>(Element of NI 155)</i>	113 (3 year rolling average 2005-8)	140 (actual for year = 156)	113 (actual for year = 76)	134 (actual for year = 101)	224 (actual for year = 415)	X	R
Improving Wellbeing and Health	NI 39 * Alcohol-harm related hospital admission rates(directly age-standardised rates per 100,000)	2233 (2006-07)	2776*	2242	2970*	3118*	√	G
Improving Wellbeing and Health	NI 40 * Drug users in effective treatment	1135 (2007/8 verified)	1192* Increase of 5% (from baseline)	1205	1204* Increase of 1% (6% from baseline)	1216* Increase of 1% (7% from baseline)	√	G
	NI 120 * All-age all cause mortality rate	Male: 1018 Female: 665 (1995-97) rate per 100k	M:801* F:552*	M:840.6 F:596.7 (2006-08) rate per 100k	M:741* F:519*	M:692* F:501*	X X	R R

	NI 125 * Achieving independence for older people through rehabilitation / intermediate care	78% (Estimated from outturns from ten DH pilot sites)	80%*	84.6%	82%*	84%*	√	G
	NI 126 * Early access for women to maternity services	80.3% (Q2 2008/9)	80.3%*	80.7%	85%* (+ 4.7% points from baseline)	90%* (+ 9.7% points from baseline)	√	A
	NI 131 * Delayed transfers of care from hospitals	22.8 Weekly average census (April 2008 – January 2009)	11.9*	15.2%	20.5*	19.4*	X	G
	NI 135 * Carers receiving needs assessment or review and a specific carer's service, or advice and information	22.2% 2007/8	24%*	19.9%	27%*	29%*	X	R
	NI 142 * Number of vulnerable people who are supported to maintain independent living	97.4% (Q's 1 & 2 2007/8)	98%*	98.3%	98.5%*	99%*	√	G
Investing in skills and enterprise	NI 152 * Working age people on out of work benefits	16.7% (Nomis, February 2007)	16.3%**	16.2%	15.8%**	15.3%**	√	A

Investing in skills and enterprise	NI 153* Working age people claiming out of work benefits in the worst performing neighbourhoods	32.08%	31.4%	31.8%	30.72%	30.05%	X	R
	NI 163 * Working age population qualified to at least Level 2 or higher	55.9% (2006/7 Labour Force Survey)	57.65%** (+1.75% points from baseline)	57.60%	59.65%** (+2% points from 2008/9)	61.9%** (+2.25% points from 2009/10)	X	A
	NI 165* Proportion of population aged 19-64 for males and 19-59 for females qualified to at least Level 4 or higher	21.6%	21.6%	22.2%	22.1%	23.1%	√	G
	NI 172 * VAT registered businesses in the area showing employment growth (Placeholder)	13.05% (105.6% of regional average 2004/5 - 2006/7)	N/A (Placeholder)	13.05% (105.6% of regional average 2004/5 - 2006/7)	(100%* of regional average)	(101%* of regional average)	No data on which to make judgement	
	Locally defined indicator for employment land	INCLUDED IN MAA ONLY						N/A

Improving service delivery	NI 179 * Value for money – total net value of on-going cash-releasing value for money gains that have impacted since the start of the 2008-9 financial year	£344.197m (Estimated LCC element of total partner baseline estimated at £803.590m)	£10.906m* (LCC savings contributing to total savings of £24.714m amongst partners)	£11.097m (LCC savings contributing to total savings of £27.099m amongst partners)	£21.812m* (LCC savings contributing to total savings of £49.427m amongst partners)	£34.172m* (LCC savings contributing to total savings of £77.436m amongst partners)	√	R
			Equates to 3% of baseline		Equates to 6% of baseline	Equates to 9.4% of baseline		
<p>The true measure we are working to is the percentage saving, as the figure in £ depends upon service specific calculations of the baseline. Savings achieved by any partner organisation in excess of their target for 2005/06 to 2007/08 (cashable and non-cashable) will count towards the target for each year. The target will be monitored and reported only in aggregate for the whole LAA.</p>								

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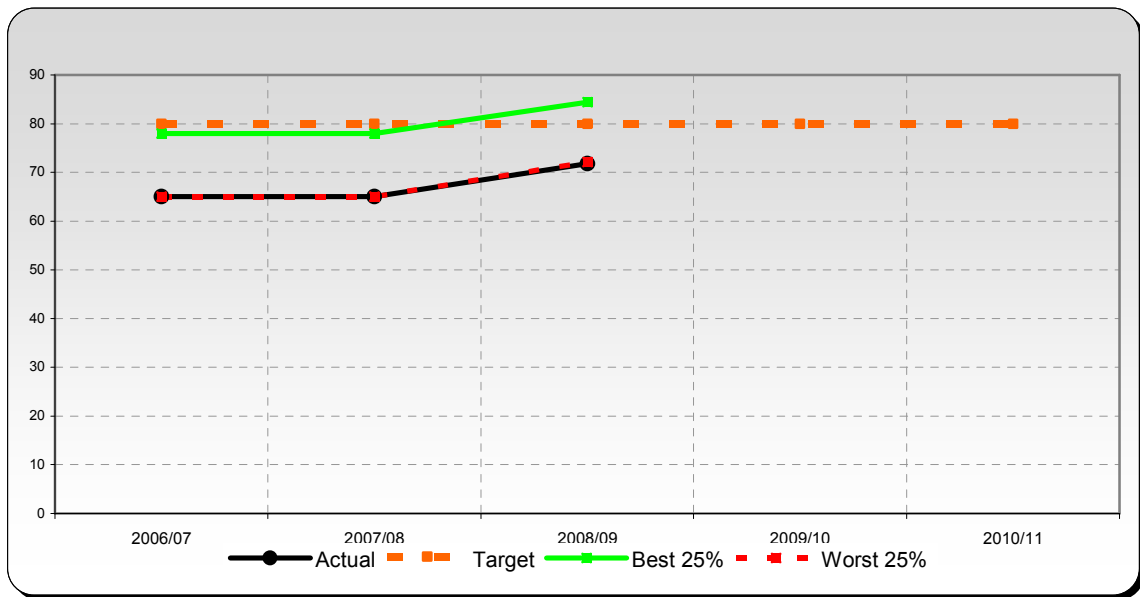
LAA Outcome Measures – Exception charts

Note: Each chart contains trend lines for actual and target performance. Where data is available, benchmark information is also plotted; this shows the average performance of the best 25% authorities in England (green line) and the worst 25% performing authorities in England (red line).

For example:

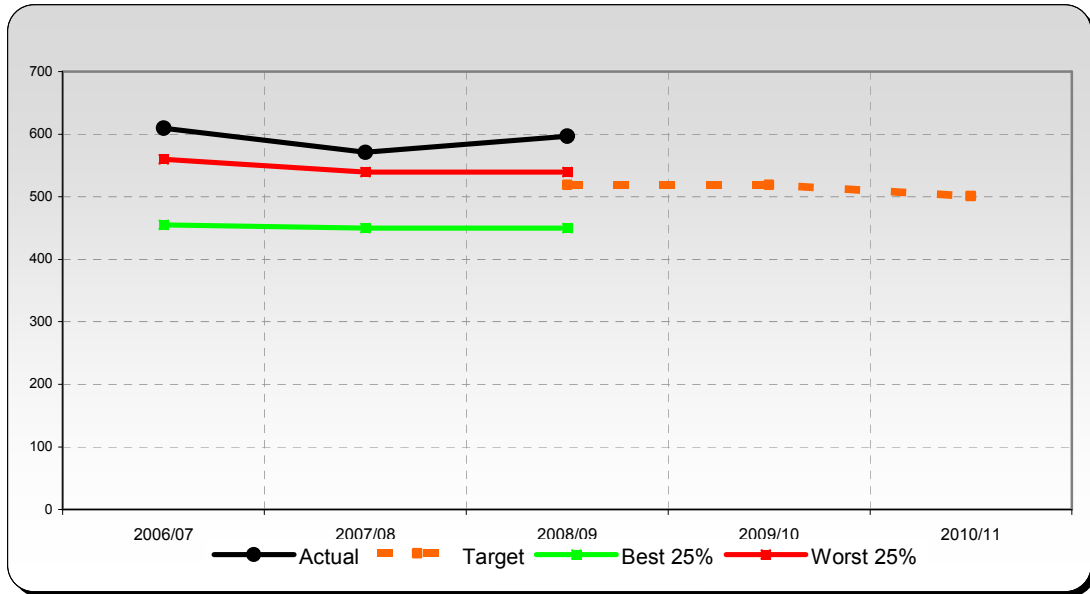
LP Priority Creating Thriving, Safe Communities

LAA NI005 Overall/general satisfaction with local area



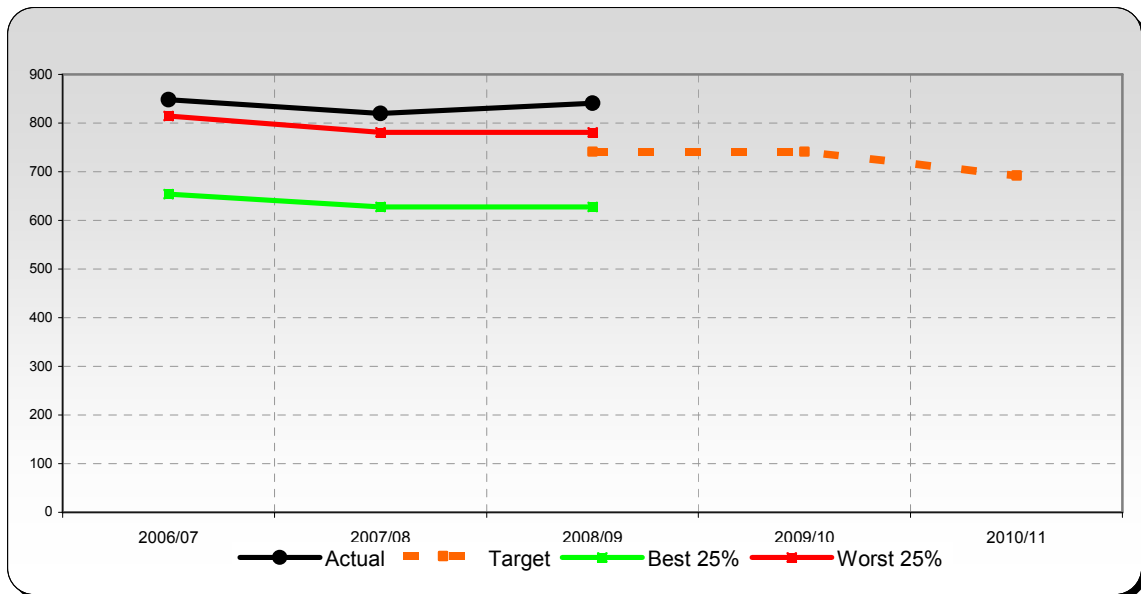
LP Priority Improving wellbeing and health

LAA NI120(i) All-age all cause mortality rate (females)



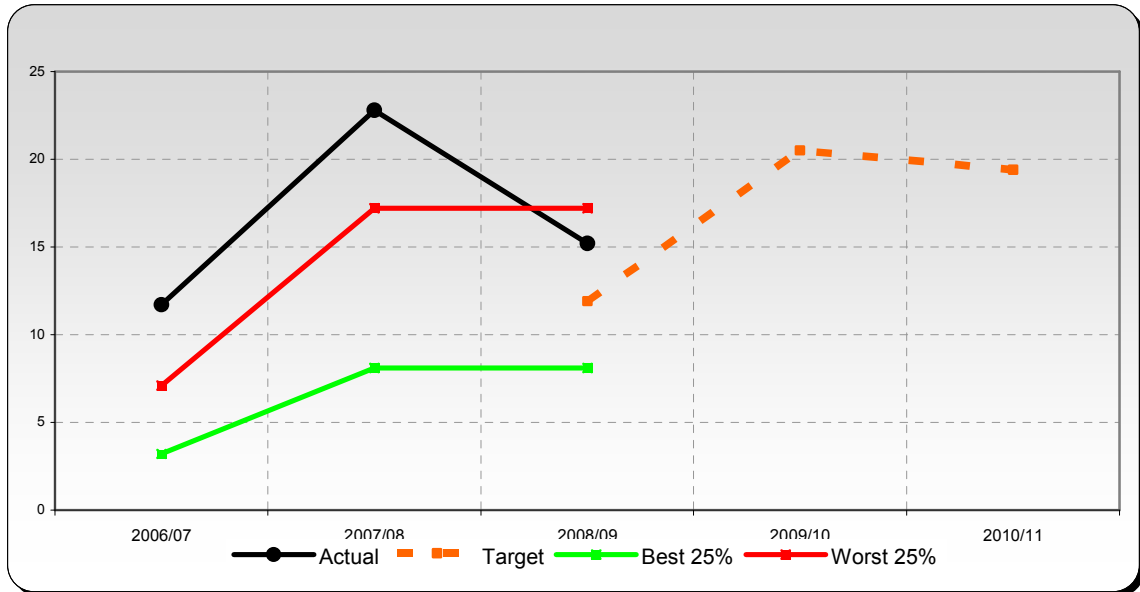
LP Priority Improving wellbeing and health

LAA NI120(ii) All-age all cause mortality rate (males)



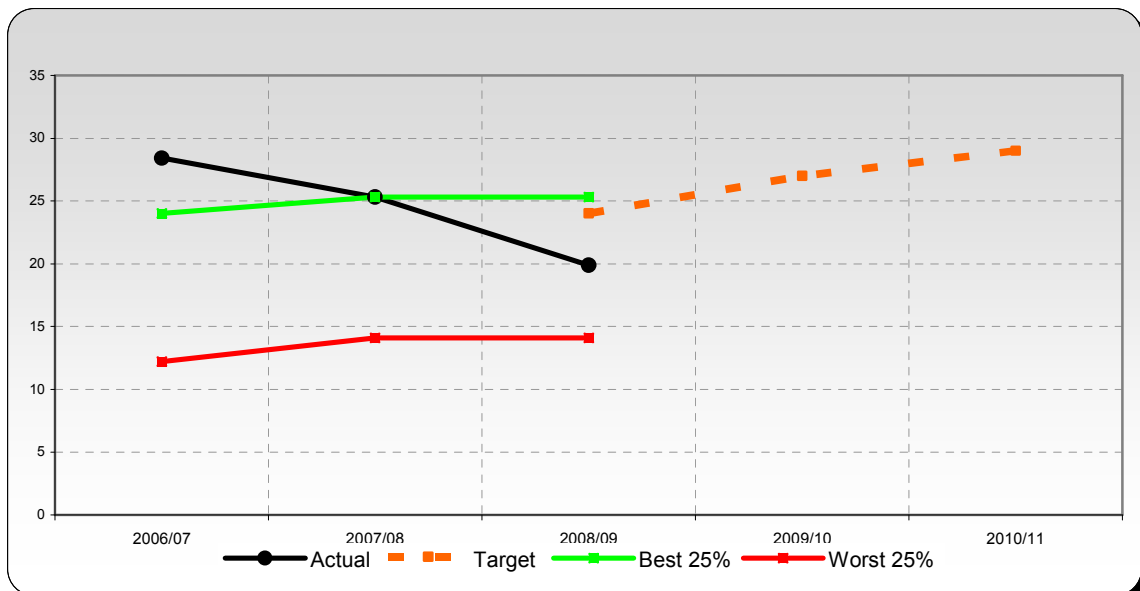
LP Priority Improving wellbeing and health

LAA NI131 Delayed transfers of care



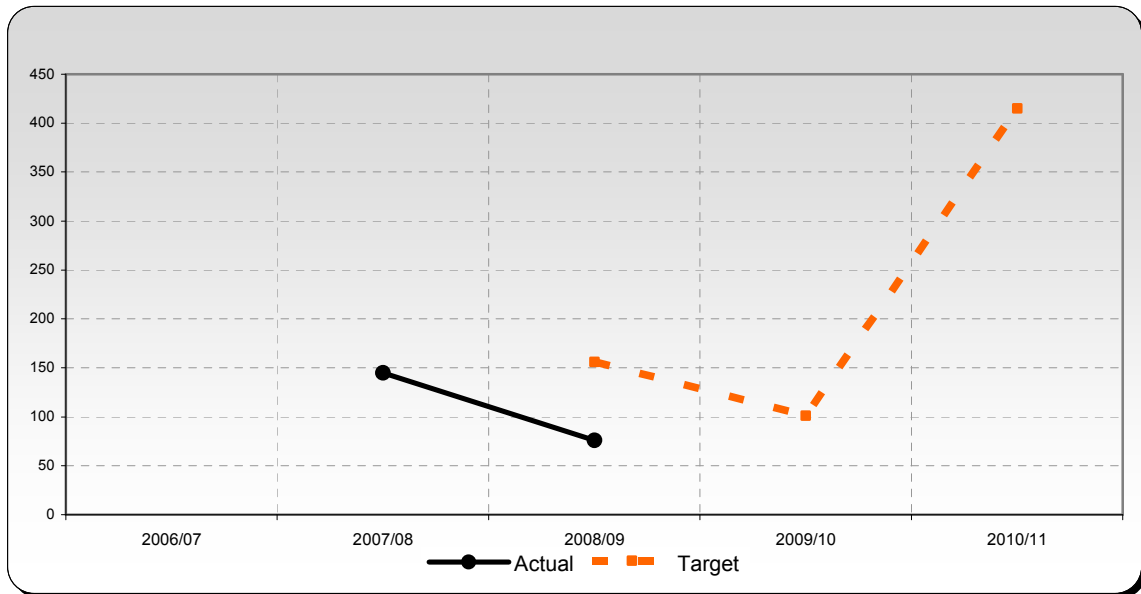
LP Priority Improving wellbeing and health

LAA NI135 Carers receiving needs assessment or review & specific carers service or advice & info.



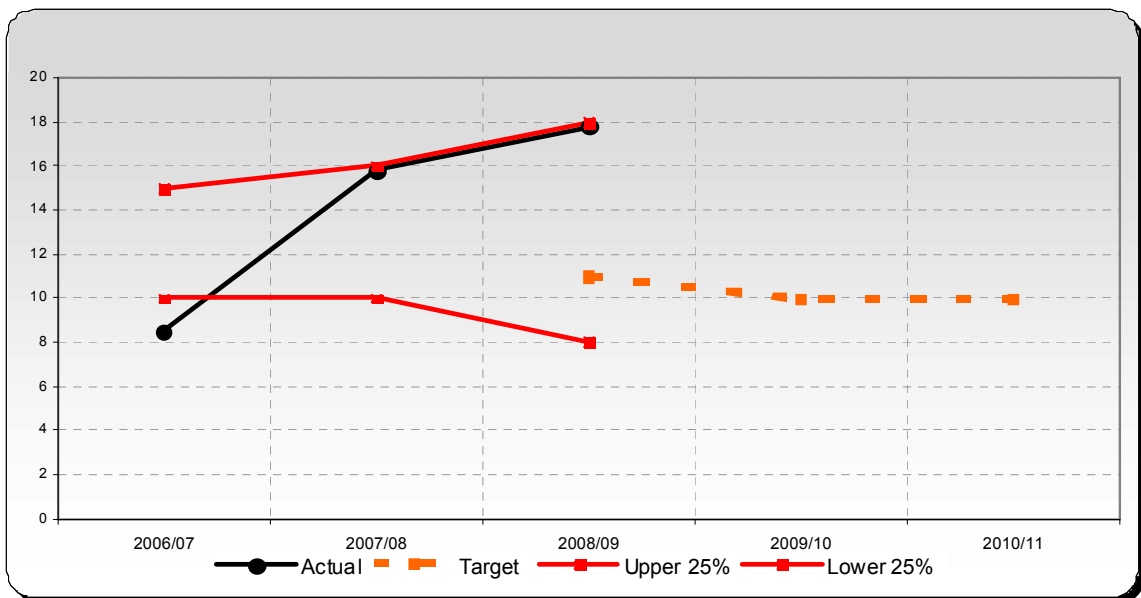
LP Priority Improving wellbeing and health

LAA NI155i Number of affordable homes (SOCIAL RENTED) delivered



LP Priority Investing in our children

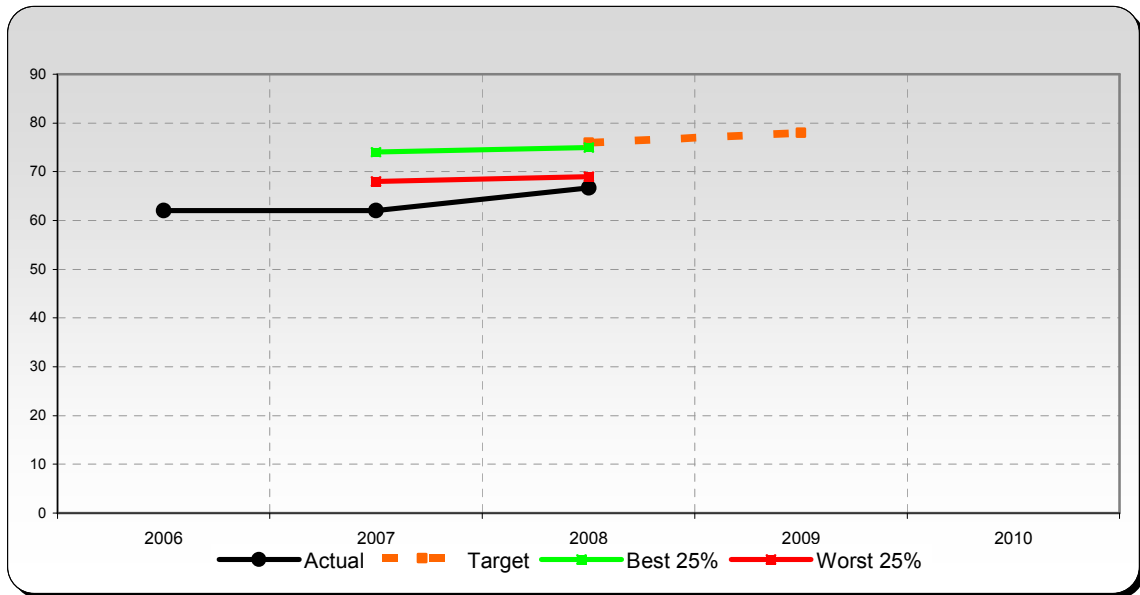
LAA NI065 Children becoming the subject of a Child Protection Plan for a second or subsequent time



Note: Good performance is achieved by performance within a range, ie, too high or too low is undesirable.

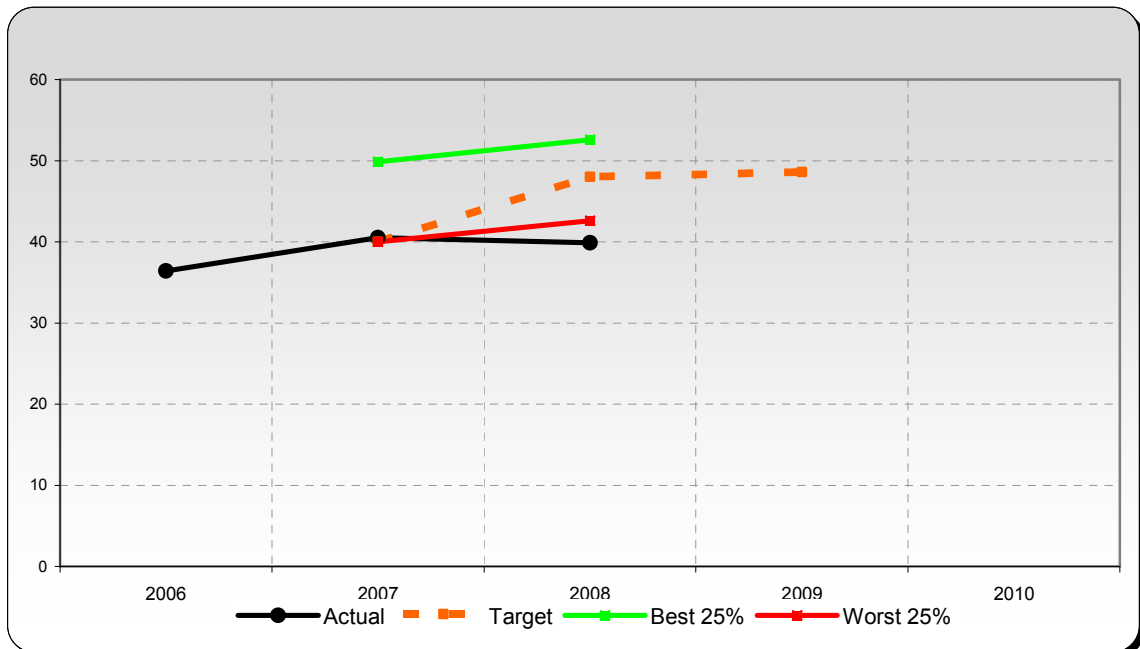
LP Priority Investing in our children

LAA NI073 Achievement at level 4 or above in both English and Maths at Key Stage 2 (Threshold)



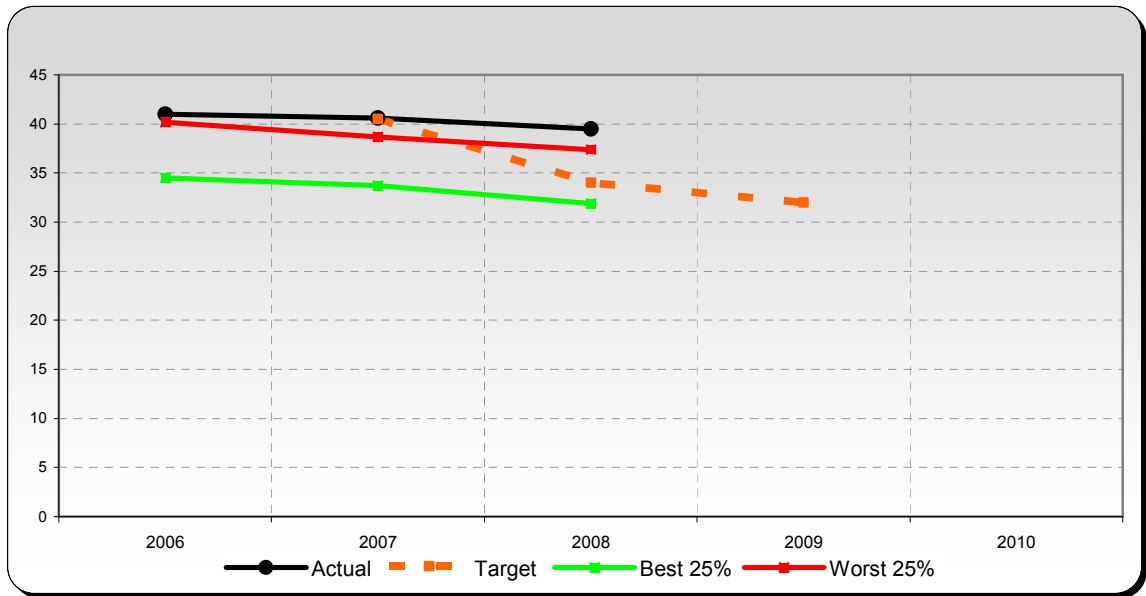
LP Priority Investing in our children

LAA NI075 Achievement of 5 or more A*-C grades at GCSE or equivalent including English and Maths



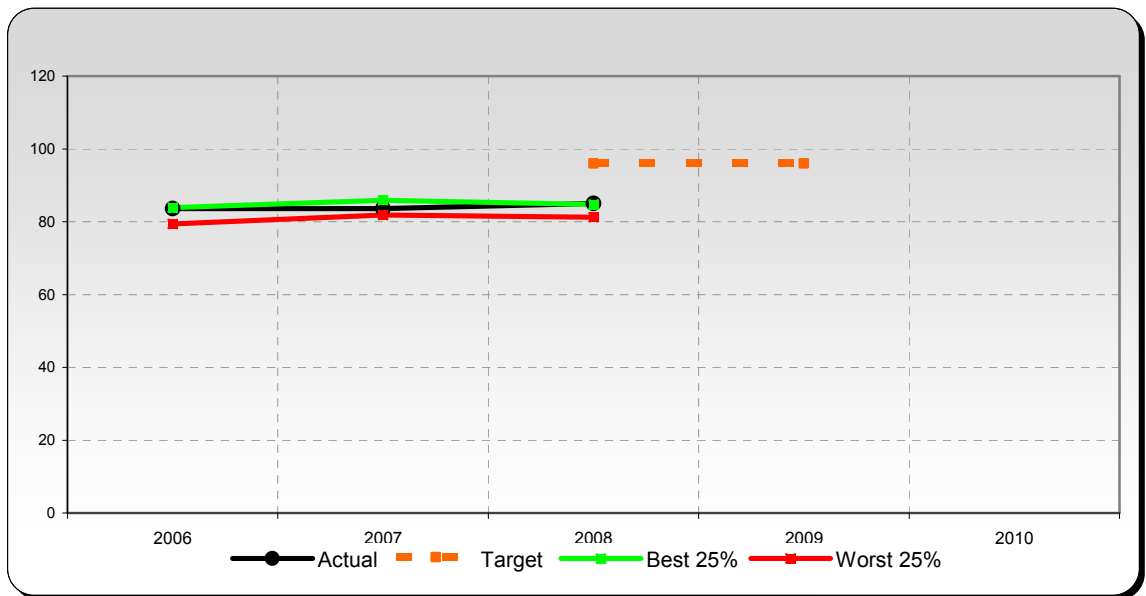
LP Priority Investing in our children

LAA NI092 Narrowing the gap- lowest achieving 20% the Early Yrs Foundation Stage Profile vs the rest



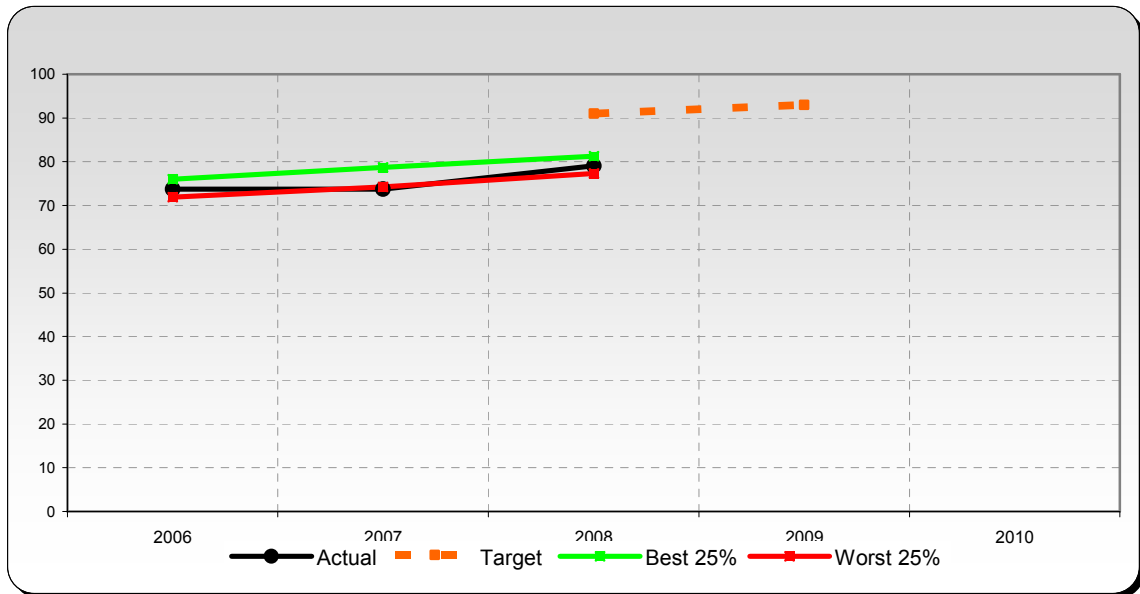
LP Priority Investing in our children

LAA NI093 Progression by 2 levels in English between Key Stage 1 and Key Stage 2



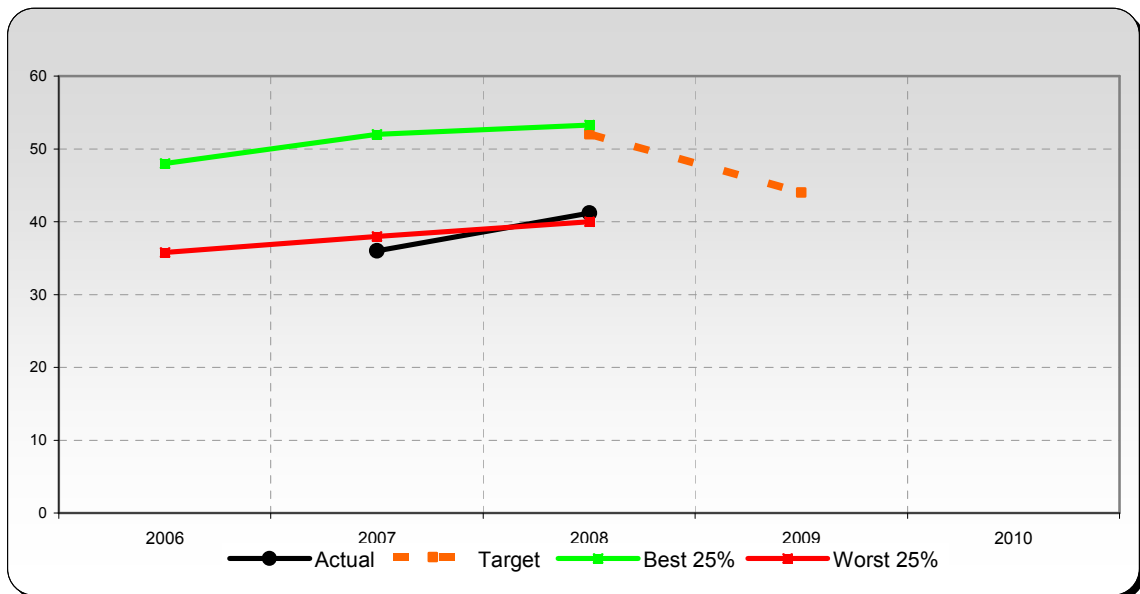
LP Priority Investing in our children

LAA NI094 Progression by 2 levels in Maths between Key Stage 1 and Key Stage 2



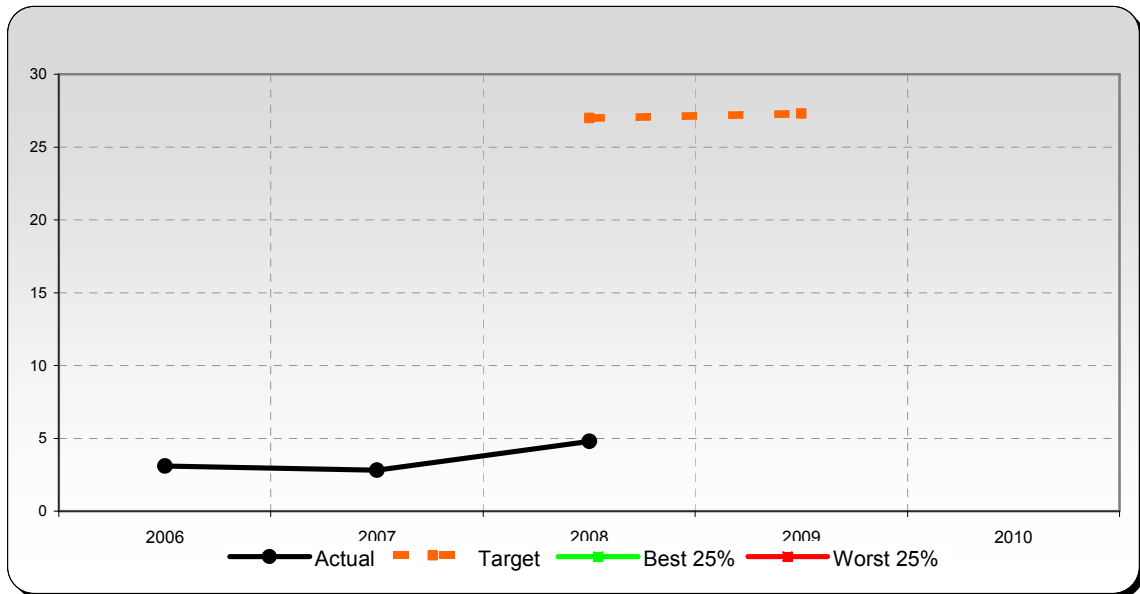
LP Priority Investing in our children

LAA NI100 Looked after children reaching level 4 in mathematics at Key Stage 2



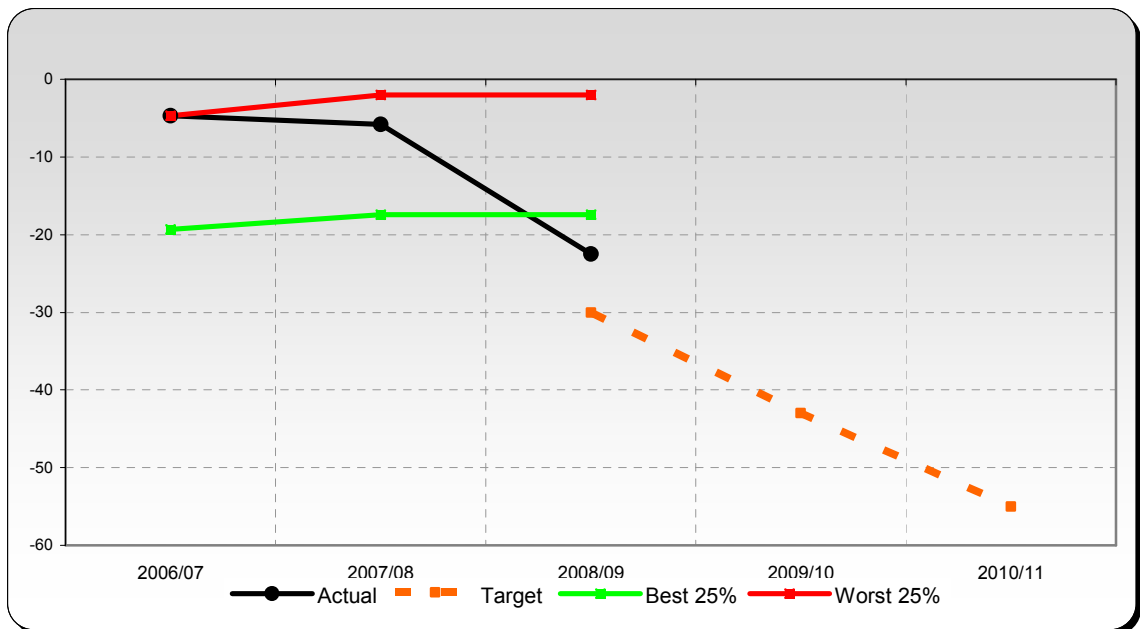
LP Priority Investing in our children

LAA NI101 Looked after children achieving 5 A*-C GCSEs (or equiv) at KS 4 (with English and Maths)



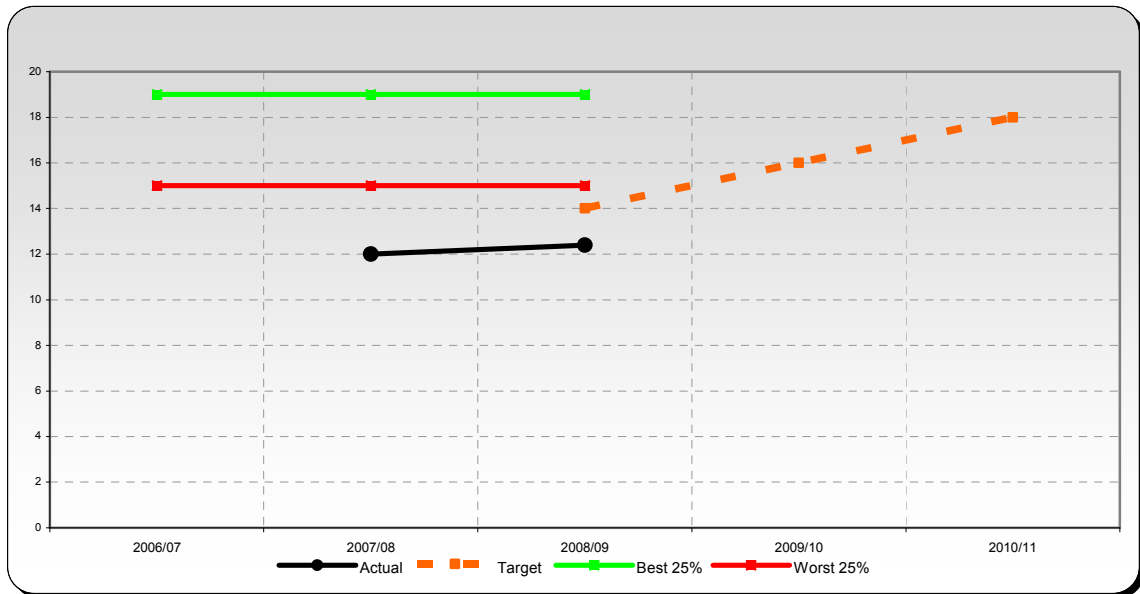
LP Priority Investing in our children

LAA NI112 Under 18 conception rate



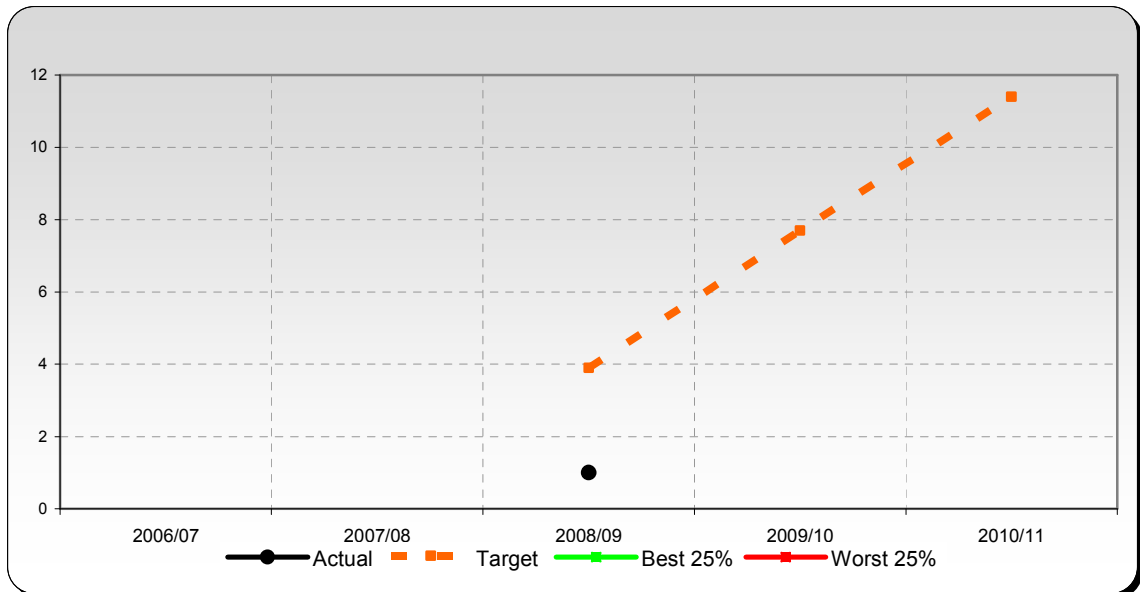
LP Priority Investing in our children

LAA NI118 Take up of formal childcare by low-income working families

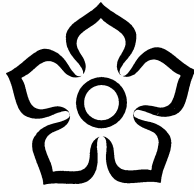


LP Priority Reducing our carbon footprint

LAA NI186 Per capita reduction in CO2 emissions in the LA area



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Leicester
City Council

WARDS AFFECTED
All Wards

Cabinet

1st September 2009

Area Based Grant allocation 2009/10

1. Purpose of Report

- 1.1 This report presents a summary of recommended Area Based Grant (ABG) allocations for 2009/10 and establishes the financial framework under which the ABG will operate.
- 1.2 Strategic Theme Group allocations are based upon historical allocations, although work is taking place to consider the extent to which redirection within and between themes might better support the delivery of priority outcomes for the city. This approach is complementary to the piloting of Priority Based Budgeting currently underway within the Council.

2. Recommendations

- 2.1 Cabinet is asked to:
 - (i) Approve the initial allocation of ABG funding to Partnership Strategic Theme Groups as set out in section 3.4 of this report ;
 - (ii) Approve the financial framework previously approved at the meeting of the Leicester Partnership Executive held on 11th March 2009, (subject to minor modifications) as set out in Appendix B;
 - (iii) Agree that the Leicester Partnership Strategic Board, chaired by the Chief Executive, undertake an analysis of ABG allocations to identify any potential for redirection during 2009/10 and make recommendations for 2010/11 allocations.

- (iv) Agree that the Strategic Board also pull together a programme of activities (informed by proposals from Strategic Theme Groups) to be commissioned through LPSA Reward Grant that maximises impact on the key priorities for the city.

3. Area Based Grant 2009/10

- 3.1 The grant determination letter from Communities & Local Government (1 April 2009) confirmed Leicester's ABG allocation for 2009/10 as £28,497,699.
- 3.2 The LP Executive meeting on 28th January adopted recommendations made in the 'Partnership Options' paper for the amount to be used for administration.
- 3.3 Furthermore, the LP Executive meeting of 11th March agreed that initial ABG allocations for 2009/10 be based on historic patterns of spend.
- 3.4 As a consequence the calculation and allocation of funding are as follows:

	£
Administration	811,499
Leicester CYP Strategic Partnership	11,884,348
Safer Leicester Partnership	982,314
Stronger Communities Partnership	250,653
Health & Wellbeing Partnership	5,965,634
Economic Development Partnership	8,581,391
Environmental Partnership	21,859
Talking-Up Leicester	0
	28,497,699

- 3.5 In addition are the balances brought forward by Strategic Theme Groups from 2008/9, totalling £5,618,051 and £628,641 in respect of the Disadvantaged Area Fund (DAF).
- 3.6 A detailed list of 'historical grants', contained within the figure advised by CLG, plus the funding brought forward from 2008/9 is shown in Appendix A.
- 3.7 In agreeing these initial allocations, the Executive re-affirmed it's commitment to ensuring that allocations of ABG were made strategically to ensure maximum impact on the most pressing issues in the city could be achieved. However, it was acknowledged that significant amounts of ABG are used to support the delivery of statutory functions and that the de-commissioning of non-priority activities would take some time.

- 3.8 The Executive asked the Strategic Board to report back with an overview of current activity supported through ABG; identify significant challenges; and highlight gaps and/ or areas of significant under performance.
- 3.9 In a similar vein, the Strategic Board has been asked to assess the commissioning proposals put forward by Strategic Theme Groups using LPSA reward grant to ensure that these proposals deliver maximum impact on current priorities.

4. Roles and Responsibilities

- 4.1 The Leicester Partnership Executive approved a financial framework at its' March 2009 meeting. Since that time, minor changes have been made to the framework, which sets out roles and responsibilities, to be more closely aligned with the more recently revised Partnerships' constitution and to adhere to the Council's Finance Procedure Rules (being the Council's own financial framework).
- 4.2 In summary, there are three key roles. These are:
- Chief Executive – is responsible for the Area Based Grant in its totality;
 - Strategic Director – is responsible for the performance of the Strategic Theme Group and the allocation of budget to individual projects, tasks or workstreams, up to the total sum allocated to the Group;
 - Designated Service Budget Holder (or Cost Centre Manager) – is responsible for managing delegated budgets.

More detailed guidance can be found at Appendix B.

5. Headline Financial and Legal Implications

- 5.1 This report is solely concerned with approving the allocation of 09/10 ABG funds and balances brought forward from 08/09. These monies will be accounted for in accordance with the existing approved and established financial framework.
- 5.2 There are no additional legal implications – Peter Nicholls, Head of Legal Services

Report Authors

Alison Greenhill/Dev Mavani - Acting Chief Accountant x 7404
Adam Archer - Special Projects Manager x 6091

Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Executive (Cabinet)

Allocation of Area Based Grant:2009/10

	Net allocation
Stronger Safer Communities	250,653
Supporting People Administration	164,967
Working Neighbourhood Fund	8,581,391
Preventing Violent Extremism	242,881
Climate Change (Planning policy statement)	21,859

DCLG Total 9,261,752

School Development Grant	1,924,401
Extended Schools Start-Up Grants	1,095,339
Primary National Strategy - Central	219,436
Secondary National Strategy - Central	198,715
Secondary National Strategy	66,355
School Improvement Partners	115,913
Education Health Partnerships	85,814
School Travel Advisors	33,032
Choice Advisors	47,892
School Intervention Grant	74,419
14 - 19 Flexible Funding Pot	83,358
Sustainable Travel - General Duty	21,654
Extended Rights to Free Transport	37,776
Connexions	4,021,959

APPENDIX A					
Children & Young People Strategic Partnership	Health & Wellbeing Partnership	Leicester & Leicestershire Coordination group	Safer Leicester Partnership	Stronger Communities Partnership	Environment Partnership
				250,653	
	164,967				
		8,581,391			
			242,881		
					21,859
0	164,967	8,581,391	242,881	250,653	21,859
1,924,401					
1,095,339					
219,436					
198,715					
66,355					
115,913					
85,814					
33,032					
47,892					
74,419					
83,358					
21,654					
37,776					
4,021,959					

Childrens Fund	1,263,782	1,263,782						
Child Trust Fund	11,383	11,383						
Positive Activities for Young Children	550,358	550,358						
Teenage Pregnancy	155,444	155,444						
Childrens's Social Care Workforce	147,975	147,975						
Youth Taskforce	24,288	24,288						
Care Matters - White Paper	383,479	383,479						
Children Death Review Process	60,216	60,216						
Young people Substance Misuse	39,757	39,757						
Preventing Violent Extremism Toolkit	0	0						
Designated Teacher Fund	15,489	15,489						
DCSF Total	10,678,232	10,678,232	0	0	0	0	0	0
DEFRA Total	0	0	0	0	0	0	0	0
DWP								
DWP Total	0	0	0	0	0	0	0	0
Adult Social Care Workforce	834,956	834,956						
Carers (80% H&W ~ 20% CYPS)	1,549,526	309,905	1,239,621					
Child & Adolescent Mental Health	795,420	795,420						
Learning & Disability Development	308,148	308,148						
Local Involvement Networks.	179,493	179,493						
Mental Capacity Act	190,215	190,215						
Mental Health	1,034,303	1,034,303						
Preserved Rights	2,013,931	2,013,931						
DH Total	6,905,992	1,105,325	5,800,667	0	0	0	0	0

Stronger Safer Communities	379,026				379,026			
Young People Substance Misuse	100,792	100,792						
HO Total	479,817	100,792	0	0	379,026	0	0	0
Road Safety Grant	360,407				360,407			
DfT Total	360,407	0	0	0	360,407	0	0	0
ABG gross Total	27,686,200	11,884,348	5,965,634	8,581,391	982,314	250,653	21,859	21,859
Plus 2008/9 underspend brought forward:								
	5,618,017	0	107,142	5,256,244	254,631	0	0	0
DWP/DAF underspend brought forward	628,641			628,641				
Balance available in 2009/10 (subject to approval)	33,932,858	11,884,348	6,072,776	14,466,277	1,236,945	250,653	21,859	21,859

Area Based Grant – Financial framework 2009/10

1. Background

- 1.1 The Council first received Area Based Grant (ABG) in 2008/09. In that year, to facilitate an easier transition, the operational arrangements followed similar procedures as had been applied to the Local Area Agreement (LAA) grant.
- 1.2 The grant conditions applying to the ABG are, however, significantly different from the Local Area Agreement grant and the financial framework and governance arrangements have therefore been reviewed.

2. Report

- 2.1 The most significant feature of the ABG is that it is a non-ringfenced general grant. This is the same status as the Revenue Support Grant (RSG) and means that the Authority may use the grant as it sees fit and does not have to account for its use separately from the Council's main financial statements. The formal purpose of the grant, as set out in the formal "determination letter" from the DCLG is "to provide support to local authorities towards expenditure lawfully incurred or to be incurred by them."
- 2.2 The guidance supporting the ABG framework also states that, unlike the LAA grant which was allocated specifically for the purpose of supporting the achievement of LAA targets, the use of the ABG does not have to be specifically targeted in that way. The guidance goes on to say that the "Local Authorities and their partners will, of course, still be responsible for working towards delivering the National Indicator Set and their LAA targets.....ensuring that the new ABG is a non ring-fenced grant simply maximises local flexibility over the use of resources to deliver local priorities effectively and efficiently."
- 2.3 The total amount of ABG allocated to a local authority was based on the sums previously received as Specific grants. These specific grants have been rolled up into the ABG for the purpose of calculating the ABG due, but there is no requirement that local authorities will use the funding to support the objectives of the former specific grants, and Government Departments contributing funding to the ABG may not place any restrictions on how local authorities spend the money.

- 2.4 It is clear from the above that our previous arrangements for accounting for ABG needed to be reviewed. In 2008/09 cost centres were created within the relevant Service Department to mirror each of the (former) specific grant areas, and reporting was based on this structure. The focus, as agreed with the Leicester Partnership Executive, needs to be re-directed towards monitoring and reporting the expenditure and performance of each of the strategic theme groups.
- 2.5 The financial framework for the management of the Local Area Agreement depends upon certain key roles being undertaken. These roles emphasise the importance of the strategic theme groups in directing expenditure and being accountable for performance. The roles and the responsibilities which attach to these key roles are set out in section 3.
- 2.6 The level of responsibility delegated to the strategic theme groups means that there is less direct responsibility for the Council's Divisional Directors in the allocation of ABG money. In the light of this, it is proposed to remove the ABG from Service budgets and to record and report ABG separately. This will apply to the Council's internal budget monitoring arrangements, and will facilitate better reporting to the Leicester Partnership Executive. This approach will reinforce the non-departmental aspect of ABG, and strengthen the role of the strategic theme groups in allocating budget to priorities. It would, however, require the strategic theme groups to be strong and effective, with the capacity to fulfil their role properly.
- 2.7 The Council's finance procedure rules require all budgets to be allocated to a specific individual, to ensure the completeness of the budgetary control framework. If the ABG budgets are to be held outside the Council's Services, the responsibility for those budgets must also lie elsewhere and it is proposed that the Area Based Grant is treated as a single "Controllable Budget Line" with the responsible officer being the Chief Executive. Each strategic theme group is allocated budgets in accordance with the recommendation of the Leicester Partnership Executive, subject to Cabinet approval. Strategic Directors will be responsible to the Chief Executive for the budgets allocated to them. Strategic Directors on behalf of the theme group can then approve expenditure, subject to consultation with the relevant strategic theme group and Cabinet Lead.
- 2.8 The ABG constitutes one controllable budget line in accordance with Finance Procedure Rules. However due to the size of the programme and the nature of the allocation process, it is proposed that for monitoring purposes, financial information will be aggregated and reported at strategic theme group level. This will also facilitate an overview of the programme and enable redirection of resources where appropriate.

2.9 There is no restriction on the carry-forward of unspent ABG. The Leicester Partnership has recommended that, for 2008/09, any ABG underspend should be ringfenced for LAA purposes and that each delivery group should retain, as a matter of right, any underspend which has arisen from its own budgets. Overspending is not permitted. For the future, if budgets and expenditure are removed from divisional structures, any overspend will have to be treated differently. The following principles should be applied:

- Budget monitoring must be timely and effective, enabling early identification of any potential budget pressures.
- Strategic Directors should aim to consume any problems within their overall strategic theme group budget by redirecting budget to avoid an overspend
- Persistent budget problems should be raised with the Chief Executive and Leicester Partnership Executive and, if appropriate, budget should be re-directed across the strategic theme groups to ensure there is no net overspend against the ABG allocation in total.
- If, despite these measures, it appears that ABG will still be overspent the options are:
 - Carry the overspend forward and meet it as a first call on the following years budget allocation, thereby reducing the budget available for new year projects and spend.
 - Identify the overspend to a specific City Council Service Division and require that Service Division to meet the overspend from its divisional resources.

3. Roles and Responsibilities

3.1 The specific roles identified within the financial framework are:

- Strategic Director
- Designated Service budget holder
- Strategic Theme Group Finance Officer

These roles are considered in more detail below:

3.2 Strategic Director

Responsible for :

- (i) The overall performance of the theme group.
- (ii) The allocation of budget to individual projects, tasks or workstreams, up to the total sum allocated to the theme group
- (iii) Consulting with LAA Delivery Group sub-partnerships, where appropriate, in developing budget plans for the use of LAA pooled funds.
- (iv) Incorporating ABG allocations into their wider budget planning, within their own and partner organisations.

- (v) Submitting LAA pooled funding service budget proposals to the Leicester Partnership via Leicester City Council Partnership Executive Team (PET). Proposals can include indications on preferred suppliers / agencies as part of the process, especially where a continuance of funding previously agreed is being sought, subject to the provisions of relevant legislation and rules regarding public service procurement.
- (vi) Designating service budget holders.
- (vii) Spending ABG allocations in line with identified budgets and in accordance with the prevailing finance and contract procedure rules.
- (viii) Notifying the PET, City Council CFO and Leicester Partnership Executive Board of requests for virement and carry forward of budget.
- (ix) Making sure that recipients of ABG are fully aware of their responsibilities in managing these funds effectively and agree to the prevailing conditions on procedures, grant or service level agreements and contract, or other terms and conditions, as applicable.
- (x) Making sure that internal and external reporting deadlines are adhered to and that returns represent a true and accurate record.
- (xi) Advising the PET of any breach to the terms or conditions of funding within their theme Group responsibilities.

3.3 Designated Service Budget holders

Responsible for:

- (i) Managing expenditure in line with delegated budgets, terms and conditions of receiving ABG funds and in accordance with the prevailing finance and contract procedure rules in procuring services.
- (ii) Providing their designated finance / accountancy manager with an annual profile of spend in advance of receipt of ABG.
- (iii) Accurately recording / allocating expenditure, within the applicable financial management information system, as it is incurred, or commitments entered into.
- (iv) Maintaining adequate records on performance and expenditure, including a register of assets purchased with ABG funding.
- (v) Providing prompt and accurate performance monitoring information and reports in line with internal and external
- (vi) Advising their designated finance manager and the Strategic Director of any need to seek virement of budget.
- (vii) Advising their designated finance manager, or Strategic Director of any breach to the terms or conditions of ABG funding they

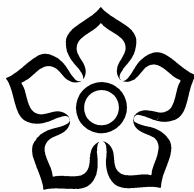
control. For example, breach of safeguards against fraud or theft of ABG funds and, or, assets acquired with ABG funding.

3.4 Strategic Theme Group Finance Officers / Accountants (appointments to be agreed by the council's Chief Finance Officer)

Responsible for:

- (i) Advising the Strategic Director on operating the financial protocol effectively.
- (ii) Co-ordinating the annual ABG budget processes for the theme group.
- (iii) Agreeing the accounting structure against which ABG budgets are allocated, and where expenditure and commitments will be recorded.
- (iv) Assisting in scheme appraisal and costing.
- (v) Co-ordinating theme group budget monitoring information and performance reports to the PET in line with internal and external requirements.
- (vi) Maintaining adequate records on ABG expenditure, including a register of assets purchased with ABG funding, and reporting changes to the PET on a scheduled basis, or as required.
- (vii) Advising the Strategic Director and the PET of any breach to the terms or conditions of ABG funding in their designated area. For example breach of safeguards against fraud or theft of ABG funds and, or, assets acquired with ABG money.

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Leicester
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Appendix F

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

CABINET

1st September 2009

INTERNATIONAL DEVELOPMENT WORKING PARTY

REPORT OF THE DIRECTOR OF PLANNING AND ECONOMICAL DEVELOPMENT

1. PURPOSE OF REPORT

- 1.1 This report sets out proposals for establishing an International Development Working Party with revised Terms of Reference and membership (Appendix A).

2. RECOMMENDATIONS

- 2.1 Members are asked to:
- a. Note the report;
 - b. Endorse the establishment of a new International Development Working Party;
 - c. Approve the revised Terms of Reference (Appendix A);
 - d. Approve the membership as set out in Appendix A;
 - e. Appoint a Chair and Vice-Chair.

3. REPORT

- 3.1 The report follows discussions at the Overseas Links Working Party over how the City Council's international development work might be made more coherent and better coordinated.
- 3.2 On 30th March, Cabinet approved a new International Development Strategy and agreed to set up an International Development Committee with new Terms of Reference and membership.
- 3.3 However, recent discussions with members have concluded that the best option would be for Cabinet to re-set the International Development Committee as a Working Party rather than a Cabinet Committee. The Working Party will be more inclusive of non-Cabinet members and facilitate the work of the Cabinet without creating unnecessary pressure. The Working Party will allow more flexible working whilst at the same time retaining oversight by the Cabinet.
- 3.4 Therefore, it is now proposed to have a new International Development Working Party with revised Terms of Reference and membership as set out in this report. There are no proposals to revise the International Development Strategy.
- 3.5 Attached are proposed terms of reference for the new Working Party (Appendix A).

4. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

4.1. Financial Implications

There are no direct financial implications arising from this report.

Martin Judson, Head of Finance – ext. 29 7390.

4.2 Legal Implications

The law and Constitution enable the establishment of the proposed new Working Party. The Working Party will be advisory so Cabinet will have to delegate decision-making authority to officers or a Cabinet lead.

Peter Nicholls, Service Director - Legal Services – ext. 29 6302.

5. OTHER IMPLICATIONS

OTHER IMPLICATIONS	YES/NO	Paragraph References Within the report
Equal Opportunities	NO	
Policy	YES	3.1; 3.4
Sustainable and Environmental	NO	
Crime and Disorder	NO	
Human Rights Act	NO	
Elderly/People on Low Income	NO	

6. RISK ASSESSMENT MATRIX

Risk	Likelihood L/M/H	Severity Impact L/M/H	Control Actions (if necessary/appropriate)
There is no process for reviewing policy	L	L	Minutes will be reported to Cabinet on a regular basis so as to prompt monitoring and review at Cabinet level

L-Low L-Low
M M
Medium Medium
H-High H-High

7. BACKGROUND PAPERS - LOCAL GOVERNMENT ACT 1972

International Development Strategy – Regeneration & Culture, 30/03/09

8. CONSULTATIONS

- Martin Judson, Head of Finance – ext. 29 7390
- Peter Nicholls, Service Director - Legal Services – ext. 29 6302
- Overseas Links Working Party
- Adrian Russell; Alistair Reid; Andrew Bunyan; Andrew L Smith; Andy Keeling; Andy Smith; Ann Branson; Bhupen Dave; Charles Poole; Chris Minter; Dave Pate; David Taylor; Helen Ryan; Jeff Miller; Jill Craig; Joanne Ives; Keith Murdoch; Lynn Cave; Margaret Libreri; Mark Noble; Mike Candler; Pat Hobbs;

Penny Hajek; Richard Watson; Ruth Lake; Sam Maher; Sheila Lock; Simon Bennett; Tracie Rees; Trevor Pringle

9. REPORT AUTHORS

Sandra Rieger

Senior Economic Regeneration Officer (International Development)

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Peter Nicholls

Service Director - Legal Services

Ext. 29 6302

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Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Executive (Cabinet)

DRAFT

INTERNATIONAL DEVELOPMENT WORKING PARTY

TERMS OF REFERENCE

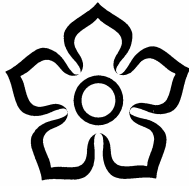
1. To make recommendations to Cabinet and to support Cabinet in its implementation of the International Development Strategy
2. To promote international work for the City Council
3. To ensure representation from all service areas and foster a joined up approach to international work across City Council departments
4. To formulate ideas and make recommendations on the City Council's participation in international work
5. To raise awareness of international issues and developments across the City Council
6. To support officers and members engaged in international work
7. To oversee progress and outcomes of international work within the City Council
8. To make recommendations on the use of the budget allocated to it by Cabinet

Decision-making

- a. The Working Party is an advisory group.
- b. If executive decisions need to be made, these will be made by Cabinet or, by an officer or Cabinet member with delegated authority on behalf of Cabinet

Membership

- a. The Working Party may include officers, elected members and outside representatives (e.g. twinning organisations). They shall be appointed or removed by the Chair in consultation with the Leader. The Chair and Vice-Chair shall be appointed or removed by Cabinet
- b. The Working Party will be able to co-opt advisory members as may be necessary from time to time to assist the Working Party achieve its objectives



Leicester
City Council

ALL WARDS

CABINET

1 SEPTEMBER 2009

CORPORATE CAPITAL PROGRAMME – PROPERTY SCHEMES

Report of the Interim Director of Strategic Asset Management

1. Purpose of Report

- 1.1 To seek authorisation for the release of capital monies for Property Schemes as identified within the report.

2. Summary

- 2.1 In March 2008, Council approved the allocation of a sum of £700,000 per annum for 2 years within the approved Capital Programme for Property Schemes (not covered by CMF) subject to details of works to be undertaken being reported to Cabinet.
- 2.2 This report provides that detail and requests the release of the £700,000 funding for the year 2009 – 2010. A previous allocation of £700,000 was approved in November 2008 and works are well advanced.
- 2.3 The attached appendix sets out the proposed works, which have been prioritised using a risk matrix. The implementation of these works will improve the Council's ability to meet legal and service objectives.

3. Recommendations

- 3.1 Cabinet is recommended to approve the list of Property schemes identified in Appendix 1.
- 3.2 Cabinet is asked to approve the release of £700,000, from the capital programme which has been allocated for Property Schemes by Council at its meeting on 26th March 2009.

4. Report

- 4.1 The City Council's buildings have been built and/or adapted at various times over the years under the legislation and utilising technology that was applicable at the time work was carried out. However many changes (as identified below) have occurred since the construction of the buildings, which have given rise to issues, which are exposing the Council to increased risks.
- 4.2 Some of these risks are significant and comprise the need to address potential prosecutions, financial loss or service restrictions due to the continuing changes especially in Health & Safety and environmental legislation, and they must be addressed. Examples of these are:-
- 4.2.1 New legislation has been introduced which is applicable to all buildings regardless of age, character, etc. Such a piece of legislation is the Regulatory Reform (Fire Safety) Order 2005 which requires all buildings to have an up to date fire risk assessment of not just the operations within the site but also of the structure and its performance. These produce a prioritised list of amendments or improvements based on a risk assessment.
- 4.2.2 Various health and safety codes of practice and guidance have been introduced over the years, which are not directly retrospective, but have rendered practices that were deemed satisfactory, when the building was constructed or altered, to have become unacceptable unless various features are implemented e.g. fall restraints, specific access requirements in confined spaces.
- 4.2.3 Case law over many years has also affected the liability on service provision. It has identified many aspects of inspection, risk assessment and repair which must be addressed. These may never be reflected in formal legislation. However Leicester City Council has a duty of care to all persons on its premises, including unauthorised persons. Inspection regimes have been introduced to look at the various issues to review potential risks. The inspection regimes are necessary because under case law, ignorance will not necessarily be an acceptable defence. Examples include the necessity for inspection of fencing following the collapse of park fencing in Derby, gas pipe inspections in Plymouth, various cases of unauthorised persons falling through or off roofs, etc.
- 4.2.4 Over years various aspects of design are investigated, tested, commented upon and further developed. This means that aspects of design that were fully acceptable when a building was constructed may now not be suitable because of this further research. Even the environment in which any building functions has changed and the building does need to address the various social and economic issues of the local vicinity.

- 4.2.5 Certain equipment was installed some years ago, and whilst the equipment may still be working, the company producing the spares has ceased to exist. This means that equipment is having to be repaired with materials or components of lower compatibility, leaving a higher level risk of potential failure, which also increases the risk of the complete breakdown of the service.
- 4.2.6 Furthermore insurance companies are taking a far greater stance on any of the above issues especially Health and Safety. This not only affects staff employed directly by the City Council, but also specifically by Contractors and companies employed to undertake work on our behalf. The requirements are such that we need to undertake not just risk assessments of areas but also risk reduction measures before companies are prepared to undertake the requested tasks.
- 4.3 The money allocated during last financial year is in the process of being utilised to address the varying issues at present. However the first completed adaptation to the roofing at Braunstone Grove Community Centre has been a success. From almost daily occurrences of children on the roof, this has been substantially reduced to very limited occurrences.
- 4.4 The attached Appendix 1 incorporates a list of projects which have been identified as requiring attention giving the cause for each item. This is a focussed programme of works which will meet legal and service objectives and bring benefits over and above basic compliance with legislation in terms of improved safeguards for the health and safety of those who use, operate and maintain our buildings, improved operational and maintenance efficiency and are a positive contribution to safeguarding the continuity of service delivery.
- 4.5 These works are outside of the scope of budgets for normal maintenance and/or service requirements.
- 4.6 Cabinet is recommended to approve the release of the monies to address the issues identified in Appendix 1.

5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

5.1. Financial Implications – (Nick Booth, Extn. 297460)

A capital allocation of up to £700,000 for 2009/10 was previously approved by Council within the Corporate Capital Programme for Property Schemes subject to details being approved by Cabinet.

Failure to implement some of the health and safety issues mean that not only may Leicester City Council be potentially charged increased premiums for insurance, but also we could have to pay additional premiums to contractors for their insurance cover. These works will reduce the requirement for temporary works by Contractors, which are expensive and inefficient.

Members are reminded that because of the ongoing changes, updates, etc, it may be necessary to reprioritise actions to meet specific needs within the given time frame and budget allocation.

5.2 Legal Implications – (Joanna Bunting, Extn, 296450)

The legal background is contained in the report.

Offences under the Health and Safety at Work etc Act 1974 can result in liability to a fine or imprisonment. In very bad cases – where risk has been recklessly disregarded and where there has been a death it is possible that prosecutors could consider manslaughter charges.

The Council also has, in respect of the state of its buildings, a duty of care to anyone on its premises and to its employees. The extent of the action necessary under this duty of care should be determined as a result of a risk assessment. This liability is usually backed off by insurance arrangements.

6. Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph Within Supporting information	References
Equal Opportunities	No		
Policy	Yes	All council policies could be affected	
Sustainable and Environmental	Yes	All actions enable a more sustainable building and service provision.	
Crime and Disorder	Yes	Some of the issues are result of crime/illegal entry such as duty of care with regard to roof access.	
Human Rights Act	No		
Elderly/People on Low Income	No		

7. Risk Assessment Matrix

A risk assessment has been undertaken on each of the issues being raised in the attached schedule. This has been used as a basis for prioritisation

8. Background Papers – Local Government Act 1972

None.

9. Consultations

Consultations have taken place with representatives of all Service Departments, specifically

Adult & Housing - Mick Bowers, Swarsha Balla and Michael Holmes
Regeneration and Culture – Helen Davis
Children & Young Persons – Rob Thomas

Various other staff – site and office based - have been consulted on each individual issue.

10. Report Author

Robin Matthewman
Building Maintenance Manager
Extn. 298160

Neil Gamble
Interim Director of Strategic Asset Management

Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Executive (Cabinet)

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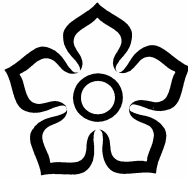
CORPORATE CAPITAL PROGRAMME – PROPERTY SCHEMES

Appendix 1

2009 - 2010

Issues to be dealt with	Basis of Requirement	Anticipated Cost in £'000s	Schemes	Individual Project Amount in £'000s	Issues/Risks	Comments/notes
Regulatory Reform (Fire Safety) Order 2005	Legislative Requirement	£95	Undertake fire risk assessment (FRA) of the structure in all Council buildings as required by the legislation. Phase 1 High Risk buildings -£185k. (2008/9) - previously approved Phase 2 - Medium and other buildings - £95k (2009/2010) Phase 3 - Low risk and one offs £25k (2010/11)	£95	Breach of legislation Potential for injury or death occupants or other. Substantial damage to assets. Disruption of service delivery	FRAs identify need/requirements of higher risk works to be undertaken. Subject to tender return
Fire Risk Reductions - Undertaking high risk items identified in assessment	Health & Safety	£167	Adult Education Centre (allowing £50k contribution from Tenant) Hastings Road Day Centre Pilot House Other high risks sites established under Phase 1 surveys	£50 £15 £20 £82	Breach of legislation Potential for death of occupants or other injury. Substantial damage to assets Disruption of service delivery	Some high risk (identified via Risk Management) buildings already have FRA completed under a trial. These have been identified here. Note:- this list of sites will become extensive once all surveys are completed. Programme taking place of high risk priorities during 2009/10 Ongoing works likely for several years
Safe Roof working - Prevention of Unauthorised access	Case Law & Health & Safety	£83	Northfields NHC Braunstone Oak YPC Stocking Farm Youth and Community Centre Heatherbrook Primary School	£25 £8 £15 £35	Children frequently identified on the roof with potential for falls and injuries Children frequently identified on the roof with potential for falls and injuries. Much Children frequently identified on the roof with potential for falls and injuries Children been identified climbing on building on several occasions. Also attempts have been identified of persons trying to lift children over the fence. Considerable events with children climbing onto the building. Potential for falls and injuries, but also taking of children. Part contribution with school funding	Successful court cases against Portsmouth City Council, Longslade School. Regular damage occurring to buildings. Potential injury to individuals (children/thieves) in event of accident. Potential for damaged tiles etc to fall and water leaks. Encourages access for theft. Original design often left roofs easy to climb onto. Further sites being identified.
Asbestos remedial Works		£45	Approx 350 buildings have been surveyed and this has identified some £700k of high priority works which need undertaking. These would be prioritised using the agreed algorithm - A three year programme of £45k pa (single year only allowed here). 2009/10 is year 2 of 3.	£45	Exposure to harmful asbestos fibres by children, staff and public - there is a risk to members of the public which could result in injury to their health and claims against the Council exemplified in numerous courts cases nationally	Various court cases with charges against Councils. We are working under legislative requirements, for managing asbestos within our estate. We are undertaking surveys as required which result in us having to remove or manage the risks identified. We have a corporate policy - removal as necessary or manage insitu. This means we have an ongoing management need beyond identification and removal of risks. This figure supplements CMF to enable increased removal times and cover a 3 year programme
Safe Access to water hygiene sites to enable testing		£45	To date some 240 (?) sites have been inspected with others to follow. Of these it was found to be impossible to gain access to approx 10 sites due to access problems. This sum is to provide access for these and future surveys. (Numbers to be updated).	£45	Inability to test water which may lead to exposure to harmful bacteria contained within water by children, staff and public - there is a risk to members of the public which could result in injury to their health and claims against the Council exemplified in some recent deaths and numerous courts cases nationally.	We are working under legislative requirements, for managing water hygiene within our estate. As part of our management regime, we are undertaking risk assessments as required which result in work having to be undertaken to ensure contamination levels do not exceed strict prescribed legislative guidelines. This also includes the setting up of regular testing, inspection and monitoring regimes requiring an ongoing management need. We therefore have to provide safe access routes for continuous monitoring.
Works to boundary fencing	Case Law & Health & Safety	£42	Herrick Lodge, Beaumont Lodge and Abbey House Linwood Workshops Parks - sports areas. (Abbey Park, Aylestone Hall Gardens, Humberstone Park, Monks Rest, Mowmacre Sports, Knighton Park, Rushey Fields, Victoria Park)	£10 £7 £25	Fencing in poor condition. Potential for injury. Fencing in poor condition. Potential for injury. Investigation to be undertaken as to full extent. Fencing in poor condition. Potential for injury. Final priority to be established	Successful case against Derby City Council involving a fatality of a child with a falling fence panel. Potential for injury to occur from any boundary walls and fencing which is in a poor state of repair. Overall inspection will be undertaken within Since inspections started as mentioned above, many fences are being identified as potentially dangerous especially sports facilities. Commence a programme of replacement fencing.
Works relating to security	Case Law & Health & Safety	£10	LCB	£10	Locks not operating correctly and not connected to alarm system (joint funding with risk management bid)	
Site specific Issues						
Blending Valves	Technical Issue & Health & Safety	£20	Many Community Centres do not have suitable water systems for blending valves to be fitted. Phase 1 (full extent of problem yet to be investigated)	£20	High potential for injury with staff/users to get burns or water born illnesses. Disruption of service delivery. Priority to be established	System installed still operates but now obsolete as blending valves are not able to fitted to existing systems.
Poor Drainage	Technical Issue & Health & Safety	£21	New Parks	£7	Flooding and backing up of system. Full investigation to be undertaken and implementation of works subject to	Original design is poor (many years old).

		Arbor House	£7	Flooding and backing up of system. Full investigation to be undertaken and implementation of works subject to	Original design is poor (many years old).
		Manor House	£7	Flooding and backing up of system. Full investigation to be undertaken and implementation of works subject to	Original design is poor (many years old).
		Braunstone Grove	£7	Flooding and backing up of system. Full investigation to be undertaken and implementation of works subject to	Original design is poor (many years old).
		Evington Park	£7	Flooding and backing of system. Subsidence taking place. Full investigation to be undertaken and implementation of works. Subject to investigation report	Original design is poor (many years old).
Obsolete Fire Alarm system	Technical Issue & Health & Safety	£40 Knighton Fields Primary School	£40	Potential for confusion amongst staff, children and others. Could lead to injuries or even death. The fire alarms are within their lifespan but are now considered to be obsolete due to the age and technology of the equipment. Undertake first phase of works. Priority to be established	System installed still operates but now obsolete as system is not suitable for present day requirements. There is no monitoring, zoning or automatic detection. Will become part of the Fire Risk Assessment works
		Central Lending Library	£60		
		Linwood Workshops	£60		
		Merrydale Junior School	£40		
		Linden Primary School	£40		
		Key Way Centre	£25		
Obsolete Heating pipe work system	Technical Issue & Health & Safety	£35 Oaklands Special School	£35	Potential for leakage and cold zones. Could affect the children's and others' health. Disruption of service delivery	New boilers have already been installed, but distribution of pipe work is of poor and needs replacement to be work effectively. Redesign required.
Obsolete Heating system	Technical Issue & Health & Safety	£30 Evington Park House	£30	Heating controls do not allow for differential between fully used offices and partially used public areas. Investigate potential for funding with Energy management	H&S and Environmental issue
Uneven Floors	Case Law & Health & Safety	£17 Vulcan House	£17	Five rooms have uneven floors which have bowed since installation. Renewal of floors. Disruption of service delivery	Lifespan of floor has not been reached and trip hazards are already apparent.
Provision of new service to site.	Case Law & Health & Safety	£10 Abbey Park Boating Hut, Knighton Park Pitch 'n' Putt require service provision (water or electricity)	£10	Potential injury claims, especially near water	H&S issue.
Issues relating to drug users abuse of toilet areas	Case Law & Health & Safety	£40 New Walk Museum	£40	Potential injury claims. Potential injury claims from users. Disruption of service delivery	H&S issue.
Totals		£700			



Leicester
City Council

**CHILDREN & YOUNG PEOPLE SCRUTINY COMMITTEE
CABINET**

**18th August 2009
1st September 2009**

14-19 EDUCATION PROCUREMENT UPDATE

Report of the Strategic Director, Children

1 PURPOSE OF THE REPORT

- 1.1 This report seeks to inform Cabinet of urgent 14-19 education procurement issues and to secure Cabinet approval to enter into funding agreements for the provision of Cohort 6 of the Young Apprenticeships Scheme and to enter into a contract covering the City and County for the provision of Education Business Partnership Services.
- 1.2 In addition, the report seeks Cabinet agreement to additions to the 2009/10 Procurement Plan. The Plan serves two purposes:
- (a) To inform the market of future procurement and to enable potential suppliers to prepare for a future procurement process.
 - (b) To provide members with greater overview of procurement activity, as recommended by the District Auditor in his report on housing contracts.
- 1.3 The original 2009/10 Procurement Plan was approved by Cabinet on 30th March 2009, and listed probable procurement exercises above EU thresholds (currently, £139,893 for supplies and services and £3,497,313 for works).

2 BACKGROUND

- 2.1 The Apprenticeships, Skills, Children and Learning Bill is currently progressing through Parliament and is expected to receive Royal Assent in Autumn 2009. Once enacted this will result in the abolition of the Learning and Skills Council (LSC) in April 2010. At this point, responsibility for post-school education will transfer to (i) local education authorities (LEA's) for those aged 14 to 19 (or 25 with a learning difficulty or disability - LDD) and (ii) a newly created Skills Funding Agency (SFA) for those aged over 19 (or 25 with a LDD).
- 2.2 The DCSF and the LSC have made clear that they expect local authorities to plan and actively commission services during 2009 in anticipation of the

enactment of the legislation and the dissolution of the LSC from April 2010. This engagement is expected to take a number of forms, including the creation of a Sub-Regional Partnership, the development of a 14-19 Plan; shadowing of LSC staff and activity, including the planning and commissioning process for the 2010/11 academic year; and taking on the contracting arrangements for Education Business Partnerships and the Young Apprenticeships Cohort 6. This report focuses on these proposed contracting arrangements.

- 2.3 Following transfer from the LSC in April 2010, the full responsibility for commissioning post-school education provision for 14-19s (14 - 25 for students with a LDD) will pass from the LSC to Local Authorities. This is expected to result in additional commissioning valued at some £40m - £45m per annum in Leicester, principally for the post-school / further education of 16-19 year olds, which will be conducted in a Sub-Regional Partnership with Leicestershire County Council.
- 2.4 It should be noted that the transition requirements continue to evolve, with on-going discussions and exchange of information with the LSC. An expectation of continuity of service provision via current providers and subsequent procurement via the market place in subsequent years should also be noted.

3. REPORT

Summary of Contracting Proposals

- 3.1 One of the first expected actions is for the City Council to make arrangements for Young Apprenticeship and Education Business Partnership (EBP) services from August 2009. This is because the current contracting round will extend beyond March 2010 and the national expectation is that successor local authorities will enter into the contracts / agreements with service providers, with funding to be provided by the LSC. The LSC, DCSF and local authorities are seeking to ensure uninterrupted, "business as usual" for young people, employers and service providers.
- 3.2 The alternative would be for the LSC to issue new contracts, which would subsequently be novated (transferred) to successor councils in April 2010. It is felt nationally that such an approach might not ensure continuity of service and would not realise the benefits outlined above.
- 3.3 The LSC would enter into contracts with the City Council, and the Council would in turn enter into funding agreements or contracts with external providers of these services.

3.4 The benefits of this approach are that it:

- Is in line with Government expectations pending the dissolution of the LSC;
- Supports the Council becoming the commissioner of such services;
- Enables the arrangements to move towards the City Council's expectations around the form and content of contracts / agreements; and it
- Provides greater certainty and "business as usual" for the service providers, the young people who will access the training in the coming autumn and for the local skills agenda generally.

3.5 However, this proposed course of action is not without its risks, which include:

- The legislation is not yet enacted and its enactment is not necessarily assured;
- Future funding generally is a concern given the outlook for public finances. The Government has stated its intention to mainstream Young Apprenticeship funding in 2010/11, although it remains unclear how this will be implemented and what the local impact could be;
- The contractual and provider arrangements in the short term at least will need to largely replicate the LSC's existing arrangements, which will require the Council to place reliance on the LSC's selection of provider and service specifications. To reduce this risk, the Council will seek formal performance and quality assurances from the LSC in this regard, particularly insofar as the Council's ability to meet its obligations to the LSC and users of the services are concerned;
- The Council may be required to consider exceptions or waivers to the Council's Contract Procedure Rules;
- The Council will be expected to enter into formal arrangements with the LSC which will place the Council under an obligation to ensure delivery of the services, with a potential clawback of funding by the LSC in the event of difficulties; and
- The management of the contracts and performance monitoring will place a further requirement upon the Council's staff and financial resources. Although there may be some shadowing by LSC staff from September, there will be no formal transfer of staff to the Council until April 2010.

3.6 Further details of the proposed Young Apprenticeship and Education Business Partnership providers and arrangements are given in the following paragraphs.

- 3.7 It should be noted that work on the detail of the proposed contracts is still underway, with the procuring officers receiving advice from Legal Services and Corporate Procurement.

Young Apprenticeships – Cohort 6

- 3.8 The Young Apprenticeships scheme is a Level 2 programme for 14-16 year olds, offering those that meet set academic requirements the opportunity to gain work-based learning with certain vetted employers. It enables students to have extended experience of work whilst pursuing vocational qualifications and core curriculum studies. It is aimed at motivated and mid-to-high ability young people who wish their learning to include a focus on a particular industry sector.
- 3.9 The Council is expected to enter into 2-year funding agreements with service providers for the new Cohort 6, which runs from September 2009 to July 2011. The LSC's current providers for Young Apprenticeships include the Leicester Education Business Company (LEBC) and Leicester and Loughborough Colleges. The LSC wrote to the current providers in February, advising that the City and County Councils would enter into the formal arrangements for Cohort 6. It is proposed that each Council would enter into separate agreements with the providers, with the form of the agreements to be co-ordinated to maintain a common approach across the sub-region.
- 3.10 The 2009/10 funding earmarked by the DCSF and LSC is £77,200, based on an assumed number of young apprentices. If the actual number of apprentices is lower, then funding would be reduced accordingly; it is not clear what would happen if the actual number is higher, although this appears unlikely based on the take-up to date.
- 3.11 Funding for this initiative will be provided to councils through a DCSF grant via the LSC; DCSF however intend the activity to be absorbed into mainstream funding over the next year. How this mainstreaming will take effect is unclear, although it could come within the scope of the Dedicated Schools Grant. The existing LSC contracts for cohorts 4 and 5 will continue until their conclusion, although it is unclear how the final term from April 2010 to July 2010 will be administered and funded; further guidance is awaited.
- 3.12 Assuming that the arrangements will cover the full two years, the Young Apprenticeships scheme would ordinarily be entered onto the Procurement Plan. However, an entry will not be needed on this occasion, as the arrangements would be made with the existing service providers by way of a funding agreement.
- 3.13 The DCSF has issued a guidance document on the Young Apprenticeship Programme. The LSC has recently advised that the Council will be required to enter into a Conditions of Funding agreement, to enable the LSC to recover funding where activity does not take place.

- 3.14 The Council will monitor the delivery of Young Apprenticeships by reviewing the uptake in each cohort year, together with the participation and completion rates and the outcomes for each provider. The Council will be required to provide activity and performance information to the LSC.

Education Business Partnership

- 3.15 The Education Business Partnership (EBP) provider acts as a single point of contact between organisations in the education and business sectors in each area. The responsibilities locally include:
- Arranging, brokering and managing work related learning activities in the curriculum and the work place;
 - Supporting employers who want to be involved in a variety of work related learning activities;
 - Monitoring and evaluating work related learning activities to assess impact and outcome;
 - Providing guidance and advice to employers, schools and colleges on Health and Safety, Child Protection, insurance requirements and other legal duties and responsibilities;
 - Developing the Leicester Shire Employer Engagement Strategy; and
 - Disseminating information on good practice amongst all partners.
- 3.15 The specific objective relating to the LSC funding, as set out in the recently-received proposed draft contract between the LSC and the Council, is “to secure suitable and sufficient provision which facilitates the gaining of work experience and work related learning by young people receiving education.” Minimum standards are set around work-related learning placements, teacher development placements, a wider contribution from employers and a strong contribution to making the employer experience productive and enjoyable for all parties.
- 3.16 The LSC currently commissions the Leicester Education Business Partnership (LEBC) to provide EBP services across the City and the County. The current contract finished at the end of July 2009 and it is proposed that the City Council should enter into a contract with the LEBC from 1st August 2009, covering both the City and the County. This would continue the LSC’s national approach of funding an Education Business Partnership in each area / sub-regional partnership to meet the needs of local learners. It would also link with existing arrangements in the Council for managing work experience placements and for promoting the skills agenda more generally.
- 3.17 It is envisaged that the LEBC would be contracted for a period of one year in the first instance, with an option to extend for a further year. This would allow the future national intentions and arrangements around EBP to be clarified and locally for the councils to review their needs around education, skills and regeneration as the new responsibilities take effect. There would also be an opportunity to evaluate the LEBC’s performance. This would lead to a fresh procurement exercise in 2010/11 that reflects the national approach, meets

the councils' requirements locally and which complies with all applicable procurement regulations.

- 3.18 A contract between the City and County Councils, setting out the City's lead contracting arrangement, is proposed. This reflects a sharing of lead roles and means that the LEBC would have a single contract rather than separate (but identical or very similar) City and County contracts. However, there are risks for the City Council, in that the City would be responsible to the County for the performance of the LEBC; in essence, the County would contract with the City and the City would in turn contract with the LEBC. The County could seek to recover monies from the City Council if the contractual requirements are not achieved; this risk will be mitigated as far as possible by establishing appropriate performance measures within the contract with the LEBC.
- 3.19 The EBP funding in 2009/10 will come via the LSC. The full year funding in the current 2009/10 financial year would be £153,644 for the City and £327,180 for the County, a total of £480,824. The actual proposed funding from the LSC for the period August 2009 to March 2010 is £313,000.
- 3.20 The funding arrangements beyond 2009/10 are subject to clarification as part of the overall transfer from the LSC to local authorities. It is possible that the new Young People's Learning Agency will essentially grant-fund local authorities for this activity. This is a similar financial risk to the Young Apprenticeships as noted above.
- 3.21 It should also be noted that schools and colleges make a direct contribution to the LEBC for work experience placements, in addition to the above core funding within the contract.
- 3.22 The draft service specification with the LEBC goes into some detail about the services to be provided. It sets out a range of performance monitoring information to be provided by the LEBC, including bi-monthly reports detailing performance against specified standards and outcomes; ensuring that such reports are held on file; producing statistics in line with DCSF requirements, to be submitted in the Autumn, covering areas such as employer participation, volume of work experience and volume of other work related learning delivered.
- 3.23 Members have asked for information about the LEBC. It is a registered charity, which supports partnerships between schools, business and the wider community. It links schools and colleges with businesses, and volunteers from business, to help inform pupils about the world of work and career opportunities. It also works to engage employers with schools and colleges, including recruiting employers to offer work placements, and arranging work experience and work placements for young people. LEBC carries out key work placement checks including health and safety, safeguarding and data protection, as well as monitoring the learning outcomes from work placements. In the most recent two-month reporting period, LEBC visited 174 employers on behalf of City schools. It also supports the Young Apprenticeships programme in Leicester and Leicestershire. It should be noted that two senior staff from Leicester City Council sit on its Board; this

representation will need to be reviewed as the Council enters into a direct contractual relationship with the LEBC, to avoid any potential conflicts of interest. Neither member of staff will be involved in formally authorising any procurement or contract documentation.

Funding Agreements with the LSC

- 3.24 As noted above, the DCSF expects and the LSC requires the Council to enter into contracts to secure the funding for the EBP services and the Young Apprenticeships Programme.
- 3.25 The proposed agreements with the LSC present various risks to the Council about which officers are receiving ongoing advice from Legal Services. These will be mitigated by balancing and where necessary by reproducing the performance outcomes and obligations into the proposed agreements with LEBC, colleges and other providers. Assurances will also be sought from the LSC, for example with regards to the suitability of the LSC's current service providers.

Brokering of off-site Training Provision for Schools

- 3.26 The Council's Learning Services Division currently acts on behalf of schools to arrange off-site training provision for specific pupils, bringing together the needs of schools with the provision available from various training providers. Examples include provision for hair and beauty, construction, horse care and foundation programmes for years 10 and 11.
- 3.27 The arrangements are made on an annual basis and amount to between £600,000 and £800,000, with the actual value each year depending upon schools' requirements. The procurement and contracting processes are being reviewed and it is now appropriate to make a programme provision of up to £800,000 within the Procurement Plan for the 2009/10 academic year.
- 3.28 It should be noted that this is not a result of the proposed LSC transfer, and is essentially "business as usual" for the Council and schools. However, the programme should be included in the Procurement Plan and it is appropriate to add it as part of this report.

4. RECOMMENDATIONS

4.1 Cabinet is recommended to:

- a) **Note the new responsibilities and expectations being placed upon the Council in respect of 14-19 Education, and early contracting arrangements in particular;**
- b) **Approve the proposals to enter into Funding Agreements with providers for the provision of Cohort 6 of the Young Apprenticeships Scheme within the City;**

- c) **Approve the proposals to enter into contracts with Leicestershire County Council and with a provider covering the City and County for the provision of Education Business Partnership Services;**
- d) **Agree that contracts may be entered into with the LSC, setting out the Council's responsibilities in respect of Education Business Partnership Services and Young Apprenticeships and the funding to be made available by the LSC;**
- e) **Approve the additions to the Corporate Procurement Plan as set out in the appendix to this report; and**
- f) **Confirm delegated authority to the Divisional Director for Learning Services, in consultation with the Cabinet Lead Member for Children and Schools, to instruct the Director of Legal Services to enter into the necessary contracts, once detailed issues have been resolved.**

5. CONSULTATION

- 5.1 The proposals have been discussed with the Learning and Skills Council and Leicestershire County Council. The Children and Young People Scrutiny Committee considered an earlier draft of the report on 18th August 2009 and the issues raised have been incorporated into this revised report.

6. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

6.1 Financial Implications

Funding to commission the services proposed in this report is being secured from the DCSF via the LSC, schools or other existing funding streams in the current financial year. The flow of funding into the future will change as the LSC is dissolved and the Government seeks to mainstream currently separate funding streams or to transfer funding to successor agencies.

There are a number of risks to the Council in entering into contracts for Young Apprenticeships and the Education Business Partnership at this time and in advance of the transfer of statutory responsibility. The report presents these risks in more detail and sets out proposed mitigating measures.

The wider impact of these changes will be considered further once the new arrangements for 14-19 commissioning, procurement and funding become clearer at national level.

Colin Sharpe, Head of Finance and Efficiency, CYPS, ext. 29 7750.

6.2 Legal Implications

Those activities set out in this report that are procurement activities (rather than funding) are above the EU Public Procurement threshold. Therefore, as well as compliance with the Contract Procedure Rules, each procurement must be undertaken in compliance with the Public Contracts Regulations 2006 and the basic standards of the European Court of Justice, which have been clarified in the European Commission's Interpretative Communication (2006/C 179/02) More detailed advice has been provided to procuring officers by the Corporate Procurement Team and Legal Services.

In relation to the EBC and Young Apprentices, client officers are receiving ongoing legal advice in connection with these matters in relation to the contractual and public procurement issues.

Until the Apprenticeships, Skills, Children and Learning Bill (ASCL Bill) is enacted, the Council is relying on its Well Being power to enter these contracts. This power permits the Council to do anything which it considers likely to promote or improve the economic, environmental or social well-being of its area (s. 2 Local Government Act 2000), consistent with its community strategy (prepared in compliance with s.4 Local Government Act 2000 (as amended)).

Presently, the ASCL Bill is at the Committee Stage and significant work remains to complete discussion of proposed amendments. The Committee will re-convene again in mid-October to continue this work. It is understood that the current session of Parliament should end in mid-November, and so it is expected that the Bill is to become an Act around that time.

Once enacted, the ASCL Act will continue the reform of 14 to 19 education and training, building on the Education and Skills Act 2008, which raised the age of participation in education or training to 18 for all young people from 2015. Responsibility for funding education and training for young people over compulsory school age but under 19 will transfer from the LSC to the Council and the Council will also take on responsibility for the education of young people in custodial establishments, and for the education and training of certain learners with learning difficulties or disabilities up to the age of 25.

Greg Surtees, Senior Solicitor, Commercial, Contracts and General Team,
Legal Services ext. 29 6453

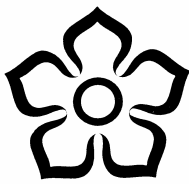
6.3 Other Implications

Other Implications	Yes/No	Paragraph References within this Report
Equal Opportunities	Yes	The 14-19 skills agenda is aimed at ensuring that all young people have access to high quality learning opportunities.
Policy	Yes	
Sustainable and Environmental	No	The report is concerned with the Council's policy towards taking on contracting and funding responsibility from the LSC in advance of the statutory transfer. The individual procurement exercises are following the corporate standards.
Crime and Disorder	No	
Human Rights Act	No	
Elderly Persons/People on Low Incomes	No	

7. REPORT AUTHOR

Colin Sharpe, Head of Finance and Efficiency, CYPS, ext. 29 7750.

Key Decision	Yes
Reason	Is significant in terms of its effect on communities living or working in an area comprising more than one ward
Appeared in Forward Plan	Yes
Executive or Council Decision	Executive (Cabinet)



Leicester
City Council

Appendix

**LEICESTER CITY COUNCIL PROCUREMENT PLAN 2009/2010
FINANCIAL YEAR APRIL 2009 TO MARCH 2010**

PORTFOLIO – CHILDREN AND SCHOOLS

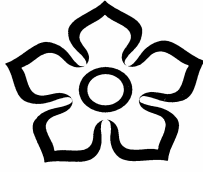
1

Division: Learning Services
Section: N/A
Name of Contract: **Education Business Partnership**
Description of Contract: To secure suitable and sufficient provision which facilitates the gaining of work experience and work related learning by young people receiving education in Leicester and Leicestershire.
Expiry Date of existing Contract: N/A (the LSC currently lets the contract)
Anticipated start of new Contract: 01/08/2009
Duration of new Contract: 1 + 1 years
Value of new Contract: £481,000 p.a, City and County Councils
Lead Officer: Margaret Libreri

2

Division: Learning Services
Section: VESA – Vocational and Educational Support Agency
Name of Contract: **Brokering of off-site Training Provision**
Description of Contract: Arranging off-site provision for schools, bringing together schools and training providers
Expiry Date of existing Contract: July / August 2009 (various contracts)
Anticipated start of new Contract: September 2009 (various contracts / providers)
Duration of new Contract: 1 year
Value of new Contract: Up to £800,000
Lead Officer: Alex McManus

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Leicester
City Council

AOUB 2

**FORWARD TIMETABLE OF MEETINGS
PERFORMANCE AND VALUE FOR
MONEY SELECT COMMITTEE
CABINET**

26 AUGUST 2009

1 SEPTEMBER 2009

BENEFITS SERVICE INSPECTION AND IMPROVEMENT PLAN

Report of the Chief Finance Officer

1. Purpose of Report

- 1.1 The purpose of this report is to advise members of the Audit Commission's inspection of the Benefits service, and to seek approval to a radical improvement plan designed to quickly transform the experience of customers of the service.

2. Summary

- 2.1 An inspection of the benefits service was carried out by the Audit Commission earlier this year, using a newly introduced inspection methodology. The final report was published on 21 May 2009.
- 2.2 The inspection awarded the authority "zero stars" (the lowest possible) for its performance, but with promising prospects of improvement. The most significant of the findings of the Commission relate to:
- (a) telephone waiting times;
 - (b) customer access;
 - (c) time to process claims and changes to claims;
 - (d) accuracy of processing.
- 2.3 The findings of the inspection are accepted, and an improvement plan has been prepared for member approval.
- 2.4 Members are asked to note that, despite the findings of the Audit Commission, performance has in fact been improving steadily from a low base caused by IT failures some years ago. This reflects the investment in IT and management improvement since that time.

However, as the Commission found, there is still some way to go. The Commission's conclusion also chimes with feedback from users of the service and elected members.

3. Recommendations

3.1 Cabinet is recommended to:

- (a) note the judgements of, and recommendations made by, the Audit Commission (Appendices A and B);
- (b) approve the action plan to address the key areas for improvement (Appendix C);
- (c) approve the following increases in the budget of the Revenues and Benefits section to enable the plan to be delivered:
 - 2009/10 - £200,000;
 - 2010/11 - £450,000;
 - subsequent years - £350,000 per annum;
- (d) note that the sums will be found from a reduction in the money provided in the budget for the 2009/10 pay award, as described in the financial implications to this report;
- (e) note that the budget increases will be reviewed in 18 months time, to determine whether or not the improvements are self-sustaining, such that the additional budget is no longer required;
- (f) note that detailed responses to all the Audit Commission recommendations have been included in the Benefits Service's normal business plan;
- (g) note that some recommendations, described below, of the Audit Commission are not being pursued;
- (h) designate the Cabinet Lead for Finance as the Cabinet Champion for the benefits' service;
- (i) note the current performance of the service, as described at Appendix D.

4. Background

4.1 The revenues and benefits service has a dual role. It is responsible for the collection of local taxes, and for the administration of housing and council tax benefit on behalf of the Government. In 2008/09, the Revenues and Benefits' service:

- (a) collected £110m of council tax;

- (b) collected £110m of business rates;
- (c) administered £120m in housing and council tax benefit.

4.2 The inspection **only** concerned the benefits element of the service.

4.3 Leicester was selected for inspection by the Audit Commission because of poor claims processing performance in previous years, and because the authority reports a high level of benefit overpayment (compared to others). (As Appendix D shows, performance is now better than it was at the time we were selected for inspection).

4.4 The findings of the Audit Commission appear severe, but it reflects the results of other authorities who have been inspected under the new methodology. The Council's zero star rating compares with a "good" rating under the old CPA regime. So far 13 councils have been inspected, and 7 have received zero stars; some of these were previously judged to be high performing. These results reflect a change in the basis of inspection, which is now considerably wider than looking purely at transactional processing times.

5. Action Plan

5.1 The inspection report made a number of recommendations for improvements. The summary of findings and the inspection recommendations are attached at Appendices A and B. An action plan (with implementation dates) has been developed in response to the recommendations, and to address customer and member feedback about the service. This is divided into 5 key areas and is attached at Appendix C:

- (a) telephone access;
- (b) face-to-face access;
- (c) web access;
- (d) speed of claim processing;
- (e) accuracy of processing.

5.2 A significant number of other improvements are being made, which can be met within the service's budget. However, a substantial step change in performance requires additional resource, particularly the key areas of telephone access and improving processing times.

5.3 In the longer-term, further improvements are being considered as part of the authority-wide Organisational Development and Improvement plan:

- (a) the development of a new front-of-house service located in the former post office, which will deal with the majority of customer contacts in one place. It is envisaged that simpler benefits queries will, in due course, be dealt with at this centre;
- (b) transfer of non-complex telephone calls to a corporate call centre.

5.4 The Audit Commission recommended increasing the proportion of pre-payment quality checks, but we do not propose to do this as we already meet national standards.

6. Financial Implications

6.1 The total annual budget of the Revenues and Benefits Section is £4.4m. This is net of £3.4m grant income to fund housing benefits administration (benefits being a national scheme).

6.2 The base budget of the service is under pressure, due to the recession. There has been an increase in caseload from 36,250 claims in April 2008 to 39,365 claims in March 2009; an increase of 9%.

6.3 The nationally available administration grant is reducing by 5% pa in real terms from 2008/09 to 2010/11. The Government has, however, made additional resource of £490,000 available in 2009/10 to meet additional workload. An extension of this additional resource into 2010/11 is not guaranteed, and the trend in administration grant must be considered to be reducing.

6.4 The service can contribute to the costs of the improvement plan by absorbing the costs of the increased caseload within its base budget, using additional grant to pay for service improvement. However, the costs of the plan will exceed this.

6.5 Using prudent estimates of the future grant, the funding gap is as follows:

	<u>2009/10</u> £000s	<u>2010/11</u> £000s	<u>2011/12</u> £000s
<u>Cost:</u>			
Telephone access	148	430	200
Face-to-face	12	3	3
Web access	43	12	12
Speed of Processing	430	60	60
Extended hours	47	94	94
	680	599	369
<u>Resources:</u>			
Extra HB grant:			
- actual	489		
- estimated		250	

	<u>2009/10</u> £000s	<u>2010/11</u> £000s	<u>2011/12</u> £000s
- less reduction in basic grant		(100)	
	489	150	
Gap	191	449	369

6.6 Should members wish to support the plan and approve additional resources, this can be accommodated within existing resources. Members are, however, advised that there are likely to be substantial budget pressures arising from deterioration in the public finances which is expected to have a major impact on future resources. The plan should, therefore, only be agreed if members regard it as an extremely high priority, recognising that (in due course) it will be at the expense of spending elsewhere.

7. Legal Implications (Anthony Cross)

7.1 There are no direct legal implications.

8. Background Papers

Audit Commission Benefits Inspection report, which can be obtained from:

www.audit-commission.gov.uk/sitecollectiondocuments/inspectionoutp/inspectionreports/2009/leicester21May2009REP.pdf

Detailed service improvement plan, which can be obtained from the report author.

9. Report Author/Officer to Contact

Mark Noble
Chief Finance Officer
x297401
and
Caroline Jackson
Head of Revenues and Benefits
x385100

6 August 2009

Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Executive (Cabinet)

Audit Commissions – Summary Inspection Findings

Although the Audit Commission found many strengths within the Housing Benefit & Council Tax Service, their decision to award Leicester a Zero rating was based on the following findings.

- **The service has received a poor, zero star rating because**
 - Some aspects of customer access are inadequate
 - Opening times are inconsistent and inadequate
 - Waiting times can be unreasonably long
 - Customer satisfaction is low

- **It is failing to deliver its core business**
 - It is taking 37.5 days to process new claims (2007/08 figures)
 - It is taking 17.7 days to process a change in a customer's circumstance (2007/08 figures)
 - Too many customers do not receive an accurate decision on their claim

- **It loses significant income for the council as a result of local authority error**
 - It has not used its full subsidy allocation for discretionary housing payment
 - Data quality is inconsistent

- **The service has strengths**
 - Benefit take up is improving
 - Local authority tenants can access the service through their local neighbourhood offices
 - Effective engagement with stakeholders and partners

- **The service has promising prospects for improvement because**
 - It recognizes its weaknesses
 - Has plans in place to ensure continual improvement for customers
 - Councillors and senior managers are committed to improving the service
 - Leadership and management of the service are good
 - Front line staff are positive, knowledgeable and experienced
 - The service is responsive to changing local needs.

- **However**
 - Challenge by Councillors is weak
 - Councillors do not ensure they have the training necessary to be fully informed about all aspects of the service.

Audit Commission – inspection recommendations

1. Improve the access to the service

- Ensuring opening times for all service points and access routes are appropriate for customers and are well publicised.
- Ensuring that take up campaigns are effectively targeted using information on communities available to the council, and recording the impact of this activity to inform future campaigns
- Expanding the membership of the Benefits Community Group (BCG)* to ensure it is reflective of the diverse community and including other methods of consultation in addition to daytime meetings to allow more people to contribute.
- Improving the telephony service to meet the Council corporate customer care standards.
- Providing local access to an equivalent of the 24 hour new claims assessment service for those customers who do not/can't currently do so
- Delivering a response to the need for an out of hours service identified in customer surveys.
- Consulting customers to refine the appointment service at Wellington house to reduce waiting times, repeat visits and turn-a-ways;

2. Ensure that customers receive the right benefit at the right time and reduce fraud by:

- Developing stretching targets for the service delivery in consultation with customers and stakeholders to improve the speed of processing in line with the best performing councils.
- Increasing the use of pre-payment quality checks (QA) and analyzing the results to inform individual and team training requirements.
- Analyzing unsuccessful or defective claims for benefit and taking action to reduce the level;
- Ensuring registered social landlord staff are trained to undertake verification of claims and documents
- Exploring how partners, for example housing options staff, could have more access to systems to assist faster claims completion.

3. Improve value for money by:

- Keeping under review workforce capacity requirements and the use of off-site resilience to ensure best use of resources in light of changing customer demand.
- Using benchmark information and examples of best practice to explore alternative ways to delivering the service.

4. Minimize subsidy loss by:

- Reducing the amount of overpayment caused by local authority error and delay
- Effective monitoring, prioritizing and progressing work: and
- Agreeing an effective approach to data quality with the external auditor.

5. Strengthen performance management by:

- Using data effectively to focus on improvement
- More active portfolio holder/councillor/scrutiny involvement and challenge, particularly where service standards are consistently not being achieved
- Ensuring that the current review of councillor responsibilities provides sufficient leadership by Elected Member champions for failing services.

Benefits Service Improvement Plan

Theme 1 - Improving Telephone Access

Aim to reduce average telephone waiting times to one minute by December 2009.

Action Required	Cost	Budget Implication	Implementation Date
Recruit six staff, to be trained and effective within 12 months. This action will be supplemented by use of an off-site telephony contract dealing with peak overload telephone calls. In the short-term, use of the off-site contract will be expensive; by Autumn 2010, the service will be reliant upon the extra staff, using the off-site contract purely at peak periods.	Estimated £200,000 per annum in a full year. Costs will peak in 2010/11 due to dual running of in-house staff and off-site telephony.	See financial implications section.	December 2009, dependent upon outcome of telephony contract in November.
Use more sophisticated routing through the telephone system so that customers are directed to the right people first time (eg by asking a customer to select '1' for new claims, '2' for change of circumstances etc).	No additional cost.	None.	Completed July 2009
Introduce pilot call-back facility, whereby customers can leave message and staff return call within 24 hours (usually same day).	Resourced within existing budget.	None.	Completed July 2009. Call volumes currently 70 to 90 per day.
Extend telephone operating hours with reduced lines until 6.00 pm Monday to Friday, and Saturday morning 9.00 am to 1.00 pm. (Requires staff terms and conditions review as a pre-requisite, hence extended implementation date). We will also explore directing evening calls to Customer Services Centre, which already operates 8.00 am to 8.00 pm.	£50,000 per annum.	See financial implications section.	September 2010
Transfer simple calls to Council Corporate Contact Centre.	Not known.	Part of "One Council, One Contact" project, costings not yet finalised.	April 2010

Benefits Service Improvement Plan

Theme 2 - Face-to-Face Access

Action Required	Cost	Budget Implication	Implementation Date
Extend the current appointment handling system deployed at Wellington House (Jayex) to offer a web-based appointment system, adapting the current system used in the health sector. This will need software to be written for the purpose, which the supplier will develop. Alternative suppliers are also being considered. [Digitv?]	£12,000 one-off, plus £3,000 per annum for 10 customers to access at once. Note – these costs are estimates only, no product has been developed.	Within existing budget.	December 2009
Expand the “24 hours new claim service”, which guarantees a 24 hour turnaround of claims assessments if all documentation is provided, to the New Parks CSC, Merlyn Vaz Centre and Brite Centre. It is currently provided at Wellington House only.	Resourced within existing budget.	None.	December 2009
Improve scanning facility in Wellington House to allow direct copying to data image processing system.	Resourced from within existing budget.	None.	October 2009
Expand opening hours on basis of reduced service to 6.00 pm Monday to Friday (ie a further 1.5 hours); and Saturday morning 9.00 am to 1.00 pm. (Requires staff terms and conditions review as pre-requisite).	£44,000 per annum.	See financial implications section.	September 2010
Provide option for customers to drop off documents in free standing “post box”, to avoid queuing. This facility will require customers to complete their own details on the face of a deposit envelope, and tear-off a receipt slip. <i>Note that currently documents are checked when deposited, which will not be possible with this system - customers choosing to use it may therefore have to make repeat visits if documentation is missing.</i>	£2,000	Within existing budget.	November 2009
Integrate customer access with new front of house provision at former Post Office.	Not known.	Part of “One Council, One Contact” project, costings not yet finalised.	February 2011

Benefits Service Improvement Plan**Theme 3 - Web Access**

Action Required	Cost	Budget Implication	Implementation Date
Purchase additional IBS system module enabling customers to apply for benefit and manage claims online. [Digitv?]	One-off cost of £43,000 purchase cost. Annual maintenance cost of £12,000.	See financial implications section.	December 2009
Install bank of 2 PCs at Wellington House for use by customers to access their online details.	£3,000 per annum.	Within existing budget.	December 2009
Review ability to provide self-service access to enable customers to view their council tax/business rate accounts and benefit claim records. This would reduce telephone and face-to-face queries. A self-service module is available with the existing system, but security concerns need to be resolved. This is potentially a significant project. [Digitv?]	Covered within existing maintenance budget.	None.	Detailed report on way forward by October 2009.

Benefits Service Improvement Plan**Theme 4 - Improved Speed of Claim Processing**

Action Required	Cost	Budget Implication	Implementation Date
Improve average processing time for new claims and changes. Customer guarantee: Once a customer provides all information to support their claim for benefit or a change in circumstances the decision about an award of benefit or an change to their entitlement will be processed within 5 working days. This places the emphasis of evidence gathering on the customer.	One-off cost of £400,000; £60,000 per annum for 2 additional processing staff. Otherwise, it is assumed that additional telephony staff will be available for this duty when there are troughs in telephone calls.	See financial implications section.	September 2010
Further Improve average processing time: Customer guarantee: Once a customer provides all information to support their claim for benefit or a change in circumstances the decision about an award of benefit or an change to their entitlement will be processed within 3 working days.			March 2011
Encourage a pro-active response from the customer to provide supporting information promptly through publicity campaigns across the city.	Within existing budget.	None	March 2010
Communication Review. Review all customer correspondence to highlight the pro-active approach to evidence gathering and customer guarantees on New claims processing and reporting changes and ensures it communicates effectively with its audience.	Within existing budget.	None	March 2010

Benefits Service Improvement Plan

Theme 5 - Improve Accuracy of Processing

Action Required	Cost	Budget Implication	Implementation Date
Introduction of quality checks before benefit is awarded, instead of retrospectively. System needs to ensure errors are fed back to officers immediately and corrective work takes place within 24 hours to minimise disruption to customers.	Within current budgets.	None.	Completed in June 2009

Mark Noble
Chief Finance Officer
30 July 2009

Key Performance Information

Benefits Service performance	2007/08 (when decision to inspect was taken)	2008/09	2009/10 Current Performance April & May 2009	Action Plan Target	Benchmarking comparators based on 2007/08 data**	Audit Commission performance standards
New claims processing	37.5 days	30.2 days	27 days	16 days (combined target)	26 days	Excellent 16.5 days Good 17 – 24 days Fair + 24.5 days
Change of circumstance processing	17.7 days	14 days	18 days		10 days	
Waiting times at Wellington House Reception (with appointment)	Minimal number undertaken	Average 10 minutes	Average 3 minutes	Never longer than 10 minutes for appointments	No data	No data
Telephony waiting times	13 minutes on average	9.4 minutes	9.5 minutes	One minute	No data	To corporate standards. (20 seconds wait)

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