

Leicester  
City Council

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

19 March 2024

Sir or Madam

I hereby summon you to a meeting of the LEICESTER CITY COUNCIL to be held at the Town Hall, on THURSDAY, 21 MARCH 2024 at FIVE O'CLOCK in the afternoon, for the business hereunder mentioned.

**Monitoring Officer**

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**AGENDA**  
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**AUDIO STREAM OF MEETING**

A live audio stream of the meeting can be heard on the following link:  
<https://www.youtube.com/@leicestercitycouncildemocr5339>

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

**3. STATEMENTS BY THE CITY MAYOR/EXECUTIVE**

**4. PETITIONS**

- Presented by Members of the Public (Mr Sharma two CCTV petitions)
- Presented by Councillors (one from Cllr Dempster or a constituent)
- Petitions to be debated

**5. QUESTIONS**

- From Members of the Public
- From Councillors

**6. MATTERS RESERVED TO COUNCIL**

- a) **A REVIEW OF MEMBERS' ALLOWANCES FOR LEICESTER CITY COUNCIL – A REPORT BY THE INDEPENDENT REMUNERATION PANEL**
- b) **PAY POLICY STATEMENT 2024/2025 AND GENDER PAY GAP REPORT 2023**
- c) **LEICESTER YOUTH JUSTICE PLAN – ANNUAL REVIEW**

**7. REPORTS OF THE CITY MAYOR OR EXECUTIVE**

- a) **EXCEPTIONAL HOMELESSNESS PRESSURES ON HOUSING**

**8. REPORTS OF THE MONITORING OFFICER**

- a) **BIENNIAL REPORT OF STANDARDS COMMITTEE JULY 2021-JUNE 2023 – ANALYSIS OF MEMBER COMPLAINTS**

**9. NOTICES OF MOTION**

**10. ANY OTHER URGENT BUSINESS**

## **Information for members of the public**

### **Fire & Emergency Evacuation Procedure**

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

### **Meeting Arrangements**

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

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

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

### **Making meetings accessible to all**

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

### **Further information**

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

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

Alternatively, email [matthew.reeves@leicester.gov.uk](mailto:matthew.reeves@leicester.gov.uk) or call in at City Hall.

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



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# **Independent Remuneration Panel Report**

Decision to be taken by: Council

Date of meeting: 21<sup>st</sup> March 2024

Lead director/officer: City Barrister and Head of  
Standards

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**Useful information**

- Ward(s) affected: All
- Report author: Francis Connolly
- Author contact details: Francis.Connolly@leicester.gov.uk

**1. Summary**

To present to Council the final report of the Independent Remuneration Panel (IRP).

**2. Recommended actions/decision**

Members are recommended to:

1. Consider the content and recommendations of the Independent Remuneration Panel's Report on Members' Allowances.
2. Make a Members' Allowances Scheme (MAS) for the City to take effect from 1<sup>st</sup> April 2024.

**3. Scrutiny / stakeholder engagement**

The IRP undertook a full review process entailing consultation with Councillors and relevant officers for their views on the Members' Allowance Scheme and associated Regulations and legislation. The Panel also spoke with a considerable number of post holders on the Council as well as other Councillors who requested to speak with them. This took place during the time period of 14<sup>th</sup> November 2023 to 19<sup>th</sup> December 2023.

**4. Background and options with supporting evidence**

In accordance with Regulation 19(1) Local Authorities (Members' Allowances) (England) Regulations 2003 all Councils must make a Scheme providing for the payment of allowances to Members (i.e. Councillors and Elected Mayors) and before a Council makes or amends such a Members' Allowances Scheme, it must publish and have regard to a report and recommendations made by its statutory Independent Remuneration Panel (IRP).

Section 21 of the Regulations defines that the IRP report must make recommendations on the responsibilities or duties in respect of:

- special responsibility allowance (SRA);
- travelling and subsistence allowance; and
- co-optee's allowance

- the amount of such allowances and the amount of Basic Allowance.
- whether Dependent Carers' Allowance should be payable, and the amount;
- whether payments can be backdated when a Scheme is amended at any time so as to affect an allowance payable for the year in which the amendment is made and;
- whether changes to allowances are decided according to an index and, if so, which index and for how long that index should apply, (a maximum of four years), before its application is reviewed.

## **5. Detailed report**

**5.1** At the Council meeting on 6 July 2023 it was agreed to set up an IRP to conduct a review for Leicester. The IRP invited views from all Elected Members and undertook a series of meetings and has now presented its final report (attached at Appendix A). References to the representations and evidence received by the IRP is set out within the IRP report and its appendices.

The determination of the Council's Scheme of Members' Allowances is a matter reserved to Full Council. The Independent Remuneration Panel's report is such that its contents and recommendations can, if the Council so wishes, be adopted in full. Alternatively, the Council may depart from or vary the Panel's recommendations to create the Members' Allowances Scheme for the current Municipal year. A draft Members' Allowances Scheme in the terms proposed by the Panel is, therefore, also attached at Appendix B.

### **5.2 Publicity for the Recommendations of the Panel**

As required by law [Local Authorities (Members' Allowances) (England) Regulations 2003] in addition to publishing the report on the Council's website ([www.leicester.gov.uk/remunerationpanel](http://www.leicester.gov.uk/remunerationpanel)), a copy was made available in the Council's Customer Services Centre on Granby Street and a notice placed in the Leicester Mercury (1<sup>st</sup> March 2024).

### **5.3 Context**

The last IRP commissioned by Leicester City Council convened during in 2020 and a Scheme was approved in April 2021.

As referred to in the IRP report, the Panel were asked to consider its recommendations in the light of the Council's financial situation and wider economic climate. The full financial impact of the changes within the recommendations can be difficult to map accurately as outlay will reflect individual claims and Council decisions regarding Member positions which attract SRAs. For example, the impact of changes such as Dependent Carer's Allowances will depend on Members' personal and professional circumstances and require individual claims during the municipal year. The proposals of the Panel lead to no increase in the overall financial envelope for member allowances.

There are some areas which the Panel recommended some change from the existing Scheme. Those of most significance are detailed below. Full detail, including the rationale for both change and maintaining the status quo in respect of the various allowances is included within the full report attached at Appendix 1.

### Basic Allowance

The Panel proposes that the in-City Travel and Subsistence (£1,000) and Telecommunications and Support Allowance (£333) are discontinued, and instead subsumed within the new recommended Basic Allowance, which now stands at £12,900 per member. Given the consolidation with other allowances, this represents a nominal variance in the overall increase in the level of basic allowance to be paid to Members.

### Special Responsibility Allowances (SRA)

The Panel proposes that the rule within the Members' Allowances Scheme that a member can receive no more than one SRA be unchanged.

### Standards Committee Allowances

The Panel felt that the role of the Chair of the Standards Committee did not meet the test of requiring a significant time commitment, and noted that the vast majority of the work related to handling Code of Conduct complaints is undertaken by the Monitoring Officer together with the Statutory Independent Persons. It therefore proposes that the SRA currently paid to the Chair of the Standards Committee is discontinued.

### Group Leader's Allowances

The Panel proposes that in order for a Group Leader's SRA to be paid, that a qualifying threshold has to be reached, set at 10 per cent of the Council seats, which is five. The calculation methodology (£1,206 plus £302 per other Group Member) is to be maintained. An exception is included to account for the circumstance where there are only minority groups of less than five members.

### Group Whips' Allowances

The Panel proposes to reset the SRA for the Chief Whip of the Majority Group at £6,038 and to pay an SRA of £2,851 to the Chief Whip of the largest Minority Group. In proposing this, the Panel felt that the reduction in the number of members within the majority group should correspond with a decrease in SRA. Furthermore, the Panel noted that the largest Minority Group has 32% of the Council seats and therefore felt that an SRA should be paid to the Group Whip.

### Civic Allowances



The Panel noted that the Civic Allowance previously paid to the Lord Mayor was £18,370, which included £5,929 which was administered by the Member and Civic Support manager. To avoid confusion, the Panel proposes that the money held back for administrative purposes should be removed from the scheme as it was not a Civic Allowance. The Panel proposes to not reduce the overall figure of £18,370, and proposes that the stated SRA to the Lord Mayor should instead simply state £12,441.

The Panel also proposes to reset the Civic Allowance for the Deputy Lord Mayor at 25 per cent of the Lord mayor's Civic Allowance (£12,411) which equates to £3,101. The panel proposes this in light of the respective number of events and engagements attended by the Lord Mayor and Deputy Lord Mayor.

### Dependant Carer's Allowances

The Panel recommended that the Dependant Carer's Allowance (DCA) be amended as follows:

That the current maximum hourly rate claimable for the childcare element is discontinued and replaced with the following:

- a. The childcare element of the DCA can be claimed at the maximum hourly rate based on the Real Living Wage, which is currently £12 per hour
- b. Members can claim for up to 1 hour before the start and for 1 hour after the end of an approved duty
- c. The weekly cap on the number of hours (20) that can be claimed under the DCA is lifted to 25 hours per week, regardless of the number of dependents a Member may have
- d. That the DCA continues to be claims based with claims backed up by receipts

### Travel Allowances

The Panel proposes that the allowances scheme is amended to clarify that where a Member is using an electric or hybrid vehicle on an approved duty outwith the City that they are able to claim mileage at AMAP rates, which is currently 45p per mile for the first 10,000 miles and 25p per mile thereafter.

### Annual Incremental Increase of Allowances

The Panel proposes that the Basic Allowance, SRAs, Co-optees' and Civic Allowances and the remuneration of the Independent Persons be updated annually in line with the annual percentage pay increase given to Leicester City Council employees (and rounded to the nearest £ as appropriate) as agreed for each year by the National Joint Council for Local Government Staff at Spinal Column Point 43.

## **5.4 Implementation**

Should an implementation date of 1 April 2024 be agreed it is anticipated that following that date, members will be allowed 90 days to submit any claims for expenses covering the period up to and including 31 March 2024.

## **6. Financial, legal, equalities and other implications**

### **6.1 Financial implications**

The proposed schedule of revised allowances if all fully claimed would cost £1.126m. Recognising that some allowances may however not be payable or may not be claimed in full, this cost is expected to be manageable within the current budget. Allowances will be indexed annually in line with staff pay awards, so assuming no further changes to allowances and that the Council's financial position allows uprating of budgets for pay awards, the budget position should remain similar throughout.

Martin Judson, Head of Finance

### **6.2 Legal implications**

This report highlights the key legal considerations in section 4, and the report of the Independent Remuneration Panel addresses legal considerations throughout. The Council is required, by Regulation 19 Local Authorities (Members' Allowances) (England) Regulations 2003, to "have regard" to the report of the IRP before making the Scheme.

Kamal Adatia, City Barrister and Head of Standards

### **6.3 Equalities implications**

Under the Equality Act 2010, public authorities have a Public Sector Equality Duty (PSED) which means that, in carrying out their functions, they have a statutory duty to pay due regard to the need to eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Act, to advance equality of opportunity between people who share a protected characteristic and those who don't and to foster good relations between people who share a protected characteristic and those who don't. Due regard to the Public Sector Equality Duty should be paid before and at the time a decision is taken, in such a way that it can influence the final decision. Protected Characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There are no direct equality implications arising from the report. The level of allowances within the scheme should not discriminate or create barriers for those who may wish to stand for office. Advancing equality of opportunity involves having due regard to the need to encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low. Surinder Singh Equalities Officer Tel 37 4148

### **6.4 Climate change and carbon reduction implications**

There are no significant climate change implications associated with this report.

Aidan Davis, Sustainability Officer

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

None.

**7. Background information and other papers:**

**None**

**8. Summary of appendices:**

Appendix 1 – Report of the Independent Remuneration Panel.

Appendix 2 – Draft Members' Allowance Scheme.

**9. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)? No**

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

**No**



## **A Review of Members' Allowances**

**For**

**Leicester City Council**

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**A Report**

**By the**

**Independent Remuneration IRP**

**Paul Brown  
Dr Declan Hall (Chair)  
Chris Hobson  
Mehrunnisa Lalani  
Jackie Lester  
Professor Ludovic Renou**

**February 2024**

## EXECUTIVE SUMMARY

Schedule of Allowances	Nos. Rec'd	Current to 31 Mar 24	Current Total per Member	Recommended 01-Apr-24	Recommended Total per Member	Recommended Sub-Total	Report Section No
<b>Basic Allowance</b> [1]	55	£11,473		£12,900		£709,500	27
<b>Travel &amp; Subsistence</b>	55	£1,000		NA			50
<b>Telecommunications &amp; Support</b>	55	£333		NA			53
<b>SRAs - Executive</b>							
City Mayor	1	£66,938	£79,744	£66,938	£79,838	£66,938	62
Deputy City Mayor	1	£45,212	£58,018	£45,212	£58,112	£45,212	71
Assistant Mayors [2]	8	£18,860	£31,666	£18,860	£31,760	£150,880	71
<b>Scrutiny</b>							
Chair Overview Select Committee	1	£10,666	£23,472	£10,666	£23,566	£10,666	80
Vice Chair Overview Select Committee	1	£2,666	£15,472	£2,666	£15,566	£2,666	80
Chairs Scrutiny Commissions	6	£8,889	£21,695	£8,889	£21,789	£53,334	80
Vice Chairs Scrutiny Commissions	6	£2,222	£15,028	£2,222	£15,122	£13,332	80
<b>Regulatory</b>							
Chair Planning & Development Control	1	£10,666	£23,472	£10,666	£23,566	£10,666	80
Vice Chair Planning & Development Control	1	£2,666	£15,472	£2,666	£15,566	£2,666	80
Chair Licensing & Public Safety	1	£10,666	£23,472	£10,666	£23,566	£10,666	80
Vice Chair Licensing & Public Safety	2	£2,666	£15,472	£2,666	£15,566	£5,332	80
Chair Audit & Risk	1	£6,518	£19,324	£6,518	£19,418	£6,518	80
Chair Standards	0	£3,171	£15,977	NA	NA	NA	90
<b>Group Positions</b>							
Largest Minority Group Leader (£1,206 + £302 X 16 other Members)	1	£6,038	£18,844	£6,038	£18,938	£6,038	80
Other Group Leaders (£1,206 + £302 per Member if have 5 Members)	0	£1,810	£14,616	NA	NA	NA	82
Majority Group Whip	1	£8,889	£21,695	£6,038	£18,938	£6,038	86
Chief Whip Largest Minority Group	1	NA	NA	£2,851	£15,751	£2,851	86
<b>Sub Total -- Basic Allowance</b>	<b>55</b>					<b>£709,500</b>	
<b>Sub Total -- SRAs</b>	<b>33</b>					<b>£393,803</b>	
<b>Sub Total -- BA + SRAs</b>						<b>£1,103,303</b>	
<b>Civic Allowances</b>							
Lord Mayor [3]	1	£18,370	£31,176	£12,441	£25,341	£12,441	118
Deputy Lord Mayor	1	£5,629	£18,435	£3,103	£16,003	£3,103	118
High Bailiff	1	£1,970	£14,776	£1,970	£14,870	£1,970	118
<b>Sub Total -- Civic Allowances</b>	<b>3</b>					<b>£17,514</b>	
<b>Co-optees' Allowances</b>							
Standards	5	£564	£564	£564	£564	£2,820	99
Children, Young People & Schools Scrutiny	4	£564	£564	£564	£5564	£2,256	99
<b>Sub Total -- Co-optees' Allowances</b>	<b>9</b>					<b>£5,076</b>	
<b>Total</b>						<b>£1,125,893</b>	
<b>(BA + SRAs + Civic + Co-optees)</b>							
	[1] In accordance with legislation for the purposes of Allowances the City Mayor is counted as a Councillor.						
	[2] For the costing purposes the SRAs for Deputy and Assistant City Mayors can be paid at a level determined by the City Mayor as long as the total spend does not exceed the total spend at 1 X Deputy City Mayor at £45,211 & 8 Assistant City Mayors at £18,860, which equates to £196,092 in total						
	[3] The reference in Lord Mayor's Civic Allowance of £5,929 administered directly by Member & Civic Support to pay for on-going costs of holding Office is removed from the allowances scheme						

**The IRP recommends:****Discontinuation of the separate in-City Travel and Subsistence and Telecommunications and Support Allowance and incorporation into the Basic Allowance with clarification of what costs the Basic Allowance is deemed to cover**

As the in-City Travel and Subsistence (£1,000) and Telecommunications and Support Allowance (£333) have been added to the recommended Basic Allowance that they are discontinued

It is further recommended that the allowances scheme is amended to state that the Basic Allowance is deemed to cover:

- All in-City Travel and Subsistence costs
- All additional telecommunications and support costs that are in addition to the direct support package currently provided to Members

**Deputy City Mayor and Assistant City Mayors**

The City Mayor continues to be able to assign specific SRAs to Deputy and Assistant City Mayors as long as the total payable is within the maximum financial envelope of £196,092, subject to any indexation applicable.

**Leaders of small Groups**

For a Group Leader's SRA to be paid that a qualifying threshold has to be reached, set at 10 per cent of the Council seats, which is five. The IRP is not recommending any change to the methodology (£1,206 plus £302 per other Group Member) in how this SRA is paid, subject to any indexation that may be applicable.

**An exception - Where there are only Minority Group[s] of less than five Members**

To ensure compliance with the 2003 Members' Allowances Regulations the IRP recommends that there should be an exception to the rule of five before that Group Leader is paid an SRA. In particular, where there are only Minority Groups of less than five Members then the Leader of the largest Minority Group is paid an SRA based on the standard formula. If there are two Minority Groups of equal size but having less than five Members then each respective Group Leader should be paid a Group Leader's SRA based on the standard formula methodology (£1,206 plus £302 per other Group Member), subject to any indexation that may be applicable.

**Discontinuing the SRA for the Chair of the Standards Committee**

That the SRA currently paid to the Chair of the Standards Committee is discontinued.

**Maintaining the 1-SRA only rule**

The Council maintains the '1-SRA only' rule, in that regardless of number of remunerated posts a Member may hold (including Civic posts) they are only able to receive 1 SRA (including Civic Allowances).

**Co-optees' Allowances**

The Co-optees' Allowance is maintained at £564, subject to any applicable indexation.

**Travel & Subsistence Allowances – Outwith the City**

The allowances scheme is amended to clarify that where a Member is using an electric or hybrid vehicle on an approved duty outwith the City that they are able to claim mileage at AMAP rates, which is currently 45p per mile for the first 10,000 miles and 25p per mile thereafter.

The IRP further recommends that the current subsistence and mileage rates, approved duties, terms and conditions that are applicable for which Members can claim travel mileage and subsistence allowances and the reimbursement of public transport (where used) for travel outwith the City remain unchanged.

### **The Dependant Carers' Allowance (DCA)**

The DCA is amended as follows:

- That the current maximum hourly rate claimable for the childcare element is discontinued and replaced with the following:
  - The childcare element of the DCA can be claimed at the maximum hourly rate based on the Real Living Wage, which is currently £12 per hour
  - Members can claim for up to 1 hour before the start and for 1 hour after the end of an approved duty
  - The weekly cap on the number of hours (20) that can be claimed under the DCA is lifted to 25 hours per week, regardless of the number of dependents a Member may have
  - That the DCA continues to be claims based with claims backed up by receipts

The IRP is not making any changes to the current maximum hourly rates for which other care can be claimed, the terms and conditions for DCA claims and the definition of approved duties as they are defined by statute.

### **The Civic Allowances**

That the Civic Allowance for the Lord Mayor is amended to state:

- |   |         |
|---|---------|
| • Lord Mayor's Civic Allowance paid directly  | £12,441 |
| • Reference to the element of Civic Allowance administered by Member and Civic Support is removed from the scheme | £5,929  |

The Civic Allowance for the Deputy Lord Mayor is reset at £3,103.

The IRP further recommends that the Civic Allowance for the High Bailiff remains at £1,970.

### **Issues arising I – Lack of Pension provision for Members**

The IRP is precluded by legislation from making any recommendation regarding pension provision for elected Members.

### **Issues arising II - The remuneration of the Statutory Independent Persons (IP) – Standards Committee**

The annual remuneration of the Independent Persons for Leicester City Council remains at £2,284, subject to any applicable indexation.

### **Confirmation of indexing**

The following allowances are indexed for 4 years from 2024/25 to 2027/28, the maximum period permitted by legislation, without reference to the IRP as follows:

- **Basic Allowance, SRAs, Co-optees' and Civic Allowances and the remuneration of the Independent Persons:** updated annually in line with



the annual percentage pay increase given to Leicester City Council employees (and rounded to the nearest £ as appropriate) as agreed for each year by the National Joint Council for Local Government Staff at Spinal Column Point 43.

- **Out of City Mileage Allowance:** indexed to the HMRC AMAP (Authorised Mileage Allowance Payments) approved mileage rates.
- **Out of City Other Travel and Subsistence:** reimbursement of actual costs taking into account the most cost-effective means of transport and/or accommodation available and the convenience of use with the maximum rates indexed to the same periodic percentage increase that may be applied to Officer Travel and Subsistence Allowances.
- **Dependant Carers' Allowance:**
  - Childcare element: Hourly maximum rate claimable indexed to the Real Living Wage
  - Other care: Hourly maximum rate claimable indexed to the Council's own hourly rate for a Home Care Assistant

### **Implementation**

The new scheme of allowances based on the recommendations contained in this report is adopted from 1<sup>st</sup> April 2024.

# **A Review of Members' Allowances**

**For**

**Leicester City Council**

**By The**

**Independent Remuneration IRP**

**February 2024 Report**

## **Introduction: The Regulatory Context**

1. This report is a synopsis of the deliberations and recommendations made by the statutory Independent Remuneration IRP ('IRP' or 'Panel') appointed by the Leicester City Council to advise the Council on its Members' Allowances Scheme.
2. The IRP was convened under *The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021)* (the 2003 Regulations). These regulations, arising out of the relevant provisions in the *Local Government Act 2000*, require all local authorities to maintain an independent remuneration IRP to review and provide advice on the Council's Members Allowances. This is in the context whereby full Council retains powers of determination in setting Members' Allowances, including both levels and scope of remuneration and other allowances/reimbursements.
3. In particular, the IRP has been reconvened under the 2003 Regulations [10. (5)], which states:

Where an authority has regard to an index for the purpose of annual adjustment of allowances it must not rely on that index for longer than a period of four years before seeking a further recommendation from the independent remuneration IRP established in respect of that authority on the application of an index to its scheme.

4. This mechanism (known as the four-year rule and as such the current scheme expires at the end of 2023/24) means that all Councils are required to reconvene their IRP at least once every four years thus ensuring a degree of public accountability *vis-à-vis* their Members' Allowances schemes. It is under this requirement that the IRP has undertaken this review of Members' Allowances for the Leicester City Council.

## Terms of Reference

5. In accordance with a decision of the Council on 6<sup>th</sup> July 2023 it was decided to convene it's IRP which was provided with specific terms of reference in which it was agreed to hold a full review and to make recommendations on:
  - I. The amount of Basic Allowance that should be payable to elected Members and the expenses it should include
  - II. The categories of elected Members who should receive a Special Responsibility Allowance (SRA) and as to the amount of such an allowance
  - III. Those Co-optees who should receive a Co-optees' Allowance and as to the amount of such an allowance
  - IV. The scope and level of travel and subsistence allowances and the terms and conditions by which this may be paid
  - V. The scope and level of the Dependant Carers' Allowance
  - VI. The Civic Allowances
  - VII. Arrangements for addressing other Council related costs including telecommunications and provision of other items necessary to support Members in carrying out their roles and which are currently provided via a 'support package'
  - VIII. The application of indices to allowances payable and if so what the relevant indices should be
  - IX. The implementation date for the new Schemes of Members' Allowances
  - X. Any other issues that are brought to the IRP's attention
6. In undertaking the review, the IRP was expected to take into account
  - allowances schemes in the Leicester City Council comparator group of councils that shall consist of other mayoral authorities, and where appropriate CIPFA Near Neighbours (which also includes the geographically neighbouring cities of Nottingham, Coventry and Derby);
  - the views of Members, both written and oral
  - any other consideration that the Council obliges the IRP to take into account or brought to the IRP's attention through Member representations

- the economic climate and the need for recommendations which could be feasibly met within the existing budget envelope available
7. To ensure that the IRP operated effectively with mutual trust and in a way that secured and maintained public confidence in its impartiality, the IRP members agreed to adhere to a protocol proposed by the Director of Delivery, Communications and Political Governance<sup>1</sup>.

## The IRP

8. Leicester City Council reconvened its IRP and the following individuals were appointed to the IRP to carry out the independent review of allowances, namely:

- Paul Brown: Works in the engineering industry and is Branch Secretary and treasurer for UNITE (a Council appointment)
- Dr Declan Hall (Chair): Formerly an academic at the Institute of Local Government, The University of Birmingham, now an Independent consultant specialising in Members Allowances and support with extensive experience of reviews across the United Kingdom (a Council appointment)
- Chris Hobson: Director of Policy and Insight at East Midlands Chamber (Derbyshire, Leicestershire and Nottinghamshire), with a background in policy in both the private and public sectors, at local, regional and national levels with a range of stakeholders and building effective partnerships (a Council appointment)
- Mehrunnisa Lalani a non-executive director, University of Birmingham NHS Foundation Trust, previously Director of Inclusion for the Solicitors Regulation Authority leading on Consumer Affairs, Corporate Complaints and Equality, Diversity and Inclusion and has also sat on the Doctors and Dentists Pay Review Body. She currently works as a consultant specialising in organisational development, culture and customer service and equality and diversity (a citizen appointment)
- Jackie Lester: Formerly a senior internal auditor for the CPS. Currently works part time for a Church and is clerk to trustees of local charity (a citizen appointment)
- Prof Ludovic Renou A professor in Economics at Queen Mary University of London (a citizen appointment)

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<sup>1</sup> See Appendix 1 for relevant declarations of interest and Appendix 2 for the operational protocol

9. Logistical and practical support to the IRP was provided through Miranda Cannon, Director of Delivery, Communications & Political Governance at Leicester City Council and Shaaeda Qureshi, Executive Assistant.

### **The IRP's Approach to the Review**

10. The IRP met at the City Hall, Leicester, on
  - 14<sup>th</sup> November 2023
  - 17<sup>th</sup> November 2023
  - 8<sup>th</sup> December 2023
  - 19<sup>th</sup> December 2023
11. It was at these meetings that the IRP received a training session from the IRP Chair on members' allowances, to consider the evidence and receive factual briefings on the Council by Officers. All Members were sent a short questionnaire so as to ensure that no elected Member was denied a voice during the review. Furthermore, a representative range of elected Members were invited to meet with the IRP and all elected Members who specially requested to meet with the IRP were accommodated as far as practically possible. To ensure that a common set of questions were posed to all elected Members by the IRP the short questionnaire was used as the template for oral discussions with Members.
12. The IRP also reviewed a wide range of relevant written information, such as Council and committee meetings schedules, benchmarking data, the statutory guidance, the relevant Regulations, etc. The IRP meetings were held in private session to enable it to meet with Members and Officers and consider the evidence in confidence. For a full list of information and evidence considered and interviewees see the following appendices:
  - Appendix 1: Declarations of interest
  - Appendix 2: The IRPs operational protocol
  - Appendix 3: Members and Officers who met with the IRP including those Members who made a written submission
  - Appendix 4: List of information received and considered by the IRP
  - Appendix 5: Benchmarking against other comparable councils namely the 11 other principal Mayoral councils and Leicester City Council's nine Nearest Neighbours (214 model) as defined by the Chartered Institute of Public Finance and Accountancy (CIPFA) and other public offices

### **Principles underpinning the review**

13. As per the previous review the IRP adopted a number of common principles of elected Member and City Mayor remuneration to ensure that its recommendations are on a sound footing. By bearing these principles in mind the IRP has sought to bring consistency and robustness to its recommendations.

## **Transparency**

14. Members' allowances and support should be transparent in that the basis of remuneration and support should be understood by both Members and Officers and importantly the public.

## **Straightforward to administer**

15. Members' allowances and support should not be administratively burdensome to claim by Members nor costly to manage by Officers.

## **Fairness**

16. Members' allowances and support should be fair in that it provides a degree of recompense for workload and responsibility yet not create too many differentials in remuneration. Allowances should also be equitable when compared to peers.

## **Accountability**

17. As Members ultimately determine their own allowances and support, on advice from the IRP, they should be able to justify to the public their remuneration and support in terms of their own workloads and responsibility and in a comparative context. As such the recommendations should be robust and reasonable.

## **Benchmarking: Elected Mayors, Near Neighbours & UK-wide**

18. The IRP, in accordance with its terms of reference, benchmarked the scope and levels of allowances paid to Leicester Councillors and City Mayor. Specifically, the IRP benchmarked against the 11 principal (i.e., excluding district) councils that have an elected Mayor form of executive governance plus councils defined as Leicester's nine 'Nearest Neighbours' by the Chartered Institute of Public Finance & Accountancy (CIPFA – 2014 model). Nearest Neighbours are ranked in order according to how similar to Leicester they are deemed to be by CIPFA on a range of demographic and socio-economic criteria, with a score of one being the most similar (Luton). The IRP also considered remuneration of other public offices locally, regionally and from across the UK.<sup>2</sup>

## **Key Messages/Comments**

### **The Representation received**

19. In the interviews with Members and in the written submissions and representations received by the IRP the overwhelming view expressed was that there was no case to appreciably revise the current allowances scheme. While there were some representations arguing for a radical overhaul of the current scheme, largely around redistributing the current spend from SRAs and onto the Basic Allowance, it was very much a minority view.

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<sup>2</sup> See Appendix 5 for summaries of benchmarking data.

## **Benchmarking presentation received**

20. When looking at the Basic Allowance and SRAs paid at Leicester City Council and comparing to the 19 other Councils in the comparator group used for benchmarking purposes the levels payable in Leicester City Council are with a couple of exceptions broadly comparable in both levels and scope. Again, the IRP took this as evidence that the current scheme is broadly fit for purpose and not in need of a fundamental revision.

## **The current financial context**

21. During the course of the review the IRP was made aware of the financial constraints facing the Council and now was not the time to increase the current amount of money spent on Members' Allowances. Moreover, it was also raised that with the cost of living crisis impacting on the City's residents that the Council could not be seen to increase the money spent on Members' Allowances. At the same time, the IRP was cognisant that the cost of living crisis also impacted upon Members, they too are facing the same financial pressures as other folk so a balance has to be struck. Nonetheless, once again the IRP has taken aboard this message and the recommendations made in this review if accepted in their entirety will result in a very small financial saving.

## **Being an elected Member and the function of an Allowances Scheme**

22. In setting remuneration for employees a standard principle is that it should encourage recruitment and retention. Indeed, one of the themes emerging from the representations made to the IRP was that the Basic Allowance in particular is insufficient, for most elected Members, to live on. However, Councillors are not employees and their role as elected representatives is not intended to be viewed as a job, it is an elected public office. Unlike when setting wages for employees the IRP has sought to ensure that the allowances scheme enables as wide a range of people as possible are able to consider being an elected Member by helping to remove barriers they may experience in undertaking that role. Furthermore, a significant proportion of the formal committee activity takes place in the evening which again the allowances scheme recognises and tries to balance that Members are not employees and may have substantive employment.
23. The policy intention behind the requirement to establish a Members' Allowances scheme for all English councils is not to facilitate professional backbench Councillors but to enable backbench Members' to stand for and remain on Council by providing recompense for the time required to undertake their roles and responsibilities without it being deemed equivalent to a job. Members' allowances schemes are not intended to 'attract' candidates for Council by paying at full 'market rates.' The desire to serve local communities and residents is the prime motive for being a Councillor. Remuneration should not be a driver in citizens putting themselves forward to stand for council, as it negates the public service principle that is inherent in a Member's role. Yet, nor should remuneration be at a level that excludes a wider representative range of people from standing for Council because it would impose undue financial pressures on them.
24. The IRP has sought to recommend a scheme which goes some way towards compensating Members for their time and, importantly, seeks to minimise any

financial barriers to public service so as to enable a wider range of people to become Councillors without incurring undue personal financial cost.

### **The Allowances Scheme is broadly ‘fit for purpose’**

25. The 2016 review modernised the Leicester City Council allowances scheme that had not changed since the establishment of the City Mayor in 2011. In particular it applied uplifts to the Basic Allowance and SRAs that had been frozen since 2011 and rationalised the support package to better reflect changes in telecommunications and technology. The 2019 review made marginal adjustments to the framework that was already in place
26. Overall, this review concluded that the current allowances scheme has stood the test of time since the previous review in 2019. In general, benchmarking shows that the Leicester scheme is comparable to peers; a view that was in the main backed up by the representations made to the IRP. As such, this time around the main tasks of the IRP has been to address anomalies arising and give consideration to representation received regarding aspects of the scheme that were thought to be inequitable.

### **Recommendations - the Basic Allowance**

27. In considering the appropriateness of the current Basic Allowance (£11,473), the IRP considered four reference points. This has been done by putting the current Basic Allowance to a ‘stress test’; by taking into account four points of reference, namely
  - I. What the Basic Allowance would be if fully indexed
  - II. Recalibration based on the 2006 Statutory Guidance
  - III. Benchmarking
  - IV. Representation received by the IRP

#### **I. A fully indexed Basic Allowance**

28. The IRP notes that for 2022/23 and 2023/24 the Basic Allowance (and SRAs) have not been uplifted by the index mechanism recommended by the IRP and adopted by the Council in 2020, namely the same annual percentage uplift in staff salaries as agreed each year by the National Joint Council (NJC) for Local Government Services, which was complicated by the fact that a flat rate amount rather than percentage uplift was used for those pay awards and which the scheme did not formally accommodate. (The IRP has addressed this issue in its recommendations on indexation). Consequently, the Council has chosen not to apply the NJC index for this year and last year as it was cognisant of the pressures on the Local Authority budgets, which is its right to do.
29. However, the IRP notes that if the Basic Allowance had been fully indexed in line with the annual NJC salary percentage increase (at Spinal Column Point 43) it would now mean the Basic Allowance would be £12,400. The IRP is not seeking necessarily to overturn a decision of the Council by showing what the fully indexed Basic Allowance (£12,400) would now be. It is simply pointing out that the Basic Allowance could be higher than it currently is.



## **II. Recalibrating the Basic Allowance in line with the 2006 Statutory Guidance**

30. In arriving at recommendations the IRP is required to pay regard to the 2006 Statutory Guidance. In considering the Basic Allowance the 2006 Statutory Guidance (paragraph 67) states:

Having established what local councillors do, and the hours which are devoted to these tasks the local authorities will need to take a view on the rate at which, and the number of hours for which, councillors ought to be remunerated.

31. The Statutory Guidance (paragraphs 68-69) expands on the above statement by breaking it down to three variables, namely
- Time
  - Recognising public service principle
  - The rate of remuneration

### **Time to fulfil duties for which the Basic Allowance is paid**

32. The Basic Allowance is primarily a time-based payment (see 2006 Statutory Guidance paragraph 10). It is paid to compensate for workload. Obviously Members work in different ways and have varying commitments and the time spent on council duties varies. Yet, the Basic Allowance is a flat rate allowance that must be paid equally to all Members. So the time assessment is typically taken as the average to carry out all those duties for which the Basic Allowance is paid.<sup>3</sup>
33. The most up to date information available on what is a reasonable time expectation for which the Basic Allowance is paid has been derived from the 2022 Councillors Census. In data supplied to the Chair of the IRP from the Local Government Association (LGA), it showed that Councillors in unitary councils who held "no positions" of responsibility put in on average 22.8 hours per week "on council business"<sup>4</sup>. The LGA includes within "council business"
- Council/committee meetings
  - Working with community groups
  - Engaging with constituents, etc.
  - Other<sup>5</sup>
34. For the purposes of recalibrating the Basic Allowance in line with the 2006 Statutory Guidance the IRP has equated 22.8 hours per week to 148.2 days per year (or 2.85 days per week) based on an 8 hour working day as the expected time input from Members for their Basic Allowance.

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<sup>3</sup> See Role Description for Ward Councillor, Leicester City Council, 1<sup>st</sup> March 2019

<sup>4</sup> Information based on National Census of Local Authority Councillors 2022 (LGA), breakdown of mean weekly hours put in on council business by councillors by number of positions held and type of council, in email from S. Richards, LGA 17<sup>th</sup> May 2023.

<sup>5</sup> See LGA, National census of local authority councillors 2022, Chart 7, page 11

35. The IRP recognises that based on the representation received some Members who hold no positions do put in more than the equivalent of 2.85 days per week. But that's through choice rather than requirement.

### **Recognising the Voluntary Principle – A Public Service Discount (PSD)**

36. The 2006 Statutory Guidance (paragraph 68) goes on to state

It is important that some element of the work of [elected] members continues to be voluntary – that some hours are not remunerated.

37. The element of unremunerated time often known as the 'Public Service Discount' (PSD) recognises the principle of public service. Thus, the voluntary principle is realised by discounting an element of the expected time inputs associated with the Basic Allowance. The typical range for this public service discount is between 30% - 40%, largely on the basis that is broadly in line with the proportion of time backbenchers spend on

- Dealing with constituents
- Attending surgeries
- General enquiries from citizens and
- Other constituent/ward related activities.

38. The IRP has opted for voluntary discount of 35 per cent as it is in line with the size of the voluntary discount utilised in establishing the original Basic Allowance under the 2003 Regulations. It is also the most common size of voluntary discount used by IRPs in principal councils.

39. Thus, by applying a voluntary discount of 35 per cent to the expected time input of 148.2 days per year it produces a voluntary element of 51.87 days per year. These are the hours that are 'not remunerated', deemed to be public service, leaving 96.33 remunerated days per year.

### **The rate for remuneration**

40. Historically the rate for remuneration used to set the Basic Allowance (with the current Basic Allowance framework being set in the 2007 review) was based on the East Midlands male non-manual gross daily salary. This was a regional version of an advisory day rate published by the LGA to assist IRPs in setting a rate of remuneration, which by 2010 had reached £152.77 per day.<sup>6</sup>
41. However, the LGA has since stopped issuing this advice as IRPs switched to a more locally based rate of remuneration as it more closely reflects the typical earnings of elected Members' constituents. The reason for the switch was one of data availability: the Office of National Statistics started to collect and publish data on average earnings on a council by council basis about 10 years ago in its Annual Survey of Hours & Earnings (ASHE). It also means that the rate for remuneration is seen as more robust, basing it on average earnings of those who Members represent cannot be seen as excessive.

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<sup>6</sup> See LGAAlert 62/10, Members' Allowances, 23 June 2010

42. In 2023, the mean gross daily salary for all full-time employee jobs within the area of the Leicester City Council was £134.74 as published by the Office of National Statistics (ONS).<sup>7</sup> For the purposes of recalibrating the Basic Allowance the IRP has adopted a rate for remuneration at £134.74 per day.
43. If the IRP updated the variables to arrive at a recalibrated Basic Allowance to take into account the most recent data available it gives the following values:
- Time required for backbencher: 148.2 days per year (2.85 per week)
  - Public Service Discount: 35% (51.87 days)
  - Rate for Remuneration: £134.74 per day
44. By following the methodology as set out in the 2006 Statutory Guidance with the updated variables it produces the following recalibrated Basic Allowance:
- 148.2 days per year input minus 35% PSD (51.87 days)  
= 96.33 remunerated days per year multiplied by £134.74 per day  
= £12,980

### III. Benchmarking

45. Benchmarking<sup>8</sup> shows that the current Leicester Basic Allowance is somewhat below the average paid in the benchmarking group of Councils:
- Benchmarking group mean Basic Allowance £11,725
  - Benchmarking group median Basic Allowance £11,898
  - Leicester City Council 2023/24 Basic Allowance £11,473
46. However, what the benchmarking does not take into account is the additional allowances paid directly to Leicester City Council Members, namely the annual sums of £1,000 for in-City travel and subsistence and £333 for telecommunications and support (see below for how the IRP has addressed these allowances).
47. The IRP further notes that Non-Executive Directors (NED) on an NHS Trust are paid £13,000 per year for a stated time commitment of 3-4 days per month, although in reality the required time commitment for a NED on an NHS Trust can often be more.

### IV. Representation received by the IRP

48. Finally, the fourth reference point considered by the IRP was the representation received from elected Members. In summary, there was broad agreement that the current Basic Allowance was appropriate.

<sup>7</sup> See ASHE, 2023, Table 7.1a - Mean weekly pay - gross - for full time employee jobs in area of Leicester City Council, which is £673.70 and divided by 5 working days equals £134.74 per day. See [earningsandworkinghours/datasets/placeofworkbylocalauthorityshetable7](https://www.ashe.org.uk/datasets/placeofworkbylocalauthorityshetable7)

<sup>8</sup> See Appendix Five BM1

## Recommending the recalibrated Basic Allowance

49. The IRP by going through the four reference points above generally provides a case to increase the Basic Allowance. However, the Leicester City Council Members' Allowances scheme has two unusual features:

- Annual in-City Travel and Subsistence Allowance £1,000
- Annual Telecommunications and Support Allowance £333

### Adding the in-City Travel & Subsistence Allowance to the Basic Allowance

50. Currently all Members are automatically paid a monthly sum of £83.33 (£1,000 per year) to cover all in-City Travel and Subsistence costs. This was introduced to avoid the need to make claims and have discussions over what constituted an approved duty. It is noted that Members also benefit from the provision of free car parking in the city centre to support them in relation to in-City travel.
51. The IRP considered whether it was still relevant and if so whether it would be more equitable to make it a claims-based allowance. It is noted that out of the 20 Councils in the comparator group in 11 of them the Basic Allowance is deemed to cover the in-Authority travel and subsistence costs, with nine keeping a claims based approach.
52. The IRP concluded that it was only equitable that Members have their in-City Travel and Subsistence costs covered. It then considered whether it should be claims-based. However, introducing claims-based in-City Travel and Subsistence Allowances brings its own issues – there would be an additional work on the part of Members to make such claims and Officer time in processing and checking claims plus there would be the issue of what constituted an approved duty. Whichever way the IRP dealt with these allowances there would be inequalities and issues either way. The IRP decided that the simplest approach would be to add the in-City Travel and Subsistence Allowance to the current Basic Allowance (£11,473), which equates to £12,473.

### Adding the Telecommunications & Support Allowance to the Basic Allowance

53. In addition Members are automatically paid £27.75 per month (£333 per year) as a Telecommunications & Support Allowance. This is paid as a contribution to council related costs for use of:
- Telecommunications at a Member's home including any private mobile phone costs and;
  - Miscellaneous items which the Member feels necessary to support their role as a Member
54. Again the IRP considered whether this allowance was justified particularly as Members receive a standard support package that includes:
- Laptop, docking station, monitor, keyboard, mouse and headset
  - Mobile phone with monthly contract including minutes and data
  - Arranging and paying for surgery costs
  - Use of Council copiers and printers

- Copying services when requested
  - General stationery
55. The IRP again considered whether this allowance was justified considering the direct support provided to Members by the Council. Where such a level of support is provided to Members elsewhere it is not typical of an additional allowance to be paid. However, the IRP concluded that there could be items that a Member would have to buy that are not covered by the directly provided support package, such as filing cabinets, office desk and chair, a printer, etc.
56. Once again the IRP considered whether these additional costs should be best addressed through requiring Members to make claims for such costs. Similarly, by introducing a claims-based approach for such costs creates an administrative burden on both Members and Officers and requires a definition of what such costs are covered that may not be inclusive. The IRP has decided to add this allowance to the uplifted Basic Allowance (£12,473 – including in-City Travel and Subsistence costs) which equates to £12,806.
57. The IRP notes that by adding the current in-City Travel and Subsistence Allowance to the Basic Allowance that it would be subject to indexation, which is not currently the case.
58. Furthermore, the IRP has decided to uplift the inclusive Basic Allowance of £12,806 to £12,900. It has done this because:
- It has the financial headroom to do so
  - It is recognition, albeit it a small one, to the cost of living crisis that also applies to Members.
59. By resetting an inclusive Basic Allowance at £12,900 the IRP notes that it brings it close to the recalibrated Basic Allowance (£12,980). Furthermore, it also places it in the middle of other most comparable Midlands Councils, namely:
- |                 |         |
|-----------------|---------|
| • Coventry      | £15,340 |
| • Nottingham    | £13,966 |
| • Derby         | £12,145 |
| • Sandwell      | £11,552 |
| • Wolverhampton | £11,500 |
60. **The IRP recommends that the in-City Travel and Subsistence (£1,000) and Telecommunications and Support Allowance (£333) are discontinued and the Basic Allowance reset at £12,900 for 2024/25, subject to any indexation that may be applicable.**
61. **It is further recommended that the allowances scheme is amended to state that the Basic Allowance is deemed to cover:**
- **All in-City Travel and Subsistence costs**
  - **All additional telecommunications and support costs that are in addition to the direct support package currently provided to Members**

## **Special Responsibility Allowances – the City Mayor**

62. All political executive powers are vested in the office of the City Mayor who is responsible for the allocation/discharge of all Executive functions and decides how they are exercised. The City Mayor has a number of responsibilities falling under the broad headings:
- Strategic leadership
  - Organisational leadership
  - Communication and engagement
  - Corporate governance
  - Service delivery
  - Leadership and performance management
63. There has also been a Leicester City Council specific reform which further enhances the responsibility of the City Mayor. Since 2011 the post of Chief Executive was abolished, with the City Mayor, taking up some the functions of the Chief Executive, mainly around organisational leadership and partnership working. The City Mayor has become ‘more hands on’, more so than a typical elected Mayor. In this context, the City Mayor provides stronger direction of the Council as an organisation as well as being the “public” face of the Council. Clearly, the role of City Mayor is a substantial one that requires a full-time commitment regardless of the individual holding the post.

## **Historical Basis of City Mayor’s remuneration – linked to MPs Salary**

64. The remuneration (currently a total of £78,411) of the City Mayor (SRA of £66,938 and Basic Allowance of £11,473) was set back in 2011 when the post was established. In particular, it was set with reference to the salary of a backbench MP at that time. Indeed most elected mayors in England have had their remuneration set by reference to a MPs salary at the time of the post being established. This approach in the absence of any other obvious comparators at the time seemed reasonable and had the advantage of being transparent, simple to understand, and have a degree of acceptance on the part of the public.
65. Although the remuneration of the City Mayor was originally set by reference to a MPs salary in 2011 it was never indexed to it and was frozen until the 2016 review. It was at this review that the explicit link between the remuneration of the City Mayor and a MPs salary was discontinued largely as the IRP was keen to keep within the then financial envelope. At the time the main priorities for the IRP were to bring up to date the Basic Allowance and most SRAs by applying a retrospective index.

## **The City Mayor’s remuneration**

66. The IRP gave due consideration to the option of restoring a link between the City Mayor’s remuneration and a MPs salary (currently £86,586) and indexing to a MPs salary going forward, particularly recognising the nature of the role and that whoever the post holder is; it is clearly a full-time role.

67. However, the IRP continues to hold the view that the role of MP is not an appropriate comparator to that of the City Mayor. The IRP has decided not to restore the link between the City Mayor's remuneration and an MP's salary.

### **Benchmarking the remuneration of the City Mayor**

68. Nonetheless, benchmarking does show that the remuneration of the City Mayor has started to lag somewhat in relation to peers, where the

- Mean remuneration of elected mayors of principal authorities £79,156
- Median remuneration £79,954
- Leicester City Mayor current remuneration £78,411

69. This in itself is not a *prima facie* case to increase the remuneration of the City Mayor. In particular once the all-inclusive and uplifted Basic Allowance (£12,900) is taken into account it takes the City Mayor's total remuneration to £79,838 which is in line with the average total remuneration paid to Elected Mayors in the benchmarking group. As such, the IRP concluded that it received no evidence to revise the current SRA (£66,938) for the City Mayor.

70. **The IRP recommends that the SRA for the City Mayor remains at £66,938 for 2024/25, subject to any indexation that may be applicable.**

### **Deputy City Mayor and Assistant City Mayors**

71. Currently the allowances scheme specifies the other executive SRAs as follows:

- Deputy City Mayor (1) £45,212
- Assistant City Mayors (up to 8) £18,860

72. In the 2016 review, in response to representation made, the IRP introduced flexibility in how SRAs were paid to Assistant City Mayors by introducing three bands payable depending on workload and size of the portfolio an Assistant City Mayor was deemed to have by the City Mayor. By paying some Assistant City Mayors a lower rate it also enabled the City Mayor to pay an additional Deputy Mayor as long as the total spend did not exceed the maximum pot.

73. In the 2019 review the IRP took this approach to its logical conclusion by supporting the City Mayor in their ability to remunerate as many Deputy and Assistant City Mayors as they appointed with an SRA determined by the City Mayor that is capped by two reference points:

- The legal requirement that no more than nine other executive posts can be appointed
- The maximum financial envelope of now £196,092 to remunerate such posts is not exceeded

74. At present the City Mayor makes the following appointments and pays the following SRAs

- Deputy City Mayors (x3) £32,303
- Assistant City Mayors (x3) £11,636

75. Currently, the total spend on the other Executive SRAs is £131,817, leaving an additional sum of £64,275 that currently goes unspent. This led the IRP to consider whether there was a case to reduce the current maximum pot of £196,092. However, the IRP was informed that the fact that the current maximum was not currently spent on other Executive SRAs did not mean that it may not be spent in the future that would reflect Executive priorities and individual capacities.
76. Due to the flexible approach in how the City Mayor can pay SRAs to the other Executive Members benchmarking is not of a particular relevance in this case. As such, the IRP concluded that there was no need to revisit the current maximum pot.
77. The IRP did receive some representation that there was no need for three Deputy Mayors. However, the IRP felt this was not an issue it really needed to comment upon – as long as the maximum pot was not exceeded and bearing in mind the City Mayor cannot legally appoint more than nine other Executive Members then it is not for the IRP to say how the City Mayor assigns the other Executive roles.
78. **Consequently, the IRP recommends that there is no change to the methodology in how the other Executive SRAs are arrived at based on the following formula:**

- **One Deputy City Mayor's SRA** **£45,212**
- **Up to eight Assistant City Mayor's SRAs** **£18,860**

79. This formula produces a total pot of £196,092 to be spent on other Executive SRAs as assigned by the City Mayor. **The IRP recommends that this maximum sum of £196,092 to be spent on other Executive SRAs as determined by the City Mayor is maintained, subject to any indexation that may be applicable.**

### **Other SRAs – Where the IRP is recommending no change**

80. The IRP considered the SRAs as set out in table 1 below and it received no evidence that they required revision largely on the following grounds:
- Based on the representation received
  - They are all broadly in line with equivalent SRAs paid the comparator group of Councils

Table 1 - SRAs where the IRP is recommending no change

<b>Scrutiny</b>	<b>Numbers payable</b>	<b>Recommended SRA</b>
Chair Overview Select Committee	1	£10,666
Vice Chair Overview Select Committee	1	£2,666
Chairs Scrutiny Commissions	6	£8,889
Vice Chairs Scrutiny Commissions	6	£2,222
<b>Regulatory</b>		
Chair Planning & Development Control	1	£10,666



Vice Chair Planning & Development Control	1	£2,666
Chair Licensing & Public Safety	1	£10,666
Vice Chair Licensing & Public Safety	2	£2,666
Chair Audit & Risk	1	£6,518
<b>Group Positions</b>		
Largest Minority Group Leader (£1,206 + £302 X 16 Members)	1	£6,038

81. **The IRP recommends that the SRAs listed above in table 1 remain unchanged, subject to any indexation that may apply.**

### **Other SRAs – Change – Leaders of small Groups**

82. Currently there are two small Groups – Liberal Democrats and Greens – each consisting of three Members. The Leader of the Liberal Democrat Group receives an SRA based on the standard formula of £1,206 plus £302 for each of the other two Group Members which equates to £1,810. The Green Group have not appointed a Group Leader so no Leader of small groups SRA is payable. Under the Widdecombe rules of the 1989 Local Government Act it only requires two Members to form a political Group on a Council. However, it is common for IRPs to take the view that a political Group consisting of only a handful of Members does not reach a critical mass significant enough for the Group Leader to merit an SRA, and a qualifying threshold is put in place, often at 10 per cent of the Council seats. For instance, see the Bedford, Blackburn with Darwen, Derby, Doncaster, Lewisham, Middlesbrough, Newham, North Tyneside, Salford and Tower Hamlets Members' Allowances schemes, which all have qualifying criterion for an SRA to be paid to (Minority) Group Leaders.<sup>9</sup>
83. As it is common practice the IRP has decided to adopt that approach and **recommends that for a Group Leader's SRA to be paid that a qualifying threshold has to be reached, set at 10 per of the Council seats, which when rounded down from 54 Council Members in total equates to five Members. The IRP is not recommending any change to the methodology (£1,206 plus £302 per Group Member) in how this SRA is paid, subject to any indexation that may be applicable.**

### **An Exception - Where there are only Minority Groups of less than five Members**

84. The 2003 Members' Allowances Regulations (Reg 5(2)) require that where Members are divided into at least two political groups and a majority of Members form a controlling group that at least one Member of the Opposition shall be paid an SRA. It is the practice in Leicester City Council (as is legally permitted and done in most Councils) for the controlling group to take up all the remunerated posts. As such, there could conceivably be a situation where the only Minority Group in place has less than five Members and based on the recommendation above (that a Group requires five Members for a Group Leader's SRA to be paid) would not be paid an SRA and therefore the Council would be in breach of the 2003 Regulations.

<sup>9</sup> Nearly all of the other Councils in the benchmarking group have no provision for paying an SRA to Leaders of other Minority Groups, just the Leader of the main Opposition Group.

85. Consequently, to ensure compliance with the 2003 Members' Allowances Regulations **the IRP recommends that there should be an exception to the rule of five before that Group Leader is paid an SRA. In particular, where there are only Minority Groups of less than five Members then the Leader of the largest Minority Group is paid an SRA based on the standard formula. If there are two Minority Groups of equal size but having less than five Members then each respective Group Leader should be paid a Group Leader's SRA based on the standard formula methodology (£1,206 plus £302 per Group Member), subject to any indexation that may be applicable.**

### **SRAs for the Majority and Largest Minority Group Chief Whips**

86. Currently, the Group Chief Whip of the Majority Group (Labour) receives an SRA of £8,889. This type of SRA is comparatively common in principal councils and as such the IRP supports the continuation of this SRA. However, the IRP did receive significant representation that as there was now a sizable Main Opposition Group (Conservatives) with 17 Members that the Conservative Group Chief Whip should also receive an SRA. The IRP has accepted this argument. The Conservative Group Chief Whip, with 17 Members, now has a pastoral and administrative role that did not exist previously.
87. Furthermore, the IRP notes that the role of the Chief Whip of the Majority (Labour) Group is not as large as it was at the time of the last review, when Labour had 53 out of 54 Members and now has 30 out of 54 Members. As such, the IRP has decided that while the Chief Whip of the largest Minority Group should receive an SRA there should be a corresponding decrease in the SRA for the Majority Group Chief Whip thus making the recommendation cost neutral.
88. The IRP notes that the largest Minority Group now has 32 per cent of the seats on Council. As such, the SRA for the Chief Whip of the largest Minority Group has been set at 32 per cent of the SRA currently paid (£8,889) which equates to £2,851, with the SRA for the Chief Whip of the Majority Group being reducing by the corresponding amount of £2,851, which equates to £6,038. These two SRAs should be fixed until the IRP undertakes its next review and will consider any relevant changes in size of the majority and main Opposition Groups.
89. **The IRP recommends that the SRA for the Chief Whip is reset at £6,038 and the Chief Whip of the largest Minority Group is paid an SRA of £2,851, subject to any indexation that may be applicable.**

### **Discontinuing the SRA for the Chair of the Standards Committee**

90. Currently, the Chair of the Standards Committee is entitled to an SRA of £3,171. This SRA was set when the Standards regime operated in a different context. Before the Localism Act 2011 any complaint against a Member automatically went to the Standards Committee for a decision – to decide whether there was no merit to the complaint or that it should go before a Standards Hearing Panel for determination. Since the Localism Act 2011 the merits of a complaint against a Member now goes to the Monitoring Officer who in consultation with the Independent Person are expected to resolve the issue informally, which it has done as there has been no Standards Hearings Panels since 2018. Also prior to the Localism Act a Standards Hearings Panel had the powers to suspend a

Member for up to six months if a Member had been deemed to be seriously in breach of the Code of Conduct, with an accompanying withholding of any relevant allowances; that power no longer exists.

91. While Standards is a statutory function there is no longer a statutory requirement to maintain a Standards Committee, although Leicester City Council has chosen to do so. There is a function to undertake but in recent years it relates mainly to refining and readopting the Council's Code of Conduct, in which the Monitoring Officer also has an important role. A sign of how the Standards regime has changed is the number of meetings of the Standards Committee, since 2019/20 to date there have been 10 Standards meetings scheduled, on average two per year but of these scheduled meetings four have been cancelled due to lack of business, meaning that on average there are just over one Standards Committee meetings per year. The IRP has concluded that the role of the Chair of the Standards Committee does not meet the test of requiring a significant time commitment and that the SRA for it should be discontinued.
92. **The IRP recommends that the SRA for the Chair of the Standards Committee is discontinued.**

#### **SRAs Considered but not recommended – Vice Chair of the Audit & Risk Committee**

93. The IRP noted that the Audit & Risk Committee appoint a standing Vice Chair but is not paid an SRA. There was some limited representation received that the Vice Chair of the Audit & Risk Committee merited a small SRA. The IRP considered whether there was a case to reconsider this position but no other substantial evidence was received to do so.
94. **The IRP does not recommend that the Vice Chair of the Audit & Risk Committee is paid an SRA.**

#### **Maintaining the 1-SRA only rule**

95. The 2003 Regulations do not prohibit the payment of multiple SRAs to Members. However, since SRAs are no longer insignificant most Councils have adopted the '1-SRA only' rule. In other words, regardless of the number of remunerated posts individual Members may hold they can only be paid 1 SRA.
96. Moreover, this cap on the payment of SRAs to Members means that posts are not simply sought out for financial reasons; i.e. collecting remunerated posts does not enhance remuneration. Indeed, the logic of the 1-SRA only rule is that it helps to spread such posts around more. It also makes for a more transparent allowances scheme and acts as a brake on the total paid out each year in SRAs, as in practice it will be highly unusual if all SRAs are paid out annually, resulting in a saving to the Council.
97. Leicester has adopted the 1-SRA only rule and the IRP continues to support this rule as good practice.

98. **The IRP recommends that the Council maintains the current 1-SRA only rule (including the Civic Allowance) rule so that a Member can receive no more than one SRA.**

### **Co-optees' Allowances**

99. Currently the allowances scheme pays a Co-optees' Allowance of £564 to the five co-opted Members on Standards and four co-opted Members on the Children, Young People & Schools Scrutiny Commission. As the IRP has recommended the discontinuation of the SRA for the Chair of the Standards Committee the IRP considered whether there was still a case to continue paying a Co-optees' Allowance to the co-opted Members on the Standards Committee. However, the IRP was informed the Co-opted Members on the Standards Committee have to meet a recruitment criteria and their input is valued by the Monitoring Officer. As such, the IRP concluded that their Co-optees' Allowance was still merited.
100. No evidence was received to suggest this allowance should be revised.
101. **The IRP recommends that the Co-optees' Allowance is maintained at £564, subject to any applicable indexation.**

### **Travel & Subsistence Allowances – Outwith the City**

102. Currently, Members are required to make claims for travel and subsistence when attending approved duties outwith the City. The maximum rates are specified in Schedule 2 of the allowances scheme. This approach does not impose excessive administrative costs as it is claimed by fewer Members on limited occasions and as such this approach should be maintained.
103. The mileage rates that Members can claim for undertaking approved duties outwith the City are based on the HMRCs "Authorised Mileage Approved Mileage" (AMAP) rates. These rates are typically utilised by local authorities in determining Members' (and in some cases Officers') mileage rates; primarily because they are tax efficient in that they do not incur any tax liability for Members. The HMRC mileage rates are also the most prevalent mileage rates in the wider public sector. The IRP received no evidence to revise these rates.
104. However, the IRP notes the advice of the Office for Low Emission Vehicles which states (paragraph 12.1) in that "electric and hybrid cars are treated in the same way as petrol and diesel cars for the purposes of AMAPs." AMAPs (Authorised Mileage Allowance Payments) are the rates applicable to Members when claiming mileage allowances when driving a petrol/diesel powered car. While no issues were raised regarding the use of electric or hybrid vehicles the IRP has taken this opportunity to future proof the scheme to clarify the appropriate mileage rates if a Member uses an electric or hybrid vehicle for attending an approved duty outwith the City.
105. It is pointed out that HMRC AMAP rates do not simply cover the fuel element but are intended to reflect the total running costs of running a vehicle including wear and tear, depreciation, etc.

106. **The IRP recommends that the allowances scheme is amended to clarify that where a Member is using an electric or hybrid vehicle on an approved duty outwith the City that they are able to claim mileage at AMAP rates, which is currently 45p per mile for the first 10,000 miles and 25p per mile thereafter.**
107. **The IRP further recommends that the outwith current subsistence and mileage rates, approved duties, terms and conditions that are applicable for which Members can claim travel mileage and subsistence allowances and the reimbursement of public transport (where used) remain unchanged.**
108. **For transparency the IRP has set out the main travel and substantive allowances as follows:**

### **Travel and Subsistence - Outside the City**

Approved Duties include:-

- I. Attendance at meetings of Outside Bodies as approved by the Executive/Council or the Group Whips.
- II. Training courses, conferences and seminars in the furtherance of the Member's performance of their duties as a Member,
- III. Other activities which, in the view of the City Barrister and Head of Standards are in the interests of the Council.
- IV. For all claims for travel expenses, tickets, receipts or equivalent travel documents must be provided. The claim must include the reason for the journey.

#### **i) Travel**

- Public Transport – paid at the amount of an ordinary fare or any available cheap fares (tickets/receipts required).
- Taxi – where no public transport is reasonably available, the amount of the fare plus any reasonable gratuity paid (receipt required). In other cases the amount of the fare for travel by appropriate transport will be paid. Taxis should only be used in exceptional circumstances. Significant taxi expenditure should be approved in advance by the Group Whip.
- Private Transport Rates payable at the level of the Approved Mileage Allowance Payment (AMAPs) laid down by the Inland Revenue as a tax free "approved amount" and shall be amended in line with any changes made to these amounts as and when they occur.

Car or Van*	45p per mile for the first 10,000 miles 25p per mile thereafter
Motor Cycle*	24p per mile (all miles)
Pedal Cycle	20p per mile (all miles)

An additional 5p per mile will be paid when one or more passengers travel to an approved duty in the same car.

Parking                      The cost of parking fees (including overnight garaging), tolls and ferries can also be claimed.

\*A valid VAT receipt for fuel is required for any car/van or motorcycle mileage claims.

- Hired Motor Vehicle (car/light van) The same rates as if the vehicle were privately owned

The same rates as if the vehicle were privately owned (where approved by the City Barrister and Head of Standards the rate may be increased to an amount not exceeding the cost of hiring)

If the Council hires the vehicle the tax-free rates are limited to the fuel element as detailed in HMRC guidance.

- Travel by Air Payable provided that the City Barrister and Head of Standards agrees that the time saved justifies the fare. The rate of payment will not exceed the ordinary or any cheap fare available, or where no such service is available or in case of an emergency, the fare actually paid by the Member. This must be receipted to be tax-free.

## ii) Subsistence Allowance (outside of Leicester)

- The allowance will not apply to a meal which is already provided at no charge or included in a conference/course fee.
- Receipts must be provided (where available a VAT receipt) for audit and reclaim purposes as a condition of the allowance.
- The actual money spent on the meal can be reclaimed up to a maximum allowance (see table below) on production of a receipt.

Meal	Qualifying duty period (inclusive of travelling time)	Rate
Breakfast	3 hours before 11.00 am	£8.00
Lunch	2 hours between 12 noon and 2.00 pm	£10.92
Tea	3 hours including 3.00 pm to 6.00 pm	£4.78
Dinner	3 hours ending after 7.00 pm	£18.72

Tea and dinner allowances will not be paid in respect of the same evening's duties. No claims should be made for alcohol.

## iii) Overnight Accommodation and Out of Pocket Expenses

The following rates will apply for overnight absence (room only).

- Provincial rate – not to exceed £86
- London rate – not to exceed £146

Accommodation should be booked through Member and Civic Support Team.

- Out of pocket expenses
  - maximum amount per night £4.81
  - maximum amount per week £19.15

This amount is intended to cover out of pocket expenses whilst representing the Council.

## **The Dependant Carers' Allowance (DCA)**

### **The Regulatory Context**

109. The Local Government Act 2000 explicitly clarifies the right of local authorities to pay a Dependant Carers' Allowance (DCA), which Members can claim to assist in meeting costs for care of their dependents while on approved Council duties. It is an allowance explicitly designed to enable a wider range of candidates to stand for and remain on Council.
110. The 2003 Regulations (7.1) specify the approved duties for which the DCA may be claimed "in respect of such expenses of arranging for the care of their children or dependents as are necessarily incurred."<sup>10</sup> It is a discretionary allowance, i.e., the Council may pay the DCA rather than required to pay it, unlike the Basic Allowance. However, these days the vast majority of Councils make a DCA available.

### **The Leicester DCA**

111. Currently, Leicester City Council pays a DCA to qualifying Members "as a contribution to costs, rather than a full reimbursement". The scheme distinguishes between the different costs of
  - childcare maximum rate - minimum wage applicable to age of carer
  - Other care maximum rate - equal to the Council's own hourly rate for a Home Care Assistant;
  - Claims are capped at 20 hours per week
  - Members can claim for up to 30 minutes before and after a meeting starts and ends
  - Members must certify that the costs have been actually and necessarily incurred and the allowance shall be paid as a reimbursement of incurred expenditure against receipts;
  - Claims are for approved duties only and must fall within the definition set out in the 2003 Regulations paragraph 7.

<sup>10</sup> See Appendix 7 for the definition of approved duties for claiming the DCA as set out in paragraph 7 of the 2003 Members' Allowances Regulations

112. The IRP supports the continuation of the DCA; it helps to reduce barriers to public service for traditionally underrepresented groups.

### **Issue raised with the IRP regarding the Leicester City Council DCA**

113. The IRP received some representation that the current caps on the maximum hourly rates that can be claimed under the DCA are unrealistic; they do not meet the actual costs of care for dependants, particularly regarding childcare costs. The IRP had sympathy with this view - no Member should be disadvantaged by not receiving adequate support to help meet the costs of care of dependents while undertaken approved duties. The IRP notes that the DCA is claimed infrequently. Nonetheless, for the IRP the principle of having the DCA is important and as such the IRP has taken the view that the DCA can be made more supportive than it is currently.
114. On the other hand, this has to be balanced against the fact that it is difficult to fully reimburse all care costs in all cases, which is why the scheme points out that the DCA is to assist with care costs rather than fully reimburse in all cases. Furthermore, it is good practice to base the maximum hourly rates claimable to an appropriate link, it militates against excessive claims that may be difficult to justify to the wider electorate.
115. The IRP has decided to change the current rates claimable for childcare from the minimum wage applicable to the age of the carer to the Real Living Wage, currently £12 per hour. It has also decided to increase the current cap of being able to claim from 30 minutes before and after a meeting ends to 1 hour and because of this increase in the time permitted to make a claim has increased the cap from 20 hours to 25 hours per week. It is hoped that these recommendations make the DCA more realistic while retaining the principles of good practice in making claims, i.e., based on an appropriate link.
116. Consequently, **the IRP recommends that the DCA is amended as follows:**
- **That the current maximum hourly rates claimable for the childcare element is discontinued and replaced with the following:**
    - **The childcare element of the DCA can be claimed at the maximum hourly rates based on the Real Living Wages, which is currently £12 per hour**
    - **Members can claim for up to 1 hour before the start and for 1 hour after the end of an approved duty**
    - **The weekly cap on the number of hours that can be claimed under the DCA is lifted to 25 hours per week, regardless of the number of dependents a Member may have**
    - **That the DCA continues to be claims based with claims backed up by receipts**
117. **The IRP is not making any changes to the current maximum hourly rates for which other care can be claimed, the terms and conditions for DCA claims and the definition of approved duties as they are defined by statute.**



## The Civic Allowances

118. The Civic Allowances are paid under the Local Government Act 1972 (sections 3.5 and 5.4) to meet the expenses of holding the offices of Lord Mayor, Deputy Lord Mayor and High Bailiff. As such, it is not remuneration, although in many authorities it has in effect become a substitute salary, and is why a proportion of the Lord Mayor's Civic Allowance is administered by the Democratic & Civic Support Manager to pay on-going direct expenses. In particular the Civic Allowance is designed to meet out of pocket expenses that arise during the course of their duties including *inter alia*

- Offertories at all church and other religious services
- Purchases and donations at bazaars, fairs and fetes
- Appropriate clothing
- Cost of hospitalities not administered by the Mayor's office such as dinners organised by local organisations, etc.

119. The current Civic Allowances are set out below:

- |                      |          |
|----------------------|----------|
| • Lord Mayor:        | £18,370* |
| • Deputy Lord Mayor: | £5,384   |
| • High Bailiff:      | £1,970   |

\* £12,441 of the Lord Mayor's Civic Allowance is paid directly to the office holder, with the remaining £5,929 retained and administered by the Member and Civic Support Manager.

120. One issue was raised regarding the administration of the Civic Allowance for the Lord Mayor, namely that the stated allowance of £18,370 with £5,929 being directly administered by the Member and Civic Support Manager can cause some confusion on behalf of the Lord Mayor in that they may think that they will be paid the whole of the stated amount of £18,370 and not necessarily realise that £5,929 is held back to be directly administered by the Member and Civic Support Manager. To avoid this confusion the IRP concluded that the reference to the sum held back (£5,929) and directly administered by the Member and Civic Support Manager should be removed from the allowances scheme as in reality it is not a Civic Allowance. It should continue to be directly administered by the Member and Civic Support Manager. The stated Civic Allowance for the Lord Mayor should simply state £12,441.

121. The second issue raised with the IRP was the level of Civic Allowance paid to the Deputy Lord Mayor in that it is not proportional to the Civic Allowance paid to the Lord Mayor. Historically, the Lord Mayor can have up to 400 events to attend in a year while the Deputy Mayor typically has no more than a dozen or so events to attend in a year yet the latter is paid a Civic Allowance that equates to 43 per cent of the Lord Mayor's Civic Allowance. Nonetheless, the Deputy Lord Mayor will have some standard costs to cover. As such, the IRP decided to reset the Civic Allowance for the Deputy Lord Mayor at 25 per cent of the Lord's Mayor's Civic Allowance (£12,411), which equates to £3,103.

122. **The IRP recommends that the Civic Allowance for the Lord Mayor is amended to state:**

- **Lord Mayor's Civic Allowance paid directly** **£12,441**
- **The element of Civic Allowance administered by Member and Civic Support removed from the scheme** **£5,929**

123. **The IRP further recommends that the Civic Allowance for the Deputy Lord Mayor is reset at £3,103.**
124. **The IRP further recommends that the Civic Allowance for the High Bailiff remains at £1,970**

### **Issues arising I – Lack of Pension provision for Members**

125. Since 2014 Members are no longer able to access the Local Government Pension Scheme, in which Members contributed 6% of their BA/SRAs and the Council making an additional contribution at the applicable 'employers' rate. This has proved to be bone of contention for many Members, particularly those who have to devote all or the greater part of the working week to Council duties. It was just felt to be unfair and the IRP was asked whether there was anything it might do about it.
126. The IRP is sympathetic to this sense of inequity and real cost to Members. This lack of access to the LGPS is made more anomalous when contrasted with Councillors in the rest of the UK. All Councillors in Northern Ireland, Scotland and Wales can continue to join the Local Government Pension Scheme as local government is a devolved function. However, on advice (which was accepted) the IRP cannot do anything to address this anomaly.
127. Therefore, given the current legislative context the IRP is precluded from making any recommendation regarding pension provision for elected Members.

### **Issues arising II - The remuneration of the Independent Person (IP)**

128. Under the relevant provisions of the Localism Act 2011 all English councils are required to appoint at least one Independent Person (IP) whose role is to act as a source of advice to the Monitoring Officer when a complaint is made against a Member and to provide further advice in any subsequent hearings and appeals. The Independent Person has to have some experience in assessing complaints and to be able to exercise objective judgement. They are not formally co-opted Members of the Council or Standards Committee and their remuneration does not fall within the 2003 Regulations but as the IRP made a recommendation regarding the remuneration of the IP in its last review it has done so again in the absence of any other external validation.
129. Currently, the IP in Leicester is remunerated £2,284 per year, plus associated travel expenses. Although this is a comparatively substantial sum (insofar as comparative practice can be discerned) the IRP received no evidence that this sum required revising.
130. **The IRP recommends that the annual remuneration of the Independent Person for Leicester City Council remains at £2,284, subject to any applicable indexation.**

## Confirmation of indexing

131. There was general acceptance of maintaining the principle of indexing allowances and current indices that are in place. By uprating the majority of allowances on the same basis that Officer salaries are indexed it treats Members and Officers the same and helps ensure that Members' allowances and expenses do not lose value over time.
132. The IRP notes that in the past two years the annual uplift in staff salaries as agreed by the National Joint Council (NJC) for Local Government Services has increased by a flat rate of £1,925, producing a higher percentage increase at the lower Spinal Column Points (SCPs) than the higher SCPs. The most common response by IRPs to this situation is to link indexation to the highest SCP, which is current SCP 43. Thus, where there is a flat rate increase in Officer salary's linking increases in Members' Allowances SCP 43 will result in the lowest percentage increase in Members' Basic Allowance and SRAs, as such this level of increase is the most justified and cannot be deemed excessive. The IRP has decided to follow this approach.
133. **The IRP confirms and recommends that the following allowances are indexed for 4 years from 2024/25 to 2027/28, the maximum period permitted by legislation, without reference to the IRP as follows:**
- **Basic Allowance, SRAs, Co-optees' and Civic Allowances and the remuneration of the Independent Persons:** updated annually in line with the annual percentage pay increase given to Leicester City Council employees (and rounded to the nearest £ as appropriate) as agreed for each year by the National Joint Council for Local Government Staff at Spinal Column Point 43.
  - **Out of Council Mileage Allowance:** indexed to the HMRC AMAP (Authorised Mileage Allowance Payments) approved mileage rates.
  - **Out of Council Other Travel and Subsistence:** reimbursement of actual costs taking into account the most cost effective means of transport and/or accommodation available and the convenience of use with the maximum rates indexed to the same periodic percentage increase that may be applied to Officer Travel and Subsistence Allowances.
  - **Dependant Carers' Allowance**
    - Childcare element: Hourly maximum rate claimable indexed to the Real Living Wage
    - Other care: Hourly maximum rate claimable indexed to the Council's own hourly rate for a Home Care Assistant

## Implementation

134. **The IRP recommends that the new scheme of allowances based on the recommendations contained in this report is adopted from 1<sup>st</sup> April 2024.**

## **Appendix One Declarations of Interest**

The following IRP Members made declarations of interest

- Chris Hobson      The Leicester Food Park (funded by the Council and the EU) is managed by the East Midlands Chamber in partnership with The Food and Drink Forum  
The Friars Mill (funded by the Council and the EU) is managed by the East Midlands Chamber

## Appendix Two

### **Protocol for working arrangements for those engaged as Independent Remuneration IRP Members.**

This protocol is designed to ensure that the IRP operates effectively with mutual trust and in a way that secures and maintains public confidence in its impartiality.

**Standards of Conduct** - IRP members will at all times operate within the 7 principles of standards in public life (this was attached to the protocol).

**Interests** - It is vital that the IRP is and is seen to be independent. If an IRP member feels or becomes aware at any point that they are not able to comply with the list of conditions (this was attached to the protocol) they must declare this to the Chair of the IRP and the Director of Delivery, Communications and Political Governance.

**Information** - It is important that the IRP have access to all relevant information and there is open communication with each other, witnesses and Council officers. Members of the IRP must therefore not share any information or communication given to them as part of their role as an IRP member during or after the completion of the report. Members are also expected to take all reasonable precautions to avoid information being accidentally or deliberately used or seen by a 3<sup>rd</sup> party. Members of the IRP should note that any recorded information may be subject to access requests under the Freedom of Information Act. The IRP must also be mindful of the requirements of the data protection act in relation to use of personal data.

**Public Scrutiny** - As an item of significant public interest the review is likely to create media interest it is important that all external communications contain the full information and do not risk public confidence in the impartiality of the review or IRP. Members of the IRP must therefore not make any comment to the press or any other person or body about the work of the IRP and will direct all media queries to the Council's press team.

**Absence** - The scale of work and timescale for the IRP is very challenging. It is therefore important that where a member is not available for any reason to participate in any of the work or commitments identified by the chair they must inform the **Chair of the IRP and the Director of Delivery, Communications and Political Governance** as soon as possible. Amongst the actions considered will be to ask the IRP member to withdraw from the IRP if the absence is likely to severely impact on participation.

**Respect** - In order to ensure free and open discussion all members of the IRP will treat contributions from each other and any witnesses with respect and in confidence. Failure to do so may result in a IRP member being asked to withdraw from the IRP.

**Operation of the IRP** – in order to ensure an efficient and co-ordinated approach all aspects of the management of the work and of meetings will be defined by the Chair. The chair will also prepare the final report including appropriate inputs from IRP members and undertake any public explanation of the report as agreed with the Director of Delivery, Communications and Political Governance.

## Appendix Three

### Members and Officers who met with the IRP

#### **Members**

Cllr T. Aldred	Vice Chair of Planning & Development Control Committee (Labour)
Cllr D. Bajaj	Conservative (Minority Group) Leader
Cllr Dr. S. Barton	Chair of Standards Committee and Lord Mayor (Labour)
Cllr T. Cassidy	Chair of Overview Select Committee (Labour)
Cllr V. Dempster	Assistant City Mayor, Education, Libraries & Community Centres (Labour)
Cllr E. Halford	Labour Group Chief Whip
Cllr M. Kaur Saini	Chair Governance & Audit Committee (Labour)
Cllr P. Kitterick	Green (Minority Group) Leader
Cllr M. March	Chair of Adult Social Care Scrutiny Commission (Labour)
Cllr Dr L. Moore	Labour backbencher
Cllr A. Osman	Conservative backbencher
Cllr E. Pantling	Chair Planning & Development Control Committee and Chair of the Labour Group
Cllr S. Russell	Deputy City Mayor, Children, Social Care, Health & Community Safety (Labour)
Cllr K. Singh Johal	Chair of Licensing & Public Safety Committee (Labour)
Cllr M. Singh Sangha	Labour backbencher
Sir P. Soulsby	City Mayor (Labour)
Cllr Y. Surti	Vice Chair Overview Select Committee and Vice Chair Governance & Audit Committee (Labour)

#### **Written Submissions - Elected Members**

Cllr Dr. S. Barton	Chair of Standards Committee and Lord Mayor (Labour)
Cllr Y. Chauhan	Conservative backbencher

Cllr P. Kitterick                      Green (Minority Group) Leader

Cllr P. Westley                      Chief Whip Conservative (Minority) Group

**Officers who briefed the IRP**

Francis Connolly    Governance Services Manager

Miranda Cannon    Director Delivery, Communications & Political Governance

Liz McKenzie        Team Leader, Member and Civic Support

## **Appendix Four**

### **Information Received by the IRP**

1. The IRP's Terms of Reference
2. IRP Working Protocols
3. Council report and minutes relating to appointment of IRP and 2023 review, Council meeting 6<sup>th</sup> July 2023
4. Leicester City Council Members' Allowances Scheme 2023/24
5. Leicester City Council Statutory Publication of Members' Allowances & Expenses received 2021/22
6. List of full range of support provided by and paid for by Council to Members
7. Leicester City Council, Independent Remuneration Panel, Review of Members' Allowances, February 2020 Report
8. Council reports and minutes relating to IRP Report 19<sup>th</sup> March 2020 and 29<sup>th</sup> April 2021
9. Leicester City Council Committee Structure Diagram/Flow Chart
10. Sheet showing all Leicester City Council elected Members
11. Member Role/Job Descriptions
  - a. City Mayor
  - b. Deputy City Mayor
  - c. Assistant City Mayor
  - d. Ward Councillor
12. Schedule of Council/Committee Meetings 2023/24
13. Committee Membership & Terms of Reference for Committees
14. Deputy and Assistant Mayors Portfolios and actual SRAs payable 2023/24
15. Dependent Carer's Allowance guidance
16. Copy of Questionnaire sent to all Councillors including responses
17. New Council Constitution: Guidance on Regulation for Local Authority Allowances, Department of Communities and Local Government, May 2006
18. NJC for Local Government Services Pay Increase 2023/24
19. Local Government Association, summary of hours worked (Mean Per Week/Type of Council) by Councillors, Census of Councillors 2022



20. Office for Low Emission Vehicles, Tax Benefits for ultra-low emission vehicles 2018
21. Statutory Instrument 2003 No. 1021, *The Local Authorities (Members' Allowances) (England) Regulations* 1st May 2003
22. Office of National Statistics (ONS), Annual Survey of Hours and Earnings, Leicester Mean Weekly Pay - Gross (£) - for all full-time employees 2022, Table 7.1a Work Geography
23. Benchmarking data – summary of Allowance Schemes from comparator authorities namely other mayoral unitary, metropolitan and London Borough Councils + the CIPFA 7 Nearest Neighbours (2014 model) that also includes Midlands Metropolitan and unitary councils of Coventry, Derby, Nottingham, Sandwell and Wolverhampton
24. Copy of presentation by Declan Hall (Chair of IRP): Reviewing Allowances: The Leicester City Council remuneration model, regulatory requirements, issues and approaches
25. Allowances schemes from other parts of the UK for comparative purposes, ie Scotland, Wales & NI
26. Licensing Committee and Sub-Committees - number of licensing IRPs over the past 3 years, who attended.
27. Number of Standards Committee meetings 2019 until the present, plus number of Standards Hearings since 2018

## Appendix 5: Benchmarking Allowances for Leicester City Council

BM1 Leicester City Council BM Group: BA + Elected Mayors/Leader + Exec & Scrutiny SRAs 2022/23											
Comparator Council	Basic Allowance	Elected Mayor or Leader	Elected Mayor or Leader Total	Deputy Mayor[s] or Leaders	Assistant Mayors or Exec Mbrs	Mayoral or Exec Support	Chair Main O&S	V/Chair Main O&S	Chairs or Leads Scrutiny	V/Chairs Scrutiny	Other/Comments
Bedford	11,080	55,400	66,480	16,620	13,296				6,648		
Bristol (22/23)	15,169	71,270	86,439	28,281	26,105		8,702		7,174		Chairs Scrutiny Task Groups £2,000, 2 Dep Mayors
Croydon	11,692	70,202	81,894	30,353	27,503		20,942	8,586			2 V/Chairs O&S
Doncaster	14,533	58,133	72,666	18,165	14,533		8,720	3,634	3,634		
Hackney	12,014	77,211	89,225	45,964	39,015	17,342	15,708		9,533	6,355	
Lewisham	12,014	75,894	87,908	45,430	17,496		14,142		7,895		
Middlesbrough	7,608	55,952	63,560	19,518	11,190		11,190		5,595		
Newham	12,255	79,298	91,553	44,082	38,430	20,346	20,346		16,955		
N. Tyneside	10,829	68,499	79,328	7,537	3,332		3,332	2,330	3,332	2,330	
Salford	12,012	59,817	71,829	36,942	15,932	11,626			9,432	3,141	2 X Dep Mayors
Tower Hamlets	11,898	68,681	80,579	32,631	21,754		11,965		8,702		
Luton	7,500	15,000	22,500	5,625	5,625		2,500		1,250		
Nottingham	13,966	39,634	53,600	28,846	21,634	7,212	14,423		7,212		
Coventry	15,340	27,609	42,949	19,936	12,273	4,171	12,273	3,071	7,673		
Sandwell	11,552	28,584	40,136	21,434	17,151	9,519	9,519	5,716	9,519	5,716	
Blackburn w/Darwen	7,667	21,908	29,575	13,145	7,667	3,286	4,271	1,643	3,286		
Oldham	10,514	37,848	48,362	22,079	18,925	7,885			9,462		
Bradford	13,463	37,056	50,519	18,528	25,939	11,117	12,970		12,970		
Wolverhampton	11,500	27,000	38,500	20,000	15,000		10,000	4,000	8,500	2,500	
Derby	12,145	36,436	48,581	27,327	18,218				9,109	2,228	
Leicester*	11,473	66,938	78,411	32,303	11,636		10,666	2,666	8,889	2,222	
Mean	11,725	51,351	63,076	25,464	18,222	10,278	11,275	3,956	7,839	3,499	
Median	11,898	55,952	66,480	22,079	17,151	9,519	11,190	3,353	8,198	2,500	
Lowest	7,500	15,000	22,500	5,625	3,332	3,286	2,500	1,643	1,250	2,222	
Highest	15,340	79,298	91,553	45,964	39,015	20,346	20,942	8,586	16,955	6,355	
Notes	* Leicester has a maximum pot of £196,092 to pay other Executive Members. Levels set by City Mayor. SRAs shown are for 3 Deputy Mayors & 3 Assistant Mayors. The SRAs quoted is actual paid for 2023/24										

**BM1a Leicester City Council BM Group: BA + Elected Mayors & Deputies Only + Exec & Scrutiny SRAs 2023/24**

Comparator Council	Basic Allowance	Elected Mayor	Elected Mayor Total	Deputy Mayor[s]	Assistant Mayors or Exec Mbrs	Mayoral or Exec Support	Chair Main O&S	V/Chair Main O&S	Chairs or Leads Scrutiny	V/Chairs Scrutiny	Comments
Bedford	11,080	55,400	66,480	16,620	13,296				6,648		
Bristol (20/21)	15,169	71,270	86,439	28,281	26,105		8,702		7,174		Chairs Scrutiny Task Groups £2,000, 2 Dep Mayors
Croydon	11,692	70,202	81,894	30,353	27,503		20,942	8,586			2 V/Chairs O&S
Doncaster	14,533	58,133	72,666	18,165	14,533		8,720	3,634	3,634		
Hackney	12,014	77,211	89,225	45,964	39,015	17,342	15,708		9,533	6,355	
Lewisham	12,014	75,894	87,908	45,430	17,496		14,142		7,895		
Middlesbrough	7,608	55,952	63,560	19,518	11,190		11,190		5,595		
Newham	12,255	79,298	91,553	44,082	38,430	20,346	20,346		16,955		
N. Tyneside	10,829	68,499	79,328	7,537	3,332		3,332	2,330	3,332	2,330	
Salford	12,012	59,817	71,829	36,942	15,932	11,626			9,432	3,141	2 X Dep Mayors
47 Tower Hamlets	11,898	68,681	80,579	32,631	21,754		11,965		8,702		
Luton	7,500				5,625		2,500		1,250		
Nottingham	13,966				21,634	7,212	14,423		7,212		
Coventry	15,340				12,273	4,171	12,273	3,071	7,673		
Sandwell	11,552				17,151	9,519	9,519	5,716	9,519	5,716	
Blackburn w/Darwen	7,667				7,667	3,286	4,271	1,643	3,286		
Oldham	10,514				18,925	7,885			9,462		
Bradford	13,463				25,939	11,117	12,970		12,970		
Wolverhampton	11,500				15,000		10,000	4,000	8,500	2,500	
Derby	12,145				18,218				9,109	2,228	
Leicester*	11,473	66,938	78,411	32,303	11,636		10,666	2,666	8,889	2,222	3 X Dep Mayors
Mean	11,725	67,275	79,156	29,819	18,222	10,278	11,275	3,956	7,839	3,499	
Median	11,898	68,590	79,954	31,328	17,151	9,519	11,190	3,353	8,198	2,500	
Lowest	7,500	55,400	63,560	7,537	3,332	3,286	2,500	1,643	1,250	2,222	
Highest	15,340	79,298	91,553	45,964	39,015	20,346	20,942	8,586	16,955	6,355	
Notes	* Leicester has a maximum pot of £196,092 to pay other Executive Members. Levels set by City Mayor. SRAs shown are for 3 Deputy Mayors & 3 Assistant Mayors. The SRAs quoted is actual paid for 2023/24										

### BM2 Leicester City Council BM Group: Main Regulatory & Miscellaneous SRAs 2023/24

Comparator Council	Chair Planning	V/Chair Planning	Chair Licensing (inc Regulatory)	V/Chair Licensing	Chair Audit & Risk/Other	Chair Standards	Comments or Other
Bedford	6,648		6,648		6,648	3,324	Chair Licensing Act Committee £6,648Licensing Subs Mbrs £49/£98 per mtng
Bristol (22/23)	7,174		7,174		7,174		2 Planning Committees, Lic Mbrs & Appeals Mbrs £75 p/mtng
Croydon	13,225		8,246		8,000		
Doncaster	9,300	3,925	8,720	4,360	8,720		V/Chair Audit £2,761
Hackney	19,256		19,256		8,671	2,807	Chair Pension Comttee £15,415, Chair Pensions Board, Adoptions & Fostering Panel Mbrs £2,387 & Corporate Committee £7,707
Lewisham	11,278		7,895			2,231	3 Planning Committees
Middlesbrough	8,393		8,393			2,798	
Newham	20,346		20,346		7,913		Chair H&WB £20,346, Chair Development Control £7,913
N. Tyneside	3,332	2,330	2,330	1,635	2,330	3,187	Chair H&WB £3,332, , Dep Chairs H&WB + Standards £2,330, V/Chair Audit £1,635
Salford	9,432	3,141	9,432	3,141	9,432		V/Chair Audit £3,141
Tower Hamlets	11,965		6,526		6,526		Chair Strategic Planning £11,965
Luton	2,500		1,250		1,250		
Nottingham	7,212		7,212	3,606	7,212		
Coventry	7,673	3,071	7,673	3,071	7,673	1,191	
Sandwell	11,434	5,716	11,434	5,716	9,519	9,519	V/Chair Standards £2,858
Blackburn w/Darwen	5,367	1,971	5,149	1,863	1,643	1,643	V/Chairs Audit + Standards £822
Oldham	9,462		9,462		2,325	734	
Bradford	12,970		12,970		12,970	3,706	Mbrs Planning £2,965
Wolverhampton	11,000	5,000	12,500	5,000	10,000	2,500	V/Chair Audit £2,500
Derby	9,109	4,554	9,109	4,554	6,377		Mbrs Licensing £2,278
<b>Leicester</b>	<b>10,666</b>	<b>2,666</b>	<b>10,666</b>	<b>2,666</b>	<b>6,518</b>	<b>3,171</b>	<b>2 X Licensing V/Chairs</b>
Mean	<b>9,892</b>	<b>3,597</b>	<b>9,161</b>	<b>3,561</b>	<b>6,890</b>	<b>3,068</b>	
Median	<b>9,432</b>	<b>3,533</b>	<b>8,393</b>	<b>3,374</b>	<b>7,212</b>	<b>2,803</b>	
Lowest	<b>2,500</b>	<b>1,971</b>	<b>1,250</b>	<b>1,635</b>	<b>1,250</b>	<b>734</b>	
Highest	<b>20,346</b>	<b>5,716</b>	<b>20,346</b>	<b>5,716</b>	<b>12,970</b>	<b>9,519</b>	

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BM3 Leicester BM Group: Group SRAs & Travel (in-authority) 2023/24								
Comparator Council	Majority Group Leader or Chair	Main Opposition Group Leader	Main Opposition Dep Leader	Minor Opposition Group Leader	Majority Group Whip	Opposition Group Whip	Travel (in-authority)	Comments or Other
Bedford		£482 p/Mmbr	£214 p/Mmbr	£482 p/Mmbr			Yes - claimable	All Committee Spokespersons £214 per group member
Bristol (22/23)	14,345	14,345		14,345	8,702	8,702	No - inc in BA	4 Groups qualify for Group Leader & Group Whip SRAs
Croydon		17,956	6,568		12,122	5,615	Yes - claimable	Majority Group Secretary £8,268, 2 X Dep Leader Main Opposition Group, Shadow Exec Mbrs £5,615, Opposition Group Secretary £5,506
Doncaster	6,985	2,793		1,396			No - inc in BA	
Hackney	2,807	15,282		9,533	6,119	2,807	No - inc in BA	If only 1 Opposition Group Leader's SRA £24,318, Majority Group Secretary £2,807
Lewisham	6,951	6,951		6,951	6,951		No - inc in BA	
Middlesbrough	8,393	2,798		2,798			Yes - claimable	Tel Allowance up to £300
Newham		7,913			16,955	3,956	No - inc in BA	Secretary Majority Group + Assistant Whip Majority Group- £3,956
N. Tyneside	3,332	3,332		3,332			Yes - claimable	
Salford		9,432		9,432			Yes - claimable	
Tower Hamlets	12,291	12,291		5,439			No - inc in BA	
Luton		2,500					Yes - claimable	
Nottingham		7,212			10,818		No - inc in BA	
Coventry		5,659	2,830				Yes - claimable	Tel & Stationery Allowances up to £759 claimable
Sandwell		Variable Bands					No - inc in BA	
Blackburn w/Darwen		7,667	2,191	2,191			No - inc in BA	Shadow Exec £1,643
Oldham		15,771	6,309	4,731			No - inc in BA	
Bradford		25,939	16,675	18,528	16,675	12,970	Yes - claimable	Opposition Leader 3rd Group £12,970, Shadow Exec £4,632
Wolverhampton		12,000	5,500				No - inc in BA	
Derby		9,109	4,554	7,557			Yes - claimable	
Leicester		6,340		2,112	8,502		Yes - £1,000 p/yr	Minority Group Leaders SRA based on £1,206 + £302 p/mbr, £333 p/yr telecommunications & Support Allowance + IT/Mobile Phone Package
Mean	7,872	9,752	6,375	6,796	10,856	6,810	Inc in BA - 11	
Median	6,985	7,913	5,500	5,439	9,760	5,615	Claimable - 9	
Lowest	2,807	2,500	2,191	1,396	6,119	2,807	Flat rate - 1	
Highest	14,345	25,939	16,675	18,528	16,955	12,970		

## Leicester City Council: February 2024 Independent Review of Allowances

**Benchmarking: Salaries of other public posts considered for benchmarking purposes – 2022/23 unless indicated otherwise**

### **UK/Devolved Nations – elected representatives (2023)**

- UK MPs: £86,586
- Member of the (NI) Legislative Assembly: £50,050  
(Reduced to £37,000 as Assembly not currently sitting)
- Member of the Scottish Parliament: £67,662
- Member of the Welsh Senedd: £69,958

### **London GLA (2022/23)**

- Mayor of London: £154,963
- Statutory Deputy Mayor £107,498
- Chair of London Assembly: £72,454
- London Assembly Members: £60,416

### **Elected Mayors Combined Authorities salaries (2022/23)**

- Greater Manchester £110,000
- West Yorkshire £106,837
- West of England £95,000
- Liverpool City Region £89,000
- Cambridgeshire & Peterborough £86,121
- West Midlands £79,000
- South Yorkshire £79,000
- North of the Tyne £65,000
- Tees Valley £65,000

## **NHS – Non Executive Appointments Remunerations**

- NHS Non-Executive £13,000 (1 April 2020)
- University Hospitals of Leicester  
NHS Trust Chair £60,000 (minimum 1/04/22)
- Leicestershire Police & Crime Commissioner £76,500





### **MEMBERS' ALLOWANCES SCHEME 2024/2025**

Note: Where the term 'Member' is used it will apply to Councillors and the City Mayor

Council, at its meeting on 21 March 2024, agreed a Members' Allowances Scheme, applicable for the 2024/2025 Municipal year and agreed a scheme of indexation through to the end of the Municipal year 2027/28.

The Scheme below operates from 1 April 2024.

Members should be aware that allowances payable in return for acting as a Member are regarded as the same as salary or wages for the purposes of Income Tax and National Insurance Contributions (NIC), i.e. income tax and NIC will usually be deductible from such allowances.

#### **1. ALLOWANCES PAID AUTOMATICALLY**

(All amounts stated are gross)

##### **(a) Basic Allowance**

£12,900 per annum for each Member.

##### **(b) Special Responsibility Allowances**

Members will only be able to receive 1 SRA (including Civic Allowances).

City Mayor	£66,938
Deputy City Mayor	£45,212 *
Assistant City Mayors <i>* The City Mayor may choose to vary from the specified SRAs for the Deputy and Assistant City Mayors provided any variance does not result in the combined total allowances for these roles exceeding the total allocated budget for Executive SRA's</i>	£18,860*
Chair, Overview Select Committee	£10,666
Vice Chair, Overview Select Committee	£2,666
Chair, Children Young People and Education Scrutiny Commission	£8,889
Vice Chair, Children Young People and Education Scrutiny Commission	£2,222
Chair, Public Health and Integration of Health Services Scrutiny Commission	£8,889
Vice-Chair, Public Health and Integration of Health Services Scrutiny Commission	£2,222

Chair, Culture and Neighbourhood Services Scrutiny Commission	£8,889
Vice Chair, Culture and Neighbourhood Services Scrutiny Commission	£2,222
Chair, Adult Social Care Scrutiny Commission	£8,889
Vice Chair, Adult Social Care Scrutiny Commission	£2,222
Chair, Economic Development, Transport and Climate Emergency Scrutiny Commission	£8,889
Vice Chair, Economic Development, Transport and Climate Emergency Scrutiny Commission	£2,222
Chair, Housing Scrutiny Commission	£8,889
Vice Chair, Housing Scrutiny Commission	£2,222
Chair, Planning and Development Control	£10,666
Vice Chair, Planning and Development Control	£2,666
Chair, Licensing and Public Safety Committee	£10,666
Vice Chairs, Licensing and Public Safety Committee (two)	£2,666
Chair, Audit and Risk Committee	£6,518
Minority Group Leader	£1,206 per annum plus an additional £302 per Member
Majority Group Whip	£6,038
Largest Minority Group Whip	£2,851

**(c) Civic Allowances**

Lord Mayor	£12,441
Deputy Lord Mayor	£3,103
High Bailiff	£1,970

**(d) Independent Persons, Independent Members and Co-optees**

The Council is required to appoint Independent Persons and Independent Members to support the Standards process. There is also a statutory requirement for Co-optees to input into the Council's activities from an education perspective. These positions will receive an allowance as follows:-

Co-opted Members of Committees / Commissions	£564
Independent Members, Standards Committee	£564
Independent Persons, Standards Committee  <b>Note:</b> The rate for the role of Independent Person is not considered by the Independent Remuneration Panel as it comes under separate legislation but is included here for completeness.	£2,284 plus travel expenses

**2. ALLOWANCES TO BE CLAIMED FOR**

***Travel and Subsistence - Outside the City***

Outside the City of Leicester Members are entitled to claim travel and subsistence in accordance with the details attached at Schedule 1 whilst undertaking Approved Council Duties.

***Dependant Carers' Allowance***

Allowances can be claimed towards childcare or dependent care costs incurred by a Member on the basis set out in Article 7 of the Local Authorities (Members Allowances) (England) Regulations 2003 up to a limit of 25 hours per Member per week subject to the provisions attached at Schedule 2.

**3. IT EQUIPMENT AND MOBILE TELEPHONES**

Members will be offered standard specification equipment as defined in the list prepared by the City Information Officer and the City Barrister and Head of Standards.

**4. PAYMENT ARRANGEMENTS**

- i. All automatically paid allowances (as outlined in the first section) will be paid in twelve equal monthly instalments via the Payroll system.

- ii. Entitlement will commence from midday on the fourth day after the date of the election or the date of making the Declaration of Acceptance of Office, whichever is later. Where not returned entitlement for the former Member will cease at midday on the fourth day after the election.

Entitlement to allowances will be calculated on a pro rata basis avoiding any overlap of the same allowance.

- iii. Payment of travel and subsistence for expenditure outside the City will be made in arrears on the basis of a claim form being submitted and signed by Members within three months of the event claimed for taking place.
- iv. Payment of Dependent Carer's Allowances will be made in arrears on the basis of a claim form being submitted and signed by Members within three months of the event claimed for taking place.
- v. Allowance claims over three months old will only be paid in **exceptional circumstances** such as long-term illness. Such payments will be made in consultation with the relevant Group Whip (if a member of a constituted Group).
- vi. Where any overpayments occur, the Member will be notified and the amount will be recovered from the next monthly payment (unless instalments are requested by the Member for accounts over £50).
- vii. A Member may decide not to claim any element of automatic allowances (in full or in part) and must notify the City Barrister and Head of Standards in writing of their intention.

**Travel and Subsistence - Outside the City**

Approved Duties include:-

- i. Attendance at meetings of Outside Bodies as approved by the Executive/Council or the Group Whips.
- ii. Training courses, conferences and seminars in the furtherance of the Member's performance of their duties as a Member.
- iii. Other activities which, in the view of the City Barrister and Head of Standards are in the interests of the Council.
- iv. For all claims for travel expenses, tickets, receipts or equivalent travel documents must be provided. The claim must include the reason for the journey.

**i) Travel**

Public Transport	Paid at the amount of an ordinary fare or any available cheap fares (tickets/receipts required).	
Taxi	Where no public transport is reasonably available, the amount of the fare plus any reasonable gratuity paid (receipt required). In other cases, the amount of the fare for travel by appropriate transport will be paid. Taxis should only be used in exceptional circumstances. Significant taxi expenditure should be approved in advance by the Group Whip.	
Private Transport	Rates payable at the level of the Approved Mileage Allowance Payments (AMAPs) laid down by the Inland Revenue as a tax free "approved amount" and shall be amended in line with any changes made to these amounts as and when they occur.	
	<i>NB. where a Member is using an electric or hybrid vehicle on an approved duty outwith the City that they are able to claim mileage at AMAP rates, which is currently 45p per mile for the first 10,000 miles and 25p per mile thereafter</i>	
	Car or Van*	45p per mile for the first 10,000 miles, 25p per mile thereafter
	Motor Cycle*	24p per mile (all miles)
	Pedal Cycle	20p per mile (all miles)

	An additional 5p per mile will be paid when one or more passengers travel to an approved duty in the same car. The cost of parking fees (including overnight garaging), tolls and ferries can also be claimed.
	*A valid VAT receipt for fuel is required for any car/van or motorcycle mileage claims.
Hired Motor Vehicle (car/light van)	The same rates as if the vehicle were privately owned (where approved by the City Barrister and Head of Standards the rate may be increased to an amount not exceeding the cost of hiring)
	If the Council hires the vehicle the tax-free rates are limited to the fuel element as detailed in HMRC guidance.
Travel by Air	Payable provided that the City Barrister and Head of Standards agrees that the time saved justifies the fare. The rate of payment will not exceed the ordinary or any cheap fare available, or where no such service is available or in case of an emergency, the fare actually paid by the Member. This must be receipted to be tax-free.

## ii) Subsistence Allowance (outside of Leicester)

- The allowance will not apply to a meal which is already provided at no charge or included in a conference/course fee.
- Receipts must be provided (where available a VAT receipt) for audit and reclaim purposes as a condition of the allowance.
- The actual money spent on the meal can be reclaimed up to a maximum allowance (see table below) on production of a receipt.

Meal	Qualifying duty period (inclusive of travelling time)	Rate
Breakfast	3 hours before 11.00 am	£8.00
Lunch	1 hour between 12 noon and 2.00 pm	£10.92
Tea	3 hours including 3.00 pm to 6.00 pm	£4.78
Dinner	3 hours ending after 7.00 pm	£18.72

Tea and dinner allowances will not be paid in respect of the same evening's duties. No claims should be made for alcohol.

### **iii) Overnight Accommodation and Out of Pocket Expenses**

The following rates will apply for overnight absence (room only).

Provincial rate – not to exceed £86

London rate – not to exceed £146

Accommodation should be booked through Member and Civic Support Team.

Out of pocket expenses

Maximum amount per night £4.81

Maximum amount per week £19.15

This amount is intended to cover out of pocket expenses whilst representing the Council.

These are only tax free when the Member is required to stay away overnight on Council business.

**Dependant Carers' Allowance**

- Allowances for childcare and dependent care are paid as a contribution to costs, rather than a full reimbursement;
- Allowances paid towards childcare or dependent care costs incurred by an elected Member are subject to Income Tax and NIC even if the costs are unavoidably incurred as a result of carrying out Council duties;
- The maximum hourly rate reimbursed for the independent care of a child under the age of 14 shall be equal to the Real Living Wages, which is currently £12 per hour;
- The maximum hourly rate reimbursed for the professional care of a dependant relative shall be equal to the Council's own hourly rate for a Home Care Assistant;
- Members can claim up to 1 hour before the start and for 1 hour after the end of an approved duty;
- Members can claim up to 25 hours per week for dependent care, regardless of the number of dependents a Member may have;
- Members must certify that the costs have been actually and necessarily incurred and the allowance shall be paid as a reimbursement of incurred expenditure against receipts;
- The allowance shall not be payable to a member of the claimant's own household, and
- Any dispute regarding entitlement or any allegation of abuse should be referred to the Council's Standards Committee for adjudication.



# Executive Report

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## **Pay Policy Statement 2024/2025 Gender Pay Gap Report 2023**

Decision to be taken by: Full Council on 21<sup>st</sup> March 2024

Lead director: Andrew Shilliam

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**City Mayor**

## Useful information

- Ward(s) affected: None
- Report author: Andrew Shilliam, Director of Corporate Services
- Author contact details: 37 0131
- Report version number: 1

### 1. Summary:

Section 38 of the Localism Act 2011 places a requirement on all local authorities to prepare and publish a Pay Policy Statement for each financial year in order to achieve public accountability, transparency, and fairness in the setting of local pay. The Statement must be approved by Full Council and published by 1 April each year.

The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 require public sector employers, as part of their public sector equality duty, to publish specific details of their gender pay as of 31 March each year.

This report seeks approval of the Council's Pay Policy Statement for 2024/2025 and asks Council to note the Gender Pay Gap Report for 2022/2023.

### 2. Recommendations:

- a) That Council approves the Pay Policy Statement for 2024/2025 (Appendix A)
- b) That Council notes the Gender Pay Gap Report for 2022/2023 (Appendix B)

### 3. Supporting information including options considered:

#### Pay Policy Statement

The Pay Policy Statement is required to focus on the pay of senior staff and to set this in the context of the pay of the wider workforce. The Statement must cover the Council's approach to a number of elements of pay for senior staff including salary scales, any performance related pay, bonuses or additional elements of pay, termination payments and approach to pensions. Similar information must be included in relation to the wider workforce and the remuneration of the lowest paid employees must be specified.

After approval by Full Council, the Pay Policy Statement must be published on the Council's website by 1 April for public scrutiny. The intention is to ensure that Members consider how they pay their senior staff and can justify their policy on senior pay in the light of potential public scrutiny.

The Statement includes the ratio between the top earner's salary and the median salary which is 5.3:1. The ratio is slightly higher than last year when it was 5.2:1. However this remains lower than the latest figures we have from our neighbouring councils – significantly in the case of Nottingham City Council (7:62:1 in 2023/24) and Coventry City Council (7.3:1 in 2021/22). Derby City Council's current ratio is 5.62:1

which is more comparable to Leicester's.

The Council has made a positive commitment to support lower paid staff and their families and has adopted the 'Real Living Wage' to provide a better standard of living. The Council therefore pays a supplement to employees whose hourly rate falls below the 'Real Living Wage'. At the time of writing, no employees are in receipt of this supplement as the minimum point of the LGS pay scale is above the Living Wage rate of £10.90 effective from 1 April 2023.

In September 2023, the 'Real Living Wage' rate was increased to £12.00. The Council intends to implement this increase from 1 April 2024. At the time of writing, it is unclear which employees (if any) will be eligible for the supplement as the 2024 pay award, which will be applicable from the same date, is yet to be agreed.

### Gender Pay Gap Report 2023

This is the Council's seventh Gender Pay Gap Report. It is important to note that gender pay gap reporting is not about men and women being paid differently for the same job but about the differences between the overall average pay of men and women within an organisation. The key figures to be published are the mean and median gender pay gaps, i.e. the percentage difference between the mean and median hourly rates for men and women. The table below compares these figures over the last two years as at 31 March.

Year	Mean pay gap %	Women mean hourly rate	Men mean hourly rate	Median pay gap %	Women median hourly rate	Men median hourly rate
2022	-1.4%	£15.72	£15.51	0.0%	£14.67	£14.67
2023	-1.2%	£16.68	£16.49	-0.2%	£15.67	£15.64

At 31 March 2023 the council's mean gender pay gap was -1.2% with the mean hourly rate of pay being higher for women (£16.68) than men (£16.49). When considered against the previous year's figure (-1.4%) this represents a small improvement towards the ideal position of 0%.

At 31 March 2023 the council's median gender pay gap was -0.2% meaning that the median hourly rate of pay was marginally higher for women compared to men. When considered against the previous year's figure (0.0%) this represents a slight move away from the ideal position.

The council's figures continue to compare very positively against median and mean gender pay gaps for the public sector as a whole (14.0% and 11.5% respectively – i.e. average pay for men being significantly higher than for women).

Furthermore, at 31 March 2022 the Council was one of only five local authorities out of 39 in the same employee headcount band (5000–19,999), which have published data, with a 0% median pay gap.

It is not yet possible to compare our 2023 figures with other local authorities as this data does not need to be published until 31 March 2024. The council will, however, continue to monitor the mean and median gender pay gaps and consider any actions needed to maintain our very small gap and, ideally, achieve a 0% gap.

#### **4. Details of Scrutiny**

The Pay Policy Statement is essentially a statement of existing policy. Pay Policy Statements from previous years remain available for public scrutiny on the Council's website.

The Gender Pay Gap Report is a statement of fact. Reports must remain on the Council's website for a minimum of three years for public scrutiny. Data must also be uploaded to a Government portal, where the public can access the data.

#### **5. Financial, Legal and Other Implications**

##### 5.1 Financial Implications

The Pay Policy Statement sets out the framework for the Council's employees' pay with a particular focus on senior staff (Head of Paid Service and Directors) in the context of the wider workforce. The Council's budget for 2023/2024 includes an estimate of pay costs which will be incurred.

There are no financial implications associated with the gender gap report.

Amy Oliver  
Director of Finance

Ext: 375667

##### 5.2 Legal Implications

The Localism Act 2011 requires local authorities to prepare a Pay Policy Statement each year. This document must set out the Council's approach to the remuneration of chief officers, the remuneration of its lowest paid employees and the relationship between the remuneration of chief officers and employees who are not chief officers. In preparing a Pay Policy Statement, local authorities must have regard to any guidance issued or approved by the Secretary of State. Guidance was issued by the Department for Communities and Local Government initially in November 2011 and supplementary guidance was issued in February 2013. Each year's Pay Policy Statement must be approved by Full Council before it comes into force.

The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 place a duty on public authorities with more than 250 employees to publish their gender pay gap statistics by no later than 31 March every year.

The statistics that must be published are the mean and median differences in the hourly full pay between male and female employees; the mean and median differences in bonus pay between male and female employees; the proportion of male and female employees who have received bonus pay and finally the proportion of male and female employees in the lower quartile, lower middle quartile, upper middle quartile and upper quartile of the pay scales.

Paul Holmes

Head of Law, City Barrister & Head of Standards

Ext 371428

### 5.3 Climate Change and Carbon Reduction Implications

No climate change implications.

### 5.4 Equality Implications

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

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

The Equality Act 2010 (Specific Duties and Public Authorities) Regulations place a duty on public authorities with more than 250 employees to publish their gender pay gap statistics by no later than 31 March every year.

Although there are no equalities implications arising for people with protected characteristics directly related to the pay policy statement itself, the purpose of the pay policy statement is to increase accountability, transparency, and fairness in the setting of local pay. It will be important to assess against other authorities when they also publish their data to consider if our offer is comparative and fair.

Kalvaran Sandhu  
Equalities Manager

Ext 37 6344

### 5.5 Other Implications

No other implications.

## **6. Background information and other papers:**

‘Openness and Accountability in Local Pay: Guidance under Section 40 of the Localism Act’

‘Localism Act: Pay Policy Statements – Guidance for Local Authority Chief Executives’

‘Openness and Accountability in Local Pay: Guidance under Section 40 of the Localism Act – Supplementary Guidance’

The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017

The Public Sector Equality Duty – Section 149 of the Equality Act 2010

**7. Summary of appendices:**

Appendix A: Proposed Pay Policy Statement 2024/2025 and supporting documents (1–4)

Appendix B: Gender Pay Gap Report 2022

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

No.

**9. Is this a “key decision”?**

No.

### Leicester City Council

### Pay Policy Statement 2024/25

#### 1 Introduction and Purpose

- 1.1 Section 38(1) of the Localism Act 2011 requires all local authorities in England and Wales to produce and publish a Pay Policy Statement for each financial year. The principle behind this requirement is to ensure transparency and accountability in local approaches to public sector pay, particularly in respect of senior staff, by enabling public scrutiny.
- 1.2 As specified in the Act, this requirement does not extend to schools and, therefore, the Statement does not include school-based employees. Leicester City Council's Pay Policy Statement is set out in accordance with the mandatory requirements of the Localism Act and also takes account of The Local Government Transparency Code 2015. It sets out information on the council's pay and conditions of service for its chief officers and the wider workforce.
- 1.3 The Pay Policy Statement is designed to enable communities to access the information they need to determine whether remuneration, particularly senior remuneration, is appropriate and commensurate with responsibility. It also helps ensure that policies on pay and reward for the most senior staff are clearly set within the context of the pay of the wider workforce.
- 1.4 The Act recognises that each local authority has the right to determine its own policy towards pay in order to address local priorities, the local marketplace, and its own economic circumstances. There is a requirement for the Pay Policy Statement to be approved by Full Council. Councils are encouraged to set up Remuneration Committees to oversee pay policy; councillors are also encouraged to have a significant role in determining pay. At Leicester City Council, decisions on terms and conditions are made by the Employees Committee or the Executive.
- 1.5 National negotiations regarding the 2024/25 pay awards for Chief Officers and Local Government Services employees are expected to commence in early 2024 and any pay awards resulting will come into effect from 1 April 2024. As such, the pay figures referenced within this statement are subject to change.

#### 2 Context

- 2.1 Leicester City Council is a unitary authority serving the largest city in the East Midlands region with a population of 366,900<sup>1</sup> in 2021. It is one of the largest employers in the city with a current workforce headcount of 6,386 (5,879 full-time equivalent) excluding schools.
- 2.2 The Council operates under a mayoral model of governance and provides a comprehensive set of local authority services to the population of the city. These

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<sup>1</sup> Source: Office of National Statistics - [Census 2021](#)

include education, social services, environmental services, highways, economic regeneration, planning, libraries, museums, revenues and benefits, housing, parks, and open spaces amongst others.

- 2.3 The medium-term financial outlook is the most severe we have ever known. Like many authorities, we face the real probability of not being able to balance our budget in 2025/26, necessitating a formal report under section 114 of the Local Government Finance Act 1988 (indeed, some authorities appear to be in that position already). The background to this severe outlook is:
- (a) A “decade of austerity” between 2010 and 2020 in which services other than social care had to be reduced by 50% in real terms. This has substantially reduced the scope to make further cuts;
  - (b) The covid-19 pandemic where we set “stop gap” budgets whilst we dealt with the immediate emergency. Budgets in 2021/22 to 2022/23 were supported by managed reserves;
  - (c) Recent cost pressures, shared by authorities across the country. These include pressures on the costs of children looked after and support for homeless households, as well as the long-standing pressures in adult social care and the hike in inflation. The budget for 2023/24 was supported by a further £34m of managed reserves;
  - (d) A new round of austerity is expected, which will lead to further cuts to local authority funding from 2025/26. Meanwhile cost pressures have continued to mount since we set the 2023/24 budget, most notably in children’s services and support for the homeless.
- 2.4 In previous years, we have used a “managed reserves policy”, by which specific reserves have been set aside to support budgets and buy us time to make cuts. The budget for 2024/25 is once again balanced with reserves but, without new money from the Government, the proposed budget will exhaust these reserves. The Council also holds a £15m emergency reserves balance, some of which looks like it will need to be spent in 2024/25.
- 2.5 A key requirement of the Localism Act is to set senior pay in the context of pay for the wider workforce, and specifically its lowest paid staff.
- 2.6 Most staff within the wider workforce, covered by this Pay Policy Statement, are paid in accordance with a pay structure (and its associated terms and conditions of service) that was implemented in 2011. This pay structure applies to all staff covered by the National Joint Council for Local Government Services (LGS). A revised version of this pay structure took effect from 1 April 2019, as the LGS national pay spine was restructured.

### **3 Scope and Definitions**

- 3.1 This Pay Policy Statement covers all Leicester City Council employees except those employed in schools, apprentices and casual workers.



- 3.2 There are a number of employees who are on terms and conditions from their previous employer which they have retained under the Transfer of Undertakings (Protection of Employment) Regulations. For this reason, some or all of this Pay Policy Statement may not apply to those employees.
- 3.3 Although the Leicester and Leicestershire Enterprise Partnership (LLEP) is a separate legal entity, Leicester City Council is the employing body on behalf of that entity. The Director of the LLEP is employed by the Council on the same conditions of service as its Strategic and Divisional Directors, and the LLEP Director and its staff are covered by this Pay Policy Statement.
- 3.4 The Statement includes policies on:
- a) The level and elements of remuneration for Chief Officers
  - b) The remuneration of lowest paid employees
  - c) The relationship between the remuneration of Chief Officers and other officers.
- 3.5 Remuneration in the context of the Localism Act is defined widely to include salary, bonuses, performance related pay, allowances, fees, benefits in kind and contractual arrangements relating to any possible future severance payments.
- 3.6 The definition of Chief Officer includes Head of Paid Service<sup>2</sup>, Strategic Directors and Divisional Directors.
- 3.7 In line with the Local Government Transparency Code 2015, the Council publishes information showing the top three tiers of its structure, on its website: <https://www.leicester.gov.uk/your-council/how-we-work/performance-and-spending/senior-salaries-and-job-descriptions>

#### **4. Senior Pay**

- 4.1 Under the mayoral model, the Council retains a statutory role of Head of Paid Service who is also the Chief Operating Officer. The overall purpose of this post is to support the City Mayor and to work with the Corporate Management Team, Council and Executive to deliver the Council's vision, strategic aims, and objectives. The salary range for this post is £152,912 - £157,785. There are no additional performance, bonus, or ex gratia payments applicable to this role.
- 4.2 Appendix 1 details each Chief Officer's substantive salary range and salary as at 31 March 2024. In line with the 2023/24 pay award for Local Authority Chief Officers each point on the pay scale for Chief Officers increased by 3.5 % on 1 April 2023.
- 4.3 The conditions of service for Chief Officers are in accordance with the Joint Negotiating Committee for Chief Officers agreement and the local terms and conditions which apply to other staff. Directors do not receive additional performance, bonus, or ex gratia payments.

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<sup>2</sup> The Council does not have a post of Chief Executive but is still legally required to have a Head of Paid Service.

- 4.4 Officers at this level are expected to work those hours necessary to fulfil their duties without additional pay. They receive no additional payments for overtime, standby etc.
- 4.5 Chief Officers are eligible for a council owned mobile device but, in common with other staff, those who choose instead to use their personal device for business purposes, e.g. for voice calls, SMS and data, receive a 'Bring Your Own Device Scheme' allowance. The allowance at the time of writing was £15 per month and has been paid to six Chief Officers since 1 April 2023. The allowance is treated as normal income for tax purposes. The scheme is open to all council employees who are eligible for a council owned mobile device.

#### Placing on Grades and Incremental Progression

- 4.6 Appointments to both Strategic and Divisional Director grades are normally made on the minimum point of the salary range unless an appointee is already on a higher salary in which case placing on the grade will reflect this. The only other factor normally considered, where necessary, is market forces. Market supplements above the grade of the post are not, however, normally awarded at this level. Decisions on placement within the grade are normally taken by the most senior manager involved in the selection process who may, if required, consult the relevant member of the Executive.
- 4.7 Progression through the grade is by one increment on 1 April each year, subject to satisfactory performance, until the maximum of the grade is reached.

#### Fees

- 4.8 The only Chief Officer to receive fees is the Returning Officer who receives payment in accordance with the relevant legislation set by Government for each election. The Returning Officer is the Chief Operating Officer.

#### Termination Payments

- 4.9 Following the revocation of the Restriction of Public Sector Exit Payments Regulations, there are currently no restrictions on termination payments. However, the government has outlined that there will be an expanded approvals process for employee exits and special severance payments and additional reporting requirements for the public sector. This is to allow for additional scrutiny and assurance of exit decisions. Details are awaited.
- 4.10 Redundancy payments are based on the number of weeks' pay staff are entitled to in accordance with statute, with reference to their age and length of continuous service, using an actual week's pay.
- 4.11 In terms of early retirement, the Council's normal position is not to top up pension benefits, but it will consider requests to do so on a case-by-case basis. This approach applies to all employees and there are no special arrangements for senior staff. The Council reserves, however, the right to enter into settlement agreements for staff in exceptional circumstances.

- 4.12 Where the total of the capitalised costs and redundancy pay for a voluntary redundancy are £60K or more, authorisation by the Chief Operating Officer, in consultation with the City Mayor, is required.
- 4.13 The Council has provisions for flexible retirement and for early retirement on compassionate grounds in exceptional circumstances. The Council does not award additional membership under regulation 31.
- 4.14 The Council has in place a policy on re-engagement after redundancy or early retirement. This sets out the circumstances in which an employee who has left the council on the grounds of redundancy and/or early retirement may, or may not, be re-engaged by the Council.

#### Comparison of Senior Pay with Similar Authorities

- 4.15 Geographically the nearest unitary councils are Derby, Nottingham and Coventry City Councils. A comparison of Leicester's Chief Officer salary ranges against the salary ranges for similar posts in these authorities, at April 2023 rates, is shown in the table below.
- 4.16 It should be noted that actual posts and structures vary between authorities and none of these other City Councils is a mayoral authority. One key difference is that Leicester does not have a Chief Executive and the Head of Paid Service is undertaken by the Chief Operating Officer (who, in effect, also acts as the Strategic Director for Corporate Resources and Support). The most senior role in the other three Councils (as their Head of Paid Service) is the Chief Executive.

<b>Authority</b>	<b>Most senior role - Head of Paid Service</b>	<b>Top tier - Strategic Directors</b>	<b>Second tier - Divisional Directors</b>
<b>Leicester</b>	£152,912 - £157,785	£138,299 - £148,039	£91,648 - £105,434
<b>Coventry</b>	£200,000	£118,576 - £144,385	£90,234 - £116,511
<b>Derby</b>	£185,289	£125,814 - £138,194	£81,089 - £95,454
<b>Nottingham</b>	£180,095 - £201,683	£139,463 - £162,375	£110,664 - £122,223

- 4.17 The comparison table above shows that:

- Leicester City Council's Head of Paid Service is currently paid considerably less than the three nearest unitary authorities. This reflects that we do not have a Chief Executive and, instead, have combined the Head of Paid Service with our Chief Operating Officer role.
- The maximum salary for Leicester's Strategic Directors is broadly comparable to Coventry's. Derby pay slightly less, with the maximum salary being comparable to the minimum for Strategic Directors at

Leicester. In comparison, Nottingham pay significantly more at this level, with the most notable difference at the top end of the pay scale.

- Coventry's maximum Divisional Director salary is significantly higher than Leicester's, Derby pay less, and Nottingham pay significantly more.

### Value for Money

- 4.18 One of the key issues underlying the requirement to produce a Pay Policy Statement is consideration of whether senior pay levels represent value for money.
- 4.19 Both Strategic and Divisional Directors have significant responsibilities for the delivery of services under their control and the effective use of workforces and budgets assigned to these. They advise the City Mayor and elected members on Council decisions and the future direction of the authority. They guide major projects, plan and deliver a wide range of council services, are responsible for the effective performance of their service areas, lead on complex changes, make tough day to day decisions on 'doing more with less' and commission services from others. All these activities are delivered against a challenging economic environment of cutbacks.
- 4.20 Most Directors are responsible for large numbers of staff or manage highly complex technical areas with smaller staff complements. The numbers of staff managed are included in Appendix 1. Some senior roles hold statutory responsibilities, such as the Head of Paid Service, Section 151 Officer role (in charge of the Council's finances), Electoral Registration Officer, Local Returning Officer and Monitoring Officer, or responsibilities for safeguarding vulnerable adults or children.
- 4.21 The Chief Operating Officer and the two Strategic Directors, with the City Mayor and the Executive, are responsible for setting out a strategic vision for the way forward for the service areas under their control and providing clear leadership to the organisation. They also provide effective management for their departments. Some senior roles focus around partnership working and relationship management with external partners to integrate strategy, maximise effective use of resources or to facilitate/deliver a shared agenda.
- 4.22 Strategic Directors are responsible for overseeing large departments and Divisional Directors manage the divisions within departments. The size of budgets varies according to the nature of the service. Details of divisional budgets are attached at Appendix 2.
- 4.23 The job descriptions for all these roles are available on the Council's website: <http://www.leicester.gov.uk/your-council/how-we-work/performance-and-spending/senior-salaries-and-job-descriptions/>
- 4.24 The council's leadership qualities, which set out the behaviours expected of all leaders, are at Appendix 3.

## **5 The Wider Workforce**

- 5.1 Senior pay needs to be set in the context of the pay policy in relation to the rest of the workforce. The Council's current pay structure for all staff covered by the National Joint Council for Local Government Services, which includes the majority of non-school staff including most Heads of Service<sup>3</sup>, has 15 grades. The overall salary range (as at 1.4.23) is £22,366 - £74,748 per annum. The bottom grade has one increment, grades 2 and 3 have two increments and the remainder have four increments (Appendix 4).
- 5.2 The grading of jobs is determined through job evaluation, using a scheme which is compliant in terms of equal pay for work of equal value principles.
- 5.3 Employees are normally appointed to the minimum point of the grade and progress through the grade by one increment on 1 April each year, subject to satisfactory performance, until the maximum of the grade is reached. Sometimes, for market reasons, employees are appointed above the minimum point. Accelerated increments may also be awarded for exceptional performance.
- 5.4 The Council has made a positive commitment to support lower paid staff and their families. As such, the Council adopted the 'Real Living Wage', to provide a better standard of living for lower paid employees. The Council therefore pays a supplement to employees whose hourly rate falls below the 'Real Living Wage'. However, at the time of writing, no employees are in receipt of this supplement as the minimum point of the LGS pay scale is above the Real Living Wage rate of £10.90 effective from 1 April 2023.
- 5.5 In September 2023 the 'Real Living Wage' rate was increased to £12.00. The Council intends to implement this increase from 1 April 2024. However, at the time of writing, it is unclear which employees (if any) will be eligible for the supplement as the 2024 pay award, which will be applicable from the same date, is yet to be agreed.
- 5.6 The following local provisions for staff are in place for certain posts:
- Overtime payment at plain time or time and a third
  - Payment at time and a third for work at night, on Saturday, Sunday or Bank Holiday
  - Standby allowance of £122.57 per week.
  - Payment for sleeping in duty at the rate of £40.76 per 12-hour period.
  - First aid allowance of £192 per annum (pro-rata for part time employees).
- 5.7 Employee career development is encouraged and the council offers apprenticeships and training to assist staff to progress in their careers. Managers are encouraged to develop career ladders linked to achieving

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<sup>3</sup> There are seven senior officers paid on 'city officer' grade, which sits outside of this structure. Pay for the city officer grade is, as of 31 March 2024, £76,714 - £85,314 p.a. Pay awards for these staff are determined in line with the Joint Negotiating Committee for Chief Officers Agreement.

relevant competencies; work of the relevant level and financial provision being available. A framework is also in place for appraising employees.

- 5.8 In addition to those staff covered by the pay and conditions described above, a small proportion of the non-school workforce is covered by national pay scales for teachers, educational improvement professionals, educational psychologists, young people's/community service managers and youth and community workers.

### Market Pay

- 5.9 Sometimes job evaluation results in a salary range which is below the market rate for a particular role. Where there is significant difficulty with recruitment and retention because of this, the manager may put forward a business case to the Market Pay Panel. This panel will consider both the recruitment and retention issues and market pay data to determine whether it is appropriate to award a market supplement. Market supplements are reviewed every two years.
- 5.10 The use of market pay is subject to robust governance and control procedures. Over the past four years the number of posts in receipt of market pay has gradually fallen and now stands at only four. This is due to a further scrutiny process that has been put in place as well as looking at other ways in which to address recruitment and retention problems.

## **6 Relationship of Senior Pay to the Pay of the Wider Workforce**

- 6.1 The Hutton Report on fair pay recommended that local authorities should publish the ratio of top earner to the median earner in the authority (excluding school staff and apprentices). At Leicester City Council the ratio, based on the top earner's salary of £157,785 and a median full-time equivalent salary of £29,777 (April 2023 salary rates), is 5.3:1. The ratio is slightly higher than last year when it was 5.2:1.
- 6.2 This remains lower than the latest figures we have from our neighbouring councils – Nottingham City Council's ratio was 7.62:1 in 2023/24 and Coventry City Council's was 7.3:1 in 2021/22. We have not been able to obtain a more up to date figure for Coventry. However, Derby City Council's current ratio is 5.62:1 which is more comparable to Leicester's.

## **7 Pension**

- 7.1 As of 31 March 2024 all staff belonging to the Local Government Pension Scheme (LGPS) make contributions to the scheme based on their salary level as follows:

Contribution Band	Salary Range	Contribution Rate
1	Up to £16,500	5.5%
2	£16,501 to £25,900	5.8%
3	£25,901 to £42,100	6.5%

4	£42,101 to £53,300	6.8%
5	£53,301 to £74,700	8.5%
6	£74,701 to £105,900	9.9%
7	£105,901 to £124,800	10.5%
8	£124,801 to £187,200	11.4%
9	More than £187,200	12.5%

- 7.2 As of 1 April 2023, the Council makes employer's contributions to the scheme at a rate of 27.8%.
- 7.3 The Council's approach to termination payments is set out in paragraphs 4.9 to 4.15 and is the same for staff at all levels.
- 7.4 If a former employee in receipt of a pension re-joins the council, their pension is not normally abated. The only exception is when added years were awarded when the member previously retired. In this case, if new earnings plus existing pension exceed previous salary, then abatement applies.

## 8 **Review**

- 8.1 The Pay Policy Statement will be updated annually as required by the Localism Act.





# APPENDIX A1

Name	Post Title	Employees (Headcount)		Employees (FTE)		Salary Range		Salary at 31.3.2024
		Central	Schools	Central	Schools	Minimum	Maximum	
<b>Head of Paid Service</b>								
Alison Greenhill	Chief Operating Officer	5879	4777	5057	3478	£152,912	£157,785	£157,785
<b>Strategic Directors</b>								
Richard Sword	Strategic Director City Development & Neighbourhood Services	4042		3511		£138,299	£148,039	£148,039
Laurence Jones	Strategic Director Social Care and Education	1852	4777	1618	3478	£138,299	£148,039	£138,299
<b>Divisional Directors</b>								
Amy Oliver	Director of Finance	378		332		£91,648	£105,434	£95,093
Andrew Smith	Director Planning, Development & Transportation	400		382		£91,648	£105,434	£105,434
Sophie Maltby	Director Education, SEND & Early Help	547	4777	454	3478	£91,648	£105,434	£91,648
Chris Burgin	Director of Housing	1023		904		£91,648	£105,434	£105,434
Robert Howard	Director of Public Health	86		79		£91,648	£105,434	£98,543
Kamal Adatia*	City Barrister & Head of Standards	124		113		£91,648	£105,434	£85, 487
Kate Galoppi	Director for Adult Social Care & Commissioning	301		267		£91,648	£105,434	£95,093
Matt Wallace	Director Estates & Building Services	254		216		£91,648	£105,434	£105,434
Mike Dalzell	Director Tourism - Culture & Inward Investment	349		262		£91,648	£105,434	£105,434
Andrew Shilliam	Director of Corporate Services	706		492		£91,648	£105,434	£91,648
Ruth Lake	Director of Adult Social Care & Safeguarding	470		405		£91,648	£105,434	£105,434
Sean Atterbury	Director Neighbourhood & Environmental Services	698		620		£91,648	£105,434	£95,093
Tracie Rees	Programme Director Social Care & Education	0		0		£91,648	£105,434	£105,434
Damian Elcock	Director – Children’s Social Care & Community Safety	534		492		£91,648	£105,434	£101,989

\*0.8 FTE

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### Budget Ceilings

	2023/24 latest budget £000's	Savings £000's	Growth Planned in Budgets £000's	Non-Pay Inflation £000's	24/25 budget ceiling £000's
<b><u>1. City Development &amp; Neighbourhoods</u></b>					
<b><u>1.1 Neighbourhood &amp; Environmental Services</u></b>					
Divisional Management	250.2				250.2
Regulatory Services	2,208.8	(318.0)			1,890.8
Waste Management	22,942.9	(135.0)		843.0	23,650.9
Parks & Open Spaces	5,636.5	(640.4)			4,996.1
Neighbourhood Services	6,193.8	(153.0)			6,040.8
Standards & Development	1,860.4	(232.8)			1,627.6
<b><i>Divisional sub-total</i></b>	<b>39,092.6</b>	<b>(1,479.2)</b>	<b>0.0</b>	<b>843.0</b>	<b>38,456.4</b>
<b><u>1.2 Tourism, Culture &amp; Inward Investment</u></b>					
Arts & Museums	3,926.0	(71.0)			3,855.0
De Montfort Hall	743.7	(25.0)			718.7
City Centre	26.7				26.7
Place Marketing Organisation	46.2				46.2
Economic Development	146.5				146.5
Markets	(260.7)	(30.0)			(290.7)
Adult Skills	(861.2)				(861.2)
Divisional Management	191.9	(32.0)			159.9
<b><i>Divisional sub-total</i></b>	<b>3,959.1</b>	<b>(158.0)</b>	<b>0.0</b>	<b>0.0</b>	<b>3,801.1</b>
<b><u>1.3 Planning, Transportation &amp; Economic Development</u></b>					
Transport Strategy	10,045.5	(305.0)			9,740.5
Highways	3,502.3	(383.0)			3,119.3
Planning	1,283.4	(40.0)			1,243.4
Divisional Management - PDT	148.1				148.1
<b><i>Divisional sub-total</i></b>	<b>14,979.3</b>	<b>(728.0)</b>	<b>0.0</b>	<b>0.0</b>	<b>14,251.3</b>
<b><u>1.4 Estates &amp; Building Services</u></b>	<b>5,335.4</b>	<b>(937.7)</b>	<b>0.0</b>	<b>0.0</b>	<b>4,397.7</b>
<b><u>1.5 Housing Services</u></b>	<b>4,993.8</b>	<b>(495.2)</b>	<b>10,600.0</b>	<b>0.0</b>	<b>15,098.6</b>
<b><u>1.6 Departmental Overheads</u></b>	<b>582.4</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>582.4</b>
<b>DEPARTMENTAL TOTAL</b>	<b>68,942.6</b>	<b>(3,798.1)</b>	<b>10,600.0</b>	<b>843.0</b>	<b>76,587.5</b>

## Budget Ceilings

	2023/24 latest budget £000's	Savings £000's	Growth Planned in Budgets £000's	Non- Pay Inflation £000's	24/25 budget ceiling £000's
<b><u>2. Adults</u></b>					
<b><u>2.1 Adult Social Care &amp; Safeguarding</u></b>					
Other Management & support	790.2				790.2
Safeguarding	257.0				257.0
Preventative Services	5,505.0				5,505.0
Independent Sector Care Package Costs	157,952.5		17,489.0	3,305.0	178,746.5
Care Management (Localities)	11,103.4				11,103.4
<b><i>Divisional sub-total</i></b>	<b>175,608.1</b>	<b>0.0</b>	<b>17,489.0</b>	<b>3,305.0</b>	<b>196,402.1</b>
<b><u>2.2 Adult Social Care &amp; Commissioning</u></b>					
Enablement & Day Care	3,303.8	(813.0)			2,490.8
Care Management (LD & AMH)	5,590.6				5,590.6
Preventative Services	725.7				725.7
Contracts, Commissioning & Other Support	3,290.3				3,290.3
Departmental	(35,086.9)				(35,086.9)
<b><i>Divisional sub-total</i></b>	<b>(22,176.5)</b>	<b>(813.0)</b>	<b>0.0</b>	<b>0.0</b>	<b>(22,989.5)</b>
<b>DEPARTMENT TOTAL</b>	<b>153,431.6</b>	<b>(813.0)</b>	<b>17,489.0</b>	<b>3,305.0</b>	<b>173,412.6</b>
<b><u>3. Education &amp; Children's Services</u></b>					
<b><u>3.1 Strategic Commissioning &amp; Business Development</u></b>					
	2,428.7	0.0	0.0	0.0	2,428.7
<b><u>3.2 Learning Quality &amp; Performance</u></b>					
Raising Achievement	421.0				421.0
Learning & Inclusion	1,483.6		400.0		1,883.6
Special Education Needs and Disabilities	18,063.1		1,600.0		19,663.1
<b><i>Divisional sub-total</i></b>	<b>19,967.7</b>	<b>0.0</b>	<b>2,000.0</b>	<b>0.0</b>	<b>21,967.7</b>
<b><u>3.3 Children, Young People and Families</u></b>					
Children In Need	15,978.7	(500.0)	500.0		15,978.7
Looked After Children	44,901.2	(155.0)	17,465.0	214.1	62,425.3
Safeguarding & QA	2,735.4	(18.0)			2,717.4
Community Safety	839.3	(160.0)			679.3
Early Help Targeted Services	5,212.2	(1,500.0)			3,712.2
Early Help & Prevention Services	3,900.3				3,900.3
<b><i>Divisional sub-total</i></b>	<b>73,567.1</b>	<b>(2,333.0)</b>	<b>17,965.0</b>	<b>214.1</b>	<b>89,413.2</b>
<b><u>3.4 Departmental Resources</u></b>	<b>1,794.1</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>1,794.1</b>
<b>DEPARTMENTAL TOTAL</b>	<b>97,757.6</b>	<b>(2,333.0)</b>	<b>19,965.0</b>	<b>214.1</b>	<b>115,603.7</b>

## Budget Ceilings

	2023/24 latest budget £000's	Savings £000's	Growth Planned in Budgets £000's	Non-Pay Inflation £000's	24/25 budget ceiling £000's
<b><u>4. Health and Wellbeing</u></b>					
Adults' Services	9,001.6		68.7		9,070.3
Children's 0-19 Services	9,289.5		378.0		9,667.5
Lifestyle Services	1,340.2		6.4		1,346.6
Staffing & Infrastructure& Other	2,698.5				2,698.5
Sports Services	3,072.7	(890.0)			2,182.7
<b>DEPARTMENT TOTAL</b>	<b>25,402.5</b>	<b>(890.0)</b>	<b>453.1</b>	<b>0.0</b>	<b>24,965.6</b>
<b><u>5. Corporate Resources Department</u></b>					
<b><u>5.1 Delivery, Communications &amp; Political Governance</u></b>	<b>3,550.3</b>	<b>(51.0)</b>	<b>0.0</b>	<b>0.0</b>	<b>3,499.3</b>
<b><u>5.2 Financial Services</u></b>					
Financial Support	5,242.7	(20.0)			5,222.7
Revenues & Benefits	8,229.6	(1,285.0)			6,944.6
<b><i>Divisional sub-total</i></b>	<b>13,472.3</b>	<b>(1,305.0)</b>	<b>0.0</b>	<b>0.0</b>	<b>12,167.3</b>
<b><u>5.3 Human Resources</u></b>	<b>4,089.7</b>	<b>(55.0)</b>	<b>0.0</b>	<b>0.0</b>	<b>4,034.7</b>
<b><u>5.4 Information Services</u></b>	<b>11,072.7</b>	<b>(10.0)</b>	<b>0.0</b>	<b>0.0</b>	<b>11,062.7</b>
<b><u>5.5 Legal Services</u></b>	<b>6,109.6</b>	<b>(200.0)</b>	<b>400.0</b>	<b>0.0</b>	<b>6,309.6</b>
<b>DEPARTMENTAL TOTAL</b>	<b>38,294.6</b>	<b>(1,621.0)</b>	<b>400.0</b>	<b>0.0</b>	<b>37,073.6</b>
<b>TOTAL -Service Budget Ceilings</b>	<b>383,828.9</b>	<b>(9,455.1)</b>	<b>48,907.1</b>	<b>4,362.1</b>	<b>427,643.0</b>
<u>Note</u>					
<i>less</i> Public Health grant					(29,832.1)
<i>add</i> energy costs provision					5,000.0
Service expenditure as at para. 4.1					402,810.9





## APPENDIX A3

### Leadership Qualities

Leicester City Council's Leadership Qualities underpin the Vision and Values and outline the behaviours we expect our leaders to demonstrate in the workplace. These behaviours are what our people say enables and inspires them to do their best work.

#### People Centred

Be fair, put people at the centre of what we do.

- ✓ Takes time to actively listen and understand individual's views and feelings and adapts their own behaviour and style as appropriate
- ✓ Shows respect for the views of others and gives recognition for their contributions, valuing diversity
- ✓ Engages with people in a straightforward and truthful way
- ✓ Is visible and approachable

#### Achieve

Be accountable and outcome focussed

- ✓ Agrees clear outcomes / objectives and holds the individual and team to account
- ✓ Involves team in creating a shared purpose to help them develop and achieve results

#### Reflect

Be clear, making time to reflect, analyse and develop

- ✓ Encourages and enables team to reflect and act on evaluation and feedback
- ✓ Creates a culture of continuous improvement - sees successes and setbacks as opportunities to learn and develop

#### Inspire

Be confident, igniting creativity, supporting development and role modelling

- ✓ Creates space and time for the team to be innovative and creative
- ✓ Supports team development and encourages autonomy and freedom to enable team to do their best work
- ✓ Demonstrates the qualities desired in people including authenticity and humility
- ✓ Champions difference and external experience, and supports principles of fairness of opportunity for all

#### Connected

Be respectful, build impactful relationships

- ✓ Has regular quality conversations, speaks honestly and challenges constructively
- ✓ Proactively develops positive trusting relationships within the team





# Item 6b

**LG Bands 2023- WEF 1st April 2023**

**APPENDIX A4**

LG Band	SCP	Annual £	Monthly £ p	Hourly Rate £ p
1	2	£22,366	1,863.83	11.59
2	3	£22,737	1,894.75	11.79
	4	£23,114	1,926.17	11.98
3	5	£23,500	1,958.33	12.18
	6	£23,893	1,991.08	12.38
4	7	£24,294	2,024.50	12.59
	8	£24,702	2,058.50	12.80
	9	£25,119	2,093.25	13.02
	10	£25,979	2,164.92	13.47
5	11	£26,421	2,201.75	13.69
	12	£27,334	2,277.83	14.17
	13	£27,803	2,316.92	14.41
	14	£28,770	2,397.50	14.91
6 (1 month notice)	15	£29,777	2,481.42	15.43
	16	£30,296	2,524.67	15.70
	17	£31,364	2,613.67	16.26
	18	£32,076	2,673.00	16.63
7 (2 month notice)	19	£33,024	2,752.00	17.12
	20	£33,945	2,828.75	17.59
	21	£34,834	2,902.83	18.06
	22	£35,745	2,978.75	18.53
8 (2 month notice)	23	£36,648	3,054.00	19.00
	24	£37,336	3,111.33	19.35
	25	£38,223	3,185.25	19.81
	26	£39,186	3,265.50	20.31
9 (2 month notice)	27	£40,221	3,351.75	20.85
	28	£41,418	3,451.50	21.47
	29	£42,403	3,533.58	21.98
	30	£43,421	3,618.42	22.51
10 (3 month notice)	31	£44,428	3,702.33	23.03
	32	£45,441	3,786.75	23.55
	33	£46,464	3,872.00	24.08
	34	£47,420	3,951.67	24.58
11 (3 month notice)	35	£48,474	4,039.50	25.13
	36	£49,498	4,124.83	25.66
	37	£50,512	4,209.33	26.18
	38	£51,515	4,292.92	26.70
12 (3 month notice)	39	£52,775	4,397.88	27.35
	40	£54,034	4,502.86	28.01
	41	£55,290	4,607.48	28.66
	42	£56,555	4,712.92	29.31
13	43	£57,929	4,827.41	30.03
	44	£59,309	4,942.44	30.74

(3 month notice)	45	£60,680	5,056.65	31.45
	46	£62,059	5,171.59	32.17
<b>14</b> (3 month notice)	47	£63,565	5,297.12	32.95
	48	£65,082	5,423.47	33.73
	49	£66,599	5,549.90	34.52
	50	£68,108	5,675.70	35.30
<b>15</b> (3 month notice)	51	£69,695	5,807.93	36.12
	52	£71,340	5,945.04	36.98
	53	£73,024	6,085.32	37.85
	54	£74,748	6,229.04	38.74

Leicester City Council

# Gender Pay Gap Report 2023/24



# About this report

This report is based on the 'The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017' which came into force on 31 March 2017 and which require public sector employers to publish specific details of their gender pay.

Data has been gathered in line with ['The gender pay gap data you must gather pay gap'](#) guidance (updated 15 March 2023).

## Scope

This report covers all employees of Leicester City Council except those based in schools. (Under the regulations the governing body of a maintained school is treated as the employer.) Included are all staff permanently and temporarily employed on the reporting 'snapshot date' (31 March 2023). This includes those on casual contracts that worked during the pay period ending 31 March 2023.

## Definition of Pay

Under the regulations, and therefore in this report, 'pay' includes: basic pay, paid leave (including annual leave, sick leave, maternity, paternity, adoption and parental leave (except where an employee is paid less than usual because of being on leave)), allowances, shift premium pay and bonus pay. 'Pay' does not include: overtime pay, expenses, the value of salary sacrifice schemes (however the reduction to salary is included), benefits in kind, redundancy pay and tax credits.

## Gender pay gap and equal pay

The gender pay gap is defined as the difference between the pay of men and women. While there are many ways of presenting this data, under the regulations and in this report there are only two measures: median hourly pay and mean hourly pay. Each is represented as the percentage of the difference with men's pay being the divisor. Therefore, where men are paid more than women, the pay gap will be 'positive' (i.e. with a 3% pay gap women earn 97p for every £1 a man earns). Negative pay gaps are represented as minus percentages (i.e. with a negative pay gap of minus 3% women earn £1.03 for every £1 a man earns). Gender pay gap is not about men and women being paid differently for the same job which has been prohibited by equal pay legislation since 1975. Even with this legislation, historically certain occupations have attracted greater pay due to the value placed on typical masculine and feminine skills.

To comply with equal pay legislation, as well as to mitigate unconscious gender-biased skill appraisal, we operate a recognised job evaluation scheme which covers the majority of posts within the council. This is supported by periodic equal pay audits to ensure that our pay structure remains transparent and free from gender bias. The most recent equal pay audit was completed in 2022. The overall feedback from the independent author of the report was: 'I'd say this is probably the best equal pay audit I've done – I've found very few issues and nothing that I'd be concerned about.' They also found that 'the JE scheme used by the council, and the method of operation, should provide reliable and consistent job evaluation results' and concluded 'overall, a well designed and operated pay structure'.

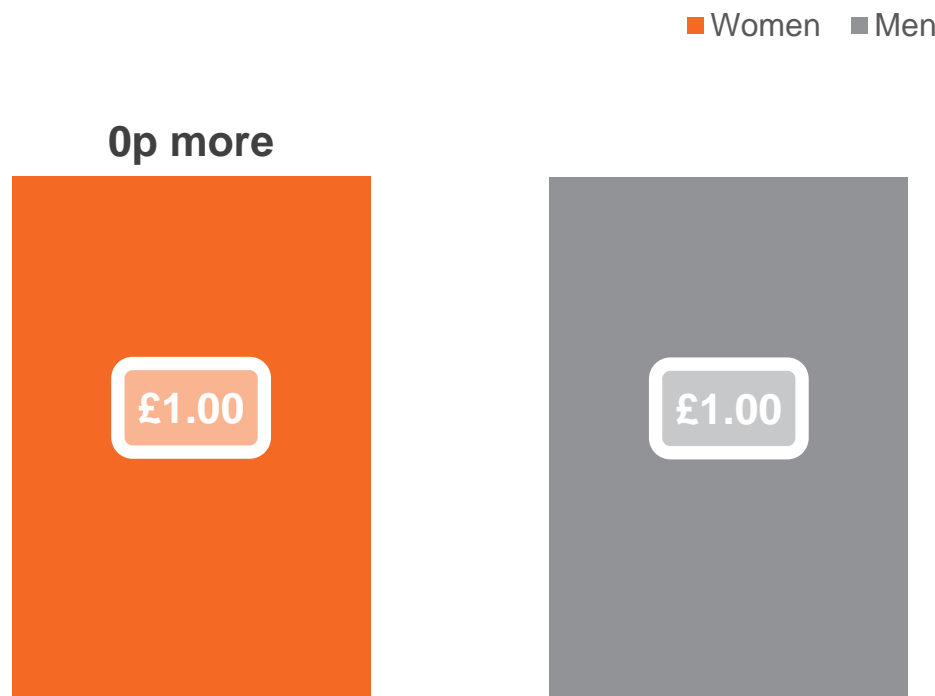
# Summary

The following summary has been prepared in line with the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017. This page covers all aspects of the mandatory reporting requirements under these regulations.

1. The mean pay for women is **£16.68** per hour and mean pay for men is **£16.49** per hour. Therefore, the mean gender pay gap is **negative 1.2%**.
2. The median pay for women is **£15.67** per hour, and the median pay for men is **£15.64** per hour. Therefore, the median gender pay gap is **negative 0.2%**.

## Hourly pay gap

At Leicester City Council, **women earn £1.00** for every £1.00 that men earn when comparing median hourly wages. Women's median hourly wage is **0% higher** than men's.



# Percentage of women in each pay quarter

At Leicester City Council, women occupy **58%** of the highest paid jobs and **55%** of the lowest paid jobs.

Women Men

Upper hourly pay quarter (highest paid)



Upper-middle quarter



Lower-middle quarter



Lower quarter (lowest paid)





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# ***Leicester Youth Justice Plan – Annual refresh***

Decision to be taken by: Full Council

Decision to be taken on: 21<sup>st</sup> March 2024

Scrutiny date: 16<sup>th</sup> January 2024

Lead member: Cllr Sarah Russell

Lead director: Damian Elcock

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## Useful information

- Ward(s) affected: all
- Report author: Karen Manville Head of Service Prevention and Safer Communities
- Author contact details: karen.manville@leicester.gov.uk
- Report version Two plus Code No from Report Tracking Database:

### 1. Purpose of report

- 1.1 To provide the Scrutiny Committee with the annual Youth Justice Plan refresh highlighting progress to date and new emerging priorities and for this to then proceed to Full Council .
- 1.2 The purpose of the report is to review the statutory Youth Justice Plan for 2022-2025 refresh in 2023, directing any comments to the Lead Member for Childrens, Director for Children's and Community Safety and Head of Service for Prevention and Safer Communities.

### 2. Summary

- 2.1 It is the statutory duty of each local authority, after consultation with partners, to formulate and implement an annual youth justice plan setting out:
  - how youth justice services in their area are to be provided and funded; and
  - how the Children and Young People's Justice Service will be composed and funded; how it will operate, and what functions it will carry out.
- 2.2 The purpose of this report is to present the plan for consideration and to seek agreement that it should proceed to Full Council for formal adoption
- 2.3 The statutory youth justice plan is approved by the Leicester Youth Justice Management Board and must then be submitted to the national Youth Justice Board (YJB) by 30 June. It must then be annually once formal approval has been granted from Full Council. As the Youth Justice Board require a draft plan by the 30<sup>th</sup> of June there is agreement that a draft is submitted prior to being formally ratified through political processes. This has always been the case and is due to the YJ grant procedures. The Youth Justice Board will provide feedback by the end of July as part of the process. This year, the YJB have provided some additional guidance, amending the new template that had been issued by the board in 2022. These changes have meant a longer more detailed plan was created that is subsequently refreshed over a three-year period.
  - The document is the youth justice partnership's main statement of purpose and sets out its proposals to prevent offending by children and young people. The plan shows not only what the Children and Young



People's Justice Service (CYPJS) will deliver as a service, but how strategic links with other supporting initiatives will be developed and maintained.

- This plan supports a range of associated partnership strategies including the Leicester Early Help Strategy, Police and Crime Plan, Violence Reduction Strategy and strategic needs assessment, the Community Safety Partnership Plan and delivery plans within the Social Care and Education department. The Youth Justice Plan is supported by a more detailed Partnership Plan and operational Delivery Plan overseen by the Head of Service for Prevention and Safer Communities, who reports progress to the Leicester Youth Justice Management Board
- As a statutory regulated service, youth offending services are normally inspected every three years by Her Majesty's Inspectorate of Probation (HMIP). The most recent single inspection took place in August 2019 and a thematic inspection on Education, Training and Employment was undertaken in January 2022. The service continues to strive for outstanding and to be inspection ready, with the view that an inspection may be called in 2023/24.
- The Youth Justice Plan is required to address the areas of performance, structure and governance, resources, value for money, partnership arrangements and risks to future delivery. The plan takes into account local performance issues, lessons from CYPJS thematic inspections, together with learning from any serious incidents.
- Key priorities for the Leicester Youth Justice Management Board for 2023-24 include areas for further development highlighted by the HMIP thematic inspection and self-assessment against the YJB national standards. Some of the priorities from the 2022-2023 plan have also been rolled forward as it was set out as a three year plan in 2022. The following briefly outlines development plans over the next twelve months focusing upon the services key priority areas.

### **3. Key priorities**

#### **a. First time entrants**

- The plan identifies key priorities for this cohort of children and young people including the ongoing development of the Early Intervention Team as well as the adolescent offer. Detailed information and performance can be found in section 8 of the Youth Justice Plan.

#### **b. Re-offending**

- The plan identifies the key performance indicators for this priority and evidence impact to date and work that needs to be undertaken to continue to strive to reduce the frequency and seriousness of reoffending at all tiers within the youth justice system. Detailed information and data can be found in section 8 of the Youth Justice Plan.

**c. Custody**

- The plan identifies the key successes and challenges with this Key performance indicator. Over the years the service has successfully reduced the number of remands and custodial sentences. The plan identifies key actions that are required to continue to ensure custody is only used where appropriate and all other options have been fully explored. To ensure the right packages are provided to children to reduce remand and custodial sentences as appropriate. Section 8 of the plan provides a detailed reflection of work to date on this priority and what is required looking forward over the next 1-2 years.

**d. Other identified priorities – refer to section 8 (8.13 onwards for a detailed analysis and priority setting)**

- To reduce the numbers of NEET young people with a specific focus on those aged 16+ who are not in full time Education, Training & Employment (NEET) and known to CYPJS.
- To ensure the service continues to respond to the needs to children and young people on EHCPs and any identified learning and neuro diversity needs.
- CYPJS is a duty holder of the new Serious Violence duty and as such there is an expectation to fulfil several functions referenced in the Plan.
- Victim and Restorative Justice work including reviewing existing data sets to the victim offer uptake and exploring processes to capture satisfaction rates of victims to inform future delivery:
- Participation as a key priority and developing a service that is rights respecting.
- To continue to promote evidence-based practice to further impact on our reoffending rates.
- Maintain scrutiny in relation to disproportionality and children looked after due to their overrepresentation within our service ensuring that packages of intervention meet specific need, and that there is a preventative offer in place for residential homes. To ensure the Board receives reports on partnerships work on disproportionality as part of the new suite of KPI's.
- Establish a bespoke programme to support young people through all transitions including health, education, accommodation, children who move services and children who reach the end of their order.
- To complete national standards self-audit in October 2023 on the court work and continue to ensure areas for improvements are delivered upon.
- To develop and embed an adolescent offer in 2024.

#### **4. Key successes – (refer to section 12 for detailed information.)**

- The REACH Team has been successfully evaluated and continues to have a significant impact on children and young people on the cusp of exclusions from school or missing education regularly. The delivery was independently evaluated by Sheffield Hallam University with fabulous findings and areas for ongoing development.
- The service has embedded a robust offer to young people who have experienced Acute Trauma (ACE) in their lives and how to support young people with a history of trauma.
- Developed a robust approach to working with children and young people on EHCP's to ensure staff are skilled and able to adapt plans to meet identified needs. The service is working with key partners to strengthen the support for children with neurodiversity needs and staff are being trained to recognise and work with said children. This will remain an ongoing priority.
- Leicester City Violent Crime joint action group (JAG). Working in partnership the JAG is working to redesign the public service response to violence in Leicester City through greater collaboration and integrated working.
- The Early Intervention Team has now been operational since November 2019 and has provided intervention to more than 600 children and young people. Data demonstrates a significant drop in the number of young people who have re-offended as well as the number of offences committed which is supporting our reduction in FTE's.
- The Summer Arts College (SAC), established by the YJB in 2005, has been adopted by Leicester CYPJS for many years. The programme is run over several weeks during the school holidays and provides children with the opportunity to participate in art-based activities, whilst working towards an Arts Award.
- Continual improvements in several performance indicators including the reduction of numbers being remanded and entering custodial establishments and an increase in pre and post 16 ETE engagement.
- Leicester CYPJS has worked closely with the Crown Prosecution Service to avoid unnecessarily criminalising children. This has resulted in an increased number of children being diverted from Court for an Out of Court Disposal, acknowledging the child's needs and circumstances, thereby diverting away from the formal justice system at an early stage.
- A key priority in 2022 was to embed the social care and education participation strategy, ensuring that the views of children and young people, their parents/carers and other stakeholders are fully embedded in key areas within the CYPJ service.
- Victim voice to be more evident within out of court disposals with a stronger focus on restorative justice processes.
- The establishment of a bespoke programme to support young people through transitions smoothly. Probation have embedded a young person's team which has assisted in the transitions work.
- The establishment of a bespoke Health dashboard for CYPJS to track themes and trends but also provide staff with a wealth of health data to inform their planning and delivery.

- The creation of a 'Remand Strategy' to support the effective management and support for young people who are remanded into custody including those who are held overnight in police custody.
- Substance misuse services. There has been a marked increase in referrals, engagement and outcomes for young people receiving support. This will continue to remain a priority area for the service to ensure this continues to be the case throughout 2023/4
- The adolescent offer - The Expansion of the offer within the service, merging a range of programmes to develop a co-ordinated pathway of interventions to both prevent and protect young people who are at risk of offending and child criminal exploitation.
- The service has continued to be a core member of the Violent Reduction Network and helped prepare, alongside partners, for the Serious Violence Legal Duty within the Police, Crime, Sentencing and Courts Act 2022. As a specified authority, the Head of Service is the nominated lead for this area with the strategic director overseeing the work for the local authority.

**5. Key risks and mitigations** (see section 10 of the Youth Justice plan for further detail)

- A key risk at the time of finalising this plan is the continued impact of the cost-of-living crisis, remaining challenges from the pandemic and impact on our children and families. The impact of COVID for years to come is evident and will impact on all children's services including CYPJS.
- An ongoing challenge for the CYPJS is to maintain continuous improvement in the context of any proposed national changes. Additional risks to future service delivery arise from reduced government and partnership funding. Partners as well as local authorities are in increasingly challenging times financially, whilst demand is increasing, which may impact indirectly, or directly on service delivery in the coming years.
- The service is working with strategic partners through the YJMB to ensure that national changes to the criminal justice system through Police, HM Courts and Probation services are managed appropriately and address risk, public protection and safeguarding priorities for children and young people.
- HMIP were recently clear that the service was working with complex children and young people and the challenges this places on the service and partnership. The increased complexities of cases escalating through the criminal justice system is notable. Reflecting children's experiences of trauma, serious youth violence and exploitation will be paramount.
- Transitions- The growing cohort of young people aged 16 -18 open on orders makes it imperative that we improve all transitional arrangements (health, services, accommodation, education etc), ensuring that there are strengths in the transition to adult probation services particularly around maturation and understanding gaps in support.
- Prevention and Early Intervention - Considering the balance of the prevention open case load compared to the statutory caseload we will continue to strengthen the focus on the prevention and early intervention opportunities.

- Disproportionality within CYPJS processes and practice affecting young people's experience and outcomes will remain a priority and key to partnership working too.
- Key Performance Indicators. We have developed a robust approach to the new KPIs that have been put in place from April 2023. These were presented to the board in 2022 prior to launching and a workshop in June 2023 highlighted an opportunity for board members to "adopt" a KPI to ensure strategic partners had an eye to themes and trends in the KPIs being monitored.

## **6. Recommendations**

6.1 To consider, and note, the achievements from 2022-23

6.2 To consider, and agree, the priorities for 2023-25 with a refresh to progress in spring 2024.

6.3 To agree that the plan should proceed to Full Council for formal adoption.

## **7. Report/Supporting information including options considered:**

7.1 The full report and appendices are included in the summary report below including the children and young people's plan.

## **5. Financial, legal and other implications**

### **5.1 Financial implications**

The Gross budget is just over £2.1m with increased funding from Youth Justice grant of £833k for 23/24(22/23 £797k)

Paresh Radia - Finance

## 5.2 Legal implications

There are no direct legal implications arising from the contents of this report.

Pretty Patel – Head of Law

[Pretty.patel@leicester.gov.uk](mailto:Pretty.patel@leicester.gov.uk)

## 5.3 Climate Change and Carbon Reduction implications

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

Aidan Davis, Sustainability Officer, Ext 37 22284

## 5.4 Equalities Implications

Revised three paragraphs

Mention neurodiversity – focus on disability – mental, adhd, autism, etc

Unconscious bias/disproportionality – page 10 ethnicity

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

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

The report sets out the proposed statutory Leicester City Youth Justice Plan for 2023/24. From the perspective of meeting our Public Sector Equality Duty aims, the Youth Justice Plan sets out priority activities that seek to promote equality of opportunity for young offenders by reducing the adverse impacts they are likely to experience through involvement with the criminal justice system; and by achieving these outcomes and enabling young offenders to take part in city and community life, contribute to improved good relations between different groups of people. In terms of the protected characteristic of race, the

Leicester Youth Justice Management Board will continue to implement the recommendations from the task and finish group findings, exploring disproportionality of ethnicity and children looked after. In terms of the protected characteristic of disability, the board has a priority to improve the quality and effectiveness of CYPJS interventions to reduce re-offending, including an evaluation of the work undertaken in relation to supporting young people known to CYPJS who have identified learning needs and/or disabilities/neuro diversity.

However, the report and the appendix do not explore in any detail the protected characteristics of young people in the service, any potential issues in terms of over representation and how this compares to local demographics and the national picture or any work being done locally to address any specific issues related to this (other than race and disability as cited above). To make further progress in meeting our public-sector equality duties, in particular that we are advancing equality of opportunity and eliminating discrimination, the service should ensure that the monitoring of disproportionality, trends and issues include the protected characteristics of young offenders not least sex, race, disability, religion and belief.

The proposed Youth Justice Plan 2023/24 offers a high-level overview of the planned work for the coming year, however there are a number of strands of work where equalities, and particularly the PSED, will need to be an on-going consideration, such as the implementation of the Remand Strategy and the work of the Case Management and Diversity Panel. It may be the case that an Equality Impact Assessment is required for some strands of work such as reviewing policies and services, where changes will directly impact on young people in the service, and advice can be sought from the Equalities Team on this as required.

Sukhi Biring, Equalities Officer, 454 4175

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

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**6. Background information and other papers:**

**7. Summary of appendices:**

**Appendix A** The full report which also has a number of appendices attached to the full report.

A1 Terms of reference for the board, induction presentation and membership

A2 participation policy

- A3 Voices of children
- A4 Structure and staff makeup
- A5 Workforce development
- A6 Budget
- A7 Evaluation reports
- A8 Early Intervention Performance report
- A9 Co-produced plan examples
- A10 Performance report
- A11 Partnership plan

## **Appendix B** Childrens plan

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

No

**9. Is this a “key decision”?**

Yes/NO

**10. If a key decision please explain reason**

**In determining whether it is a key decision you will need consider if it is likely:**

- to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council’s budget for the service or function to which the decision relates.
- to be significant in terms of its effects on communities living or working *in two or more wards in the City*.

Expenditure or savings will be regarded as significant if:

- (a) In the case of additional recurrent revenue expenditure, it is not included in the approved revenue budget, and would cost in excess of £0.5m p.a.;
- (b) In the case of reductions in recurrent revenue expenditure, the provision is not included in the approved revenue budget, and savings of over £0.5m p.a. would be achieved;
- (c) In the case of one off or capital expenditure, spending of over £1m is to be committed on a scheme that has not been specifically authorised by Council.



In deciding whether a decision is significant you need to take into account:

- Whether the decision may incur a significant social, economic or environmental risk.
- The likely extent of the impact of the decision both within and outside of the City.
- The extent to which the decision is likely to result in substantial public interest
- The existence of significant communities of interest that cannot be defined spatially.



# Item 6c



# Youth Justice Plan 2022-2025 (2023 refresh)

<b>Service</b>	Leicester Children and Young Peoples Justice Service (CYPJS)
<b>Head of Service Service Manager</b>	Karen Manville Head of Prevention and Safer Communities Brian Bodsworth Service Manager for Children and Young Peoples Justice Service and Youth Service.
<b>Chair of Leicester Youth Justice Management Board</b>	Martin Samuels Strategic Director, Social Care & Education, Leicester City Council

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5. Governance, leadership and partnership arrangements
6. Resources and services
7. Progress on previous plan
8. Performance and priorities
9. National standards
10. Challenges, risks and issues

11. Service improvement plan

12. Evidence-based practice and innovation

13. Looking forward

14. Sign off, submission and approval

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26. Appendix 12 - Service Delivery plan

**Foreword by Martin Samuels** Strategic Director, Social Care & Education,  
Leicester City Council and chair of Leicester City Youth Justice Management  
Board June 2023

In the same way as every other part of society, the past few years have been an unprecedented period for the Youth Justice system in regard to the recovery from the pandemic and the cost-of-living crisis that has hit communities across the country and impacting on our local communities across Leicester City. Pulling out highlights from these experiences and summarising the key priorities for the coming year that this leads to, is therefore something of a challenge. The Youth Justice Management Board, and the Children and Young People's Justice Service have responded to the inevitable challenges, the past few years have caused in such a positive and constructive manner. This underlined beyond question the intense commitment to children that is central to the ethos of Leicester, The partnerships, and the work of the Youth Justice Service.

I have had the privilege of chairing the Board since I joined Leicester City Council at the beginning of March 2020 and have met and been in regular contact with all the members of the Board in a variety of contexts, as well as a number of the team managers, both when they have presented reports to the Board and in other situations such as a recent workshop specifically arranged to priority set for this year's annual plan and discuss at length the new Key Performance Indicators. I will also be ensuring regular staff briefings and meetings whereby I will get further opportunities to meet with front line staff.

This refreshed Youth Justice Plan provides an excellent opportunity to take stock of the past year, and to plan for the year ahead, doing so alongside the children and families of Leicester. A central element of our work has been embedding the Lundy Model of rights-based participation and the child first approach that we adopted several years ago. The practical impact and benefit of this work on service design and on individual practice has been very evident. In January 2022, the service was one of six across the country to host a thematic inspection, focused on education, training and employment. I was delighted at the extent of the positive feedback received from HMI Probation. Their recommendations provided the core of the key priorities within this 3 year plan, and as we enter year 2 of the plan we have achieved a number of the recommendations with further work highlighted within this refresh. This reflects the strong aspirations that lie at the heart of the approach of both the service itself and of the wider partnership. These continue to drive all of us forward, making me proud to be part of this strong team.

I hope that you take the time to read the full plan and specifically the work of our children in developing the cover for the plan and ongoing work for a children's plan on a page, as well as their feedback. Like me, you will be impressed by the work that has been done by the Youth Justice Management Board and by the Children and Young People's Justice Service during the past year, and our plans moving forward. This also gives me the opportunity to thank each of the partners, and all of the staff, for their support for the work that we have collectively delivered during these challenging times, and to underline how much this gives me confidence for our shared ability to address the priorities and challenges of the year ahead, always doing

**so in ways that put the interests of children and families at the heart of everything we do.**

## **1. Introduction, vision, and strategy**

1.1 The CYPJS is positioned within the Social Care and Education Department of the Local Authority. The service is strategically overseen by the Head of Service for Prevention and Safer Communities which has a portfolio of services including the Prevent agenda, Domestic Abuse and Sexual Violence, Community Safety including the Community Safety Partnership, Hate Crime Strategy, Serious Violence and the National Changing Futures initiative, Youth Services, Family Therapy programmes, as part of our Edge of Care offer, Wellbeing Practitioners, Child Exploitation and the Children and Young Peoples Justice Service (CYPJS). This approach contributes to a co-ordinated whole system approach and supporting earlier identification of families with multiple and complex needs together with increased opportunities for more targeted work with children and families at risk of poor outcomes or involved in crime and anti-social behaviour.

1.2 The CYPJS Service Manager oversees the operational delivery of the service and partnership work under the management of the Head of Service. The Head of Service is managed by the Director for Social Care and Community Safety who reports directly to the Strategic Director for Social Care and Education. Governance arrangements for CYPJS reside with the multi-agency Leicester City Youth Justice Management Board (LYJM Board) chaired by the Strategic Director for Social Care and Education.

1.3 The Head of Service took up post in April 2021 with a background in youth justice, therefore bringing a wealth of experience to this role which will continue to be key to the implementation of the annual plan. The Service Manager took up post at the same time having a background in Youth Justice as well as overseeing the Youth Service in Leicester.

1.4 The LYJM Board has senior officer level representation from statutory services including Police, Health, and the National Probation Service. (*Refer to LYJMB Membership and Terms of Reference Appendix One*) Representation is also in place from Education/SEND, Community Safety Partnership, Violent Reduction Network (VRN), and The Office of The Police Crime Commissioner. A key focus of the board over the last two years has been strengthening the strategic response and shared ownership of the partnership strategic plan alongside ensuring services are effective and adhering to National Minimum Standards. A planned away day in May 2023 was used to provide further updates on the new KPI's and ensure the board individually Adopt a KPI to support strategic oversight of these. The away day also ensured a full review of the Youth Justice Plan and priority setting. The board commissions pieces of work and in 2021 disproportionality of ethnicity and children looked after within the CYPJS cohort was a focus and continues to be monitored through the board with spot light reports. The development of the health dashboard has also been a successful development with ongoing updates provided to the board.

1.5 There is a close alignment between Leicester's Youth Justice Plan and the Violence Reduction Network's (VRN) Response Strategy. This includes several shared priorities and

co-investment in projects and applications for further funding. The development of Leicestershire Police's Violence and Complex Crime Unit (VCCU), with a dedicated team focusing on prevention, has provided further partnership opportunities to strengthen the local system. This has placed the Board in a strong position for discharging the new Serious Violence legal duty that has come into force. The partnership has already received positive feedback on the work to date.

1.6 The board meets on a quarterly basis where performance and finance reports are presented by the Head of Service and Service Manager, to inform strategic decisions and resource allocation. A strategic partnership action plan is maintained by the Head of Service and overseen by the board. HM Courts are kept abreast of the performance and governance through the Service Manager chairing quarterly court liaison meetings. Spotlight updates are provided to the board where required.

1.7 The board reports include quarterly analysis of performance against key national and local youth justice indicators, audit and self-assessment activity, Serious Incident reporting, National Standards audits, and spotlight thematic topics. The board receives deep dive thematic reports with recommendations that are reviewed at the board on a regular basis. The board reviews and revises its performance management framework regularly, to consider best practice and changing local and national priorities. Ongoing strategic partnership analysis and priorities for 2023 included child exploitation (CE), mental health, education and neurodiversity and disproportionality. The board has recently received an updated report on the Serious Violence duty.

1.8 The effective participation and engagement of children and young people remain a high priority for the service. The Head of Service has (through a task and finish group made up of colleagues from the wider set of services) developed an addendum to the Social Care and Education Participation strategy that specifically focuses on the service response to ensuring effective co-production with young people and their families in their assessments, plans and interventions. This task and finish group has evolved into a divisional Participation network with representation from youth justice. There has been a drive to train all staff in the adopted Lundy model which has had positive outcomes for improving the voice and participation of our children, young people, and families. It is hoped that a shadow board is developed for children and young people to feed recommendations and workstreams to the board on a quarterly basis. This is currently being scoped out and work being undertaken to present a children's youth justice plan on a page.

1.9 The Head of Service is a member of key governance groups linking to LYJMB such as the Strategic Partnership Board, Adult Vulnerability Board that has ownership of MAPPA. Local Safeguarding Partnership Board for reporting and monitoring lessons from Serious Incidents and Child Practice Reviews. The Head of Service of Prevention and safer Communities has chairing responsibilities for relevant boards with cross cutting themes such as CHANNEL, Changing Futures Steering Group and Domestic Abuse Accommodation Board. The Service Manager deputises for the Head of Service and ensures attendance at all operation delivery groups that sit beneath the strategic boards. A number of these boards were re-shaped in 2022.



1.10 The Service Manager also holds quarterly liaison meetings with key partners and stakeholders including the Police, Courts, CAMHS, Turning Point (substance misuse provider) etc.

1.11 The aims of Leicester Children and Young People's Justice Service (CYPJS) are to prevent children and young people offending, to reduce re-offending and the use of custody. This is achieved through working in partnership to deliver services that ensure children and young people are safeguarded, the public and victims of crime are protected, and those who enter the criminal justice system are supported with robust risk management arrangements. Our aim is to intervene early to provide help and support to young people and reintegrate them into their local communities without further offending.

1.12 This Plan supports a range of associated partnership strategies including the Police and Crime Plan, Leicester, Leicestershire and Rutland Violence Reduction Strategy, the Community Safety Partnership Plan, Knife Crime strategy, and delivery plans within the local authority Social Care and Education department as well as those within adult social care and housing due to cross cutting themes.

1.13 We are working closely with our partners in the criminal justice system to ensure resources are effectively targeted at the minority of children and young people who repeatedly offend and are responsible for the majority of youth crime.

1.14 The CYPJS are active partners in the delivery of the Supporting Families (SF) Programme holding a caseload of families identified as SF. This has ensured that targeted whole family support continues to be provided to families that are open to CYPJS. In addition to the SF programme, where there are young people working with CYPJS that require additional support they adopt the Early Help Assessment model and become the lead professional for the family co-ordinating the agencies involved and action plan.

1.15 Victim work is a key priority for the service with victims of youth crime receiving support from a dedicated officer post and follow up work with young people about the consequences and impact of crime and anti-social behaviour. There have been ongoing developments of the use of this role within out of court disposals and prevention cases to support a reduction of young people entering statutory services. There has been some incredibly innovative work happening with young people in reparation including RSPCA charity sessions, workshops on reparation development and young girls pamper box making. The Restorative Justice and Victim Policy as well as and Reparation Policy have been reviewed in early 2023.

1.16 The CYPJS works holistically to support children and young people to have high aspirations in their lives and for their future. The service works in partnership to address all the complex issues young people display including physical and mental wellbeing, Acute Childhood Trauma and Education attainment for example. The service recognises the need to ensure earlier intervention which has a greater impact. This is being evidenced through the prevention/community resolution offer which was established in 2020 within CYPJS. This has now been relaunched as the Early Intervention Team which continues to go from strength to strength.

1.17 The CYPJS has continued to prioritise young people's engagement in individually tailored assessment and support programmes. The service has an established comprehensive quality assurance framework, reviewed annually, to oversee assessments, pathways, planning and interventions through to outcomes. The service ensures evidenced based interventions are utilised whilst working to establish more research-based practice within the service.

1.18 Using internal resources and external funding from the Office of the Police and Crime Commissioner and until recently the Violence Reduction Network and Supporting Families, the Early Intervention Team has become an established part of the CYPJS making a positive impact in reducing the numbers of children and young people entering the criminal justice system and/or re-offending. The key objectives of the team have been to:

- a) to divert children and young people away from crime and the criminal justice system.
- b) to engage young people on the cusp of offending, or who have received a community resolution for committing a low-level offence, to divert them away from the formal justice system.
- c) prevent the escalation of offending and serious youth violence and reduce the need for statutory services and resources.

1.19 All children and young people known to the service, regardless of their offending, receive one to one intervention on knife related offending and consequences. These have been well received across the service and partnership and the service has maximised the funding received from the Office of the Police Crime Commissioner, to create bespoke group work packages in partnership with Targeted Youth Support services. The packages have concentrated on two distinct groups of young people targeting those at risk in a prevention project as well as those appearing on the habitual Knife Carrier list in reducing further offending. The Head of Service is a member of the Knife Crime Strategic Group that oversees the Leicester City Knife Crime Strategy. The Service Manager attends a fortnightly Serious Youth Violence Joint Action Group (JAG) to identify and divert young people identified through a coordinated partnership response.

1.20 The ACE project has provided refresher training and support over the last year to all staff including sessions at the CYPJS service meetings as well as a focus on supporting the emotional wellbeing of staff. The project provides training, consultation and advice as well as direct work with young people and their families. The project team receive on average 5 direct referrals a month to support children, young people and families displaying trauma from their childhood. The project has developed and provided case formulation support which has enabled case managers to map and respond to childhood trauma. Children trauma work and training has been rolled out across Children services to enable a coordinated response to children experiencing trauma. Police in custody suites have also received trauma informed training to support this approach across the partnership. Representatives from the ACE's team make up core panel membership for the Case Management and Diversity Panel (CMDP) and their attendance and input at the CMDP ensure our High risk cases have a trauma informed approach to multi-agency management. The ACE's team are in the process of implementing an Enhanced

case management model to consolidate and effectively evidence the impact of a trauma informed approach.

1.21 In 2021 the service has incorporated learning from a domestic homicide review and a Critical Learning Review within 2020/21 involving one young person who was open to the service and one that had been closed for a period of time where it was felt best practice to undertake a review. Recommendations for CYPJS have been shared with the Leicester Youth Justice Management Board with learning identified incorporated within the service delivery plan. The domestic homicide review has been published and all recommendations realised. The Head of service is a member of the DHR review group and subgroups.

1.22 Targeted individual advice and guidance continues to be offered to our vulnerable children and young people who are not in education, training, or employment (ETE) CYPJS continues to support young people's access to education, training, and employment with some excellent results. The service was part of the HMIP thematic inspection on education, training, and employment in January 2022 with some excellent feedback at the end of the focused week. Several projects were regarded as outstanding and trailblazers and are featured in the thematic inspection report and continue to provide outstanding support for children and young people. Comprehensive evaluations of the projects have been undertaken. The Connexions Service continues to work with economic regeneration partners to ensure that Education, Training and Employment for young people open to the CYPJS remain a priority. CYPJS are working closely with the employment hub located within the city which will help improve EET outcomes for young people aged 16+.

1.23 The service is a key partner within the partnership response to serious organised crime and gang related offending in Leicester. The service is a key partner within the sub regional Child Criminal Exploitation hub for Leicester, Leicestershire and Rutland, with youth justice recently taking on operational responsibility for child exploitation. The multi-agency response to criminal exploitation with a referral pathway and practice guidance for practitioners has been critical in ensuring the right responses are made at the right time for children and young people vulnerable to exploitation. This was commended on in the thematic inspection.

1.24 The service has worked in partnership with key agencies such as children's social care, targeted youth, and the police to embed a localised protocol and approach to continue to reduce the over-representation of children looked after (CLA) and care leavers within the criminal Justice system. Through concerted partnership work, whilst Leicester is still slightly above the national average/YOT comparator group, there has been a reduction of CLA in the CYPJS cohort. The partnership is not complacent and is committed to maintaining this as a priority moving forward

2021 – 2022

Total number of LAC = 316
Number known to CYPJS between 1st April 2021-31st Mar 2022 = 6 =1.89%

2020 -2021

Total number of LAC for Leicester City = 312
Number known to CYPJS between 1st April 2020-31st Mar 2021 = 21 = 6.7%

2019 -2020

Total number of LAC for Leicester City= 298
Number known to CYPJS between 1st April 2019-31st Mar 2020 = 16 = 5.4%

The service has embedded a robust Quality assurance process including regular deep dives of all CLA cases and works closely with CLA colleagues to provide a wraparound programme of support. There are yearly follow ups on the task and finish group established in 2021 and reported on in the previous Youth Justice Annual Plan. The following recommendations were made and there has been progress achieved and updated through the board:

- the previous joint protocol between the CYPJS and Children's Social Care is revised and updated. This has been completed and has recently been reviewed in early 2023.
- children looked after and known to the CYPJS are reported to the LYJM Board and relevant partners quarterly to monitor trends in practice and performance. This is embedded.
- offending by CLA is reported to the Corporate Parenting Board by the corporate parenting Head of Service and recommendations reported to the Service Manager for follow up.
- on-going training in restorative justice is included in support for social care, health, and Police professionals to ensure appropriate use of community resolutions and out of court disposals for children looked after.

- a joint thematic audit of current open cases of looked after children known to the CYPJS is undertaken to identify current practice and areas for development. This is repeated on at least an annual basis.
- a review of best practice in areas that are deemed to be good or outstanding in reducing looked after children offending is undertaken to support local improvement. This requires further investment and will be a priority for 2022/3.

1.25 The Court, Custody and Resettlement Team within the CYPJS has provided a consistent offer to those entering the secure establishment and close working relationships with the courts and secure estate. There continues to be low numbers entering custody. This has resulted in increased confidence from the courts with good congruence rates regarding packages presented to the court, particularly sentencing proposals. Whilst there are secure operational links with custodial establishments it is felt this area can continue to be monitored to ensure effective resettlement packages are always provided. There has nonetheless been a strengthening of the relationship between CYPJS and Werrington YOI culminating in the delivering of a joint briefing from the CYPJS leadership team and the Werrington ROTL team on ROTL and resettlement best practice. There is room for improvement in strengthening the working relationship between CYPJS and other secure facilities. The service has reviewed transitions and resettlement policies in early 2023 and provided refresher briefings to staff.

1.26 One action within the operational delivery plan for the Children & Young People's Justice Service (CYPJS) 2021-22 was to ensure there is no unconscious bias towards children and young people from different ethnic backgrounds who are open to the service. To explore this fully, a task and finish group was set up to explore if there is any ethnic disproportionality within CYPJS processes and practice affecting young people's experience and outcomes. The task and finish group was chaired by the Head of Service for Early Help and Prevention with one Team Manager taking the lead for coordinating work. Membership of the group consisted of representative roles from within CYPJS:

- a) The task and finish group completed work as follows (which has been regularly reviewed by the board. The task and finish group has ceased but recommendations continue to be monitored and reported to the board on a quarterly basis within the performance report.
- b) Using the Ethnic Disproportionality Tool with performance data reviewed and amended to reflect a breakdown of ethnicities, overlayed with education, SEND, social care and early help data.
- c) Benchmarking against the recommendations from the 'Lammy Review of Black, Asian and Minority Ethnic (BAME) representation in the Criminal Justice System (2017).
- d) Completed mapping against good practice identified by the Ministry of Justice report exploring 'Tackling Racial Disparity in the Criminal Justice System' (Feb 2020).
- e) Young People's survey re: experience of practice in relation to diversity and ethnicity in particular.

- f) Staff survey re: experience and professional practice within the Children & Young People's Justice Service.
- g) Quality assurance of 37 cases where there have been breaches of court orders to test out key lines of enquiry that arose from the data we reviewed.
- h) Mapping local data against the YJB infographic re: Exploring racial disparity and how it affects children in their early years and within the youth justice system.
- i) Making tweaks to processes as the group became aware of anomalies eg) being able to request a change to a young person's ethnicity on ONE etc.
- j) Sharing good practice and learning as part of the Association of YOT Managers network on racial equality.

1.27 Whilst our cohort size is small, there are some key variances identified:

- a) Data analysis identifies that we do continue to have disproportionality in relation to an over representation of breach rates for white British and mixed heritage young people within the CYPJS cohort. However, following extensive quality assurance activity, whilst we did have a flag in relation to potential disproportionality within breach processes, there was no evidence that young people had been treated differently as a result of their ethnicity or that their background and culture was considered less so than other ethnic groups. This is monitored through supervisions and data to ensure that this continues to be analysed.
- b) Further data analysis and quality assurance activity completed identified variances in comparator data with national datasets. As an example, Leicester has a higher number of white British and mixed heritage young people within the CYPJS cohort who have special educational needs (SEN) and/or an education, health and care plan compared with the national cohort where it is more prevalent with higher numbers of young people having SEN.
- c) Inconsistencies in processes being applied in practice with not enough focus on diversity and culture. The staff survey and young people's survey have also identified some key areas of development, some not in relation to ethnicity.
- d) Reviewing all of the findings, the task and finish group developed 25 recommendations that have been incorporated into the CYPJS service delivery plan. These recommendations were divided into three key areas:
  - Improving quality of practice
  - Building capacity and confidence within the workforce
  - Active participation influencing planning and delivery

- e) The recommendations have been monitored through the management board and two presentations have been provided with a further update provided to the board in June 2022 and January 2023. This ensures that the work is being monitored regularly. The work has also been presented at a range of Leicester board meetings and highlighted as excellent practice at a senior level within the authority. The work is now embedded within the delivery and partnership plan and presented through the performance report.

## 2. Local context

2.1 There are just over 84,000 children aged 0-17 in Leicester, representing about a quarter of the local population. Not only is Leicester one of the youngest cities in the country, it is also one of the most ethnically and culturally diverse: 185 different languages are spoken by Leicester residents and 67% of the school population is made up of ethnic minority groups. Children in Leicester are more likely to live in low-income families and experience poverty than they are in other cities in England. The city is among the top 20% most deprived areas of the country, and children in Leicester are over four times more likely to be living in poverty than those in wealthier areas of the country. More than one in four (27%) of children in Leicester live in poverty before housing costs are taken into account. When considering housing costs, 41% of children are in poverty. Linked to the high levels of deprivation, children and families in Leicester have poorer health and a life expectancy that is below the average in England. This has been exacerbated by the cost-of-living crisis which has put a considerable strain on our families across Leicester City. The head of Service has ensured that service managers attend the feeding Leicester and Antipoverty board to support these critical agendas and the detrimental impact it has for our families.

2.2 Across the Social Care and Community Safety division the high need and family complexity is recognised. The ETE thematic inspection in January 2022 acknowledged the complexity of cases seen as has OFSTED Focus visits to Social Care over the past year. Many of the children and young people coming through to the service present with complex needs, have experienced adverse childhood experiences, and consequently they require additional welfare support.

### Key Facts:

- 43% of Leicester's population is Asian, of whom the majority are of Indian heritage. Leicester also has large Eastern European (Polish, Romanian), Black African (Somali, Nigerian), and Caribbean populations.
- 41% of Leicester residents were born outside of the United Kingdom.
- Leicester's population at the 2021 census was 368,581.
- The city's population is one of the fastest growing in England and increased by 11.8% since 2011.
- Leicester is a young city with a median age of 33 compared to 40 for England.
- Leicester has a large 20-24 year old population due to students attending the city's two universities.

## Employment

- Leicester has a lower labour force participation rate and higher unemployment rate than England.

## Households

- There are 127,389 households in Leicester. 29,495 households rent from the social sector, of which 18,748 rent from the council.

## Deprivation

- Leicester was the 32<sup>nd</sup> most deprived of 317 local authority district areas based on the Indices of Multiple Deprivation 2019 and is significantly more deprived than surrounding areas. Eyres Monsell, Saffron, Braunstone, New Parks, and Beaumont Leys are the most deprived areas within the city and are among of the most deprived nationally.

## Crime

- From January 2022 – December 2022 Leicestershire Police created 91,491 incidents which were from within the city of Leicester, of which:
  - 35% related to crime
  - 31.4% related to public safety
  - 4.9% related to Antisocial behaviour (ASB)
  - 21% required an emergency response
  - 32.6% required a priority response
- Of the ASB incidents:
  - 78.5% related to neighbour disputes
  - 13.5% were environment-related
- During 2022 49,802 offences were recorded, these were made up of:
  - 38.2% Violence against the person
  - 25.9% Theft-related
  - 14% Public disorder offences
  - 2.35 Sexual offences
  - 1% Robbery
- In relation to hate crime 2027 offences, were recorded of which:
  - 73.5% were racially motivated
  - 17.2% were religiously motivated
  - 10% were related to sexual orientation
  - 5.9% were motivated by disability
  - 37.8% of offences took place in public
  - 28.2% took place in a dwelling

## 3. Child First

3.1 Leicester Youth Offending Service changed its name in 2019 to Children and Young People's Justice Service. The name was developed and chosen by children in the service and reflects the



voice of the children we work with and our child first approach. Offending was a word that our children wanted to have removed as often the label offender led to a different response for our children being seen as offenders first and children second. In Childrens Services our three-year plan has participation and coproduction as one of the five key priorities highlighting the commitment, at a strategic level, for participation and co-production to be at the heart of strategic thinking and operational delivery. The Head of Service has also ensured participation and co-production are key themes in the overarching Prevention and Safer Communities Service Plan leading into individual service areas operational plans.

3.2 The Head of Service led on a task and finish group to look at embedding the adopted Lundy model into practice across all Early Help services, including that of youth justice. A guidance paper for each service was created (*Appendix two Participation Pledges*) and champions volunteered to attend the meetings from each service area. A video was created to promote the work and the champions across Early Help all staff were trained in the Lundy model and rights-based practice was put at the heart of our work and vision for future service delivery. This is now being led by the participation Team manager for all services across social care and Community Safety. The CYPJS is currently working with an artist and group of children to develop a plan on the page for youth justice which will be included in the annual plan to again show the child first approach. This approach has also been adopted by partners, including the Police, as a key principle. The front page of this plan was designed by children open to the service.

3.3 CYPJS continue to promote and embed a 'Child First' approach. A member of the CYPJS leadership team and case manager are currently completing the 'Child First, Offender Second' learning programme and will be providing a briefing to case managers to disseminate the learning. This is an invaluable opportunity and will help to further strengthen the child first approach.

3.4 Leicester CYPJS has worked closely with the Crown Prosecution Service to avoid unnecessarily criminalising children. This has resulted in an increased number of children being diverted from Court for an Out of Court Disposal, acknowledging the child's needs and circumstances, thereby diverting away from the formal justice system at an early stage.


## 4. Voice of the Child

4.1 The Service Manager has been working on improving the feedback forms, and use of, across youth justice with the view of ensuring this feedback is presented in the performance reporting to the board on a quarterly basis. This is now embedded within practice and performance reports. The voice of the child therefore consistently informs service delivery. (Appendix 3)

\*

Heather has been amazing with the support she has given me as a parent, sometimes I thought I wasn't doing enough but reassurance she's given me has been lovely, she helped me in situations that were tough and sometimes been my voice, she has really supported me and I'll never forget it'

'My child hasn't self-harmed and although he doesn't go on time, he is now attending school'

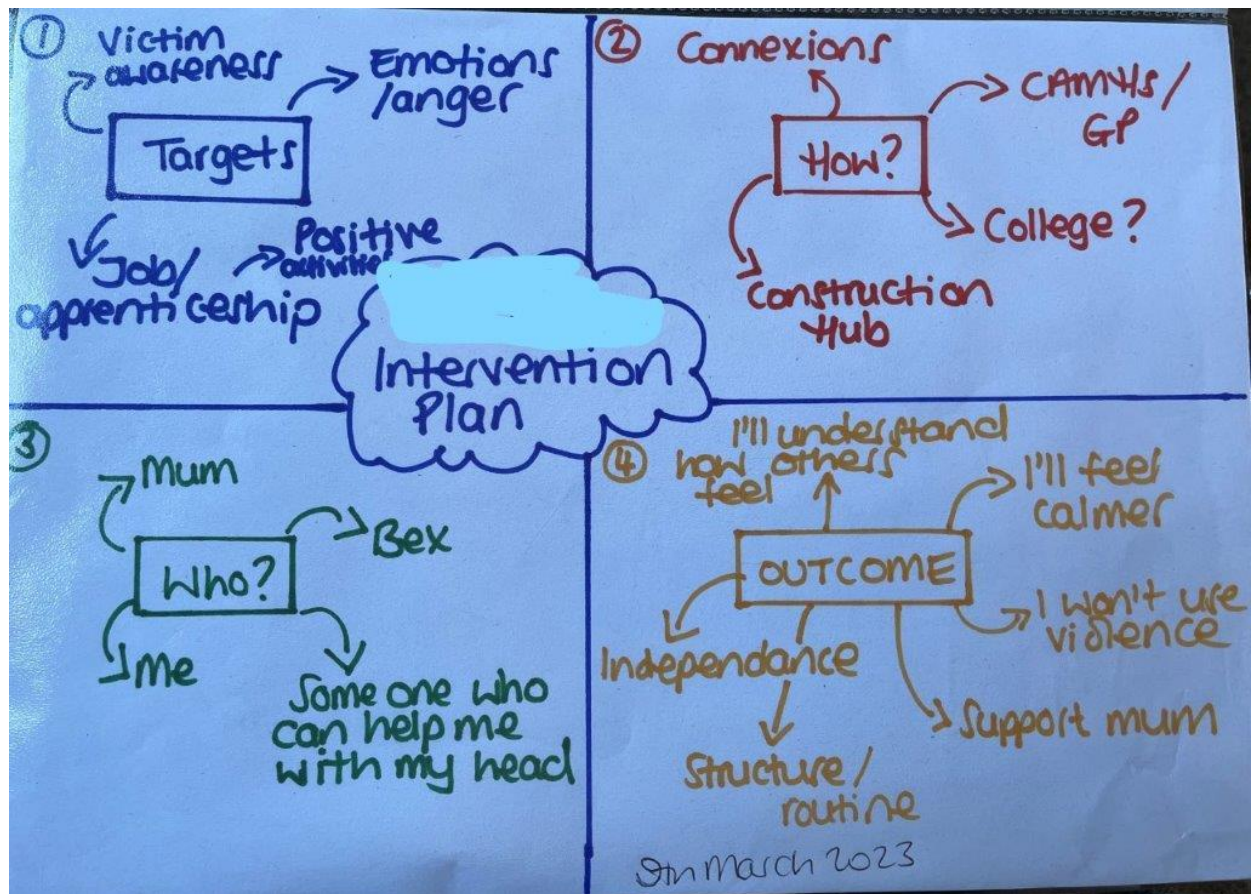


Talking to someone who didn't  
judge me, who helped and  
supported me fairly and respected  
me'

4.2 It is recognised that there is difficulty when collecting feedback from children and young people, with different needs, capacities and at different levels of engagement. Whilst also acknowledging that some children and young people are also in very challenging places emotionally. The service recognises and values the voice of the child and their rights to participate.

4.3 Acknowledging the different contexts, the service has developed multiple channels for feedback. Children and families can choose how and when they provide feedback. "Always on" methods, such as comment boxes, social media platforms, compliment pro-active forms, surveys and focus groups are some of the channels available. The current user feedback rate at closure of intervention is 80%, achieving its target rate and seeing an increase over the past year by 10%. This was and will continue to be a priority in 2023/4. Appendix Three details quote from children and parents at the end of intervention.

4.4 Participation continues to be a priority in the Youth Justice Management Boards partnership plan. The Participation strategy specifically focuses on the service response to ensuring effective co-production with young people and their families in their assessments, plans and interventions. Examples of co-produce plans (appendix 9) can be found and Co-production will continue to be a priority to support the planning, designing, delivering, and reviewing services. During the pandemic whilst the attendance centre was closed and activities moved to a virtual platform, the service took the opportunity to relaunch the offer but in co-production with our children. Art sessions and workshops were developed for children to re design the service from its name, image, delivery model and activities. Since opening the centre there has been better attendance with some outstanding outcomes for our children and young people. The board is considering how to ensure a better link to children but is confident that children have sight of plans, policies and procedures to ensure that line of sight is there between children and the board. Further consideration will be taken to look at a children's group to inform the board on key decisions and developments. The board is keen to ensure the lived experience of our children is recognised and informs priority planning. The service is also ensuring ongoing work is developed on the child first and pro social identity work is prioritised. The service and board has an aspiration of always ensuring a strength based approach is applied to its work and concentrating on the strengths of each child and building upon those strengths.



4.5 Policy and procedures are subject to ongoing review to ensure that a child first approach is a corner stone of practice. For example, the remand strategy work led by the police representation at the board has ensured a child first approach to its work. This is a creative and innovative piece of work that fits in the national standards framework as well as the child first approach that has been adopted across the partnership. The Remand Strategy is due to be presented to the next board in July 2023 for final sign off and monitoring impact thereafter. Intervention Planning Guidance was reviewed in April 2023 to ensure that Plans are 'co-produced' and reflect collaboration between the young person, their parent/carer and the case manager.

## 5. Governance, Leadership and Partnership Arrangements

5.1 The CYPJS is fully integrated into local partnership planning arrangements for both children and young people and criminal justice services. There are regular joint meetings with key partners including the Police, Courts, Health (Public Health and Clinical Commissioning Group) and Probation to support the delivery of shared strategic priorities. The service is proud of the strong partnership in place.

5.2 Leicester's annual Youth Justice Plan is underpinned by a strategic partnership delivery plan (which the YJMB is accountable for) and an operational service plan for the CYPJS (which the Service Manager is responsible for). Both plans support a range of associated partnership strategies including the Police and Crime Plan, VRN Response Strategy and the Community Safety Partnership Plan.

5.3 The Director for Social care and Community Safety, Head of Service for Prevention and Safer Communities or CYPJS Service Manager is represented on/or responsible for the following key strategic partnerships:

- Strategic Partnership Board
- Leicester Children's Trust Board (LCTB)
- Local Safeguarding Children's and Adults Board (LSCAB)
- Safeguarding assurance meeting
- DHR review and subgroup meetings
- Corporate Parenting Board (Looked After Children)
- Leicester Community Safety Partnership (LCSP)
- LLR Adolescence Safety and Diversion Board
- LLR Adult Offending and Vulnerability Board
- LLR Prevention and Early Intervention Board
- Leicester Domestic Abuse Locality Board
- LLR VARM Board
- Children and Adolescent Mental Health Service (CAMHS) Multi Agency Partnership
- Family Therapies Board



- Prevent Steering Group and Channel Panel
- Contest Board
- Community Gold Open and Closed
- Operational delivery MAPPA Meetings
- Changing Futures Steering Group
- Multiple Disadvantages Strategic Partnership Board
- Substance Misuse Partnership Board
- Level 2 and 3 Mappa meetings
- CSE, Missing and criminal exploitation meeting
- Serious Youth Violence Jag
- The Serious Violence Delivery Group
- SEND partnership meeting
- Joint Solutions Panel
- Association of YOT Managers regional representative
- Knife Crime Strategy Group.
- Domestic Abuse delivery meeting
- Hate Crime Partnership
- Assurance and Development Board for Healthy Together
- Participation Network
- Anti-Poverty Board and Feeding Leicester Partnership Board.

5.4 The Children and Young Peoples Justice service sits in Prevention and Safer Communities in the Social Care and Community Safety Division and Social Care and Education Department.

5.5 The CYPJS is one of four services within Prevention and Safer Communities Service, which forms part of Leicester's Children's Social Care and Community Safety division. Reporting to the Head of Service for Prevention and Safer Communities, the CYPJS has a dedicated Service Manager who oversees the operational delivery of the CYPJS and Youth Service.

5.6 The CYPJS has a diverse workforce that reflects the diversity of the local communities that it serves. The entire workforce is employed on a permanent basis, apart from the Early Intervention team and a range of short, funded projects that sit within that area. Whilst there is an underrepresentation of female employees in all parts of the service apart from management, there has not been any detrimental impact on front line service delivery specifically towards our females that may require female practitioners. However, this will continue to be an area that we monitor. Currently this is not problematic as the local demographic of the cohort of young people we are working with are predominantly male reflective of our workforce for both gender and ethnicity. (Appendix four for structure chart of the service and staff demographics).

5.7 Through our disproportionality of ethnicity work, we identified an underrepresentation of managers who are Black, Asian or of another ethnicity. As YOT staffing structures tend to be

more stable with less movement, we have incorporated actions within our disproportionality plan to include opportunities for shadowing and matrix management and active involvement in our Local Authorities commitment to reverse mentoring. This continues to be prioritised

5.8 Services for children and young people known to the CYPJS are provided by directly employed staff and external specialist staff who are located within the CYPJS. The service's main touch down office base is in the city centre in the same building as social care, but staff also undertake direct work in local communities and home environments. Venues used include the children and family centres and youth centres across the city as well as voluntary and community centres.

5.9 The main activities delivered by the CYPJS are pre- and post-court interventions. Case Managers (supported by a Youth Advocate where required), oversee:

- Youth and Youth Conditional Cautions.
- Pre-sentence reports for young people appearing before Youth Magistrates and Crown Courts.
- Post sentence supervision of all young people aged 10-17, including community reparation and restorative justice work. The service provides supervision to young people who receive custodial sentences and resettlement into the community. Intervention is supported by a robust group work delivery plan through our Attendance Centre and 'Which Way' programmes that offer our children a range of learning experiences and are co-designed with our children.
- Out of court disposals (OoCD) are managed through our robust joint decision-making process (Out of Court Disposal Panel) which covers both the county and the city. This enables earlier identification of children and young people at risk of crime and anti-social behaviour, with an opportunity to prevent escalation of offending and address wider family issues through targeted interventions. A bespoke OoCD assessment tool is completed, which reflects the AssetPlus framework, and all are Quality Assured by the OoCD Panel Team Manager and utilised to better inform the Panel's decision. The panel meets weekly and is subject to regular scrutiny by a multi-agency panel chaired by the Office of Police and Crime Commissioner.

5.10 The Early Intervention Team has been established since 2019 and continues to have a significant impact on the number of young people entering the criminal justice system. The team focuses on the prevention and diversion of young people through tailored intervention planning following a thorough assessment of individual strengths and needs of the young person and their family.

5.11 Since it was established the Early Intervention Team has received more than 1000 referrals from the Out of Court Disposal Panel, when a young person received a Community Resolution, Police issued Community Resolutions and young people referred for preventative intervention.

5.12 The early intervention offer has significantly increased over the past 12 months with the continued commitment from the Youth Endowment Fund in its funding of the Reach programme. A programme designed to support young people who are at risk of exclusion from mainstream education and anti-social behaviour. A recent report commissioned by the Violence Reduction Network, (VRN), and produced by Sheffield Hallam University highlighted the positive initial impact the team is having. The Reach Programme is currently taking part in a pilot of a randomised control trial to allow for an independent evaluation into the effectiveness of the team.

5.13 The team also contributes to the multi-agency Alternative Provision Specialist Taskforce, (APST), a Department for Education programme that provides support to young people and families of young people who attend Carisbrook Specialist Education Provision, the funding for this programme has now been extended until 2025 and the Early Intervention will continue to provide on-going support to young people at risk of becoming involved in offending, anti-social behaviour and serious youth violence.

5.14 The Early Intervention Team continues to provide one to one intervention and support to young people at risk of criminal exploitation, these young people are referred to the team via education providers, the police and through Public Protection Notices. The team works closely with colleagues within Children's Social Care to identify children at risk at the earliest opportunity. The team also has a presence in schools as a point of contact for students who may be concerned for themselves or peers that may be at risk of exploitation. (Appendix 7 for evaluation reports)

5.15 There is an extensive range of partnership staff supporting CYPJS:

- 1 FTE Seconded Probation Officer
- 2 FTE Seconded Police Officers
- 1 FTE Seconded Pre-16 Education Specialist
- 1 FTE Seconded Post 16 Education Co-ordinator
- 1 FTE Substance Misuse worker.
- Direct support from a CAMHS Practitioner on a full-time basis to work closely with the Child and Adolescent Mental Health Service (CAMHS).
- Two ACE's practitioners working across LLR offer support for the trauma induced work with staff to support their work with children and young people that display acute childhood trauma (ACE's).
- 1 FTE Dedicated Educational Psychologist. This post is under review at the time of writing.

5.16 Vulnerable children and young people who are not in education, training or employment are offered targeted individual advice and guidance. Education Psychology support and deliver intervention to all young people. There is a specific focus upon young people who have an Education, Health Care Plan, those who require Speech and Language Therapy and those in custody. Education Psychology also support the service workforce development programme. Connexions support all children in year 11 and those above school age. The Education Welfare Service contributes towards a fulltime ETE coordinator to support children of statutory age. (This post is currently under review at the time of writing) . The coordinator is responsible for:

- Coordinating resources to address school age ETE needs, collaborating with schools and education providers
- Overseeing the allocation of work relating to custodial education, pre- and post-16 transitions, and educational psychology
- Managing all referrals to education welfare service
- Exchanging information relating to ETE records with schools and the host local authority when a young person enters custody
- Engaging the local authority in terms of attendance and representation of CYPJS issues at key focussed meetings

5.17 As part of the ACE project within NHS England, we continue to prioritise and address the area of trauma and emotional trauma in the lives of young people. CYPJS staff have received

specialist training to identify and respond effectively to emotional trauma which continues to strengthen support plans for children and young people. It also ensures that there is a greater understanding for victims of youth crime about the experiences for some children and young people. The project is developing at pace and have recently launched a joint ACE and CAMHS referral to ensure young people and children receive the most appropriate service at the right time.

5.18 Our volunteers are vital in helping to make a difference to the lives of children, young people, their families, and victims of crime. We work with a wide range of volunteers reflecting the diversity of Leicester's communities. Recruitment and a comprehensive training package takes place yearly. Volunteers have access to on-going support by way of one-to-one and a group setting, facilitated by the Volunteer and Restorative Justice Co-ordinator. There is also on-going training delivered by partner agencies, including ACE practitioner within NHS England, Turning Point Drug and Alcohol Service, as well as refresher training in safeguarding and data protection

5.19 The youth justice mentoring project, for out of court disposals, has been set up to help tackle the underlying challenges that exist in a child's/young person's life, which may lead them to commit crime and antisocial behaviour. The scheme aims to engage children and young people on a one-to-one basis and deliver tailored intervention to address their offending behaviour, increase their knowledge and consequently divert them from offending. The mentoring support provided is set up on a swift and short-term basis to maximise the impact and effectiveness of the intervention. The service continues to recruit, train, and support many community panel members for the delivery of Referral Orders.

5.20 The CYPJS works in partnership with the Youth Service to deliver criminal exploitation and knife awareness programmes for two distinct groups of young people, those who are known to carry knives and those that are at risk of becoming knife carriers. This work is being supported through funding by the Office of the Police and Crime Commissioner (OPPC). Specific programmes have been delivered, in partnership, to reduce the number of knife related offences across the city, with the service being a key contributor to the Knife Crime Strategy incorporating serious youth violence. The group work programmes have been co-produced with our children and young people. Preparations were underway for the 'Knife Angel' and a week-long 'Festival of Peace' in May 2020, however due to the coronavirus pandemic, these initiatives could not go ahead with the launch of the strategy delayed. It is now in discussions once more for a potential delivery in 2023.

## 6. Resources and Services

6.1 The YJB Youth Justice Grant allocation focusses on innovation and service improvement and supports the annual partnership delivery plan reviewed by the Leicester Youth Justice Management Board. This ensures resources continue to be prioritised in areas where there are risks to future delivery and performance.

6.2 There has been a continued downward trajectory regarding the number of children in the youth justice system. Leicester City has seen a steady reduction in number of children open to the service over the last two year with average 122 caseload (2019/20) v. average 73 caseload (2021/22) and similar in 2022/23. Nationally, this appears to be reflective statistics for family neighbours. It is also clear that the Prevention and Community Resolutions Team have had a significant impact on the statutory side of youth justice by diverting children at the earliest



reachable point. Subsequently, young people that do enter the youth justice system and the statutory side of core business, present with more complex needs.

6.3 Locally, we can demonstrate how the team is impacting upon the FTE rate which was previously higher than the regional and national averages. This has resulted in the reduction of young people receiving court convictions and escalating through the Criminal Justice System. Offending data post intervention is also strong as can be seen in the data provided in the plan and performance report (Appendix 8).

6.4 The early identification and intervention through the Police issued Community Resolutions and referrals for preventative intervention will continue to be a key priority for the forthcoming year, in addition we will focus upon:

6.5 Utilising existing community risk management processes, for example the Serious Youth Violence Joint Action Group to engaging siblings/children of the most serious offenders to ensure wrap around services are provided and timely referrals are made.

6.6 Working within primary school settings – the early data analysis identified young people who may have struggled during the transition year from primary to secondary school, however, were not identified as needing additional support. This work needs to be developed in partnership with education and with identified resources over 2023/4.

6.7 Analysing first time entrants' data to support prevention initiatives, for example we know that the majority of children and young people committing knife offences are not eligible for a Community Resolution. Increasing the need for addition prevention to be delivered in a range of universal settings. This is supported through additional partnership delivery work with the youth service.

6.8 Utilising Community Resolutions as a viable option preferred to Youth Cautions and potentially Youth Conditional Cautions. This is currently being explored. Utilising Outcome 20, Outcome 22 and Community Resolutions as a viable option preferred to Youth Cautions and potentially Youth Conditional Cautions. The OoCD Panel is in the early stages of implementing O20s (NFA / service delivered by other agencies involved) and O22s (police NFA following education activity completed).

6.9 The CYPJS leadership team and the Police meet monthly to focus on are range of developmental areas, the key priorities for the forthcoming year:

6.10 Data Sharing – This is a key feature of both HMIP and Crest Report and the meeting is focused on what data the Services readily have available that could provide a more robust overview of out of court work. A barrier to achieving this to its full potential is the need to have data analyst support. This strand will also support any grant or bid submissions that will bolster the work of the Police, Youth Justice, and other partners.

6.11 Cohort Management – this is a relatively new concept that agencies are working through to identify those children and adults most at risk of committing serious violence and recognising those children who may be on the periphery who require support. This work is being led by the Violence Reduction Network and the Violence and Complex Crime Unit.

6.12 The complexity of cases escalating through the criminal justice system continues to be notable, the staffing time and partnership time across all disposals has increased. Alongside this, there has been an increase in intensity of support needed, when reviewing the assessed risk levels. The consequence of this is a need for higher contact rate, more intensive support, and increased multi-agency planning, increase staffing time per child. We have two key processes to support the reduction of risk these are the Re-Offending toolkit meetings and the Case Management and Diversity Panels and a wider focused joint solutions panel if known to CSC.

6.13 Service improvement activity in 2022-23 has been ongoing using the YJB Re-offending Toolkit to ensure a detailed understanding of local re-offending rates and ensure that the frequency rates are targeted more effectively by the management team. Attendance by the police and the Integrated Offender Manager has enabled the sharing of real time intelligence for case managers to respond to reducing drift and delay in refreshing assessments and pathways and planning. Intelligence sharing also supports the delivery of initiatives in the community, for example weeks of action and group delivery to prevent first time entrants and re-offending. The Service has fully embedded this toolkit within its weekly management reoffending toolkit meetings.

6.14 The Case Management and Diversity Panel reviews all cases that are assessed as high risk in any risk domain or where diversity needs to be considered, in custody or on remand cases, and those that have been transferred or are being caretaken. In addition, any cases where there has been a significant change can be referred. It supports the management and reduction of risk through multi-agency information sharing and decision making, the delivery of targeted intervention planning and supports transitions and resettlement. The panel also promotes and provides an additional level of management oversight. It has been highly regarded by HMIP.

6.15 The cohort of young people aged 16 -18 open to the service has been steadily increasing. Ongoing data and quality assurance scrutiny is supporting how we develop and delivery impactful intervention, this will continue to be reviewed on a quarterly basis to inform practice. During the last year and into 2023 transitions and resettlement policies have reviewed and updated, and service briefings were delivered. It will be a key priority to strengthen working arrangements with custodial establishments post pandemic. To support transitions and flexible approaches to ensure there is capacity for continues assessment, planning and delivery to support resettlement back into the community. There has been a key focus of working closely with the Probation Service as they developed their young people's team with a notable improvement in transitions of cases of probation in a seamless manner. Discussions are under way regarding Probation and Youth Justice having access o each other systems to be able to see work being undertaken on transitions cases.

6.16 Accommodation is included as part of all intervention planning by case managers for any young person made subject to a custodial sentence or remanded to Youth Detention Accommodation. Every young person who is made subject to a custodial sentence or made subject to Youth Detention Accommodation is allocated a Youth Advocate. The focus of the advocate work is to deliver and enable access for support with health, family, education, training, employment and accommodation. Parenting support is provided to all young people in custody and their families throughout the custodial sentence to plan and support reintegration into the community. Other key professionals will be invited to custodial reviews depending on the specifics of each case being presented to the panel.

6.17 Development to support transitions will be key, working with, and holding a range of services accountable in supporting the planning and delivery of key transitions. Including accommodation/residence, change of services, health, education and exit strategies for children when they reach the end of their order. The key focus will be upon those with Education Health Care Plans, Special Educational Needs and those that are Looked After.

6.18 The service routinely updates its quality assurance activity schedule outlining CYPJS 2023-24 quality assurance activity with broader actions tracked and progressed through the improvement/business plan. We prioritise improvements around practice and recording, following implementation of whole child's journey case management guidance. These have been developed following learning from the National Standards self-assessment and associated actions absorbed into the improvement plan. CYPJS has held, and will continue to do so, bi-monthly developmental practice workshops, and build on the quarterly service meetings which covers a variety of quality improvement activities. Board member governance and scrutiny of quality assurance processes will be a key priority.

6.19 Workforce Development Training and learning is delivered through internally commissioned training/workshops for CYPJS specific activity, accessing the divisional and corporate training programmes and through self-directed research keeping up with practice developments. Last year CYPJS developed a new Skills Matrix Training Plan that has been supported by a service wide self-assessment using the YJB's Youth Justice Skills Audit for Youth Justice Practitioners (Appendix 5 The workforce development plan for 2023 currently under review and awaiting completion of Quality Conversations with individual staff to feed into the matrix). The priorities identified and actions have fed into the service delivery plan. Three Prevention Officers from the Early Intervention Team are currently completing the Youth Justice Effective Practice Certificate, (YJEPC), this is also being completed the Volunteer Coordinator. It is envisaged that within the next year all Prevention Officers and Senior Youth Advocates from the Reach team will have completed the YJEPC.

6.20 Statutory partners funding contributions in Health, Police and the Probation Service are yet to be confirmed for 2023-24 at the time of writing this plan, however it is envisaged these will remain at the same levels. The OPCC has yet to confirm 2023-24 additional funding for the service, although has confirmed that money will be provided to support the Early Intervention team through a successful bid into the Community Safety Partnership funds provided by the OPCC. There will be a review of this team to look at continuing to mainstream the work within CYPJS due to the significant impact it is having on FTE and other KPI's (Financial, staffing and in-kind contributions made by local partners is contained in Appendix six for 2022-23).

6.21 Invest to save, as part of supporting the preventative agenda, has been a priority for CYPJS over the past year and will continue to do so throughout 2023-4. Initiatives have included:

6.21.1 The Early Interventions Team has been Independently evaluated in March 22 The independent evaluation report of the Early Intervention Team were published in July 2022. The findings demonstrate the significant impact the team are having on young people and families across Leicester City. The full report and recommendations can be found here and in APPENDIX 7:

[6e2bca\\_7855900873ac4e488a54177e733cfaca.pdf \(violencereductionnetwork.co.uk\)](https://violencereductionnetwork.co.uk/6e2bca_7855900873ac4e488a54177e733cfaca.pdf)

Quarterly performance reports are also provided to the board and funders (appendix 10)

6.21.2 The REACH Programme which was derived from a VRN supported bid to the Youth Endowment Fund was Independently evaluated and supports whole system development and delivery.

6.21.3 The Phoenix Programme, formally Focused Deterrence, will launch in July 2023, CYPJS has been a significant partner in the design of the programme and will provide intensive support to young people identified through the programme from and Early Intervention and statutory areas of the service.

6.21.4 Home Office GRIP fund which Leicestershire Police receive funding for to provide a regular and visible policing presence to prevent serious violence in crime hotspots. Working in cooperation to develop focused Youth Work to support policing initiatives.

## 7. Progress on the 2022-25 plan – refresh 2023

7.1 The service set an aspirational Youth Justice Plan for 2022- 2025 and it was set as a three-year plan. It is clear to see that significant progress has been made in many of the priorities set.

7.2 Key priorities for the Leicester Youth Justice Management Board for 2022-23 included areas for development highlighted by the HMIP ETE thematic inspection and yearly self-assessment against the Youth Justice Board National Standards. Some priorities from the 2021-2022 plan will be rolled forward because of ongoing work required which was impacted by the coronavirus pandemic at the time.

7.3 The HMIP ETE thematic inspection report was published, last year, after being inspected in January 2022. Key recommendations will be included in the partnership and operational plan as well as verbal recommendations that were provided at the end of the inspection week.

7.4 Leicester Youth Justice Management Board has continued to improve ownership of strategic priorities with a full self-assessment completed in 2021-2022 and reviewed in 2023 with an away session in May 2023 to refresh priorities and consider the new suite of KPI's.

7.5 A key priority was to embed the social care and education participation strategy, ensuring that the views of children and young people, their parents/carers and other stakeholders are fully embedded in key areas within the CYPJ service as follows:

- a. Strengthened co-production informing improved assessments, plans and service delivery which is evident within quality assurance processes. Progress has been made and this is being realised through the QA approach.
- b. Use friendly induction processes evidencing that children and young people know why we are involved and what the trajectory is. The induction paperwork has been revisited and children have been involved in looking at the induction approach and written paperwork. In addition, there have been group work sessions developed in partnership with children to introduce them and their families in what to expect from CYPJS.
- c. Victim voice more evident within out of court disposals with a stronger focus on restorative justice processes. Work has been undertaken to ensure the victim voice is always heard within the out of court processes and paperwork has been amended to reflect this. The dedicated Victim Contact Officer contacts all direct victims (consent based) prior to offences being heard at the Out of Court Disposal Panel. Victims are offered the opportunity to have their views obtained by means of Victim Impact Statements. During this process the offer of restorative justice options is discussed. Victims are offered additional services such as support via Victim First, should this be required. A copy of the Victims Code of Practice is always provided, either by link or printed version. The Victim Contact Officer shares the victim's voice and impact with the assessment author, which is also highlighted during the OoCD

Panel to inform appropriate disposal decisions and risk management planning, whilst also balanced with a 'Child First' approach.

7.6 The service continues to strive for best practice and improve quality of practice in the following areas:

- a) improvement in the quality of reviews and effective management oversight. The service has seen significant improvements in this area with reviews continually benign monitored. This will remain an ongoing priority with the aim of 80% of reviews being deemed "good" or "outstanding" through the QA approach. HMIP provided encouraging verbal feedback on management oversight during the thematic inspection in January.
- b) board members to become part of the quality assurance process. This is still an area to consider. However, Board members receive quarterly QA reports in the board meetings and opportunities are there to provide feedback and advice on areas for development. This continues to be an area to consider for the best use of board members time and skill base.

7.7 The implementation the recommendations from the task and finish group findings, exploring disproportionality of ethnicity and children looked after. This is ongoing and was reviewed at the management board in June 2022. It will continue to be a priority for the 2023/4 plan.

7.8 The establishment a bespoke programme to support young people through transitions smoothly. The transitions policy for the service was updated and was supported by briefings to the service. Updates have specifically focused upon custodial and Probation transitions. Work is ongoing to focus upon all transitions, including health, education, accommodation, children who move services and children who reach the end of their order. Probation have embedded a young person's team which has assisted in the transitions work.

7.9 The establishment of a bespoke Health dashboard for CYPJS to track themes and trends but also provide staff with a wealth of health data to inform their planning and delivery. The dashboard was created and trialled and although there was a delay due to the service level Agreement which has now been resolved. This will therefore continue to be a priority as it embeds in 2023/4 to realise its potential.

7.10 The creation of a 'Remand Strategy' to support the effective management and support for young people who are remanded into custody including those who are held overnight in police custody. This piece of work has been an excellent partnership approach to creating a child first remand strategy across LLR. It is hoped that it will be signed off over the summer period of 2023 and is due to be presented to the board in July 2023. It will remain a priority for 2023/4 to embed the strategy across services.

7.11 Increase the focus on substance misuse treatment both through increased and appropriate referrals and informing the new commissioning arrangements from 2022 onwards. This has been completed both in terms of being an active participant in the commissioning arrangements for 2022 and revisiting the referral process and working agreements with the provider. Referrals are being closely monitored to ensure an increase is seen and engagement is improved. A priority area for 2022/3 was to concentrate on the engagement and retention of young people in treatment and sustaining successes. There has been a marked increase in referrals, engagement and outcomes for young people receiving support. This will continue to remain a priority area for the service to ensure this continues to be the case throughout 2023/4

7.12 The Expansion of the offer within the service, merging a range of programmes to develop a co-ordinated pathway of interventions to both prevent and protect young people who are at risk of offending and child criminal exploitation. This will include the development of the adolescent pathway which will reflect support from across the wider social care and help division. A task and finish group has been established and active work is taking place through a comprehensive action plan that is being reviewed at Head Of Service meetings to ensure this is completed in 2023 and embedded throughout 2023/4.

7.13 The service has continued to be a core member of the VRN and helped prepare, alongside partners, for the Serious Violence Legal Duty within the Police, Crime, Sentencing and Courts Act 2022. As a specified authority, the Head of Service is the nominated lead for this area with the strategic director overseeing the work for the local authority. The Board has received presentations and kept abreast of developments to ensure CYPJS is adopting a public health approach in both preventing and reducing serious violence locally.

7.14 The service made a commitment for a specific focus on post – 16 EET resources to ensure an improvement in outcomes that were directly impacted by COVID. This has been actively worked on and the service has seen an increase in Post -16 EET. This remains a performance priority and recommendations from our thematic inspection have formed part of our partnership planning throughout 2023/4. The board will be invited in May 2023 to have members lead on specific KPI's to ensure they have a closer look at data and performance from a specialist perspective and provide strategic oversight.

## 8. Performance and priorities.

8.1 The key 4 performance indicators, which remain a priority for the service, are preventing youth offending, reducing re-offending and the use of custody for children and young people as well as a suite of local performance indicators and a monthly dashboard of indicators. The impact of the CYPJS performance and its contribution to wider safeguarding and public protection responsibilities are monitored and reported through the local Children's Trust Board, Safeguarding Children and Adults Board and Strategic Partnership Board. However, the additional KPI's will also be monitored with board members being asked and agreeing to adopt a KPI in June 2023 with exceptional reporting on these additional KPI's at board level.

8.2 The CYPJS performance management reporting arrangements inform the Leicester Youth Justice Management Board's decision making and influence service delivery across the partnership. This includes a rag rating system for the service to track the key performance indicators compared with their respective YOT family, regional and national datasets. This is also underpinned by the quality assurance framework which are aligned with performance outcomes such as custody and reoffending rates, using tools to track reoffending rates to ensure robust measures are in place and maximising resources.

8.3 The CYPJS completes regular 'deep dive' analysis reports for the Leicester Youth Justice Management Board on priority areas. Over the year this has included, young people who were in custody/remand, Looked After Children, and young people who have an education health care plan. In June 2023 at a priority setting workshop it was agreed at board level to encourage board members to be involved in deep dive themed QA audits and considering staff that would be able to support to provide a richer QA approach.

8.4 The Youth Justice Board (YJB) have introduced an Oversight framework for Youth Justice Services which will enhance the level of scrutiny by the YJB. The YJB have been invited to the

July Board to present this framework and what it means to the board. This monitoring will be included within the performance reporting processes to the board on a quarterly basis and help shape further ongoing improvements for the service.

## 8.5 Reducing First Time Entrants (FTE) Performance

FTE PNC rate per 100,000 of 10-17 population –
Oct 21 – Sep 22: Rate of 177 per 100,000. (Actual Number of FTE= 71 young people)
Oct 20 – Sep 21: Rate of 207 per 100,000. (Actual Number of FTE = 73 young people)
GREEN –Decrease -14.3 %

FTE PNC rate per 100,000 of 10-17 population –
Oct 20 – Sep 21: Rate of 207 per 100,000. (Actual Number of FTE= 73 young people)
Oct 19 – Sep 20: Rate of 223 per 100,000. (Actual Number of FTE = 78 young people)
GREEN - Decrease -7.3%

## 8.6 Key priorities from 2022/23 and progress (Q3 performance report in appendix )

8.6.1 To further reduce the numbers of young people entering the criminal justice system, in partnership with other local agencies though more integrated and targeted earlier support. This remains a key priority but there continues to be a downward trend in children entering as FTE. This progress can be contributed to the Early Intervention Team, collaboration with the Court in diverting children away from a more formal youth justice outcome in addition to the Out of Court Panel continuing to embed a trauma informed and child first approach within the joint decision-making process. The Service is currently awaiting a response from CPS in relation to diverting low level driving offences for an OoCD with an education activity as opposed to a fine, thereby further reducing our FTEs. The service is in the early stages of young people writing their Referral Order report, more young person friendly leaflets explaining Referral Orders and Out of Court Disposals will then be the next steps.

8.6.2 The Early Intervention Team continues to expand to meet the needs of young people at risk of entering the criminal justice system and exploitation. The team is working closely with partners from within, and external to the local authority to ensure young people receive the right support at the right time. The continued partnership with local providers of interventions for young people will ensure young people are able to access support from within their community that are sustainable post closure. The team has contributed significantly to the reduction in FTE and reoffending rates. This will continue to be a priority and work during 2023 will concentrate on further evidencing impact and realigning resources to mainstream the team.

8.6.3 To further reduce the frequency and seriousness of re-offending by first time entrants by earlier identification and assessment of first-time entrants, including young people subject to court orders. There has been a sustained reduction in both frequency and seriousness of offending. This will continue to be a priority for the service as it remains a challenge for the service with small numbers committing high volume offending.

## 8.7 Reducing First Time Entrants (FTE) Priorities for 2023-24

8.7.1 The Early Intervention Team – Development will continue to be a key priority and work during 2023 will concentrate on further evidencing impact and realigning resources to



mainstream the team. A review will be required to align the adolescent offer within youth and youth justice.

8.7.2 The Service Manager will drive the adolescent offer to ensure children and young people receive the right services at the right time with a clear partnership pathway. A task and finish group has been established on 2023 to drive this work forward with a clear vision for the offer.

8.7.3 To further reduce the frequency and seriousness of re-offending by first time entrants by earlier identification and assessment of first-time entrants, including young people subject to court orders. The service developed the REACH project, through YEF funding, which will identify children in the school environment at risk of entering the criminal justice system and provide a wraparound evidence-based package of support. This will continue to be a priority over the coming year to monitor impact by reaching children at the earliest point. The Phoenix programme will also compliment this priority and ensure the service continues to prioritise this KPI.

## 8.8 Reducing Reoffending Performance for 2021-22

Reoffending rates after 12 months – Quarterly cohort -
<b>Re-offending rates -quarterly cohort</b> Reoffences per reoffender Jan 21 – Mar 21 (latest period) = 6.06 Reoffences per reoffender Jan 20 – Mar 20 (previous year) = 4.71 <b>RED/AMBER - Increase of – 28.6 %</b> (51 young people – 16 re-offenders - 97 reoffences = 6.06 re-offences/reoffender) Compare to 47 young people -14 reoffenders -66 reoffences = 4.71 re-offences/reoffenders)
<b>Binary Rate -quarterly cohort</b> Binary Rate Jan 21 – Mar 21 cohort (Latest period) = 31.4% Binary Rate Jan 20 – Mar 20 cohort (previous year) =29.8% <b>RED/AMBER - Increased by 1.59</b> (51 young people committing 97 offences) (47 young people committing 66 offences)
Yearly Reoffending rates annual reoffending data
<b>12 Month cohorts – Annual Data</b> Reoffences per reoffender Apr 20 – Mar 21 (latest period) = 5.75 Reoffences per reoffender Apr 19 – Mar 20 (Previous year) = 3.07 <b>RED/AMBER- Increased by 137.6 %</b> (134 young people – 44 re-offenders -253 reoffences= 5.75 (re-offences/reoffender) Compare to (186 young people – 42 re-offenders -129 reoffences= 3.07 (re-offences/reoffender)
<b>12 Month cohorts - Annual Data –</b> Binary Rate Apr 20 – Mar 21 (Latest period) = 32.8% Binary Rate Apr 19 – Mar 20 (previous year) =22.6% <b>RED/AMBER - Increased by 10.26</b> (134 young people committing 253 offences) (186 young people committing 129 offences)

## 8.9 Priorities in 2022/3 and progress

8.9.1 To confidently articulate the impact of reoffending rates over the coming year due to tracking a smaller cohort and the likelihood of bigger swings (as is being seen in the data) in the



percentage rates of offending. This will then enable the CYPJS and partnership to respond effectively, using local up to date knowledge to inform planning and delivery. This continues to be a priority for the service. Reoffending rates have worsened and the service is working hard to address this using a variety of platforms.

8.9.2 To realign, relaunch and mainstream the Early Interventions Team to focus specifically on the prevention and protection of young people who are criminally exploited and re-offending. The trajectory is on target due to the substantial evidence of impact this service has had. A realignment/ review will be required to mainstream this part of the service. This has been achieved and the programme evaluated.

8.9.3 To continue to reduce the frequency and seriousness of re-offending by young people known to CYPJS at first tier interventions, where statistically this remains a challenge both locally and nationally. This remains a priority as a key KPI

8.9.4 As part of the ACE project with NHS England, continue to prioritise and address the area of trauma and emotional trauma in the lives of young people. This work is fully embedded in practice and can be evidenced in audits routinely.

8.9.5 The service will develop a clear policy and upskill staff in social media. Strategic managers need to consider local policy frameworks for monitoring online activity in line with surveillance legislation and guidance. This information can assist assessments being completed by staff within the service. The service is redesigning its webpage for children and families. This will remain a priority due to not being fully progressed although the webpage has been updated.

8.9.6 The early identification and intervention through the Police issued Community Resolutions and referrals for prevention intervention will continue to impact upon FTE's. These young people would have had to continue offending or have committed more serious offences before coming to the attention of the service and receiving support. It is well documented that earlier intervention has a greater impact rather than delaying interventions until young people are more entrenched in offending behaviours. Additionally, the team is working with Case Managers across the service to identify siblings of those young people on statutory orders and known associates who may be at risk of becoming involved in criminality. The case management and diversity panel is actively looking at siblings of the most serious offenders to ensure wrap around services are provided and timely referrals made.

## **8.10 Reducing Reoffending Priorities for 2023-24**

8.10.1 To confidently articulate the impact of reoffending rates over the coming year due to tracking a smaller cohort and the likelihood of bigger swings in the percentage rates of offending. This will then enable the CYPJS and partnership to respond effectively, using local up to date knowledge to inform planning and delivery. Reoffending rates have worsened, and the service is working hard to tackle this using a variety of platforms and tracking cohorts of children through the reoffending toolkit.

8.10.2 To ensure the evaluations recommendations of key projects inform ongoing service delivery and development. This includes the evaluation of the REACH programme and the evaluations that will occur with the Pheonix Programme.

8.10.3 To continue to reduce the frequency and seriousness of re-offending by young people known to CYPJS at first tier interventions, where statistically this remains a challenge both locally and nationally. This remains a priority as a key KPI.

8.10.4 The service will develop a clear policy and upskill staff in social media. Strategic managers need to consider local policy frameworks for monitoring online activity in line with surveillance legislation and guidance. This information can assist assessments being completed by staff within the service.

#### 8.11 Reducing the Use of Custody Performance 2022- 23

Use of Custody rate per 1,000 of 10-17 population
Jan 22– Dec 22: Rate of 0.03 per 1,000. (1 custodial sentences)
Jan 21 – Dec 21: Rate of 0.11 per 1,000. (4 custodial sentences)
<b>Decreased by – 0.09</b>

#### Progress to date on priorities set 2022/3

8.11.1 To reduce the use of remands to youth detention accommodation and custodial sentencing for all young people including children looked after. This remains a key priority as although there has been significant success in this area the data fluctuates with a slight increase in remands but reduction in custodial sentences.

8.11.2 To complete and embed a local Remand Strategy which includes alternatives to police custody and improved strategic links with estates. The strategy having a clear child first approach. The remand strategy is completed and will be presented at Julys board meeting for final sign off. However, there will need to be a concerted effort thereafter to embed the strategy into practice. It has a clear focus on the child first approach.

8.11.3 To review the court and resettlement team in CYPJS. To review the impact this team has had on the quality and reduction of edge of custody and remand cases. This will also include the role of the advocate for ISS cases and custody cases. This is an ongoing piece of work and will need to be presented to a future board meeting later in the year.

#### 8.12 Reducing the Use of Custody Priorities for 2023/24

8.12.1 To reduce the use of remands to youth detention accommodation and custodial sentencing for all young people including children looked after. To ensure the right packages are provided to children to reduce remand and custodial sentences as appropriate. To maintain the low custodial sentencing outcomes with robust alternative to custody packages that are evidence based and effective EG ISS and MST standard for example.

8.12.2 To embed the local Remand Strategy which includes alternatives to police custody and improved strategic links with estates. The strategy has a clear child first approach and is an exciting development for the partnership.

8.12.3 To review the court and resettlement team in CYPJS. To review the impact this team has had on the quality and reduction of edge of custody and remand cases. This will also include the role of the advocate for ISS cases and custody cases. To present this work to a future board meeting in the autumn of 2023.

8.12.4 To oversee the newly created ISS task and finish group and recommendations to ensure a clear focus is maintained to provide robust individualised packages of support for those on the cusp of custody and being resettled for best outcomes for our children.

### **8.13 Education, Training & Employment (ETE) Performance 2022-23**

#### **8.14 Progress to date on priorities set 2022/3**

8.14.1 To reduce the numbers of NEET young people with a specific focus on those aged 16+ who are not in full time Education, Training & Employment (NEET) and known to CYPJS. This will include expanding the use of accredited programmes through the group work offer providing an exit route into further education, training and employment opportunities. There has been an improvement since the end of COVID lockdowns but there is still work to be done to improve this area. This will remain a priority for 2023/4

8.14.2 To ensure the service continues to respond to the needs to children and young people on EHCPs and any identified learning and neuro diversity needs. Staff will be able to use the health data provided routinely to respond appropriately to young people with identified health and learning needs. This will include working with the courts to ensure the right response to children with learning needs and adapt approaches, accordingly, including neurodiversity needs. It is also hoped that the service will benchmark its work and progress against the SEND YOT's criteria for SEND awards and be able to apply for the award in 2023/4. There has been a benchmarking exercise for the SEND awards and the service will be submitting a request for the award in 2023. This will lead to recommendations moving forward. There still needs to be a clear focus on children presenting with neurodiversity needs and how the service partners work closely to support children. Session have been completed with the courts, but this will remain a clear focus for 2023/4.

8.14.3 The thematic inspection of Education, Employment and Training services in Youth Offending Team in England and Wales identified the following recommendations that were incorporated and prioritised within the partnership plan.

- Ensure that all children have a comprehensive ETE assessment which is routinely checked and challenged if not.
- Monitor, alongside the local authority, key aspects of ETE work for children working with the YOT, including:
  - the extent of school exclusion in the YOT cohort;
  - the actual level of attendance at school, college, work or training placement;
  - the extent of additional support provided to children with SEN/ ALN;
  - that every child with an ECHP or ILP has this reviewed on an annual basis to meet the statutory requirement. This requires continued focus in 2023/4 and will remain a priority.
- Develop ambitious aims for ETE work in the YOT, including the achievement of Level 2 English and Maths by every child. This has not been achieved and will require a clear focus in 2023/4.

- Establish a greater range of occupational training opportunities for those children beyond compulsory school age which soi ongoing with support form ETE colleagues.
- Monitor and evaluate the levels of educational engagement and attainment in disproportionately represented groups within the YOT caseload to develop improvements. This has not been presented in the performance report yet and requires further focus to develop a process to do so.

## **8.15 Education, Training & Employment (ETE) Priorities for 2023-24**

8.15.1 To reduce the numbers of NEET young people with a specific focus on those aged 16+ who are not in full time Education, Training & Employment (NEET) and known to CYPJS. This will include expanding the use of accredited programmes through the group work offer providing an exit route into further education, training and employment opportunities. A Board member will also be asked to adopt the ETE pre and post 16 KPI to support ongoing improvements in this area.

8.15.2 To ensure the service continues to respond to the needs to children and young people on EHCPs and any identified learning and neuro diversity needs. This will continue to include working with the courts to ensure the right response to children with learning needs and adapt approaches, accordingly, including neurodiversity needs. The service has benchmarked its work and progress against the SEND YOT's criteria for SEND awards with encouraging results, so the service hopes to apply and achieve the award in 2023/4. The service has met with the leads for the SEND Quality Mark and the next steps are for the service to invite key partners to an introductory self-assessment which will take place in June 2023.

8.15.3 The thematic inspection of Education, Employment and Training services in Youth Offending Team in England and Wales identified recommendations some of which still need further focus and it is recommended that a task and finish group is established to ensure these recommendations are full considered and delivered upon;

- Monitor, alongside the local authority, key aspects of ETE work for children working with the YOT, including:
  - the extent of school exclusion in the YOT cohort;
  - the actual level of attendance at school, college, work or training placement;
  - the extent of additional support provided to children with SEN/ ALN;
  - that every child with an ECHP or ILP has this reviewed on an annual basis to meet the statutory requirement.
- Develop ambitious aims for ETE work in the YOT, including the achievement of Level 2 English and Maths by every child.
- Establish a greater range of occupational training opportunities for those children beyond compulsory school age.
- Monitor and evaluate the levels of educational engagement and attainment in disproportionately represented groups within the YOT caseload in order to develop improvement, also including:

- children with an EHCP/ ILP;
- children with SEN/ ALN;
- children permanently excluded from school;
- out of court disposal cases
- children released under investigation

## **8.16 Serious Youth Violence Priorities for 2023-24**

8.16.1 CYPJS is a duty holder of the new Serious Violence duty and as such there is an expectation to fulfil a number of functions, for example: engaging fully with the relevant local partnership to prevent and tackle serious violence, sharing relevant aggregated and anonymised data, where practicable, to support the development of the evidence-based intervention and problem profile/strategic assessment, advising on appropriate responses to increase levels of safety within the local partnership area. This is ongoing and the service is embedded within the workstream at an operational and strategic level.

8.16.2 The Service Manager attends the serious violence delivery group and is co-leading relevant response strategy priorities. For example, supporting innovation through relevant bids and delivery of services such as the REACH project and a review of evidence-based interventions aimed at reducing violence-related reoffending.

8.16.3 Youth Justice spans both the secondary and tertiary levels of violence prevention through its early intervention work with children at risk of involvement in violence as well as those who have already committed a violence-related offence. The key priorities are to:

- Work in cooperation with the Police and VRN team, to develop cohort data to highlight key demographics and the prevalence of known risk factors amongst young people involved in violence-related offending. This will remain an ongoing priority.
- Support all cohort management processes for example the Serious Violence action group. This is taking place and will remain a key priority
- Development analytical support to reduce the extent to which data can be used in planning, operational delivery and evaluation. Ongoing work is taking place on this priority.

## **8.17 Restorative Justice and Victims.**

8.17.1 CYPJS Victim Contact Officer (VCO) provides all direct victims of crime the opportunity to capture their voice in terms of the impact of the offence(s), supports them to be part of a restorative justice approach and works collaboratively with the Case Manager and Early Intervention Officer to support the child to make amends for the harm they have caused. The VCO follows the Victim's Codes of Practice and provides an enhanced service to vulnerable victims, including those under 18 years of age, those who are elderly, disabled or victims of hate crime. A copy of the Victims Code of Practice is always provided, either by link or printed version. All young victims under 18 years of age are given the under 18's Victim Code of Practice and any young vulnerable victim identified as requiring extra specialist support will be signposted to other services, including CAMHS.

8.17.2 The VCO contacts all victims of young people prior to Out of Court Disposal joint decision making and as part of case management planning for being sentenced to an Out of Court Disposal or Court Order to capture the victim's voice by way of a Victim Impact Statement (VIS). The victim will be offered support to attend meetings with the young person who has caused harm as part of a restorative approach which is carefully risk assessed and managed by the VCO and case manager/early intervention officer. Victim Impact Statements are utilised by the case manager/early intervention officer within their intervention sessions with the young person to increase their understanding of the impact and explore reparative opportunities. All victims are treated with care and respect and details are only available to the Victim Contact Officer and Police under the GDPR.

8.17.3 Restorative Justice at the CYPJS offers young people who have offended:

- An opportunity to explain what happened
- An opportunity to put right any harm caused by completing direct reparation, where appropriate and / or community reparation work
- Re-integration back into the community
- Support to write letters of apology or face to face apology, where appropriate

8.17.4 CYPJS has a directory of community reparation placements set up by the Restorative Justice and Volunteer Co-ordinator, which includes painting and gardening projects to support older people's communities and bespoke packages throughout the year. Reparative activities take into account the victim's wishes and the young person's ability and interests to ensure restorative justice is meaningful for both parties. The young person is supported to attend and is supervised by either an advocate or volunteer within CYPJS to also ensure that they feel safe. Young people, where assessed as suitable for group work can be referred to the Victim and Restorative Justice programme as part of the Attendance Centre offer. This year has also seen a development with Reparation to offer an individualised approach to engaging children and supporting them to give back meaningful and valuably to the community. Reparation is delivered as projects in a group work setting, but also one-to-one with children who require further support and in response their individual needs. Notable projects that have taken place so far in 2023 are the RSPCA 'doggy bag' donation project, assistant coaching with charity status Nirvana Football Club and creating 'Pamper Hampers' for young carers in Leicester City to promote wellbeing and mental health. Reparation projects aim to balance the needs of the community and victims whilst offering young people opportunities to develop, learn new skills and build relationships, thereby reducing the risk of further offending and in turn future victims of crime.

8.17.5 It is evident through research, that there is a risk of offending by young people who have been a victim of crime. Young people open to CYPJS are also supported where they have been a victim of crime, exploitation and / or adverse experiences. Support can be offered by the VCO who will also work directly with the young person to support their needs and signpost to other services as required. The case manager will also work closely with Children's Social Care to look at Safety Planning with the young person, parent / carer and the network involved.

8.17.6 Key Priorities for victim and RJ work:

- To review existing data sets relating to the victim offer uptake
- Explore existing processes in capturing victim's satisfaction and ensure this is analysed to inform the future VCO work and practice of the victims and satisfaction rates.

## 9. National standards

9.1 Members of the Youth Justice Management Board will be asked in 2023/4 to oversee the self-assessment set by the Youth Justice Board and monitor the subsequent recommendations from the self-assessment. This year the Youth Justice Board have requested a self-assessment on the court arena work and this will be undertaken, with the support of the courts, in the coming months. Referring back to previous self-assessments will be done including the 2022 benchmark exercise which concurred with previous self-assessments

<b>Standard One: Out of Court Disposals</b>	
Operational – Good	Strategic – Good with outstanding features
<b>Standard Two: Court</b>	
Operational – Good	Strategic - Good with outstanding features
<b>Standard Three: Community</b>	
Operational – Good	Strategic - Outstanding
<b>Standard Four: Secure Settings</b>	
Operational - Good	Strategic – Good
<b>Standard Five: Transitions</b>	
Operational - Good	Strategic – Good

### 9.2 Standard One: Existing Priorities and progress:

9.2.1 The development of a communication strategy for The Early Intervention Team. The manager established a robust communication strategy at a strategic, operational and practitioner level. The strategy will be enhanced in 2023 and due for review in 2024.

### 9.3 Standard One: Priorities and progress 2023/4:

9.3.1 In collaboration with the police, produce information that is provided to all young people when brought into custody for the first time. This is outstanding and will be a priority for 2023/4 and is currently in development.

9.3.2 Develop information exchange with Liaison and Diversion to ensure all young people are provided with intervention at the earliest opportunity. This is embedded in practice.

9.3.4 Data Sharing - to consider what the partnership has readily available that could provide a more robust data analyst to deliver out of court work. Ongoing work specifically looking at the VRN partnership dashboard and the utilisation of this to inform service delivery and development.

9.3.5. Cohort Management - continue to develop partnership processes to identify those children and adults most at risk of committing serious violence and recognising those children who may be on the periphery who require support.

#### **9.4 Standard Two: Existing priorities and progress:**

9.4.1 Greater evidence was required to illustrate that CYPJ officers have informed YP and carers/family of their order and clarify their understanding. Communication has been enhanced, and adjournment notices have been amended to ensure young people, parents and carers are communicated with effectively.

9.4.2 Strengthen the voice of young person in the Pre-Sentence Report (PSR) workforce development has focused upon participation and co-production over the last year. Quality assurance assures us that the voice of the young person is reflected. This will remain a priority as part of our commitment to improving our rights-based service. The service is also looking to introduce children and young people writing their own referral order reports.

#### **9.5 Standard Two: New Priorities 2023/4:**

9.5.1 Pre-sentence report gate keeping and quality assurance review - to ensure quality, strong voice of young people and high congruence rate.

9.5.2 Review of bail support options available to the court will be undertaken. This is currently underway with a consideration to bail ISS as part of the ISS task and finish group.

9.5.3 Breach quality assurance processes to be reviewed and developed to inform best practice.

#### **9.6 Standard Three: Existing priorities and progress:**

9.6.1 To revisit the induction process and forms that YP and families complete. Paperwork was redesigned through the disproportionality task and finish group and was launched as part of Children Rights and Participation Training in April 2021 and will be reviewed in 2023.

9.6.2 To promote effective practice around building pro-self-identity. NACRO Training has taken place and resources have been rolled out. Work has been completed in service and team meetings to promote self-identity work with children. Quality assurance activity is scheduled in the summer 2023 to measure the impact of this work.



9.6.3 Continue to embed the social care and education participation strategy, ensuring that the views of children and young people, their parents/carers and other stakeholders are fully embedded in key areas within the CYPJ service. Co-production informing improved assessments, plans and service delivery which is evident within quality assurance processes. Co-produced plans replace 'Pathways and planning' (for all pre- and post-court outcomes/disposals, except for young people in custody where there is no resettlement plan). Assessed priorities in Pathways and Planning should be utilised to identify what needs to go into the plan and inform the co-produced plan. Representation at the Participation Network for professionals is in place and CYPJS has a strong reputation now with participation through that forum. (Appendix XXXXX for examples of participation and coproduction)

## **9.7 Standard Three: Priorities for 2023/4:**

9.7.1 Child Review Meetings (CRM) to be introduced for all YROs and Custodial sentences (DTOs and Section 250's which replace section 90/91) from the 01.04.22 for new Orders and where there is more than 6 months left on the child's sentence. The rationale for the introduction of CRM's is to further enhance children's and families' participation in our service.

9.7.2 Establish data analytics and impact measures to ensure relevant services are utilised and delivered with other relevant specialist agencies and to evaluate intended outcomes and expedience of delivery. Ongoing work on this priority

## **9.8 Standard Four: Existing priorities and progress:**

9.8.1 To have a comprehensive Remand Strategy, the Children in Custody working group is overseeing the development of Joint LLR Children in Custody Protocol. The protocol is now drafted ready for executive sign off.

9.8.2 Systematic recording of post court reports in contacts. The completion of the post-court report and evidence it has been sent within two hours to Youth Custody service. Processes have been updated and brief provided to the service with improved evidence of process being adhered to.

9.8.3 Strengthen links to family members and home visits as standard and increase communication with YP in custody to ensure creative ways are used as well as standard visits. Progress was limited due to the impact of Covid, therefore work to address this is ongoing. Evidence of improvement through audits.

9.8.4 Develop effective communication strategy with the three key secure settings (Werrington, Weatherby and Clayfield's). Progress has been made with Werrington. An effective communication and information exchange checklist is to be agreed as a working document with custodial establishments. However, further work is required with other establishments.

## **9.9 Standard Four: New priorities for 2023/4:**

9.9.1 Release on temporary licence guidance implemented and briefings have been provided. To monitor the effectiveness of this opportunity and ensure its discussed from the outset.

9.9.2 Review of processes to ensure there is a robust approach to holding services and agencies to account in the event of insufficient planning and delivery of the transition and or resettlement plan for a child. Audits have seen an improvement however accommodation continues to be a challenge and will remain a priority area as part of resettlement plans.

9.9.3 Ensure that initial sentence planning considers all transitions at the earliest opportunity. There has been a marked improvement in this area but it remains a priority.

#### **9.10 Standard Five: Existing Priorities and progress:**

9.10.1 Review of resettlement standards (7 pathways) and update resettlement policy. Quality assurance is demonstrating progress in this area with ongoing work on accommodation and desistance. The resettlement policy has been updated in early 2023.

#### **9.11 Standard Five New priorities for 2023/4:**

9.11.1 Child Review Meetings (CRM) to be introduced for all YROs and Custodial sentences (DTOs and Section 250's which replace section 90/91) from the 01.04.22 for new Orders and where there is more than 6 months left on the child's sentence.

9.11.2 Embed working practices and protocols with the new Probation young adults' team

9.11.3 Development to support all transitions will be key over the coming year.

### **10. Challenges, Risks and Issues**

10.1 A key risk at the time of finalising this plan is the continued impact of the cost-of-living crisis, remaining challenges from the pandemic and impact on our children and families. The impact of COVID for years to come is evident and will impact on all children's services including CYPJS.

10.2 An ongoing challenge for the CYPJS is to maintain continuous improvement in the context of any proposed national changes. Additional risks to future service delivery arise from reduced government and partnership funding. Partners as well as local authorities are in increasingly challenging times financially, whilst demand is increasing, which may impact indirectly, or directly on service delivery in the coming years.

10.3 The service is working with strategic partners through the YJMB to ensure that national changes to the criminal justice system through Police, HM Courts and Probation services are managed appropriately and address risk, public protection and safeguarding priorities for children and young people.

10.4 The Service underwent a full-service redesign, primarily due to funding reductions in 2019, and subsequently received a GOOD outcome from the HMIP single inspection later that year. The service has received excellent verbal feedback from the thematic ETE inspection in January of 2022. The service is now striving for outstanding in all areas but is also acutely aware of the financial situation and budget reductions that will occur over the next few years. It is therefore imperative to consider the impact budget reduction will have on front line services and potential

outcomes for our families. This will potentially mean an increase in case load numbers for individual staff, and this will have to be closely monitored, with the backdrop of increasingly complex cases being presented.

10.5 HMIP were recently clear that the service was working with complex children and young people. The service is also conscious of the risks being seen in regards to the increase cost of living and how this is impacting on the families we work with. More collaboration and support across the partnership will be key to ensure our families receive the best offer and support possible. Leicester's partnerships are in a good place to be able to respond to an increase in need.

10.6 Child First approach - Increased scope to develop out of court interventions will require that we build a wider partnership approach to our commitment to Child First, Offender Second. Supported learning will be delivered across the partnership to establish 'child-first' principles, moving away from offence-type interventions to more holistic, relational approaches which seek to build trust and address multiple risk and protective factors. The service and partnership are committed to ensuring the service sees the strengths of the child first and builds upon these strengths as well as that of our communities.

10.7 Transitions- The growing cohort of young people aged 16 -18 open on orders makes it imperative that we improve all transitional arrangements (health, services, accommodation, education etc), ensuring that there are strengths in the transition to adult probation services particularly around maturation and understanding gaps in support. Our workforce development programme considers all training needs associated to transitions; the offer is to be expanded to include partners from probation. Service planning for the coming year specifically focuses on work to develop processes with the new Probation Service young people's team and sets out action to address key transitions related to education, health, and accommodation.

10.8 Prevention and Early Intervention - Considering the balance of the prevention open case load compared to the statutory caseload we will continue to strengthen the focus on the prevention and early intervention opportunities. Invest to Save Other Funding, multiple funding streams across the partnership may result in a duplication of services and inability to demonstrate the impact of specific interventions.

10.9 The increased complexities of cases escalating through the criminal justice system is notable. Reflecting children's experiences of trauma, serious youth violence and exploitation will be paramount.

10.10 Disproportionality within CYPJS processes and practice affecting young people's experience and outcomes will remain a priority and key to partnership working too. Ensuring there is no unconscious bias towards children and young people from different ethnic backgrounds who are open to the service was one action within the operational delivery plan for the Children and Young People's Justice Service (CYPJS) 2023-24 and will remain as such. An established task and finish group recently benchmarked the progress of identified action, key updates have been included in the service wide disproportionality action plan that will be achieved over the coming year. Regular updates have been provided to the board and further work will be undertaken to match against partnership data through the newly established KPI. In addition, work will progress on self-identity and pro social modelling as key aspirations for the service over the coming 12 months.

10.11 The service continues to work closely with health partners. Our unique health dashboard will outline presenting health needs of young people so that we can develop our health pathways. Decisions in relation to medium- and longer-term health funding will determine the on-going

viability of our Health Pathways, the cessation of which would leave a gap in relation to identify, assessing and providing health services for children and young people and in the effective delivery of trauma-informed practice.

10.12 Harmful Sexual Behaviour (HSB) work undertaken at the service. Whilst HSB is a less frequent but high-risk area for youth justice services, we need to ensure all staff are suitably trained. AIM 3 assessment training has been delivered to CYPJS practitioners, work needs to be completed with Learning and Development Team to track assessment completion and ensure practitioners remain up skilled in this area. We need to consider how to further develop the offer for HSB intervention for higher risk young people.

10.13 key performance indicators. We have developed a robust approach to the new KPIs that have been put in place from April 2023. These were presented to the board in 2022 prior to launching and a workshop in June 2023 highlighted an opportunity for board members to “adopt” a KPI to ensure strategic partners had an eye to themes and trends in the KPIs being monitored.

## 11. Partnership Plan and Service Improvement Plan

11.1 The service business and improvement plan and Partnership Plan (Appendix 11 reflects the Youth Justice Boards vision of child first offender second by developing services that are trauma informed and aim to understand children and young people, using services and interventions that work in conjunction with the theories of desistance. Within the plan we have also identified actions that pertain to all areas of our National Standards Self-Assessment as well as including recommendations from our most recent inspection and other thematic inspections. Learning and action from case learning reviews, Quality Assurance, deep dives and performance is also included.

11.2 The Partnership Plan overseen by the Youth Justice Management Board underpins the service improvement plan and they are clearly aligned (Appendix 11 Service delivery plan).

## 12. Evidence-based practice and innovation

12.1 Although this past year has certainly brought more challenges with the ongoing pandemic and restrictions to adhere to, the service has continued to be innovative with several achievements to be proud of. The following outlines some of the examples of success:

- The REACH Team: Following a successful bid in partnership with the Violence Reduction Network and Leicestershire County Council. We have developed a programme that reaches out to young people who are at risk of exclusion or who have been excluded from education. The intervention adopts an innovative contextual prevention approach, spanning schools and the immediate community vicinity to proactively identify and engage young people at ‘teachable’ moments in ‘reachable’ spaces thus recognising that school-based behavioural events are precursors to exclusion and criminal activity. Working alongside schools identified for high exclusion rates, young people are identified for intervention using clear eligibility criteria. The overall aim of the intervention is to help children and young people gain the skills and knowledge to improve their life chances and avoid further exclusion from school and becoming engaged in serious youth violence. The funding is initially for one year with a potential to be extended for a further two years dependent upon the outcomes achieved in the first year. The delivery will be

independently evaluated by Sheffield Hallam University (Appendix 7 – REACH presentation).

- The service has embedded a robust offer to young people who have experienced Acute Trauma (ACE) in their lives and how to support young people with a history of trauma. Staff have been fully trained and regular case formulations take place to enhance the direct work with our children.
- Embedding the groupwork programme 'Which Way' focusing on reduction of reoffending and the interface with the youth service for co-facilitating and reaching more cohorts of young people. (Appendix 8 Which Way Q4 2021-22 report).
- Ongoing development of a localised approach and strategy embedding the 'Lundy Model' as an effective way of engaging children, young people and their families in influencing service delivery and design. This has also led to improvements with young people knowing why the service is involved with clear evidence of engagement within assessments and plans. This was evidenced in the direct feedback form HIMP as part of the ETE thematic inspection. The service has enhanced the co-production of plans with many examples of plans being written by children (Appendix 9 - coproduced plans).
- Focussed deep dives through task and finish groups, exploring disproportionality and unconscious bias within the CYPJS cohort in relation to ethnicity and children who are looked after. All staff have received training and the recommendations are routinely revisited and presented to the management board for ongoing development and sharing of best practice.
- Developed a robust approach to working with children and young people on EHCP's to ensure staff are skilled and able to adapt plans to meet identified needs. Staff were trained and a panel set up for staff to gain consultation on specific cases via SES and educational psychologists. This is now fully embedded, and staff are contributing to EHCP reviews as well as ensuring information held within the plans are used for working with children open to the service. The service is working with key partners to strengthen the support for children with neurodiversity needs and staff are being trained to recognise and work with said children. This will remain an ongoing priority.
- The Local Authority invested in the evidenced based Signs of Safety approach to support direct work with families and case management. All staff within CYPJS have revisited training over the past year to further enhance the use of SOS in day-to-day practice. The service has identified practice leads to help embed the Signs of Safety approach in the work undertaken to continue to improve outcomes for children, young people, and their families.
- Leicester City Violent Crime joint action group (JAG). Working in partnership the JAG is working to redesign the public service response to violence in Leicester City through greater collaboration and integrated working. The meeting utilises a cohort Management approach, the concept ensures that agencies are working through partnership intelligence to identify those children and adults most at risk of committing serious violence and recognising those children who may be on the periphery who require support. Support for individuals is agreed and delivered across the partnership, intelligence and intervention updates are reviewed monthly and revised action is agreed.
- The Early Intervention Team has now been operational since November 2019 and has provided intervention to more than 600 children and young people. The relaunch of this team from the Community Resolution and Prevention team has been a success. We are

now able to report a full year's cohort reaching the 12- month post closure point and the data demonstrates a significant drop in the number of young people who have re-offended as well as the number of offences committed which is supporting our reduction in FTE's. The intervention was independently evaluated, and the findings were published in July 22. (Appendix 10 Community Resolution and Prevention Team – Quarter 4 2021 – 2022 Progress Report).

- The Attendance Centre has maintained focus on development of sessions to increase confidence, self-efficacy, and motivation to desist from offending behaviour. A review and refresh have enhanced opportunities for children and young people to build knowledge and skills that aid desistence from offending and gain qualifications in preparation for working life. A well-established programme of intervention has been proving effectiveness, emphasising its focus on education and training. Intervention under the AC is also aligned with the Child first, Offender Second principle.
- The Summer Arts College (SAC), established by the YJB in 2005, has been adopted by Leicester CYPJS for many years. The programme is ran over several weeks during the school holidays and provides children with the opportunity to participate in art based activities, whilst working towards an Arts Award. As well as supporting children to desist from further offending and develop interests, The National Criminal Justice Arts Alliance advocates for arts being utilised within a Criminal Justice Setting as it improves wellbeing, encourages an interest in learning and helps young people build positive identities. Previous years have seen young people open to Leicester CYPJS attending workshops by local arts organisations such as "Graffwerks", who supported them in designing and spray-painting graffiti murals in two of the City's Youth Centres. Leicester CYPJS aim to continue to run the SAC yearly programme despite significant external funding no longer being available. Due to our talented staff, who also have skills in arts, we will be fulfilling the Arts Award for children completing the 4-week SAC programme again this summer. This will include workshops from local professional artists who we have already established good links with. This year's programme is currently being developed to reflect the reduction in funding and we will be supported by a local artist company to deliver a 2 day workshop, which will cover an Introduction to street art (characters & letter forms) and design and create a mural as part of a group activity. Children involved in the programme will choose a phrase / image, colour scheme, and select paint that they will use to create the Mural at a local community venue.
- CYPJS have been working in partnership with community safety representatives to support weeks of action. For example, the service has been working closely with Police Officers in the Beaumont Leys and Braunstone areas of the city, engaging with young people in the evenings around the 'knife arch' and pop-up surgeries as part of County Line Intensification initiatives.
- Continual improvements in several performance indicators including the reduction of numbers being remanded and entering custodial establishments.

## 13.0 Looking forward

13.1 The following outlines development plans over the next twelve months and thereafter focusing upon the services key priority areas. (the 3 year plan is now entering year 2 with one final year thereafter)

## **13.2 First time entrants**

13.2.1 Early Interventions Team to focus specifically on the prevention and protection of young people who are criminally exploited and re-offending, learning from the independent evaluation. A realignment/ review will be required to mainstream this part of the service.

13.2.2 To further reduce the frequency and seriousness of re-offending by first time entrants by earlier identification and assessment of first-time entrants, including young people subject to court orders. Utilising REACH project data to monitor impact by reaching children at the earliest point.

13.2.3 To quality assure the out of court disposal panel process and complete an audit of cases that have been disposed of through youth cautions and conditional cautions. This will be completed through the national standards self-Audit.

13.2.4 Early Intervention Funding is now being sourced to mainstream this work due to the impact it is having. If funding is secured a recommendation to remove Youth Cautions will be considered offering community resolutions interventions in place of Youth Cautions.

13.2.5 Developing early identification and intervention through the Police issued Community Resolutions will continue to be a key priority for the forthcoming year.

## **13.3 Re-offending**

13.3.1 Ongoing analysis of offending types and trends has been mapped and now closely monitored– by outcome type, age, gender and reported through the Performance dashboard to the Board. This needs to remain a priority to enable an understanding of packages required to respond to offending patterns i.e., bespoke group work packages.

13.3.2 To confidently articulate the impact of reoffending rates over the coming year due to tracking a smaller cohort and the likelihood of bigger swings in the percentage rates of offending. This will then enable the CYPJS and partnership to respond effectively, using local up to date knowledge to inform planning and delivery.

13.3.3 Regular refresher training/briefings for case managers on emerging themes from Quality Assurances' (QA) and live-tracker intelligence. The alignment of the reoffending toolkit meeting and QA approach ensure cases that have reoffended will receive a QA. QA reports are presented at service meetings and full Prevention and Safer Communities service meetings. To update the QA framework incorporating board members into the themes as appropriate.

13.3.4 Deliver a group work offer through 'Which Way' and the Attendance Centre that meets the needs of young people within their communities and is flexible to address different types of offending, delivering where required to a pre court and post court audience. Revisit the types of interventions available and used against the type of offences. Development of the Which Way programme within primary and secondary schools.

13.3.5 Participation and developing a service that is rights respecting is a key priority, and our key focus will remain on the following:

- strengthened co-production informing improved assessments, plans and service delivery which is evident within quality assurance processes. Examples have been provided.
- Induction processes, evidencing that children and young people know why we are involved and what the trajectory is. Improved consistency.
- Victim voice more evident within out of court disposals with a stronger focus on restorative justice.

13.3.6 To continue to promote evidence-based practice to further impact on our reoffending rates.

13.3.7 Maintain scrutiny in relation to disproportionality and children looked after due to their overrepresentation within our service ensuring that packages of intervention meet specific need, and that there is a preventative offer in place for residential homes. To ensure the Board receives reports on partnerships work on disproportionality as part of the new suite of KPI's

13.3.8 Work in partnership to deliver on the statutory duties within Serious Youth Violence through the Police, Crime, Sentencing and Courts Act which has placed a statutory duty to local authorities and wider partners to collaborate and plan to prevent and reduce serious violence. The VRN are leading on this to support the partnership and the city is in an excellent position currently with strong feedback from the CREST advisory group. A Strategic Needs Assessment is in its final stages and will be used directly within the LYJMB as part of data analysis work. The strategy is currently being developed with contributions from the CSP and Youth Justice Service leads. The service has also supported a range of co-production events. The service will complete a readiness self-assessment in due course.

13.3.9 To further strengthen our analysis of offending by children and young people with a gravity score of 5 or more and by young people aged 16-18 to ensure we are providing the 'right' interventions.

#### **13.4 Custody**

13.4.1 Targeting training with the courts and continue to track PSR proposals and outcomes in court to check courts confidence of CYPJS. To date there are no concerns, and the congruence rates are good. This is being assessed in terms of effectiveness as part of the National Standards audit in 2023.

13.4.2 Complete a review of the ISS and alternative to custody packages available to ensure custody cases remain low and only used for the most appropriate of offences

13.4.3 To embed the child first remand strategy across LLR and ensure children are aware and understand what the strategy is there to achieve.



### 13.5 Other identified priorities

13.5.1 Child feedback rate at closure of intervention to achieve service target set at 80% and although improvements have been made this requires strengthening further and evidence of the application form feedback.

13.5.2 To review existing data sets relating to the victim offer uptake and explore existing processes in capturing victim's satisfaction and ensure this is analysed to inform the future VCO work and practice of the victims and satisfaction rates as part of the suite of new KPI's.

13.5.3 To track cases that have been returned to court for revocation due to positive changes and improvements.

13.5.4 To continue to implement the recommendations from the task and finish group findings, exploring disproportionality of ethnicity and children looked after. TO report against the new suite of KPI's

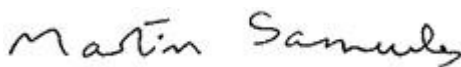
13.5.5 Establish a bespoke programme to support young people through all transitions including health, education, accommodation, children who move services and children who reach the end of their order.

13.5.6 To complete national standards self-audit in 2023 and continue to ensure areas for improvements are delivered upon.

13.5.7 To ensure ETE remains a key priority and ongoing work on supporting learning needs and neurodiversity is embedded within practice.

13.5.8 To develop and embed an adolescent pathway in 2023-4.

### 14. Sign off, submission and approval

Chair of YJS Board - name	Martin Samuels
Signature	
Date	29.06.2023

Appendix 1 - LYJMB and staff Membership, LYJMB induction and Terms of Reference Jan 2023



TOR LYJMB june  
23.docx



LYJMB  
Induction.pptx



Leicester Youth  
Justice Management

## Appendix 2 - Participation Pledges



Appendix 2 -  
Participation Pledge

## Appendix 3 - Quotes from children and parents at the end of intervention



Appendix YP  
Feedback and voice.

## Appendix 4 - Service Structure Chart and staff composition



staff makeup.xlsx



CYPJS Structure  
Chart V1.pdf

## Appendix 5 - Work Force Development 2023-4



Children and  
Young Peoples Justi

## Appendix 6 - Financial Table 23-24 forecast based on predictions due to some funding not being confirmed.



CYPJS 23-24  
Budgetv2.xlsx

## Appendix 7 – Evaluation reports \_Early intervention team and theory of change



Evaluation of CRPS  
- Findings Recomm



Reach. YEF  
Feasibility Study Rep



Theory of Change -  
Reach.pdf

### Appendix 8 – Q3 Performance Reports



Paper B1  
Performance and Quality Improvement



PAPER B Children  
and Young People's

### Appendix 9 - Co produced plans



Appendix 9 - Co  
produced Plans.pdf



co-produced  
plan.pdf

### Appendix 10 – Early Intervention performance reports



Q4 2022-23 Early  
Intervention draft. v

### Appendix 11 – Partnership and service improvement plans



Partnership Plan  
2324.docx



Service Delivery  
Plan 2023 -2024 BB.c

## Common youth justice terms

Please add any locally used terminology

<b>ACE</b>	Adverse childhood experience. Events in the child's life that can have negative, long lasting impact on the child's health, and life choices
<b>AIM 2 and 3</b>	Assessment, intervention and moving on, an assessment tool and framework for children who have instigated harmful sexual behaviour
<b>ASB</b>	Anti social behaviour
<b>AssetPlus</b>	Assessment tool to be used for children who have been involved in offending behaviour
<b>CAMHS</b>	Child and adolescent mental health services
<b>CCE</b>	Child Criminal exploitation, where a child is forced, through threats of violence, or manipulated to take part in criminal activity
<b>Children</b>	We define a child as anyone who has not yet reached their 18th birthday. This is in line with the United Nations Convention on the Rights of the Child and civil legislation in England and Wales. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate, does not change their status or entitlements to services or protection.
<b>Child First</b>	A system wide approach to working with children in the youth justice system. There are four tenants to this approach, it should be: developmentally informed, strength based, promote participation, and encourage diversion
<b>Child looked-after</b>	Child Looked After, where a child is looked after by the local authority
<b>CME</b>	Child Missing Education
<b>Constructive resettlement</b>	The principle of encouraging and supporting a child's positive identity development from pro-offending to pro-social
<b>Contextual safeguarding</b>	An approach to safeguarding children which considers the wider community and peer influences on a child's safety
<b>Community resolution</b>	Community resolution, an informal disposal, administered by the police, for low level offending where there has been an admission of guilt
<b>EHCP</b>	Education and health care plan, a plan outlining the education, health and social care needs of a child with additional needs
<b>ETE</b>	Education, training or employment

<b>EHE</b>	Electively home educated, children who are formally recorded as being educated at home and do not attend school
<b>EOTAS</b>	Education other than at school, children who receive their education away from a mainstream school setting
<b>FTE</b>	First Time Entrant. A child who receives a statutory criminal justice outcome for the first time (youth caution, youth conditional caution, or court disposal)
<b>HMIP</b>	Her Majesty Inspectorate of Probation. An independent arms-length body who inspect Youth Justice services and probation services
<b>HSB</b>	Harmful sexual behaviour, developmentally inappropriate sexual behaviour by children, which is harmful to another child or adult, or themselves
<b>JAC</b>	Junior Attendance Centre
<b>MAPPA</b>	Multi agency public protection arrangements
<b>MFH</b>	Missing from Home
<b>NRM</b>	National Referral Mechanism. The national framework for identifying and referring potential victims of modern slavery in order to gain help to support and protect them
<b>OOCD</b>	Out-of-court disposal. All recorded disposals where a crime is recorded, an outcome delivered but the matter is not sent to court
<b>Outcome 22/21</b>	An informal disposal, available where the child does not admit the offence, but they undertake intervention to build strengths to minimise the possibility of further offending
<b>Over-represented children</b>	Appearing in higher numbers than the local or national average
<b>RHI</b>	Return home Interviews. These are interviews completed after a child has been reported missing
<b>SLCN</b>	Speech, Language and communication needs
<b>STC</b>	Secure training centre
<b>SCH</b>	Secure children's home
<b>Young adult</b>	We define a young adult as someone who is 18 or over. For example, when a young adult is transferring to the adult probation service.
<b>YJS</b>	Youth Justice Service. This is now the preferred title for services working with children in the youth justice system. This reflects the move to a child first approach
<b>YOI</b>	Young offender institution



# THE YOUTH TIMES

## CYPJS participation event platformed young people's perspective on Service Priorities

**Young people felt it is important for their workers to be 'alongside us through the good times and the bad.'**

On 20<sup>th</sup> June 2023; a follow-on event from a participation day utilising the Lundy Model, 8 young people open to Leicester City Children and Young People's Justice Service (CYPJS) met to discuss their suggestions for the service. Young people's voice is at the heart of our service and is also reflective of some of the key principles of a Child First approach within the young justice system (YJS).

Through facilitated discussions with staff, young people identified what they would like CYPJS to prioritise from their perspective, as seen to the right. Thanks to all involved.

- Keeping youths off the streets
- Facilitate more positive activities such as sports and arts (these quite often male dominated and girls lack confidence to attend so should allow friends to attend/ balance girls and boys or girls only groups)
- Regular contact and check ups
- Build relationships/ rapport
- Make sure there is mutual understanding of each other. Make sure young people understand why they are involved, what is going to happen and what they will be doing
- Keeping us safe
- Help with education, training and employment placements
- Workers should have an excellent understanding of my life and excellent communication
- Enjoyable and useful reparation
- Workers to understand them
- Workers to listen and see things from our point of view





# Item 7a

## Exceptional Homelessness pressures on Housing

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Report to be considered by:

Full Council

Date to be considered:

City Mayor Briefing : 7<sup>th</sup> March 2024

Full Council: 21<sup>st</sup> March 2024

Lead Member: Cllr Elly Cutkelvin

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Lead Director: Chris Burgin

### Useful information

- Ward(s) affected: All
- Report author: Chris Burgin
- Author contact details: [chris.burgin@leicester.gov.uk](mailto:chris.burgin@leicester.gov.uk)
- Report version number: v1.2

## 1. Summary

1.1 This report sets out positive actions and steps that are proposed to be taken to support families and people facing Homelessness in Leicester which help address very challenging Homelessness pressures.

1.2 As has been the case across the Country, Leicester has experienced significant increasing numbers who are homeless and require temporary accommodation.

1.3 As well as the obvious impacts on those who experience homelessness this has led to an overspend in homelessness services. The general fund revenue budget for 2023/24 recognised this pressure with additional budget of £1m being made available and the 2024/25 budget includes a further £10.6m, this reflecting the plan as set out within this report. The additional cost (net of housing benefit) of increased numbers in temporary accommodation was £2.3m in 2022/23 and is expected to be over £7m in 2023/24.

1.4 Government took a decision to speed up Asylum decisions in their National Asylum Support Service (NASS) population for certain nationalities. Upon evaluation the impact of this on Leicester City is that 1,000 people and families will receive a decision on their asylum claim (positive or negative) between November 2024 and Spring 2025. This will and is impacting upon services across the Council, primarily Homelessness but also more widely on Community Safety, Adult Social Care, Public Health, schools and Health services. It is estimated that the impact of the Streamlined Asylum process (SAP) on Leicester City Council could be in the region of £15m per year (equating to £30m over the next two years) if the Council does not do anything.

**1.5 The combining pressures could equate to a financial pressure on the Council of up to £23m in 2024/25.**

1.6 Senior Council officers have met with the Home Office about the matter whom have advised they are aware of this significant pressure but to date no Central Government funding has or is being made available towards the pressure. The Council continue to press the Minister for Asylum and the Home Office for this pressure to be fully funded by Central Government.

1.7 To enable the Authority to meet its statutory responsibilities and be able to continue to operate we need to;

- Increase service resources to meet demand
- Increase the level of temporary accommodation
- Increase the level of permanent accommodation
- Work with partners to collaborate in the response to this pressure locally
- Collaborate with other Local Authorities to challenge government for additional funding for this work.

1.8 A Project Board has been set up chaired by the Strategic Director of City Development and Neighbourhoods to oversee this significant risk and financial pressure to the Authority.

1.9 This paper sets out the business case to increase the number of council-owned properties by 225 to aid tackling temporary accommodation budget pressures in the Council's General fund. Examples of where other Local Authorities have taken the same action as this report is proposing are contained within Appendix 1.

1.9.1 To be clear, how the Council defines temporary accommodation is as;

Temporary accommodation is a broad term that describes temporary housing for people who are homeless, it is somewhere to live for a short time (although this is determined by the availability of more permanent accommodation) while a person/family look for permanent accommodation. This accommodation is normally emergency shelters, hostels, hotels, bed and breakfast, and transitional housing and is provided under a licence arrangement. A person or family continue to retain Housing priority to support them to secure more permanent accommodation.

1.9.2 The aim will be to secure this accommodation within the City of Leicester. The aim will be to secure vacant accommodation that does not displace existing residents. The identified make up and requirements of the units are set out below;

Temporary Accommodation: 225 units

- A mix of sizes:
  - HMO/1-bed flat units – 69 units
  - 2-bed houses, flats, or maisonettes – 91 units
  - 3-bed houses, flats, or maisonettes – 55 units
  - 4-bed houses, flats, or maisonettes – 10 units
- Essential: size will be considered on a unit by unit purchase
- Essential: 5% of the above needs to be DDA compliant
- Essential: Freehold purchases
- Essential: HMOs should not be in clusters more than 12
- Desirable: Family accommodation should be ground floor or have lift access to other floors
- Desirable: Parking would be preferable for families.
- Desirable: accommodation is close to decent bus routes

1.10 The paper also sets out a proposal to lease 125 permanent homes.

1.10.1 Again the aim will be to secure accommodation within Leicester City. The identified make up and requirements of the units are set out below;

Permanent accommodation: 125 units

- A mix of HMOs & 1-beds for singles and small (SP1 – very young child) families, and 2bed for other families – average family size is 4, so 2-beds will be suitable in almost all cases.
  - HMO/1-bed units – 55 units
  - 2-bed houses, flats, or maisonettes – 50 units
  - 3-bed houses, flats, or maisonettes – 20 units
- Essential: 5% of the above needs to be DDA compliant
- Essential: Leases
- Essential: HMOs should not be in clusters more than 12
- Desirable: Family accommodation should be ground floor or have lift access to other floors
- Desirable: Parking would be preferable for families.
- Desirable: It would be useful if the accommodation is close to decent bus routes

1.11 This business case is in addition to all of the steps currently being taken to tackle these pressures, such as;

- an improved Private Rented Sector (PRS) landlord offer,
- an increase in the level of LCC dwelling stock used for this cohort,
- increased levels of finance in to discretionary Housing benefit payments to support people in their current tenancies and to find new tenancies in the PRS and
- The commitment to build and acquire 1,500 new Affordable homes in Leicester City

1.12 The combined budgetary pressure arising from the existing growth in the use of temporary accommodation and the SAP is expected to be in the region of £23m for 2024/25. The proposals set out within this report are expected to mitigate between £5m and £6m of this pressure

## 2. Recommended actions/decision

Full Council are recommended to:

- i) note the significant service and Council pressure arising from the increase in homelessness;
- ii) note and comment on the actions being proposed relating to the below recommendations in this report;
- iii) Agree to proceed with leasing 125 units of accommodation at an estimated annual net cost of £0.3m;
- iv) Agree to proceed with the acquisition of up to 225 units of accommodation at an estimated capital cost of £45m and annual revenue cost of £1m in 2024/25 (and £2m per year thereafter).
- v) Approve the addition of £45m to the Council's capital programme, to be financed from Prudential Borrowing.

## 3. Background

### 3.1 Picture of homelessness in Leicester

We are experiencing a trend of increasing homelessness (indicated by quarter 2 figures below). This appears to be the picture across the country as highlighted in national papers and journals.

**“Extra 40,000 people in England homeless this Christmas taking the total to 309,000 –**  
The Guardian 14<sup>th</sup> December 2023

**“UK Homelessness on the rise as rents soar” –** Financial Times 18<sup>th</sup> September 2023

**“Record temporary accommodation figures as nearly 80,000 households face homelessness “ –** Inside Housing 25<sup>th</sup> July 2023

**“Shelter warns of surge in homelessness as cost-of-living crisis bites”** Inside Housing 10 November 2022

Indicator	Provisional* Oct-Dec 2023	Ave. Q1-2 2023	Ave. Q 2022/23	Ave. Q 2021/22
<b>Number of approaches</b> <i>% change</i>		1296 ▼ 5%	1303 ▲ 14%	1141 N/A
<b>Num homeless applications taken</b> <i>% change</i>		701 ▲ 2%	691 ▲ 1%	682 N/A
<b>Success - prevention of hlessness</b> <i>% change Target operating model</i> <i>% distance from target operating model</i>		54% ▼ 7% 65% ▼ 11%	61% ▼ 3% 65% ▼ 4%	64% N/A 65% ▼ 1%
<b>Success - recovery from hlessness</b> <i>% change</i> <i>Target operating model</i> <i>% distance from target operating model</i>		34% ▼ 17% 55% ▼ 21%	51% ▼ 17% 55% ▼ 4%	68% N/A 55% ▲ 13%
<b>Ongoing service caseload</b> <i>% change</i> <i>Target operating model</i> <i>% distance from target operating model</i>		1719 ▲ 4% 1200 ▲ 519	1649 ▲ 33% 1200 ▲ 449	1237 N/A 1000 ▲ 237
<b>Families in Temporary Accommodation (TA) at end of period % change</b>	337 ▲ 50%	225 ▲ 121%	102 ▲ 38%	74 N/A

### 3.2 Summary of position for families facing homelessness

Wherever possible homelessness officers seek to prevent homelessness (so temporary accommodation is not required). Homelessness, prevention, and support staff provide families with solutions to prevent homelessness in over 70% of cases. Prevention options include exploring access to the private rented sector (PRS) (support available for deposits and help to identify landlords willing to let for at least 12 months), direct lets of suitable council properties, giving households the highest priority banding on the housing register & asking if they can stay with friends and family.

Currently 40% of all available properties from the housing register are ring-fenced for homeless families (either to prevent them from requiring temporary accommodation (TA) or as a move-on option from temporary accommodation). This is constantly reviewed but at the moment it is needed to try and manage down the numbers and average length of time spent in temporary accommodation. Also, all acquisitions are ring-fenced for homeless families. The acquisitions programme in 2022/23 delivered a total of 48 2 and 3-bed properties. In 2023/24 there are likely to be a minimum of 82 acquisitions, brought into Council stock. We have a wide PRS offer to attract properties for use for families facing homelessness and 117 properties were secured in 2021/22 and 200 in 2022/23.

The main reasons why families seek assistance from homelessness prevention and support services are:

- end of their private rented tenancy (46% of all cases in 2021/22)
- family is not willing or able to accommodate them (23% of all cases in 2021/22).
- Over the last years domestic violence has been increasing as a reason for homelessness (in 2021/22 this became the third main reason for families to seek assistance (11.1% of all cases).

The Council have a duty to secure accommodation for unintentionally homeless households in priority need under Part 7 of the Housing Act 1996. Families with dependent children are considered as being in priority need. Households might be placed in temporary accommodation pending the completion of inquiries into an application, or they might spend time waiting in temporary accommodation after an application is accepted until suitable secure accommodation becomes available.

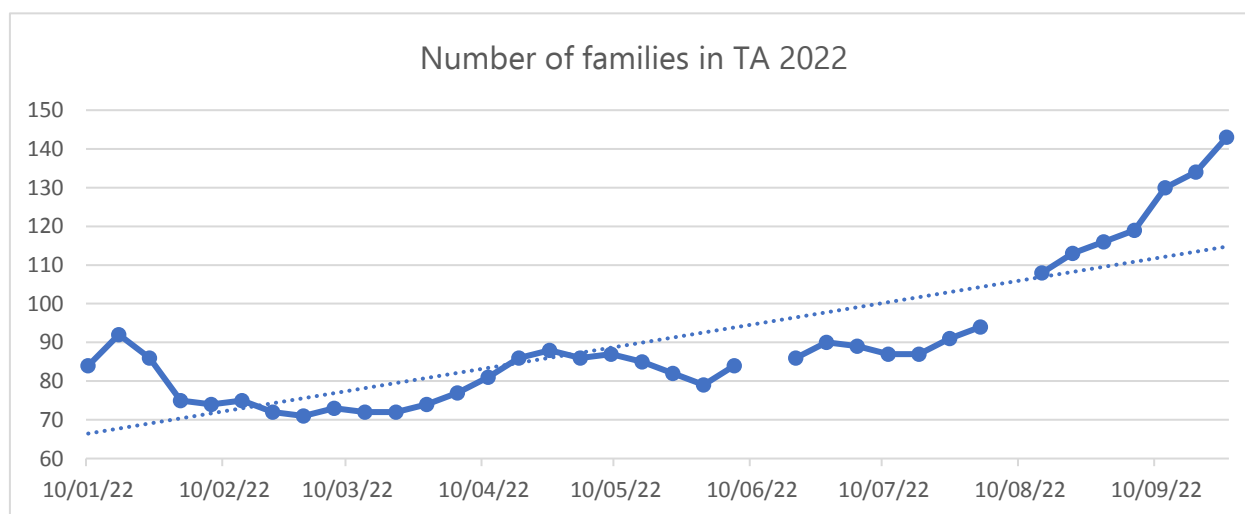
From the start of August (w/c 01/08/22) there were a total of 94 families in temporary accommodation, of which:

- 14 LCC Units
- 50 Housing Network self-contained paid nightly accommodation
- 16 Other self-contained accommodation
- 14 Bed & breakfast

The snapshot from w/c 9/1/23 there were a total of 176 families in temporary accommodation of which:

- 13 LCC Units
- 68 Housing Network self-contained paid nightly accommodation
- 37 Other self-contained accommodation
- 58 Bed & breakfast

This is an **87% increase** from the start of August 2022 to the start of January 2023.



This pressure has continued since January. As at 11<sup>th</sup> December 2023 the Authority had 332 families in TA.

The pressure on the provision of temporary accommodation is not a local one, and one that most authorities are facing. The table below is taken from local authority statutory returns for temporary accommodation for September 2021 & March 2022.

Local Authority	Number of families in TA		
	Sep 2021	Mar 2022	Oct 2023
Nottingham	353	424	599
Coventry	276	318	Not available
Derby	70	80	Not available
Leicester	64	88	306

We expect these upwards trends to continue for some time because of the lack of affordable housing available, cost of living pressures, court backlogs still clearing.

Demand for temporary accommodation is rising. The pressures include:

- Difficult to achieve prevention solutions with a partial staffing establishment.
- Slow move on of cases as a result of pressures on the housing register and increases in market rents within the private rented sector.
- With the lack of move on, the average length of stay is increasing, now at 103 days, which also means longer average stays in B&B and cost per night accommodation.

The lack of affordable housing options means that those in temporary accommodation with LCC are spending much longer time periods in B&B and hotels (2 or more months is not uncommon). This type of accommodation is unsuitable for long term occupation. These stays can have a negative effect on people's lives especially if they are required to leave the area they have lived and have social bonds. It can affect the family unit and also people's health and wellbeing.

### **3.3 Current temporary accommodation costs**

The gross costs of providing temporary accommodation for families in 2022/23 (above the 17 units provided by the Council) was £2.3m.

Some of these gross costs are offset by recoverable housing benefit (up to 18% of costs), and a number of grants and reserves are being used to manage the pressure as far as possible in 2023/24.

Pressures involving families continue to increase with 332 families now in TA & B&B's as at 11<sup>th</sup> December 2023. The gross spend for 2023/24 will be £7m with net spend of £6m before the use of grants and reserves.

### **3.4 Looking Forward**

The Council have been made aware of a population of approximately 900 single-person households and 90 family-households who are planned to be issued.

Expected demand since this scheme commenced in Autumn 2023 has been as anticipated adding additional pressure to Homelessness services with almost all families approaching the Council and volumes of singles as predicted. Decisions are slightly delayed by the Home office and continue. The level of responsibility varies from an obligation to provide advice through to an obligation to provide temporary (and later, settled) accommodation. The level of obligation is dependent on the outcome of a vulnerability assessment under the Housing Act 1996, as well as local policies.

More specifically;

- All family households who present for homeless assistance will be eligible for advice and assistance and temporary accommodation, and the main

homeless duty, leading to an eventual obligation on the authority to make a reasonable offer of settled accommodation.

- Single households who present for homeless assistance and are assessed as holding a priority need will be eligible for advice and assistance and temporary accommodation, and the main homeless duty, leading to an eventual obligation on the authority to make a reasonable offer of settled accommodation. It is estimated that around 15% of presenting singles will meet this threshold.
- Single households who present for homeless assistance and are assessed as NOT holding a priority need will be eligible for advice and assistance only. For clarity, the assistance amounts to “reasonable steps to help the applicant secure that accommodation becomes available for at least six months.”

The Severe Weather protocol (SWEP) continues to operate and is implemented when night time temperatures drop to zero degrees or below across the Leicester, Leicestershire and Rutland area. At this point all those sleeping rough are eligible for temporary accommodation for the duration of the SWEP period.

### **3.5 Estimated pressure before staffing costs**

There are a number of unknown variables that make arriving at a confident financial impact challenging, including:

- Expected presentation levels – although families are expected to present almost entirely in number, the levels of presentations expected of singles is not possible to estimate with any degree of accuracy. As such, a range between 40% and 70% has been used. These projection levels are proving to be correct but Home Office decisions continue so this remains an unknown.
- B&B costs – it is possible that market saturation as pressures build across the country will drive up pricing algorithms. As such, a range from current costs to +50% has been used..
- Degree of severe weather this winter, and as such the degree to which Severe Weather Protocol is triggered. As assumption has been made across the methodologies that it will be similar to last year.

The results provide the following estimates:

In total, temporary accommodation costs may fall within the range £2,190K to £3,454K per quarter. This would be on top of current business estimates around BAU TA pressures.



<u>Accommodation</u>	<u>Units Needed</u>	<u>Year 1 Pressure £000</u>
<u>Family estimate based on 95% presentation and 100% accommodation duty:</u>	<u>59</u>	<u>£2.4m to £3.8m</u>
<u>Single estimate based on 70% presentation and 15% accommodation duty:</u>	<u>69</u>	<u>£1.9m to £3.1m</u>
<u>Single estimate with cold weather addition</u>	<u>360</u>	<u>£28k to £44k</u>
<u>Single estimate with Enhanced RS offer addition</u>	<u>157</u>	<u>£4.4m to £7m</u>
<b><u>Accommodation Total</u></b>		<b><u>£8.7m to £13.9m</u></b>

It should be further noted that indirect costs to existing TA pressures are likely to arise from the additional pressure on systems and resources, and a slowing down of move on as a whole. This figure is not possible to predict with any degree of accuracy, and will be highly dependent on mitigation and contingency developed in response to these pressures.

#### Staffing pressures:

It is calculated that the following staff would be needed in order to meet the pressure. Without adequate staffing resources, service quality for all service users is likely to dip significantly as resource is diluted, which would give rise to additional risks to our ability to meet statutory duties and safeguard vulnerable individuals.

<b>Staffing &amp; Running Costs</b>	<b>FTE's Required</b>	<b>Grade</b>	<b>Annual Cost</b>
Additional Housing Options Case officers	8	4	£273,000
Additional Housing Options Team Leader	1	9	£58,000
<b>Housing Options Services sub-total:</b>			<b>£331,000</b>
Additional Singles Transitions Workers	6	7	£286,000
Additional HSO (for RS Team)	1	4	£34,000
Additional Single Transitions Team Leader	1	9	£58,000
Additional Family Transitions Workers	2	7	£95,000
Additional Family Transitions Team Leader	1	9	£58,000
<b>Transitions Services sub-total:</b>			<b>£531,000</b>
TAO	3	5	£114,000
Security	2	N/A	£151,000
<b>Accommodation Services sub-total:</b>			<b>£265,000</b>
Running cost - Translation costs	N/A	N/A	£25,000
<b>Running costs sub-total:</b>			<b>£25,000</b>
<b>Staffing &amp; Running Costs Total:</b>			<b>£1,152,000</b>
<b>Quarterly Costs:</b>			<b>£288,000</b>

### 3.6 Enhanced Rough Sleeper Offer

Leicester's current Rough sleeper offer for singles far exceeds the statutory legal duty the Council have in this matter. The current position is set out below.

The existing enhanced rough sleeping offer remaining in place equates to £4.4m to £7m of the additional financial pressure set out in the projections.

The current policy in summary:

Who is TA available to?	Those with eligible immigration status who: <ul style="list-style-type: none"><li>• are owed a statutory duty</li><li>• are in the "Target Protect Group" required as part of the Rough Sleeping Initiative</li><li>• are considered 'prolific' and/or 'entrenched' rough sleepers</li><li>• are found rough sleeping by outreach</li></ul>
What is the policy when commissioned accommodation is full?	<ul style="list-style-type: none"><li>• The policy remains, and B&amp;B or other nightly paid accommodation is spot-purchased.</li></ul>
How long is TA available for?	<ul style="list-style-type: none"><li>• Temporary accommodation is provided indefinitely, until a settled solution is identified, or until the accommodation is abandoned, or if behaviour leads to an eviction.</li></ul>

Currently, this approach is popular with partners and considered a very strong 'off-the-street' offer. However, it creates risks, albeit hard to quantify, around staged rough sleeping. Furthermore, the indefinite nature of the offer fails to manage expectations and individuals will often 'sit tight' for a social housing offer.

### 4.0 Mitigations

Beyond the staffing requirements set out to manage the situation there are a number of options open to the Council to mitigate the significant Homelessness Bed & Breakfast cost.

#### 4.1 Lease Temporary Accommodation

The option to lease accommodation would enable the Local Authority to reduce down Temporary Accommodation costs.

Securing 125 units of leased properties would enable the Local Authority to place those we have a Housing duty for to be placed in more suitable accommodation including kitchen facilities which is a common issue when people are required to remain in B&B for longer periods of time.

This mitigation has been mapped out including the overall annual cost of this to the Council which would equate to £0.3m (this is a net cost after Housing Benefit has been claimed at Local Housing Allowance rate).

The expected cost mitigation this would achieve would be dependent on the speed of securing and deploying the accommodation. It is also dependent upon the timescale of permanent move on accommodation. However, the £3k annual net cost of a leased property could save up to £40k on B&B expenditure.

## 4.2 Buy additional Properties

While securing accommodation through leased properties would mitigate a proportion of additional financial pressure, it is proposed to buy 225 additional properties as a further route to manage these pressures. This is based on the legal duties to secure permanent move on accommodation for the individuals and families.

Note examples of other Council's that have taken the same action and decision are contained within Appendix 1.

The purchase of these units would enable up to 225 families to move from unsuitable Bed & Breakfast accommodation and remain in a much more suitable temporary home while they continue to receive priority to bid for suitable accommodation to secure a permanent home. This is a much stronger quality offer to families that would support them to continue to live their lives in good accommodation while waiting to secure a permanent offer of accommodation.

It is calculated that the proposed 225 units of accommodation would cost in the region of £45m to acquire, to be funded from Prudential Borrowing. The annual revenue costs associated with holding these properties will be £2m per year; (£1m in 2024/25) the principal costs for the Council include the interest cost of borrowing, minimum revenue provision for the repayment of debt, operating costs for managing the properties, and maintenance. Against these costs, the Council would receive rental income from families placed in the properties, assumed at the current Local Housing Allowance Rate.

## 6. Headline Risks

Risk	Impacts	Level	Mitigation considerations
<ul style="list-style-type: none"> <li>Financial</li> </ul>	<ul style="list-style-type: none"> <li>Levels as above</li> <li>Worsening of Council's overall financial position and heightened risk of s114</li> </ul>	<ul style="list-style-type: none"> <li>High due to cost factor</li> </ul>	<ul style="list-style-type: none"> <li>Planned response / additional resource and staffing to manage the increased demand</li> <li>Consideration of cost mitigation via block booking, or making other accommodation options available</li> </ul>

	<ul style="list-style-type: none"> <li>Not enough staffing, not mobilized quickly enough</li> </ul>	<ul style="list-style-type: none"> <li>Ability to meet statutory duties – legal challenge, reputational</li> <li>Quality of service/work, increased error rate – reputational, potential safeguarding issues</li> <li>Increased appointment times and worsening of prevention response – financial impact on TA, reputational</li> </ul>	<ul style="list-style-type: none"> <li>High due to reputational risks, and genuine risks to the LAs ability to meet statutory homeless duties</li> </ul>	<ul style="list-style-type: none"> <li>Recruitment team prioritise sourcing requirements</li> <li>Moving around resource in CDN onto this work to avoid/reduce any time that would be spent on recruitment, or bridge the gap between the immediate need right now and successful recruitment of temporary/agency staff</li> </ul>
	<ul style="list-style-type: none"> <li>Not enough TA, unable to place/discharge duties and/or B&amp;B costs soar due to market saturation</li> </ul>	<ul style="list-style-type: none"> <li>Increased financial pressure</li> <li>Potential for pressure to exceed estimates within this report</li> </ul>	<ul style="list-style-type: none"> <li>High due to cost factor and likelihood</li> </ul>	<ul style="list-style-type: none"> <li>EBS source new leases</li> <li>Hotel block bookings</li> <li>Source accommodation out of Leicester</li> <li>Source TA out of Leicester</li> </ul>
	<ul style="list-style-type: none"> <li>Not enough move-on</li> </ul>	<ul style="list-style-type: none"> <li>TA length of stay increases - impact on cost</li> <li>Cannot keep up with pace of 1-in-1-our policy – snowballing/building costs</li> </ul>	<ul style="list-style-type: none"> <li>High due to cost factor</li> </ul>	<ul style="list-style-type: none"> <li>EBS source new accommodation leases / approval of GF</li> <li>Accommodation business case</li> </ul>

## 7. Next Steps and Milestones

Work post Full Council decision then commences on securing both temporary and permanent accommodation proposals – March onwards

The programme of work continues to be overseen by Strategic Director of City Development & Neighbourhoods and the Board – March24 onwards

Progress reporting is undertaken to the SAP Board on a monthly basis at Budget reporting periods and periodic political updates

## 8. Financial, legal, equalities, climate emergency and other implications

### 8.1 Financial implications

Given the number of variables which affect the total spend on temporary accommodation, it is very difficult to project future costs. However, the combined budgetary pressure of current homelessness needs and the Streamlined Asylum Process (including the staffing pressure at section 3.5) is expected to be in the region of £23m in 24/25.

This report proposes the purchase of up to 225 properties for £45m, to be fully financed using Prudential Borrowing. This includes the cost of Stamp Duty Land Tax. There is a revenue cost of purchasing and holding properties in this way, since the income from Housing Benefit will be insufficient to cover the revenue costs (interest costs of borrowing, minimum revenue provision, and property management & maintenance costs). In 2024/25 this cost is expected to be in the region of £1m (rising to £2m in future years), but will be heavily dependent upon how quickly the properties can be purchased. It is anticipated that the 225 units will mitigate up to £4.2m of the budget pressures (presenting a net cost reduction to the Council of £3.2m in 2024/25).

The other proposals within the report, including the leasing of 125 properties are expected to mitigate up to £2m of the budget pressures. If the government continues to pay Asylum Dispersal grant into 2024/25 then this may help to offset a further £1m.

The revenue budget for 2024/25 makes provision for an additional £10.6m of budget towards the increase in temporary accommodation costs. This reflects the plans and mitigations set out within this report. If the recommendations within this report are not adopted then this will have a significant impact on the Council's budget position, adding around £6m of unbudgeted costs in 24/25.

Stuart McAvoy – Head of Finance

### 8.2 Legal implications

Whilst it is permissible for a local housing authority to discharge its obligations to eligible homeless applicants by way of out-of-area placements, S208, Housing Act 1996 provides that, so far as reasonably practicable, it should secure accommodation within its own district.

This obligation does not apply in the case of eligible asylum-seekers where the local housing authority has a written agreement with another local authority that it may place asylum-seekers in its area.

The Homelessness (Suitability of Accommodation) (England) Order 2012 specifically requires a local housing authority to consider the location of accommodation, including –

- (a) where it is outside the authority's own area, the distance from that area.
- (b) the significance of any disruption to employment, caring responsibilities or education.
- (c) proximity and accessibility to medical facilities and other support currently used by or provided to the applicant or a member of their household that is essential to their wellbeing.
- (d) proximity and accessibility to local services, amenities and transport.

The Supreme Court has held that authorities should adopt policies relating to the procurement of temporary accommodation, which should be approved by members and

made available to the public; the policy should explain how accommodation will be allocated and what factors will be taken into account in allocating out-of-borough units; the authority can take into account the resources available to it and the difficulty in procuring affordable housing in its own area.

Provided there is no successful Judicial Review challenge to such a policy, an allocation to an out-of-borough unit cannot be challenged on the basis that there are in-borough units; it is lawful for the authority to reserve these for other applicants who will be entitled to an in-borough allocation pursuant to the policy.

Jeremy Rainbow – Principal Lawyer (Litigation) – x371435

### **Acquisition issues**

1. Generally local housing authorities acquire land and property for the provision of housing accommodation pursuant to Sections 9 and 17 of the Housing Act 1985 (as amended). When properties are acquired under Section 17, they are held within the confines of the HRA (this applies whether the Council acquires freehold or long leasehold interests in property).

2. Part 7 of the Housing Act 1996 subsequently imposed statutory duties on housing authorities with regard to the provision of accommodation for the relief of homelessness. Under section 206(1) of the 1996 Act the Council may discharge its homelessness functions *“by securing that suitable accommodation provided by them is available”*. However, there is no specific power of acquisition within the 1996 Act.

3. The Council has a general power of acquisition under section 120 of the Local Government Act 1972 which was substantially broadened by the enactment of the Localism Act 2011. Under the 1972 Act, properties can be acquired utilising the General Fund and held within the corporate estate. Thereafter the properties could be made available for homelessness/temporary housing purposes but there is a risk that the properties acquired could be deemed to have been acquired for “housing purposes” and therefore within the HRA. In order to alleviate that risk, the Directors of EBS and Housing may seek to put in place inter-departmental arrangements to enable Housing to utilise corporate estate property for temporary accommodation.

4. The question of funding via the General Fund rather than the HRA has also been discussed with other authorities and counsel’s opinion has been sought. On the one hand counsel’s opinion concluded that the acquisitions would fall within the 1985 Act. Counsel was of the opinion that the only situation whereby housing accommodation used for homelessness purposes would fall outside the 1985 Act would be where the accommodation was provided by a third party not the local authority itself. On the other hand, reports indicate that other local authorities are making acquisitions for homelessness purposes through their General Fund and a large local authority confirmed in discussions that they are acquiring properties via General Fund with the support of Government funding.

5. The difficulty arises in that the acquisition power under Section 17 is a very broad acquisition power for “housing purposes”. However the Government’s own guidance *“General Fund Revenue Account General Guidance Notes”* includes references to *“homelessness costs”* and *“Accommodation within the authority’s own stock (non-Housing*

*Revenue Account)*” within the General Fund guidance notes. In addition is the Government’s guidance “*Operation of the Housing Revenue Account ring-fence*” in which DLUHC considers properties held on a permanent basis for temporary accommodation purposes should be accounted for in the General Fund.

6. The proposed approach set out in this business case is therefore not without legal risk. Ensuring that the model includes a support element for the families in the temporary accommodation and appropriate inter-departmental arrangements will help mitigate this to some extent.

7. The Council could seek a further direction from the Secretary of State under sections 74(3)(d) and 87(1) of the Local Government and Housing Act 1989. However, there is no guarantee as to the length of time this process might take nor that such a direction would necessarily be ordered, particularly if this is the only Council making the application. However these sections apply to the Council’s duties in relation to the Housing Revenue Account and such a Direction may therefore be inappropriate if the Council purchases utilising funds from the General Fund.

8. The Constitution and Scheme of Delegation currently reserves acquisition powers under the 1972 Act to the Director of Estates and Building Services (or the City Mayor where the value of the transaction exceeds £500,000).

9. Should acquisitions (whether freehold or leasehold) subsequently be approved, a full due diligence exercise would be required for each property acquired under the Business Case. That exercise would reveal, amongst other things, any potential risks in terms of planning and building regulation compliance or the need to obtain retrospective approval, defects in title, planning enforcement action and any restrictive covenants that may prevent a property being acquired for the purposes detailed in the report. Legal advice/representation on each transaction would be required.

10. Where any acquisition is funded through prudential borrowing, the Council has widely construed powers under the Local Government Act 2003. The 2003 Act provides each local authority with a discretion to borrow and invest provided it is doing so for a purpose within its functions, as part of the prudent management of its financial affairs and within its affordable borrowing limit.

11. An investment decision made by the Council must have regard to proper accounting practices and relevant CIPFA Guidance including the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 and CIPFA Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes and Prudential Property Investment published in November 2019.

12. Any acquisition will also have to take account of the Council’s fiduciary duty to its tax-payers in relation to proper stewardship of public monies. Valuation advice and a Red Book valuation would be required for each property.

13. Properties acquired under the homelessness requirements would be occupied under the homelessness duties of the 1996 Act and non-secure, short-term tenancies granted, thereby ensuring that the properties remained within the Council’s ownership. Tenancies granted under the 1996 Act homelessness provisions are expressly excluded from the definition of secure tenancies under the 1985 Act and, as a result, excluded from the Right to Buy provisions.

Zoe Iliffe - Principal Lawyer (Property, Planning & Highways Team)

### **Updated legal advice (February 2024)**

Further legal assurance was sought regarding the lawfulness of proposal to acquire the 225 units of accommodation through the General Fund (GF) rather than the Housing Revenue Account (HRA). The conclusion of this thorough further review of legal powers concludes that the Council can lawfully acquire and retain the units of accommodation in the GF utilising the GEPOC (General Power of Competence) conferred by section 1 of the Localism Act 2011. A non-legal risk pertains to this route – namely the risk that the Department for Levelling-Up, Housing and Communities (DLUHC) may, through the Secretary of State, issue a Direction that such stock must be treated as being within the HRA. Given the engagement that officers have had with DLUHC and CIPFA over this very issue, and the scale of such purchases being replicated elsewhere in the Country, it is felt that the risk of such a Direction being issued is low.

(Kamal Adatia, City Barrister)

### **8.3 Equalities implications**

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

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

The report updates on the pressures placed on services arising from the Streamlined Asylum Process (SAP). This includes the Government decision to speed up Asylum decisions in their National Asylum Support Service population for certain nationalities. Inevitably there will be direct equality implications on people who share a protected characteristic, particularly around race, age and potentially disability. If those in the SAP are supported to integrate into society, it could also help advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

Given the vast impacts on people it must be recognised that this work might be specific to people with certain protected characteristics and as such the equality implications on those protected characteristics should be monitored. As the workstreams described in the report develop an Equalities Impact Assessment (EIA) should be considered for each one. The EIA process can support the Council and its partners to predict possible issues and take appropriate action such as removing or mitigating any negative impacts, where possible, and maximising any potential for positive impact.

Kalvaran Sandhu, Equalities Manager, Ext 6344



#### 8.4 Climate Emergency implications

Housing is one of the largest sources of carbon emissions in Leicester, responsible for 33% of emissions. Following the city council's declaration of a Climate Emergency in 2019, and its aim to achieve carbon neutrality, addressing the emissions from housing is vital to the council's efforts to reduce carbon emissions. This is particularly important within the council's own housing provision, where it has the a greater level of control.

When leasing or purchasing new accommodation, consideration should be given to opportunities to ensure that this housing is as energy efficient and low carbon as possible. This could include consideration of the levels of insulation, use of low energy lighting and appliances and the installation of low carbon heating and renewables and potential improvements that could be made. Alongside reducing carbon emissions, achieving a high level of energy efficiency would reduce ongoing costs through lowering energy bills, and could also increase comfort levels for occupants.

As service delivery generally contributes to the council's carbon emissions, any further impacts of changes can be managed through measures such as encouraging sustainable staff travel behaviours, using buildings efficiently and following sustainable procurement guidance, as applicable to the service and any changes implemented.

Aidan Davis, Sustainability Officer, Ext 37 2284

## **Examples of Other Authorities Which Have Undertaken Property Acquisitions**

The following table lists other authorities which have undertaken the purchase of property into their General Fund. The exact circumstances of each individual Council may differ, but the motivation in each case is to alleviate the pressure being caused by the cost of external temporary accommodation. These are only examples, and it does not represent an exhaustive list.

Birmingham City Council	In February 2022, Cabinet approved a £60m addition to the capital programme for the purchase of 230 properties, for use as temporary accommodation. In June 2023, a further £400m was approved for the purchase of 1,500 properties into the General Fund.
Medway Council	In January 2024, £42m was added to their capital programme for the purchase of up to 150 properties into their General Fund.
Sutton Council	Sutton has a programme of acquisitions which was set up with £38m in March 2017 for 100 properties, to be held in either the HRA or General Fund.
Cornwall Council	In September 2021, Cornwall Council added £15m for interventions, including the acquisition of properties into the General Fund.
Coventry City Council	In March 2022, £13m was added to their capital programme for the purchase of 50 properties.
Peterborough City Council	In October 2019, Cabinet approved the purchase of £13.4m of properties for use as temporary accommodation into the General Fund.
Plymouth City Council	In December 2023, Cabinet approved the addition of £10m to purchase properties.



Leicester  
City Council

**WARDS AFFECTED**  
All

**FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:**

**STANDARDS COMMITTEE**

**5<sup>th</sup> December 2023**

**FULL COUNCIL**

**TBA**

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**BIENNIAL REPORT OF STANDARDS COMMITTEE JULY 2021 - JUNE 2023**  
**ANALYSIS OF MEMBER COMPLAINTS**

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**Report of the Monitoring Officer**

**1. PURPOSE OF REPORT**

- 1.1. This is the report of the Monitoring Officer, dealing with Elected Member complaints for the period 1<sup>st</sup> July 2021 to 30<sup>th</sup> June 2023. It provides a general overview of complaints for those years, broken down into two periods. Individual complaints themselves are treated confidentially, in accordance with the rules of natural justice. Publicity will attach to cases where they reach the stage of a (public) hearing, or when otherwise appropriate, for example if the misconduct occurred in a very public forum.
- 1.2. Appendix A provides a redacted summary of valid complaints.
- 1.3. Council have separately approved and revised two key documents (the “Code” and the “Arrangements”) which, respectively, set out the expected standards of behaviour of Elected Members and the procedural framework under which misconduct allegations are processed. The Code was last revised in 2022, and the Arrangements are being brought to this same meeting of Full Council to agree revisions from 2023.
- 1.4. The Council has 55 Elected Members (54 Councillors and a directly elected Mayor)

**2. RECOMMENDATIONS**

- 2.1. For Standards Committee to note the report and make any recommendations
- 2.2. For Council to note the report

### **3. REPORT**

#### **Principles**

3.1.1. The principles which underpin the Council's processes for dealing with Member misconduct complaint remain as follows:

- a. There should be simplicity to the scheme so that it is easily understood and transparent
- b. There should be flexibility at every stage of the process for informal resolution and / or robust decisions to be taken about "no further action"
- c. There should be Member involvement at key stages in the process
- d. There should be the involvement of Independent Members (IM) and the Independent Person (IP) at key stages of the process
- e. The Monitoring Officer should have greater powers to deal with complaints relating to the Code of Conduct
- f. All Members and co-opted Members shall cooperate with the application of these Arrangements, recognising that failure to do so can result in the incurring of wasted costs and reputational damage to the Council
- g. Rights for complainants to seek a "review" of a decisions at various stages should be limited, consistent with the reduced scope and severity of allowable outcomes that can be imposed under the new regime
- h. At any stage in the process where it is clear that a matter should be referred to the police this should be done and the local investigation should be suspended

#### **3.2. Volume**

<b>No. of valid complaints lodged 1<sup>st</sup> July 2021 to 30<sup>th</sup> June 2022</b>	<b>7</b>
<b>No. of valid complaints lodged 1<sup>st</sup> July 2022 to 30<sup>th</sup> June 2023</b>	<b>6</b>

### **2021/22**

- 3.3. In the period July 2021 to June 2022 seven valid complaints were lodged, covering ten Elected Members. Two of these ten Members were complained about twice (though no inferences should be drawn from this fact). This means that 45 out of 55 Elected Members did not attract an allegation of misconduct that year.

### **2022/23**

- 3.4. In the period July 2022 to June 2023 six valid complaints were lodged, covering seven Elected Members. This means that 48 out of 55 Elected Members did not attract an allegation of misconduct that year.
- 3.5. The reference to “valid” complaints is deliberate, and it is to be noted that 13 actual referrals were made to the Monitoring Officer in 2021/22 and 29 such referrals were made in 2022/23. It follows that of these 42 “contacts” only 13 were complaints that progressed. The reasons for this included:
- Complaint too vague or general to constitute a valid complaint, and when invited by the Monitoring Officer to clarify the nature of the allegation, the prospective complainant declined to engage
  - Complaint revealed as false and malicious
  - Complaint more properly resolved through other action instigated by the Monitoring Officer (e.g., complaint wasn’t about standards, and complaint really only wanted progression/resolution of an operational matter)
  - Complaint already properly dealt with through other channels
  - Elected Member clearly not acting on the business of the Authority at the time (for example, was acting in private capacity on social media, or was acting on party political business)
- 3.6. In all cases where a prospective complaint is not treated as valid the Monitoring Officer is mindful to assess whether it is just and fair to abandon it, taking an appropriate steer from the Independent Person(s) where appropriate.
- 3.7. In relation to some of the invalid complaints the Monitoring Officer nonetheless can and does utilize his broader jurisdiction to offer advice to Councillors.
- 3.8. It is also worthy of note that in each of the two years being reported upon the Monitoring Officer witnessed the phenomenon of “group” complaints, meaning that he received multiple, often identically worded complaints about the same Elected Member(s) over the same issues. These were notable as follows:

- Complaints 11/2021 and 12/2021 were raised in the context of a pilot to introduce Residents' Parking Zones. Such Schemes are notorious for polarising views and attracting community-wide interest (and, it follows, unhappiness from many). There were more than two complainants across these two complaints.
- Similarly, complaints 05/2022; 06/2022; 14/2022 and 21/2022 were raised in the context of a pilot to introduce low-traffic/Safer Steets zones in one part of the City. Such schemes are notorious for polarising views and attracting community-wide interest (and, it follows, unhappiness from many). There were far more than four complainants across these four complaints
- Complaint 21/2022 attracted multiple, similarly worded complaints.

The Monitoring Officer's approach to these cases is to seek to agree the name of a "lead" complainant with whom to correspond during the investigative phase, but to write to all parties with the outcome. This is regarded as a proportionate means of balancing the interests of all parties, in recognizing the strength of feeling amongst residents whilst also not allowing sheer force of numbers to compel the complaint to take-on an inappropriate air of gravitas.

### 3.9. Source of Complaints

#### 2021/22

Complaints from members of the public	7 (all)
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#### 2022/23

Complaints from members of the public	6 (all)
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### 3.10. Nature of allegations

#### 2021/22

<b>Behaviour</b>	<b>3</b>
<b>Unhelpfulness</b>	<b>4</b>

#### 2022/23

<b>Behaviour</b>	<b>4</b>
<b>Unhelpfulness</b>	<b>2</b>

3.11. It is very difficult to draw any inferences from the categories used above due to the small sample size. The anonymized Appendix gives more insight into the nature of the allegations raised in the context of the complaints

### 3.12. Route

#### 2021/22

<b>Dealt with by I.P. and M.O.</b>	<b>5</b>
<b>Concluded after 'Review' by M.O. and second I.P</b>	<b>2</b>
<b>Externally investigated and withdrawn</b>	<b>0</b>
<b>Proceeded to Standards Hearing</b>	<b>0</b>

#### 2020/21

<b>Dealt with by I.P. and M.O.</b>	<b>5</b>
<b>Dealt with after 'Review' by M.O. and second I.P</b>	<b>1</b>
<b>Externally investigated</b>	<b>0</b>
<b>Proceeded to Standards Hearing</b>	<b>0</b>

- 3.13. Almost all complaints are dealt with by the Monitoring Officer in conjunction with one of the two Independent Persons. These complaints do not come to the attention of the Standards Committee or the Standards Advisory Board (a sub-committee of the Standards Committee which looks at specific complaints) save by way of anonymized and very brief update at each Standards Committee meeting.
- 3.14. A complaint is entitled to ask for a review of a first-stage outcome. The Council's published "Arrangements" allow for this right to be exercised in respect of all outcomes short of referral for independent investigation. A review is achieved by the Monitoring Officer sending the complaint to the second Independent Person, essentially for a second opinion as to outcome.

### 3.15. Outcome of allegations

#### 2021/22

<b>Rejected (not related to Code, or covered by another process)</b>	<b>1</b>
<b>Rejected (trivial, no public interest in pursuing, vexatious)</b>	<b>0</b>
<b>Rejected (no potential breach of Code disclosed)</b>	<b>4</b>
<b>Informal resolution (no breach, reparation desirable)</b>	<b>2</b>
<b>Informal resolution (low level breach, undesirable to take further)</b>	<b>0</b>
<b>Standards subcommittee hearing (outcome of 'no breach')</b>	<b>0</b>
<b>Standards hearing (outcome of 'breach')</b>	<b>0</b>



<b>Rejected (not related to Code, or covered by another process)</b>	<b>2</b>
<b>Rejected (trivial, no public interest in pursuing, vexatious)</b>	<b>0</b>
<b>Rejected (no potential breach of Code disclosed)</b>	<b>4</b>
<b>Informal resolution (no breach, reparation desirable)</b>	<b>0</b>
<b>Informal resolution (low level breach, undesirable to take further)</b>	<b>0</b>
<b>Standards hearing (outcome of ‘no breach’)</b>	<b>0</b>
<b>Standards hearing (outcome of ‘breach’)</b>	<b>0</b>

- 3.16. It is right to note that this biennial report reveals a higher number of complaints than the previous report. The view of the Monitoring Officer is that this is attributable to the return to normal levels of engagement and activity in the operational business of the Council, and the consequent engagement of Elected Members with the public in the post pandemic period.

### **3.17. Timeliness**

The ‘Arrangements’ set the following timeframes:

Complaint received ► Acknowledged to Complainant (within 5 days) ► Acknowledged to Subject Member (within 5 further days) ► Initial filtering decision by M.O. and I.P (within 15 days) ► [Further Fact Finding] ► Outcome letter ► Review (within 15 days of request)

In cases referred for investigation ► Investigation (within 3 months of initial outcome letter) ► Hearing (within 3 months)

- 3.18. The figures for the number of days taken to deal with a complaint are included within Appendix A. A relevant variable is for cases where an initial filtering decision results in the Monitoring Officer undertaking some more fact finding before an outcome is recommended. This could either entail asking for more details from the complainant, or involve meeting with the Subject Member to discuss the allegations. These are not always achievable within the ten day window envisaged, though the Monitoring Officer is conscious that “drift” in speedily resolving complaints is of itself harmful.

3.19. The Monitoring Officer is confident that in all cases complainants and Subject Members are communicated with in such a way that they are not left in doubt as to what stage of the process has been reached in dealing with their complaint, and when outcomes will be reached. Where target timescales are likely to be exceeded, it is important to explain this to the parties involved in a complaint, and in those circumstances (where the delay is purposeful) it is more important to maintain contact and dedicate what time is needed to the resolution of the complaint than to comply with rigid timeframes. The 'Arrangements' grant a degree of flexibility to the Monitoring Officer to achieve this aim.

3.20. **Cost**

No detailed analysis of the cost of operating the complaints regime has been undertaken, and neither would it be easy to do so. The vast majority of cases are dealt with without recourse to the Standards Advisory Board or a commissioning of any specialist investigations. The work is therefore absorbed within the day-to-day work of the Monitoring Officer in conjunction with one of the two Independent Persons. Most of this work in turn is conducted over e-mail.

**4. FINANCIAL, LEGAL AND OTHER IMPLICATIONS**

**4.1. Financial Implications**

None

**4.2. Legal Implications**

The Council's regime for dealing with allegations of Elected Member misconduct allegations complies with the provisions of the Localism Act 2011. (Kamal Adatia, City Barrister, ext 1401).

**4.3. Climate Change Implications**

None

**5. OTHER IMPLICATIONS**

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within the Report
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Equal Opportunities		
Policy		
Sustainable and Environmental		
Crime and Disorder		
Human Rights Act		
Elderly/People on Low Income		
Corporate Parenting		
Health Inequalities Impact		

**6. BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972**

**7. REPORT AUTHOR**

7.1. Kamal Adatia, City Barrister and Head of Standards.



**COMPLAINTS UPDATE – July 2021 – June 2023**

Reference	Subject Member	Complainant	Nature of Complaint	Route	Outcome	Turnaround (working days)	Reparation/ Lessons/Comments
<b>July 2021 – June 2022</b>							
09/2021	Cllr 1	Public	Allegation that Cllr (Chair of meeting) was rude/discourteous during virtual meeting	MO/IP	Recommended informal resolution where code engaged but not breached	29	Cllr agreed to contact complainant and repair relationship damage caused by misunderstanding
10/2021	Cllr 2 & Cllr 3	Public	Lack of response from Ward Cllrs to concerns raised about tree problems	MO/IP	Resolved as a Councillor Enquiry rather than a complaint. Cllr 2 unintentionally failed to deal with the matter – thought had pursued, but confused it with another case. Cllr 3 did not pursue as Ward Cllrs share-out casework	18	Cllr 2 apologised and is happy to take-up the matter. Clear communication between Ward Cllrs is essential so that lacunas don't arise
11/2021	Cllr 4	Public	Wide-ranging complaint about Cllr's alleged lack of support to pursue a contentious Ward matter (Residents' Parking Zones)	MO/IP	Rejected - no breach of the Code. (i) Complainant was chasing Cllr repeatedly and unreasonably over the same issues that they were pursuing through multiple other channels; (ii) perfectly reasonable for Cllrs to secure answers to the issues through expert officers	22	Multiple identical complaints, suggesting coordination by residents.

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Item 8a

Reference	Subject Member	Complainant	Nature of Complaint	Route	Outcome	Turnaround (working days)	Reparation/ Lessons/Comments
12/2021	Cllr 5	Public	Wide-ranging complaint about Cllr's alleged lack of support to pursue a contentious Ward matter (Residents' Parking Zones)	MO/IP	Rejected – no breach of the Code. Failure to attend local protest events is not a breach of the Code.	6	Multiple identical complaints, suggesting coordination by residents.
03/2022	Cllr 6 Cllr 7 Cllr 8	Public	Lack of contact and action from Ward Councillors, and issues with Adult Social Care services	MO/IP + Review	Rejected - No breach of code of conduct. Ward Cllrs share casework so that they don't repeat themselves. Ward Cllr had pursued matters as far as they could go. Corporate Complaints system picked up other issues.  Executive Lead Cllrs cannot be expected to intervene in operational casework.	42	Clearer communication may have avoided some of the frustration felt by the complainant
05/2022	Cllr 8 Cllr 10 Cllr 11	Public	Language used in letter by Ward Cllrs to residents regarding Road closure scheme	MO/IP + Review	Informal resolution - Code engaged but not breached. Language used in letter could offend, but any such effect was inadvertent. Cllrs advised send apology to anyone who was offended unintentionally. Agreed with IP would be disproportionate to send a demanded written apology to all residents.	69	Cllrs apologised to those who had complained about letter.

Reference	Subject Member	Complainant	Nature of Complaint	Route	Outcome	Turnaround (working days)	Reparation/ Lessons/Comments
06/2022	Cllr 12	Public	Allegation of biased and rude behaviour by Cllr at meeting re Road closure scheme	MO/IP	Rejected - No breach of conduct evidenced.	30	Multiple identical complaints, suggesting coordination.
<b>July 2022 – June 2023</b>							
08/2022	Cllr 13	Public	Lack of response and update from Cllr over Housing complaint	MO/IP + Review	Rejected - No breach of conduct evidenced.	13	Interaction between Councillor Enquiry process and Corporate Complaints process. It is reasonable that a Cllr relies on knowledge from one to inform the other.
11/2022	Cllr 14	Public	Cllr calling at complainant's following complaints by neighbours about building works/communal access - homeowner says he felt intimidated	MO/IP	Rejected - No breach of conduct evidenced.	31	
14/2022	Cllr 15	Public	Complaint about Cllr tweet on Social media	MO/IP	Rejected - No breach of conduct evidenced. Reference to reckless	21	

Reference	Subject Member	Complainant	Nature of Complaint	Route	Outcome	Turnaround (working days)	Reparation/ Lessons/Comments
			relating to Road closure scheme		behaviour of public (sabotage) was not necessarily directed at local residents		
17/2022	Cllr 16	Public	Cllr absent and not performing duties	MO/IP	Rejected - not a misconduct matter, MO possess no power to remove Cllr from office. Law deals with rules on disqualification.	9	Cllr was open about absence and alternative contact methods.  Multiple similar complaints received.
21/2022	Cllr 17 Cllr 18	Public	Alleged defensive and aggressive behaviour at public meeting called by the community	MO/IP	Rejected - No breach of conduct evidenced. Cllr 17 was right to challenge an attendee about filming the meeting, and Cllr 18 was not there in their Cllr capacity and so spoke as a community member.	44	
09/2023	Cllr 19	Public	Remarks reported to public meeting alleging that Cllr had criticised a local community facility	MO/IP	Council's member code of conduct is not engaged – Cllr spoke in a private political context to political colleagues. In any event, comment was not unreasonable	19	