

Leicester
City Council

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

23 June 2017

Sir or Madam

I hereby summon you to a meeting of the LEICESTER CITY COUNCIL to be held at the Town Hall, on THURSDAY, 6 JULY 2017 at FIVE O'CLOCK in the afternoon, for the business hereunder mentioned.

Monitoring Officer

AGENDA

- 1. LORD MAYOR'S ANNOUNCEMENTS**
- 2. DECLARATIONS OF INTEREST**
- 3. MINUTES OF PREVIOUS MEETING**

The minutes of the ordinary meeting held on 16 March 2017 and the Annual Meeting on 11 May 2017 are available to view at:

16 March 2017:

<http://www.cabinet.leicester.gov.uk:8071/ieListDocuments.aspx?CId=81&MId=7518&Ver=4>

11 May 2017:

<http://www.cabinet.leicester.gov.uk:8071/ieListDocuments.aspx?CId=81&MId=7519&Ver=4>

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

4. STATEMENTS BY THE CITY MAYOR/EXECUTIVE

5. PETITIONS

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

6. QUESTIONS

- From Members of the Public
- From Councillors

7. MATTERS RESERVED TO COUNCIL

7.1 Replacement Local Plan

7.2 Leicester City Draft Youth Justice Plan 2017-18

7.3 Member Allowances Scheme 2017/18 – Confirmation of Scheme

8. REPORTS OF THE MONITORING OFFICER

8.1 Standards 'Arrangements' – Revisions

9. EXECUTIVE AND COMMITTEES

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

10. NOTICES OF MOTION

11. ANY OTHER URGENT BUSINESS

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.
- Please note that Council meetings are web cast live and also recorded for later viewing via the Council's web site. 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 web-cast.
- The Council is committed to transparency and supports efforts to record and share reports of proceedings of public meetings through a variety of means, including social media. In accordance with government regulations and the Council's policy, persons and press attending any meeting of the Council open to the public (except Licensing Sub Committees and where the public have been formally excluded) are allowed to record and/or report all or part of that meeting. Details of the Council's policy are available at www.leicester.gov.uk or from Democratic Support. If Members of the public intend to film or make an audio recording of a meeting they are asked to notify the relevant Democratic Support Officer in advance of the meeting to ensure that participants can be notified in advance and

consideration given to practicalities such as allocating appropriate space in the public gallery etc.

The aim of the Regulations and of the Council's policy is to encourage public interest and engagement so in recording or reporting on proceedings members of the public are asked:

- ✓ to respect the right of others to view and hear debates without interruption;
- ✓ to ensure that the sound on any device is fully muted and intrusive lighting avoided;
- ✓ where filming, to only focus on those people actively participating in the meeting;
- ✓ where filming, to (via the Chair of the meeting) ensure that those present are aware that they may be filmed and respect any requests to not be filmed.

MATTERS RESERVED TO COUNCIL

7.1 REPLACEMENT LOCAL PLAN

A report is submitted that asks Council to recommend approving public consultation for this stage of the replacement Leicester Local Plan as set out in the report.

The City Mayor will give a short presentation that sets out the process to be undertaken and the associated timetable.

7.2 LEICESTER CITY DRAFT YOUTH JUSTICE PLAN 2017-18

A report is submitted that seeks Council's approval of the Leicester City Youth Justice Plan for 2017/18.

The Council is asked to:

1. Note and agree the Leicester City Youth Justice Plan for 2017/18;
2. Note the review of progress and agree the priorities in the report; and
3. Request the Children, Young People and Schools Scrutiny Commission to review progress against the actions and recommendations in October 2017.

7.3 MEMBER ALLOWANCES SCHEME 2017/18 – CONFIRMATION OF SCHEME

A report is submitted that seeks the agreement of Council to confirm the member allowances scheme for 2017/18.

The Council is asked to confirm the Members Allowances Schemes for 2017/18 including the ability for the City Mayor to vary Deputy and Assistant City Mayor SRAs according to changing responsibilities within the overall financial envelope for these allowances, and the minor amendment to section 5ii of the scheme relating to the commencement of allowances after an election.

**Sir Peter Soulsby
City Mayor**



Full Council

6th July 2017

Replacement Local Plan

1. Introduction

The Council is required to regularly update its planning policies and as such work is underway to prepare a replacement Local Plan for the city in accordance with the Government's National Planning Policy Framework.

The new Local Plan is proposed to cover a 15 year timescale to 2031 and will replace the current Core Strategy and saved polices from the previous Local Plan of 2006.

At this stage of the plan making process consultation is proposed on emerging options on a number of land use planning matters including potential options for accommodating new development and policies to guide new development proposals.

2. Recommendation

Council is recommended to approve public consultation for this stage of the replacement Leicester Local Plan as set out in the report.

3. New Local Plan

The replacement local plan process involves a number of stages before the plan is ultimately adopted by the Council. Following the previous 'Issues and Options' stage the council is now required to publish its emerging thinking on Local Plan options for consultation. The subsequent process leading towards adoption is set out in Appendix 1.

This consultation will seek views on the following component documents:

- a) Emerging Options Document
 - This document draws on evidence and indicates options on how the council intends to address strategic planning matters including how

many houses we need to find and how much employment land is needed in the city.

b) Development Management Policies

- This document contains specific policies which will be a material consideration in the determination of planning applications. It provides detailed policy guidance on a range of planning matters such as hot food takeaways, student accommodation, betting shops, and retailing.

c) Sustainability Appraisal for Development Management Policies

- This is a technical report which requires us to assess the social, economic and environmental effects of draft development management policies.

d) Site Options Document

- The purpose of this document is to gather the views of the public on the potential future of sites, including whether they are considered to have development potential or remain in their current use.

It should also be noted that at this stage of the process the documents do not commit to the development of sites or planning policy.

4. Key Issues/Challenges

The emerging local plan will need to consider a whole range of factors related to land use and development. The following is a flavour of some of the issues that will need to be considered and addressed.

- Accommodating significant population growth – 12% increase 2016 – 2031 to 388,000
- Identifying new land for housing, employment, education and community facilities
- Housing Needs – 1700 homes per year required which amounts to approx. 34,000 dwellings up to 2031.
- Need for 45 Ha of employment land including office space in the city centre
- Maintaining and improving the quality of open space, but considering alternative uses for poor quality land.
- City Centre and Strategic Regeneration Area – Making best use of derelict land and buildings. More city centre living to contribute to housing need.
- Transport – Views on existing highway improvement lines/schemes as well as providing opportunities to suggest new ones.
- Establish what infrastructure is needed to support growth

- Waste – Ensure that we have enough capacity to process additional waste as the city grows
- More detailed policies that planning applications are judged against for instance:
 - Hot food takeaway concentration
 - Student Accommodation
 - Hostels
 - Public Health
 - Flooding
 - Design
 - Retail

5. Arrangements for Consultation

It is proposed to carry out public consultation from July to October 2017, to include the following:

- City and wider area letter/leaflet drop
- On Line consultation, 'Your Leicester' and social media
- Exhibitions
- Community Ward Meetings
- Stakeholder Consultation

6. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

Financial Implications

The consultation is estimated to cost £50k which will be funded within existing planning services budget for 2017-18.

Paresh Radia, Principal Accountant.

Legal Implications

The draft local plan for the city of Leicester has been drafted pursuant to powers under the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. As part of the plan process, consultation now needs to take place in relation to the draft plan this process is authorised following the detailed requirements and procedures set out in the Town and Country (Local Planning) Regulations 2012.

7. OTHER IMPLICATIONS

OTHER IMPLICATIONS	YES/NO	Paragraph References within the report
Equal Opportunities	Yes	A full Equal Opportunities Impact Assessment will be carried out as the plan progresses
Policy	Yes	The local plan will be the councils adopted planning policy document
Sustainable and Environmental	Yes	A Scoping Report has been consulted on and a full Strategic Environmental Assessment will be carried out as the plan progresses
Crime and Disorder	Yes	Draft Design Policy
Human Rights Act		There is a requirement for public consultation
Elderly/People on Low Income		Draft Housing Policies
Corporate Parenting	No	
Health Inequalities	Yes	Draft strategy promotes cycling and walking and access to open space

8. BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972

None

9. CONSULTATIONS

First stage 'Issues and Options' consultation was completed in January 2015

10. REPORT AUTHOR

Fabian D'Costa
Team Leader – Planning Policy

Local Plan Timetable

- Full Council – 6th July 2017
- Emerging Options, Sites & Development Management policies consultation:
July - October 2017
- Scrutiny during Consultation Period
- Draft Local Plan Spring 2018
- Public Examination and plan adopted: end of 2018



7.2

Council: 6th July 2017

Leicester City Draft Youth Justice Plan 2017-18

Lead director: Frances Craven

Useful information

- Ward(s) affected: All Wards
- Report author: David Thrussell
- Author contact details: 0116 454 1672
- Report version number: v1

1. Summary

It is the 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 Youth Offending Team (YOT) will be composed and funded; how it will operate, and what functions it will carry out.

The statutory youth justice plan must be submitted to the Youth Justice Board (YJB) and published annually by 31 August 2017. The youth justice plan is approved by the local Young Offender Management Board and submitted to the Youth Justice Board.

The document is the youth offending 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 YOT will deliver as a service, but how strategic links with other supporting initiatives will be developed and maintained.

The youth justice plan should be read in conjunction with other relevant multi-agency plans including the Children and Young People's Plan, Safer Leicester Partnership Plan and the Office of Police and Crime Commissioner (OPCC) Policing Plan. The youth justice plan is supported by a more detailed operational YOS Improvement Action Plan (IAP) overseen by the Head of Service, who reports to the Young Offender Management Board.

The Youth Justice Plan should also be read in conjunction with the Full Joint Inspection report that was published in May 2016, by HMIP. The key recommendations from the inspection are identified within the Youth Justice Plan and an Improvement Action Plan (IAP) was submitted to the Youth Justice Board (YJB) and was approved by the Young Offender Management Board. The IAP is monitored by the Youth Justice Board and Young Offenders Management Board on a quarterly basis.

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 previous full joint and YOS thematic inspections, together with learning from any Serious Incidents.

2. Recommendations

- To note and agree the Leicester City Youth Justice Plan for 2017/18.
- To note the review of progress and agree the priorities in the report.
- To request the Children, Young People and Schools Scrutiny Commission to review progress against the actions and recommendations in October 2017.

3. Supporting information

The Leicester City Youth Justice Plan for 2017/18 is attached as Appendix One.

4. Financial, legal and other implications

4.1 Financial implications

The 2017/18 budgeted and forecast expenditure and financing for the Youth Offending Service is summarised in Appendix Two of the Youth Justice Plan contained within this report.

Martin Judson, Head of Finance, Education & Children's Services, Ext 37 4101

4.2 Legal implications

Following consultation with relevant partner agencies, section 40 of the Crime and Disorder Act 1998 requires Leicester City Council formulate and implement an annual Youth Justice Plan setting out:

- a) How youth justice services in the area will be provided and funded; and
- b) How the youth offending team is to be composed and funded, how it will operate and what functions it will carry out.

The plan must then be submitted to the Youth Justice Board and published.

Katherine Jamieson, Solicitor, For City Barrister and Head of Standards Legal Services,
Ext 371452

4.3 Climate Change and Carbon Reduction implications

There are no significant climate change implications resulting from the attached report.

Duncan Bell, Senior Environmental Consultant, Environment Team, Ext 37 2249

4.4 Equalities Implications

The report does include the staffing profile and describes the diversity of staff that reflects the diversity of the city's population. From the perspective of meeting our Public Sector Equality Duty aims, the Youth Justice Plan sets out priority activities (in the Performance Overview section) 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.

The report does not include analysis of the protected characteristics of young people served by the Youth Offending Team. However, a disproportionality analysis of the local YOS cohort has been completed since the last report and will inform the youth justice business plan and priorities in the coming year. This will be regularly monitored will be reported on to the YOMB.

The attention paid to tracking the protected characteristics of young offenders ensures that the service does not discriminate against any service user on the basis of who they are.

Sonya King, Equalities Officer, Ext. 37 4132

4.5 Other Implications

None

6. Background information and other papers

- 6.1 Youth Justice Plans: YJB Practice Note for Youth Offending
- 6.2 Partnerships Modern Youth Offending Partnerships - Guidance on
- 6.3 Effective Youth Offending Team Governance in England, Ministry of Justice, 2014
- 6.4 Crime and Disorder Act, Section 40, 1998

7. Summary of appendices

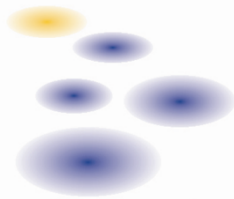
7.1 Appendix 1: Youth Justice Plan 2017/18

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)?

8.1 No

9. Is this a “key decision”?

No



Leicester City **youth** Offending Service

Leicester City Youth Justice Plan 2017 - 2018

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Introduction

The aims of Leicester Youth Offending Service (YOS) are to prevent youth offending and reduce re-offending and the use of custody for young people. This is achieved through working in partnership to deliver services that ensure 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 offending.

This Plan supports a range of associated partnership strategies including the Leicester Children and Young People's Plan, Police and Crime Plan, the Safer Leicester Partnership Plan, Children's Services Improvement Plan.

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

We have reviewed the Out of Court Disposal Panel to enable the YOS to identify and intervene earlier with young people at risk of crime and anti-social behaviour. Arrangements for Integrated Offender Management are currently being reviewed and retain funding support from the Police and Crime Commissioner as part of our successful Deter Young Offender Strategy.

The YOS are active partners in the Troubled Families Programme. Phase Two of the Programme has ensured that support continues to be provided to families involved in offending through integrated early help family support, as part of the local early help offer.

The local Multi Systemic Therapy (MST) Team continues to be successful in engaging both young people at risk of custody and young people at risk of entering the care system. We have launched a new MST Standard Team and a Child Adolescent Neglect (CAN) Team supporting a range of families with complex needs including young people involved in offending.

The YOS continues to work in partnership to support victims of youth crime and to reassure local communities and young people about the consequences of crime and anti-social behaviour through local Joint Action Groups and the Safer Leicester Partnership.

The YOS is making an important contribution to realising our ambition for all our children and young people of raising aspiration and attainment, reducing health inequalities and improving wellbeing. We also recognise the need to continue to invest in earlier interventions to ensure our most vulnerable young people continue to receive support to address their substance misuse, generic and mental health needs.

The YOS has improved levels of young people's engagement in individually tailored assessment and support programmes. The YOS has reviewed the effectiveness of its interventions in reducing reoffending and has refreshed its evidence based intervention programmes using national best practice.

We have continued to deliver programmes for repeat high risk young offenders jointly supported by the Office of the Police and Crime Commissioner (OPCC) and in partnership with local voluntary youth sector providers. We have also taken steps to strengthen the reporting of learning from serious incidents and recommendations through the Local Safeguarding Children's Board.

The YOS continues to progress young people access to education, training and employment. Youth crime prevention interventions continue to involve the youth service working with local secondary schools, to identify and support young people who are at risk of involvement in crime, anti-social behaviour or exclusion through targeted early intervention.

Targeted individual advice and guidance continues to be offered to our vulnerable young people who are not in education, training or employment. The Connexions Service is also working with economic regeneration partners to ensure that Education, Training and Employment for young offenders remain a priority as new provision is developed.

The local Joint Strategic Needs Assessment for children and young people has been revised and relaunched in 2017 and young people who are first time entrants and at risk of offending are a target group in the current needs analysis. This work is informing future commissioning and delivery priorities for young people at risk of involvement in crime and anti-social behaviour.

Performance Overview

We continue to prioritise preventing youth offending, reducing re-offending and the use of custody for young people as local performance indicators. The impact of the YOS performance and its contribution to wider safeguarding and public protection responsibilities are monitored and reported through the local Children's Trust Board, Safeguarding Children's Board and MAPPA Strategic Board.

The YOS has continued to refine its performance management reporting arrangements to better improve understanding of impact and outcomes and to inform the Young Offender Management Board in response to inspection recommendations. The YOS continues to work with the YJB to refine our diagnostic tools to provide a sharper focus on understanding of performance in respect of reoffending. This has included a diagnostic on disproportionality that has informed planning and delivery of interventions with young people.

Systems for improved monitoring of high risk offenders and young people involved in anti-social behaviour have been improved together with 'deep dive' analysis by the Young Offender Management Board into areas of challenging performance including reducing reoffending, Looked After Children, generic health needs of young people known to YOS, custodial sentencing and young offenders Speech, Language and Communication Needs.

YOS performance is reported through The Safer Leicester Partnership and Reducing Re-offending Board where shared priorities exist to reduce overall crime and anti-social behaviour. Reducing First Time Entrants and re-offending by young people is a priority of the Children and Young People's Plan, overseen by the Leicester Children's Trust Board.

The YOS continues to contribute towards regional and national improvement agendas and the latest YJB Quarterly Performance Monitoring report is attached. (Appendix 4)

Reducing First Time Entrants (FTE) Performance 2016/17

- There have now been sustained reductions in FTEs in the last seven years. Leicester has continued to see a reduction in the number of First Time Entrants (FTE) and the rate of reduction is greater than the national rate.

Reducing First Time Entrants (FTE) Priorities for 2017/18

- To re-commission and support evidence based youth crime prevention activity as part of a more integrated 0-19 early prevention strategy.
- To further reduce the numbers of young people entering the criminal justice system, in partnership with other local agencies through more integrated and targeted youth support.
- To reduce the frequency and seriousness of re-offending by first time entrants and to improve earlier identification and assessment of first time entrants, including young people subject to court orders.

Reducing Reoffending Performance for 2016/17

- The percentage of young people supervised by the YOT that re-offend was 33.8% for April 14 –March 15 Cohort which is a slight drop on the previous year which was 38.4% but higher than the national average.
- The YOS has higher than average national rates for young people reoffending on pre court and first tier orders whilst re-offending by young people subject to custodial sentences is lower than the national rate.
- Re-offending by young people known to the Troubled Families and MST programmes is lower than the national average.
- Whilst the number of young people supervised by the YOT has decreased, there has been a continued increase in the frequency of offending each year. Using the latest national comparator data covering period October 2014 and September 2015, Leicester's rate for re-offending is higher than the midlands and national figure.

Reducing Reoffending Priorities for 2017/18

- To reduce overall levels of re-offending and better understand effectiveness of programmes and disparity in local re-offending rates.
- To reduce the frequency and seriousness of re-offending by young people known to YOS at all levels including pre court and first tier interventions.
- To further improve reductions in reoffending by repeat young offenders, including young people at risk of custody and young people leaving custody.
- To complete a diagnostic of reoffending rates by young people in collaboration with the YJB and to monitor an improvement plan to reduce levels of re-offending.

Reducing the Use of Custody Performance 2016/17

- The YOS has higher than average national rate for the use of custody although this is a relatively small cohort receiving custodial sentences in 2016-17.
- There has been a consistent reduction in the use of custodial sentencing in previous years.

Reducing the Use of Custody Priorities for 2017/18

- To further reduce the use of remands to youth detention accommodation and custodial sentencing for all young people including children looked after.
- To continue to work with partners to further develop robust processes for the identification remand cases and the full cost of remand placements, together with suitable community based alternatives to remand.
- To ensure young people who are subject to custodial remands or sentencing are appropriately safeguarded and their risk of harm to themselves and others is managed appropriately.

Engaging in Education, Training & Employment (ETE) Performance 2016/17

- The level of ETE engagement is 76% and in excess of national, family group and regional comparators and places the YOS performance in the top quartile nationally.
- The high level of ETE engagement with young people known to YOS has been sustained through close partnership working with Education Welfare and Connexions Services.

Engaging in Education, Training & Employment (ETE) Priorities for 2017/18

- To further reduce the numbers of young people who are not in full time Education, Training & Employment (NEET) and known to YOS.

- To improve the targeting of ETE support for high risk entrants and repeat offenders.
- To increase the use of trained volunteer mentors, YOS advocates, and Connexions Personal Advisors, to support young people to successfully engage and remain in Education, Training & Employment.

Structure & Governance

The YOS is positioned within the Education and Children's Department of the Local Authority. The YOS Manager is Head of Service for Early Help and Specialist Services, which includes a portfolio of services including the Youth Offending Service, Youth Service, Connexions, Education Welfare Service and Multi Systemic Therapy. This approach supports 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. The Head of Service for the YOS is managed by the Director for Children, Young People and Families, who reports directly to the Director for Children's Services (DCS).

Governance arrangements for YOS reside with a multi-agency Young Offender Management Board (YOMB) chaired by the Strategic Director for Education and Children (DCS). The YOMB has senior officer level representation from statutory services including Police, Health and the National Probation Service. (Appendix One) Following the full joint inspection additional representation from Public Health and the Connexions Service has been added to the strategic management board. The YOMB meets on a quarterly basis where performance and finance reports are presented by the Head of Service, to inform strategic decisions and resource allocation. HM Courts are represented on the YOMB and attend meetings for focussed spotlight sessions as required.

Young Offender Management 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 quarterly YJB monitoring reports. The YOMB continues to revise its performance management framework to take into account best practice and changing local and national priorities. Ongoing strategic partnership analysis and priorities for 2017 include Child Sexual Exploitation (CSE), Children Missing and Trafficked who are involved in the criminal justice system, knife crime and gang related activity.

The YOS Manager is a member of the MAPPA Strategic Board and the Local Children's Safeguarding Board for reporting and monitoring lessons from Serious Incidents and Serious Case Reviews. The YOS Manager is a member of the Early Help Strategy Group which is a sub group of the Local Children's Safeguarding Board.

The YOS are members of both the Reducing Re-offending Board which supports Integrated Offender Management arrangements for young people and adults, and a Looked After Children Project Board, supporting transitions 16-24 year olds in the criminal justice system.

Resources and value for money

The YJB Youth Justice Grant allocation focusses on innovation and service improvement and supports the YOS improvement plan reviewed by the Young Offender Management Board. This ensures resources continue to be prioritised in areas where there are risks to future delivery and performance. Service improvement activity in 2016/17 has been supported by the YJB through a local re-offending toolkit to provide a more detailed understanding of local re-offending rates.

Funding contributions from statutory partners in Health and the National Probation Service are confirmed for 2017/18. The OPCC has confirmed 2017/18 funding for YOS for both core police activities and to support work with high risk entrants and repeat offenders. In addition the

OPCC has provided increased funding for work with Troubled Families and young people at risk of domestic violence and child sexual exploitation. A table containing the financial, staffing and in kind contributions made by local partners is contained in Appendix Two.

YOS business planning for 2017/18 will take into account the national Taylor review of the youth justice system and any options for future remodelling of the service will be overseen by the YOMB Chair through an integrated Targeted Youth Support Remodelling Board.

The YOS successfully launched ASSET Plus in late 2015 and has commenced transitional arrangements for the implementation of a new Youth Justice Management Information System (Capita ONE) for summer 2017.

The YOS is appropriately resourced by seconded warranted Police Officers, a Probation Officer employed by the National Probation Service, and an education specialist managed within the Education Welfare Service.

The YOS are working with the Child and Adolescent Mental Health Service (CAMHS) to better understand the emotional health and wellbeing needs of young people known to YOS. The YOS are working with the Leicester Clinical Commissioning Group and stakeholders to ensure that the local CAMHS Transformation includes the support needs of young people known to YOS. Additional YOS resources include dedicated Educational Psychologist time and a dedicated Education, Training and Employment Personal Advisor surgery from the Connexions Service.

The YOS has a diverse workforce that reflects the diversity of the local communities that it serves. The entire YOS workforce is employed on a permanent basis, there are no agency employees, and all frontline YOS Officers are professionally qualified.

The YOS works with a wide range of volunteers reflecting the diversity of Leicester's communities. Volunteers and permanent staff are trained in restorative justice. A structure chart including the full YOS staffing establishment is contained in Appendix Three.

Partnership Arrangements

The YOS 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 (NPS) to support the delivery of shared strategic priorities.

The YOS Manager or YOS Service Manager is represented on the following key strategic partnerships:

- Leicester Children's Trust Board (LCTB)
- Local Safeguarding Children's Board (LSCB)
- Early Help Strategy Group
- Safer Leicester Partnership (SLP)
- Multi Agency Public Protection Arrangements Strategic Board (MAPPA)
- Reducing Re-offending Board (RRB)
- Children and Adolescent Mental Health Service (CAMHS) Multi Agency Partnership
- Young Adult Transitions Board (Tbc)
- Multi Systemic Therapy Strategic Board (MST)

The YOS co-commissions youth crime prevention programmes with the Office of the Police and Crime Commissioner (OPCC) that focus on preventing re-offending by high risk entrants to the youth justice system and repeat high risk offenders. This includes jointly commissioned work with local voluntary sector youth service providers that support national indicator performance and outcome measures jointly monitored by the OPCC.

The YOS are partners in the Troubled Families and Multi Systemic Therapy Team and re-offending by young people known to the programmes is lower than the national average.

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 and employment and accommodation.

All young people subject to custodial sentences are reviewed by multi agency panel including Connexions, CAMHS and substance misuse, and parenting workers to ensure that young people's safeguarding, risk of harm, welfare and mental health needs are appropriately assessed. 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.

Risks to future delivery

A challenge for the YOS is to maintain continuous improvement in the context of any proposed national changes to the Youth Justice System arising from the Taylor Review. Additional risks to future service delivery arise from reduced government and partnership funding.

Local pressures on council funding are mirrored across the strategic partnership and the YOS is working with partners to develop a sustainable delivery model moving forward, that reflects shared strategic priorities and reduced income.

The YOS is working with strategic partners through the YOMB 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 young people.

The YOMB has overseen an Improvement Action Plan following the Full Joint Inspection undertaken in 2016 and this has informed service priorities for 2016/17. The YOS continues to focus on areas of performance improvement related to management of risk of harm, safeguarding and better understanding health needs and improving health outcomes for young people.

Priorities for 2017/18

- To review the existing model of service delivery taking into account the findings of the Taylor Review and responding to local reductions in the numbers of young people entering the youth justice system.
- To further improve the quality of assessments and effectiveness of YOS interventions to reduce re-offending, including a better understanding of speech, language and communication needs of young people known to YOS.
- To ensure that young people who are known to YOS as children in need or in need of protection including from Child Sexual Exploitation, are identified, safeguarded and their cases escalated where appropriate.
- To ensure a partnership approach is maintained to prevent offending and further reduce reoffending by children and young people.
- To reduce the number of children looked after who enter the criminal justice system and to further reduce the number of young people subject to remands and custody.

- To better understand the emotional health and wellbeing needs of young people known to YOS to improve their physical and mental health.
- To improve earlier identification and support for young people at risk of involvement in gangs and organised crime.
- To provide a better understanding and support for young people involved in violent crime, including knife crime through targeted prevention interventions for young people.

Appendix One

Leicester City YOS – Young Offender Management Board (YOMB) 2017/18

Name	Organisation
Frances Craven	Strategic Director, Children's Services, Leicester City Council (Chair YOMB)
Caroline Tote	Divisional Director, Children's Services, Social Care and Early Help, Leicester City Council
Sian Walls	Chief Inspector, Leicestershire Police
Charlotte Dunkley	Deputy Head, Leicester, Leicestershire and Rutland (Midlands), National Probation Service
Mel Thwaites	Associate Director of Children and Families, Clinical Commissioning Group
Clare Mills	Lead Commissioner, Public Health, Leicester City Council
Julia Conlon	Service Manager, Connexions Service & Targeted Youth Support, LCC
David Thrussell	Head of Service, YOT Manager, Early Help and Specialist Services, Leicester City Council
Karen Manville	Service Manager, Youth Offending Service
Martin Judson	Head of Finance, Education and Children's Services

Appendix 2

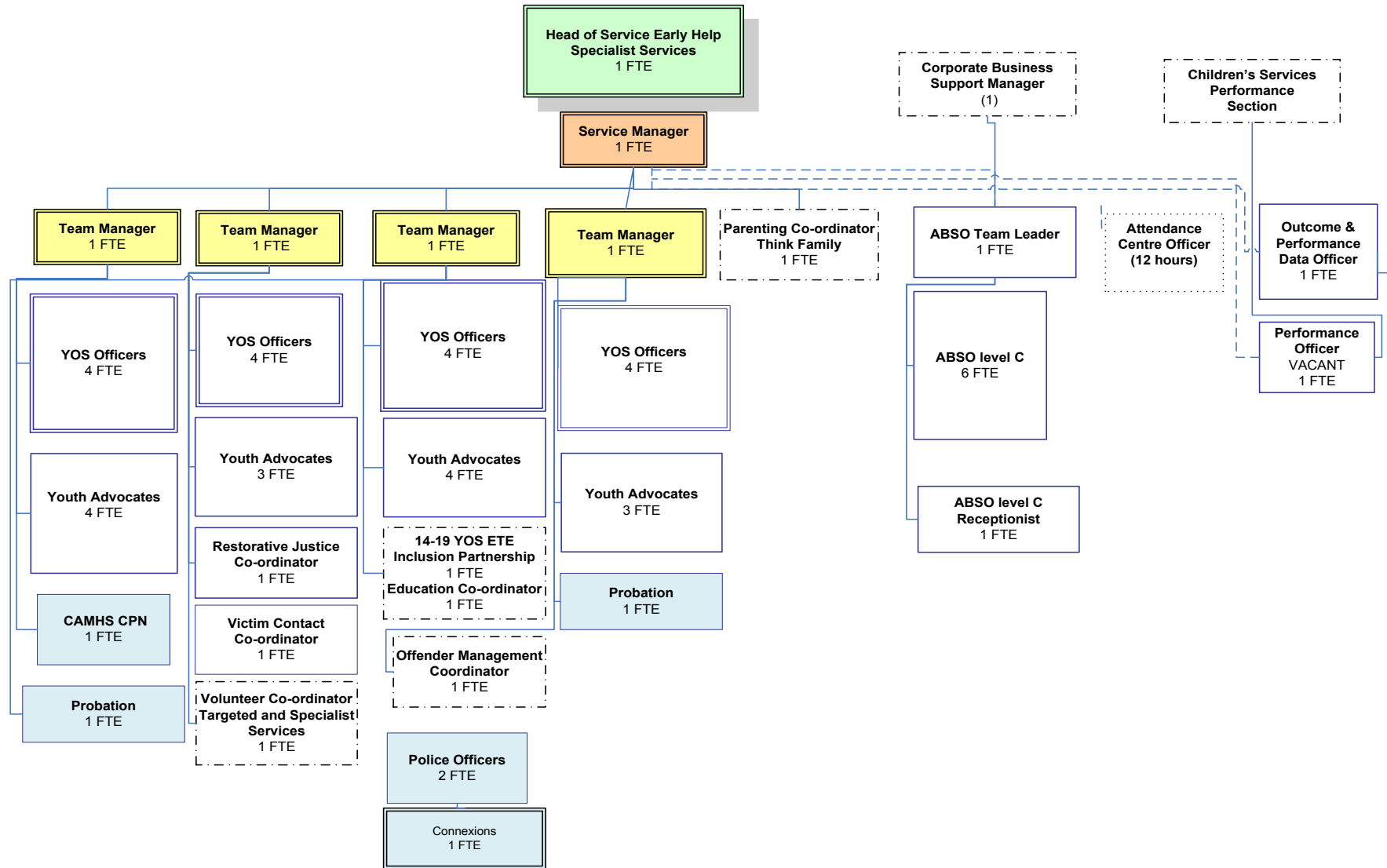
YOS BUDGET 2017/18

Agency	Staffing costs (£)	Payments in kind – revenue (£)	Other delegated funds (£)	Total (£)
Local Authority	1,040,810	447,107		1,487,917
Police Service	84,964		84,446	169,410
National Probation Service	98,516		0	98,516
Health Service	86,858		57,131	143,989
YJB Good Practice Grant	628,299		26,214	654,513
Total	1,939,447	447,107	167,791	2,554,345

Appendix 3

Leicester City Youth Offending Service (31 March 2017)

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Appendix 4

Leicester City Youth Offending Service Staff Composition on 31 March 2017

Protected characteristic:		Number	% of total staff
Gender	Male	28	47
	Female	32	53
Ethnicity	White	37	62
	Asian	15	25
	Black	6	10
	Dual heritage	2	3



Leicester
City Council

WARDS AFFECTED
All Wards

7.3

Full Council

6 July 2017

Member Allowances Scheme 2017/18 – Confirmation of Scheme

Report of the Director of Delivery, Communications and Political Governance

1. Purpose of report

This report confirms the Member Allowances Scheme for 2017/18.

2. Recommendations

Members are recommended to:

1. Confirm the Members Allowances Schemes for 2017/18 (attached at appendix 1) including the ability for the City Mayor to vary Deputy and Assistant City Mayor Special Responsibility Allowances according to changing responsibilities within the overall financial envelope for these allowances, and the minor amendment to section 5ii of the Scheme relating to the commencement of allowances after an election.

3. Report

The main Regulations relating to Members Allowances are the Local Authorities (Members' Allowances) (England) Regulations 2003 (the Regulations).

Section 19.1 of the Regulations require that all councils must make a scheme providing for the payment of allowances to Members (i.e. Councillors and Elected Mayors) and that 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).

The Council received the latest IRP report in March 2016 and this was agreed by Council on 17 March 2016. Following the confirmation of the Local Government employees pay award of 1% for both 2016/17 and for 2017/18, Council at its meeting on 14 July 2016, were then able to agree the Members Allowances Schemes for 2016/17 and 2017/18 implementing indexation of allowances in line with the IRP report. It is good practice to ensure that the Council reviews and reaffirms the allowance Scheme on an annual basis. On that basis, this report presents the Scheme for 2017/18 which includes the application of the indexation of 1%. The Scheme is presented at Appendix 1.

The new Allowance Scheme has been effective for more than a year and is working well, and as such there is no anticipated need to suggest any substantive changes. One proposed minor amendment is to clarify in section 5ii of the Scheme (in line with legislation) when allowances commence after an election and that a Member's declaration of acceptance of office must be made before this can happen.

It should also be noted that in practice, currently one member of the Executive has agreed with the City Mayor to take an allowance which is lower than their assigned allowance band in recognition of the level of time and input the role requires. This report proposes that such an approach to vary from the amounts specified in the Allowance Scheme is applicable for the Deputy and Assistant City Mayor Special Responsibility Allowances (SRAs) provided any variance does not result in the combined total allowances for these roles exceeding the total allocated budget for Executive SRAs. A footnote reflecting this has been added to the Scheme.

Appendix 1 is the Member Allowance Scheme for 2017/18 which includes application of the 1% indexation.

4. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

4.1. Financial Implications

The proposed Scheme is affordable within the current budget provision.

Colin Sharpe, Head Finance

4.2 Legal Implications

Whilst the Scheme for 2016/17 and 2017/18 was duly approved by Council towards the end of the municipal year 2015/16 it is good practice to periodically reaffirm this with Council. In addition amendments are proposed in line with the recommendation in section 2 which is a matter for Council. The current version of the Scheme accords with the recommendations of the IRP dated March 2016. The proposed version of the Scheme operates within the same parameter for SRAs as proposed by the IRP, albeit vesting in the City Mayor the power to fine-tune SRAs for the Deputy and Assistant Mayors in a more bespoke manner. Council are not required to follow precisely the recommendations of the IRP. The legal duty is to "have regard" to them.

Kamal Adatia, City Barrister & Monitoring Officer

4.3 Climate Change

There are no climate change implications associated with the report.

Louise Buckley, Senior Environmental Consultant – Climate Change

5. OTHER IMPLICATIONS

OTHER IMPLICATIONS	YES/NO	Paragraph References Within the Report
Equal Opportunities	n	There are no specific implications relating to this report.
Policy	n	
Sustainable and Environmental	n	
Crime and Disorder	n	
Human Rights Act	n	
Elderly/People on Low Income	n	
Corporate Parenting	n	
Health Inequalities Impact	n	

6. BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972

None

7. CONSULTATIONS

Kamal Adatia, City Barrister & Monitoring Officer

8. REPORT AUTHOR

Miranda Cannon
Director of Delivery, Communications & Political Governance

ELECTED MEMBERS' ALLOWANCES SCHEME 2017/2018

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

Council, at its meeting on 14 July 2016, agreed a Members' Allowances Scheme, applicable for the 2017/2018 Municipal year which takes into account the recommendations of the Independent Panel on Members' Allowances which agreed a scheme of indexation through to the end of the Municipal year 2019/2020.

The scheme is detailed below and operates from 1 April 2017.

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

1. ALLOWANCES PAID AUTOMATICALLY

(All amounts stated are gross)

(a) Basic Allowance

£10,349 per annum for each Member.

(b) Special Responsibility Allowances

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

City Mayor	£58,870
Deputy City Mayor	£41,566*
Assistant City Mayors NB. The City Mayor will allocate Assistant City Mayors to relevant Band according to responsibility and workloads assigned - to be indicated on appointment.	Payable at Rate i £17,339* or Rate ii £13,870* or Rate iii £10,403*
Chair, Overview Select Committee	£9,806
Vice Chair, Overview Select Committee	£2,451
Chair, Children Young People and Schools Scrutiny Commission	£8,172
Vice Chair, Children Young People and Schools Scrutiny Commission	£2,043
Chair, Health and Wellbeing Scrutiny Commission	£8,172
Vice-Chair, Health and Wellbeing Scrutiny Commission	£2,043
Chair, Neighbourhood Services and Community Involvement Scrutiny Commission	£8,172

Vice Chair, Neighbourhood Services and Community Involvement Scrutiny Commission	£2,043
Chair, Heritage, Culture, Leisure and Sport Scrutiny Commission	£8,172
Vice Chair, Heritage, Culture, Leisure and Sport Scrutiny Commission	£2,043
Chair, Adult Social Care Scrutiny Commission	£8,172
Vice Chair, Adult Social Care Scrutiny Commission	£2,043
Chair, Economic Development, Transport and Tourism Scrutiny Commission	£8,172
Vice Chair, Economic Development, Transport and Tourism Scrutiny Commission	£2,043
Chair, Housing Scrutiny Commission	£8,172
Vice Chair, Housing Scrutiny Commission	£2,043
Chair, Planning and Development Control	£8,172
Vice Chair, Planning and Development Control	£2,043
Chair, Licensing & Public Safety Committee	£8,172
Vice Chairs, Licensing & Public Safety Committee (two)	£2,043
Chair, Audit & Risk Committee	£5,992
Chair, Standards Committee	£2,915
Minority Group Leader	£1,090 per annum plus an additional £273 per Member.
Majority Group Whip	£8,172

*The City Mayor may choose to vary from the specified SRAs for the Deputy and Assistant City Mayor provided any variance does not result in the combined total allowances for these roles exceeding the total allocated budget for Executive SRAs.

Civic Allowances

Lord Mayor	£16,889*
Deputy Lord Mayor	£5,175

High Bailiff	£1,811
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*£11,438 of the Lord Mayor's allowance will be provided via allowances, the other £5,451 will be administered by the Democratic & Members Support Manager.

(d) 'Independent Persons' 'Independent Members' 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:-

'Independent Persons', Standards Committee 'Independent Members', Standards Committee	£2,100 plus travel expenses £492
Note: The rate for these roles is not considered by the Independent Remuneration Panel as they come under separate legislation but are included here for completeness.	
Co-opted Members of Committees / Commissions	£518

(e) Travel and Subsistence – Inside the City

£100.39 per month (£1,205 per annum) is payable to each Member. This is intended to cover all travel (including taxis) and subsistence costs for all activities within the City boundary.

(f) Telecommunications & Support Allowance

Paid to all Members at £25.50 per month (£306 per annum) 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 an Member.

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 20 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 Director of Delivery, Communications and Political Governance.

4. MISCONDUCT/WITHHOLDING OF ALLOWANCES

In the event of a Member suspension/partial suspension, the Member's allowances will be withheld in full or in part in accordance with the duration of the suspension.

5. 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 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 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 Director of Delivery, Communications and Political Governance 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 Director of Delivery, Communications and Political Governance 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.	
	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 Director of Delivery, Communications and Political Governance 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 Director of Delivery, Communications and Political Governance 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.

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 only exception is the £55 per week voucher scheme outlined below;
- The maximum hourly rate reimbursed for the independent care of a child under the age of 14 shall be equal to the minimum wage applicable to the age of the carer;
- 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 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.

Members using registered childcare provision may, if they so choose, receive tax free, up to £55 per week of their contribution to childcare by way of vouchers, which will be reimbursed by the Council direct to the childcare provider.

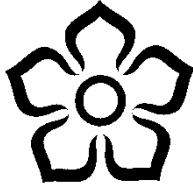
MATTERS RESERVED TO COUNCIL

8.1 STANDARDS 'ARRANGEMENTS' – REVISIONS

The Monitoring Officer presents a report that seeks the approval of Council to the revised "Arrangements" for dealing with complaints against Members and co-opted Members under the Localism Act 2011, (found in Part 5 of the Council's Constitution).

The Council is recommended to accept the changes to the Arrangements.

Kamal Adatia
City Barrister and Head of Standards



Leicester
City Council

WARDS AFFECTED

All Wards

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

Standards Committee
Full Council

20th June 2017
6th July 2017

Standards 'Arrangements' - revisions

Report of the Monitoring Officer

1. PURPOSE OF REPORT

- 1.1 To seek the approval Full Council to the revised "Arrangements" for dealing with complaints against Members and co-opted Members under the Localism Act 2011, which are found in Part 5 of the Constitution
- 1.2 To seek approval to change the wording in the Standards Committee Terms of Reference (found in Part 3 of the Constitution) such that references to "Standards Advisory Board" or "Board" shall read "subcommittee"

2. SUMMARY

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

3. RECOMMENDATIONS (OR OPTIONS)

That the Standards Committee receives the report and comments upon the proposed changes

That Full Council accepts the changes to the Arrangements.

4. REPORT

4.1 The proposed amended Arrangements are attached as Appendix A.

There are two substantive proposed changes to the Arrangements:

- i) Section D4 (d) – adds a reason for rejection of a complaint where it discloses no breach or potential breach of the Code of Conduct. Previously such complaints had to be re-classified as “trivial”. Such a classification can be inappropriate, for example where someone makes a seemingly grave complaint but where it is plainly unsupported by any evidence or plainly contradicted by other evidence. In these circumstances it is more appropriate for the complaint to be rejected in the new terms set out.
- ii) Section D4 (h) – clarifies a power for the Monitoring Officer and Independent Person to conclude that a complaint needs to be progressed to Standards Advisory Board level without the need to commission an independent investigation. This scenario may arise where there is clear, objective evidence already available of the very incident which gave rise to an allegation and where therefore it is wholly unnecessary to incur the delay and expense of a formal investigation. Equally it could apply to a scenario where a non-trivial breach is alleged and the Subject Member admits the breach of the Code. In these cases the Monitoring Officer will collate those available materials, afford an opportunity to the Subject Member to comment, and pass the “pack” onto the Standards Advisory Board. They will decide whether (i) no further action is required or (ii) a hearing panel should be convened. It is noted that although a broad discretion already exists in the “Arrangements” to tailor procedure to suit the circumstances of a particular case, the current wording around “investigations” implies that all more serious allegations will be formally investigated. The new provision makes it clear that in appropriate cases the investigation can comprise the collation of existing materials together with any explanation offered by the subject Member. It is submitted that in those rare cases where it is appropriate to utilise this provision, it represents an entirely proportionate use of resources without compromising the fairness of the proceedings at all.

There are numerous minor changes to the text as follows:

- iii) Modifying the references to “Investigation” to align with the change cited at point ii) above
- iv) Separating-out the wording in relation to Hearing Panels to make it clearer that this is a separate stage of proceedings
- v) Clarifying that the determinations of Hearing Panels must be endorsed by the main Committee.
- vi) Replacing the wording in the Standards Committee Terms of Reference whereby “Standards Advisory Board” or “Board” shall read “subcommittee”.

The current wording fails to distinguish between the two types of subcommittee that operate under the main Committee and whose task it is to scrutinise and ultimately hear individual cases. These are the Standards Advisory Board and the Hearing Panel. The proposal at iv) above makes this distinction clearer, and this should also be reflected in the Terms of Reference.

5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

5.1. Financial Implications

None

5.2 Legal Implications

The report is concerned throughout with legal implications. The changes are required as a result of experience and reflection upon the operation of the Code and the Arrangements since they were last amended in 2014.

6. OTHER IMPLICATIONS

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

7. BACKGROUND PAPERS - LOCAL GOVERNMENT ACT 1972

8. CONSULTATIONS - Standards Committee meeting 21st March 2017

9. REPORT AUTHOR - Kamal Adatia, Monitoring Officer, Tel 0116 454 1401

**ARRANGEMENTS FOR DEALING WITH STANDARDS COMPLAINTS AT
LEICESTER CITY COUNCIL UNDER THE LOCALISM ACT 2011**

A. CONTEXT

These “Arrangements” set out how you may make a complaint that an Elected or co-opted Member of this Authority has failed to comply with the Authority’s Code of Conduct, and sets out how the Authority will deal with allegations of a failure to comply with the Authority’s Code of Conduct.

Under Section 28(6) and (7) of the Localism Act 2011, the Council must have in place “Arrangements” under which allegations that a member or co-opted member of the Authority or of a Committee or Sub-Committee of the authority, has failed to comply with that authority’s Code of Conduct can be investigated and decisions made on such allegations.

Such arrangements must provide for the Authority to appoint at least one Independent Person, whose views must be sought by the authority before it takes a decision on an allegation which it has decided shall be investigated, and whose views can be sought by the Authority at any other stage, or by a Member against whom an allegation has been made

B. THE CODE OF CONDUCT

The Council has adopted a Code of Conduct for members, which is available for inspection on the authority’s website and on request from Reception at the Civic Offices. <https://www.leicester.gov.uk/contact-us/comments-compliments-and-complaints/complaints-about-councillors>

C. PRINCIPLES UNDERLYING THE SCHEME

The following principles should underpin Leicester City Council’s Arrangements:

- 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.

D. THE PROCESS

1. Who may complain?

Complaints must be about Elected Members (to include the Elected Mayor) or co-opted Members and can be made by members of the public, Elected Members or officers of the Council. Where the Monitoring Officer lodges a complaint, it shall be made to the Standards Committee via the Deputy Monitoring Officer

2. To whom must a complaint be made?

Complaints must be made to the Monitoring Officer by writing to:

The Monitoring Officer
Legal Services Division
Leicester City Council
115 Charles Street~~16 New Walk~~
Leicester
LE1 1FZ6UB

Or e-mail: monitoring-officer@leicester.gov.uk

The Monitoring Officer is a senior officer of the authority who has statutory responsibility for maintaining the Register of Members’ Interests and who is responsible for administering the system in respect of complaints of member misconduct on behalf of the Standards Committee

In order to ensure that all of the correct information is available to process the complaint they should preferably be submitted on the model complaint form, which

can be downloaded from the authority's website and is available on request from Reception at the Civic Offices.

The complainant should provide their name and a contact address or e-mail address, so that the Monitoring Officer can acknowledge receipt of the complaint and keep them informed of its progress. If the complainant wishes to keep their name and address confidential this should be discussed with the Monitoring Officer. The authority does not normally investigate anonymous complaints, unless there is a clear public interest in doing so.

Complaints should be lodged promptly, and normally within 3 months of the alleged breach occurring unless there are good reasons for the Monitoring Officer or Independent Person to accept a complaint lodged outside of this period.

3. How to complain?

Complaints must be made in writing either by letter, e-mail or on-line. Anonymous complaints will not be accepted because of the difficulties they cause with investigation. Appropriate safeguards for employees of the Council wishing to make a standards complaint will be afforded in parallel to those that might apply under the whistle blowing policy. Safeguards will also be in place, at the discretion of the Monitoring Officer, to protect confidential or sensitive information about a complainant, the disclosure of which may cause, or be likely to cause, "serious harm"

The complainant should be encouraged (either through questions on the standard complaint form or through subsequent discussion for clarification) what remedy is sought. This will help to identify informal methods of resolution at the earliest stages.

4. What will happen to the complaint?

The complaint will be acknowledged with the complainant within 5 working days

The complaint will also be notified (by sending a copy of the full complaint) to the subject Member within 5 further working days, save where there are exceptional or legal reasons for the Monitoring Officer agreeing with the complainant that there are elements of it, or the entirety of it, that must be kept confidential at this initial stage

Within 15 further working days the following actions will be taken by the Monitoring Officer, after consultation with the Independent Person:

- a. Revert to the complainant to seek further clarification.
- b. Refer the matter for further fact finding by Monitoring Officer (where further information is needed before deciding what route to follow).

- c. Reject the complaint on the grounds that it is not related to the Code of Conduct, or may be covered by another process
- d. **Reject the complaint on the grounds that it discloses no breach or potential breach of the Code of Conduct**
- e. Reject the complaint on the basis that it is (i) trivial or (ii) not in the public interest to pursue or (iii) vexatious (see Appendix 1 attached for definition).
- f. Recommend informal resolution where (i) Code engaged and not breached, but where some gesture of reparation would still be in the interests of fairness; or (ii) Code engaged but low-level breach only has occurred, such as not to warrant formal investigation
- g. Refer the matter for immediate further investigation.
- h. **Refer the matter straight to the Standards Advisory Board where there is (i) clear evidence of a breach of the Code and (ii) it would be disproportionate and unnecessary to commission an investigation under g. above and (iii) informal resolution is not appropriate**
- i. In exceptional cases, refer the matter to the Standards Committee or subcommittee thereof for a decision on a. to h. above on the grounds that the Monitoring Officer feels it would be inappropriate to make the decision himself/herself.

The complainant and the subject Member will receive a letter after expiry of the 5 days indicating which of the above outcomes is to be pursued.

By law the Subject Member has the right to consult with the Independent Person during the course of a complaint. Appendix 2 describes how this right is to be exercised.

Matters referred for fact finding - The Monitoring Officer will undertake this fact finding exercise by inviting the Member to attend for a discussion within 10 working days, or submitting information in writing. After obtaining the subject Member's factual account the Monitoring Officer will engage with the Independent Person (IP) to decide on next steps. The next steps will comprise either of outcomes c. to i. above.

Informal resolution - may incorporate acceptance by the subject Member that their behaviour was unacceptable and the offer of apology to the complainant, or other remedial action at the discretion of the Monitoring Officer (e.g. an offer of training). The outcome of 'informal resolution' does not require approval of the complainant or the subject Member (though the complainant may exercise a right to seek a "review" as per above).

Non-compliance with "informal" outcomes will be dealt with in accordance with Appendix 3 attached.

Review of a complaint - The complainant may seek a “review” of a decision only under outcomes c. to f. Such requests must be lodged with the Monitoring Officer within 5 working days of receipt of the outcome letter. Any Review will be undertaken by the Monitoring Officer, this time in consultation with a different Independent Person. The Monitoring Officer will notify the Subject Member of the request for a “review” and the reasons given for it by the complainant. It will be a matter for the Monitoring Officer and the Independent Person if they wish to invite any comment or representations from the Subject Member at this point.

In the case of all outcomes up to and including referral for ~~formal~~ investigation, the Monitoring Officer will report outcomes to the Standards Committee by updating report at each meeting

~~Formal~~ investigation - should the matter warrant detailed investigation, the Monitoring Officer will appoint an investigating officer. The ~~i~~nvestigator will conduct a thorough review within three months. Upon receipt of the ~~i~~nvestigator’s report by the Monitoring Officer (**or by operation of the Monitoring Officer’s own report under route h above**) the matter will be referred for further decision to the Standards Committee (acting through its Standards Advisory Board), this time with the mandatory requirement to consult the Independent Person, who may determine:

- no further action
- referral for hearing

The option of ‘no further action’ may only flow from an investigator’s own conclusion that no breach has occurred. If the Investigator (**or Monitoring Officer**) finds breaches, then the Board cannot decide, without a hearing, that no breach has occurred and no further action needs to be taken.

The option of ‘informal resolution’ is not available once a matter has been referred for ~~formal~~ Investigation (and the Investigator or Monitoring Officer finds breaches). Equally, where the Board refer a matter for hearing in order to establish if breaches have occurred (for example after disagreeing with an Investigator who concludes there have been no breaches) informal resolution will not, at that point, be a viable outcome because the matter has ceased to be dealt with ‘informally’.

Hearing Panel

If the matter is referred for hearing then a Hearing Panel will be convened to hear the evidence, make findings of fact and determine appropriate outcomes. The Hearing Panel (like the Standards Advisory Board) is a sub-committee of the Council’s Standards Committee. The Independent Person is invited to attend all meetings of the Hearing Panel and his/her views are sought and taken into consideration before the Hearing Panel takes any decision on whether the Member’s conduct constitutes

a failure to comply with the Code of conduct and as to any action to be taken following a finding of misconduct.

The Hearing Panel is an advisory committee and can only make recommendations to the main Standards Committee in individual cases that it has adjudicated upon. As its findings are advisory, they must be referred to the main Standards Committee for endorsement. This is achieved by way of written report.

The complainant and the subject member would be written to and given reasons for any decision following a formal investigation/hearing, and no rights of review shall be afforded, save the right to challenge the process by way of Judicial Review or referral to the Local Government Ombudsman if appropriate.

A Standards Advisory Board or a Hearing Panel may make a recommendation to the Standards Committee that an Investigative Report be made public, whether the Report concludes that breaches of the Code of Conduct have been established or not.

5. Outcomes

The Hearing Panel may make recommendations to the Standards Committee for:

- a. Censure or reprimand the Member by letter
- b. Press release of findings
- c. Report findings to Council for information (with or without a subsequent motion of censure being proposed by Council)
- d. Recommendation to Group (or Full Council in the case of ungrouped Members) of removal from Committees/subcommittees of Council
- e. Recommendation to Elected Mayor that the Member be removed from The Executive, or from particular portfolio responsibilities
- f. Recommendation that the Member be removed from outside bodies to which they have been appointed by the Council
- g. Withdrawal of facilities provided to the Member by the Council
- h. Excluding the Member from the Council's offices or other premises (with the exception of accessing meetings of Council, Committees and subcommittees)
- i. Instructing the Monitoring Officer to arrange training for the Member

6. Revision of these arrangements

The Council may by resolution agree to amend these arrangements at any time, and delegates to the Monitoring Officer and/or Chair of the Standards Committee the right to depart from these arrangements where he/she considers it is necessary to do so in order to secure effective and fair consideration of any matter

