

County Council

Date: Tuesday 28 September 2021
Time: 10.00 am
Venue: Council Chamber, Shire Hall

Membership

Councillor Peter Gilbert (Chair), Councillor John Horner (Vice-Chair), Councillor Jo Barker, Councillor Richard Baxter-Payne, Councillor Brett Beetham, Councillor Margaret Bell, Councillor Parminder Singh Birdi, Councillor Sarah Boad, Councillor Barbara Brown, Councillor Peter Butlin, Councillor Jonathan Chilvers, Councillor Jeff Clarke, Councillor John Cooke, Councillor Andy Crump, Councillor Yousef Dahmash, Councillor Piers Daniell, Councillor Jackie D'Arcy, Councillor Tracey Drew, Councillor Judy Falp, Councillor Jenny Fradgley, Councillor Sarah Feeney, Councillor Bill Gifford, Councillor Clare Golby, Councillor Brian Hammersley, Councillor John Holland, Councillor Dave Humphreys, Councillor Marian Humphreys, Councillor Andy Jenns, Councillor Kam Kaur, Councillor Jack Kennaugh, Councillor Justin Kerridge, Councillor Christopher Kettle, Councillor Sue Markham, Councillor Jan Matecki, Councillor Sarah Millar, Councillor Chris Mills, Councillor Jeff Morgan, Councillor Penny-Anne O'Donnell, Councillor Bhagwant Singh Pandher, Councillor Daren Pemberton, Councillor Caroline Phillips, Councillor Wallace Redford, Councillor Howard Roberts, Councillor Will Roberts, Councillor Kate Rolfe, Councillor Jerry Roodhouse, Councillor Isobel Seccombe OBE, Councillor Jill Simpson-Vince, Councillor Tim Sinclair, Councillor Mejar Singh, Councillor Richard Spencer, Councillor Heather Timms, Councillor Mandy Tromans, Councillor Robert Tromans, Councillor Martin Watson, Councillor Adrian Warwick and Councillor Andrew Wright

Items on the agenda: -

1. General

(1) Apologies for Absence

(2) Members' Disclosures of Pecuniary and Non-pecuniary Interests

(3) Minutes of the previous meeting

To consider the minutes of the meeting of Council held on 1 July 2021

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(4) Chair's announcements

(5) Petitions

To receive any petitions submitted in accordance with the Council's

Petitions Scheme.

(6) Public Speaking

To note any requests to speak on any item on the agenda in accordance with the Council's Public Speaking Scheme (see note at end of the agenda).

2. Dispensation for County Councillor	25 - 26
3. Police and Crime Commissioner Representation	27 - 32
4. Education (Schools) Capital Programme 2021/22	33 - 48
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7. Youth Justice Plan 2021/22	77 - 94
8. Notices of Motion	

To consider the following motions submitted by members in accordance with Standing Order 5:

(1) Liberal Democrat Group Motion

This Council supports the UN sustainability goals as part of its corporate plan and notes the good work that has been taking place regarding Climate Change so far and welcomes the Green Shoots initiative along with other actions that have been taken.

This Council also recognises the increased scientific evidence that we need to act more quickly, as confirmed by the latest Intergovernmental Panel on Climate Change report (sixth assessment). The UK is hosting the UN Climate Change Conference COP26 and holding the Presidency for this critical conference, and there is an ever-increasing focus on net zero carbon.

In light of these facts, Council requests that it establishes a framework by which all full Council and Cabinet decisions made by Warwickshire County Council are checked against a climate change assessment.

Warwickshire County Council should also use its unique position to bring forward strategic proposals on further developing the direction of Warwickshire's economy. For example, this could include greater investment towards green skills as indicated in the latest growth hub report. With the

increase in electric vehicles and the greater reliance and use of batteries, we as a county should also seek to work with innovators and lead in developing the recycling actions that will be needed to make Warwickshire a circular economy

Proposer: Councillor Jerry Roodhouse

Seconder: Councillor Bill Gifford

(2) Green Group Motion.

The latest IPCC report (August 21) was loud & clear. The Climate Emergency is not something we will face in the future but is happening right now. Warwickshire County Council declared a climate emergency in 2019, but with any emergency we must adapt and change our plans as needed.

Therefore, this Council recognises the August 2021 IPCC report and the report's conclusion that we must reduce carbon output with greater urgency.

Therefore, this Council will take the following steps to strengthen its own climate action plan:

1) Develop for consideration a fully costed plan which is based on:

- Bringing forward our commitment to become a climate neutral Council from 2030 to 2025 and our aim for the whole of Warwickshire from 2050 to 2033 and setting an indicative carbon budget for Warwickshire through to 2100.
- Creating a dedicated 'Carbon Management Team' to implement and manage the Council's climate goals from April 2022.
- Building all new WCC buildings, schools and any buildings built with aid of Warwickshire County Council funding to carbon neutral and fabric-first standards, including the creation of a dedicated team to manage the Council's retrofit schemes across the County.

2) Ensure all new procurement and grants require a plan to be incorporated into the award documentation with the expectation that all partner organisations will be carbon net zero by 2030.

3) By 2025 over two thirds of the Council's new transport capital investment is in walking, cycling routes, rail schemes, electric buses and charging rather than building new roads for

vehicles causing more dangerous air pollution.

4) Ask the Leader of the Council to write to the Chair of the Warwickshire Pension Fund Investment Sub Committee requesting it to divest from all companies involved in the extraction of fossil fuels.

Proposer: Councillor Will Roberts

Seconder: Councillor Johnathan Chilvers

(3) Labour Group Motion 1.

This Council expresses concern about the proposals to review the provision of Community Ambulance Stations in the West Midlands with the potential closure of the local ambulance hub in Rugby.

This Council notes the concerns of Rugby residents of the perceived risks to health and wellbeing as a result and therefore asks that the Leader of the Council write to the Chair and the Chief Executive of the West Midlands Ambulance Service requesting that they engage with relevant local county councillors and the County Council's Adult Social Care and Health Overview and Scrutiny Committee as part of their review to enable local views to be heard.

Proposer: Councillor Sarah Feeney

Seconder: Councillor Barbara Brown

(4) Labour Group Motion 2.

This Council believes that everyone's education should include planned, high-quality outdoor learning which includes a residential. It's a very positive experience and part of the whole curriculum. It is our belief that this is an entitlement, not a luxury or an add-on.

This Council agrees that an amount of revenue funding, equivalent to the proceeds from the sale of Marle Hall, and funded from general reserves, be identified with a view, subject to viability, to setting up a charitable Trust Fund, administered through a Board of Trustees and operated independently from the Council, or to identifying some other appropriate funding mechanism, to enable schools to bid for groups of children and young people to participate in residential activities or apply for bursaries for individuals. The allocated funding would be expected to meet the establishment costs and the running costs of the arrangement.

The Council considers that this is an appropriate way to build on the work of Marle Hall, and to take its legacy forward and demonstrates that Warwickshire recognises the immense value of these activities and is willing to invest in the physical and emotional wellbeing of all our children and young people.

Proposer: Councillor Barbara Brown

Seconder: Councillor Sarah Millar

9. Member Question Time (Standing Order 7)

A period of up to 40 minutes is allocated for questions to the Leader, Cabinet Portfolio Holders and Chairs of Overview and Scrutiny Committees.

10. Any Other items of Urgent Business

To consider any other items that the Chair considers are urgent.

Monica Fogarty
Chief Executive
Warwickshire County Council
Shire Hall, Warwick

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Disclosures of Pecuniary and Non-Pecuniary Interests

Members are required to register their disclosable pecuniary interests within 28 days of their election of appointment to the Council. A member attending a meeting where a matter arises in which s/he has a disclosable pecuniary interest must (unless s/he has a dispensation):

- Declare the interest if s/he has not already registered it
- Not participate in any discussion or vote
- Must leave the meeting room until the matter has been dealt with
- Give written notice of any unregistered interest to the Monitoring Officer within 28 days of the meeting

Non-pecuniary interests must still be declared in accordance with the Code of Conduct.

These should be declared at the commencement of the meeting

The public reports referred to are available on the Warwickshire Web

<https://democracy.warwickshire.gov.uk/uuCoverPage.aspx?bcr=1>

Public Speaking

Any member of the public who is resident or working in Warwickshire, or who is in receipt of services from the Council, may speak at the meeting for up to three minutes on any matter on the agenda. This can be in the form of a statement or a question. If you wish to speak please notify Democratic Services in writing at least two working days before the meeting. You should give your name and address and the subject upon which you wish to speak. Full details of the public speaking scheme are set out in the Council's Standing Orders.

County Council

Thursday 1 July 2021

Minutes

Attendance

Committee Members

Councillor John Horner (Vice-Chair), Councillor Jo Barker, Councillor Richard Baxter-Payne, Councillor Brett Beetham, Councillor Margaret Bell, Councillor Parminder Singh Birdi, Councillor Sarah Boad, Councillor Barbara Brown, Councillor Peter Butlin, Councillor Jonathan Chilvers, Councillor Jeff Clarke, Councillor John Cooke, Councillor Andy Crump, Councillor Piers Daniell, Councillor Judy Falp, Councillor Jenny Fradgley, Councillor Sarah Feeney, Councillor Bill Gifford, Councillor Clare Golby, Councillor Brian Hammersley, Councillor John Holland, Councillor Dave Humphreys, Councillor Marian Humphreys, Councillor Andy Jenns, Councillor Kam Kaur, Councillor Jack Kennaugh, Councillor Justin Kerridge, Councillor Christopher Kettle, Councillor Sue Markham, Councillor Jan Matecki, Councillor Sarah Millar, Councillor Chris Mills, Councillor Jeff Morgan, Councillor Bhagwant Singh Pandher, Councillor Daren Pemberton, Councillor Caroline Phillips, Councillor Wallace Redford, Councillor Howard Roberts, Councillor Will Roberts, Councillor Jerry Roodhouse, Councillor Isobel Seccombe OBE, Councillor Jill Simpson-Vince, Councillor Tim Sinclair, Councillor Mejar Singh, Councillor Richard Spencer, Councillor Heather Timms, Councillor Mandy Tromans, Councillor Robert Tromans, Councillor Martin Watson, Councillor Adrian Warwick and Councillor Andrew Wright

1. General

(1) Apologies for Absence

Apologies were received from Councillors:

Yousef Dahmash
Jackie D'Arcy
Tracey Drew
Penny-Anne O'Donnell
Kate Rolfe

(2) Members' Disclosures of Pecuniary and Non-Pecuniary Interests

No declarations of interest were made.

(3) Minutes of the previous meeting

The minutes of the meeting of Council held on 25 May 2021 were agreed as an accurate record to be signed by the Chair.

(4) Chair's announcements

1. Retirement of Kieran Amos, Chief Fire Officer

Councillor Pete Gilbert (Chair of Council) made the following statement.

“Kieran has been the CFO in Warwickshire for just over 2 years, although it feels like much longer.....for positive reasons of course!

Kieran has created an environment of trust, empowerment and feeling valued - Kieran is a real people person. He has led significant cultural change across Warwickshire Fire and Rescue Service changing the complete look and feel of the organisation. Kieran has personally led, against some challenge at times, the EDI work across Warwickshire and in partnership with Oxfordshire and Gloucestershire.

Kieran served the communities of Surrey, West Sussex, and Warwickshire and has also worked nationally on the Joint Emergency Services Interoperability Programme and within the National Resilience team working on the response to Chemical, Biological, Radiation, Nuclear and Explosive incidents.

Kieran has built on the excellent working relationships with the wider County Council bringing his unique style to the How We Work Board and Council EDI Group. Not only has he been Chair of the County Council Chief Fire Officer group he has added significant value across the whole of Warwickshire by being the Co- Chair of the Local Resilience Forum in Warwickshire.

It is however worth noting that when Kieran first became CFO in Warwickshire, he decided to take the first three weeks off to get married!!

We thank Kieran and wish him all the best for the future”.

Councillor Andy Crump (Portfolio Holder for Fire and Rescue and Community Safety) stated that Kieran Amos is a larger than life character. He is a well-respected individual who has worked with many different people. He is a great ambassador who will always go that extra mile for those he serves.

Councillor Sarah Boad (Deputy Leader of the Liberal Democrat Group) paid tribute to Kieran Amos stating that he had brought a breath of fresh air to the organisation. He has taken a fresh look at diversity as evidenced in part by the attendance of a suitably decorated fire and rescue appliance at a Warwickshire Pride event. He has brought the service much closer to the community and shown that it is not just concerned with putting out fires.

Councillor Judy Falp informed Council that as soon as Kieran Amos had started in his new role, she approached him over services for Whitnash. Since then he has done a great of work with the local forum in Whitnash. He is a real pleasure to work with and will be greatly missed.

Councillor Izzi Seccombe (Leader of the Council) expressed her sadness at seeing Keiran Amos leaving. He has always been highly enthusiastic and has displayed great warmth and humanity. His ability to bond with people has been a real gift.

Councillor John Holland (Leader of the Labour Group) noted that attending a fire or other incident can be distressing for fire crews. Kieran has always managed his staff very well and looked after their interests.

2. Death of Former County Councillor John Whitehouse

Councillor Pete Gilbert made the following statement, "It is my sad duty to inform Council of the recent passing of former County Councillor John Whitehouse.

John, a liberal Democrat Councillor, served the Kenilworth Abbey Division for 12 years from 2005 to 2017. In that time, he sat on the Communities Overview and Scrutiny Committee and was his group's spokesperson on children and young people. A keen advocate of cycling he was the council's cycling champion and was a strong lobbyist for cycle facilities including the proposed new route from Kenilworth to Leamington.

Our condolences go to John's family".

Councillor Jerry Roodhouse (Leader of the Liberal Democrat Group) expressed his sadness at the death of John Whitehouse who he had first met in 2005. He had worked hard on securing safer routes to schools and promoting 20mph speed limits. He was very thorough and had an eye for detail, working on issues relating to HS2 and to his hometown of Kenilworth. When the social care precept was introduced John Whitehouse had strong views on how much this should be. He did not prevail, but he stuck to his position. When he left the council, he continued to work for the Liberal Democrat Party and for the people of Kenilworth. He will be sorely missed.

Councillor Izzi Seccombe stated that John Whitehouse never seemed to age. He was a significant character with a true eye for detail. He displayed a wisdom and sought change for the good regardless of the politics around it.

Councillor Jonathan Chilvers (Leader of the Green Group) expressed his sadness at John Whitehouse's death. He had learned a great deal from John when sitting next to him on the Children and Young People Overview and Scrutiny Committee. He was always worth listening to.

Councillor John Holland echoed the views previously expressed adding that when members of Warwick Town Council had met the Warwick Area Committee and asked for help with an issue it had been John Whitehouse who had provided it.

Council stood in memory of John Whitehouse.

(5) Petitions

The Chair welcome Chloe Fojtik to the meeting to present a petition against part night streetlighting.

Ms Fojtik stated that the petition had been started in March 2021. It was being presented on behalf of those who had signed it. People had been asked to recount bad experiences they

had had whilst walking along unlit streets at night. Fifty responses were submitted, all from women. Only two had reported their experiences to the police. An example was provided of a woman who six years ago had had her handbag snatched on an unlit road. The victim has succeeded in securing the return of her keys and passport but lost £80 in cash. She had tried to report the incident to the police but on the two occasions she had attended the police station it had been shut.

Ms Fojtiz added that the wide use of LEDs in streetlights has made them cheaper to operate. This is a serious issue, she concluded, that requires attention.

Councillor Wallace Redford (Portfolio Holder for Transport and Planning) Thanked Ms Fojtik for the petition adding that he would consider it and provide a response.

(6) Public Speaking

None

2. Warwickshire Recovery and Investment Fund - Addition to Capital Programme

Councillor Peter Butlin (Deputy Leader – Finance and Property) explained to the meeting that the WRIF had been through a lengthy process of development with the business case having been approved by Cabinet. The WRIF is concerned with economic recovery and investing in Warwickshire businesses, many of which will require additional support in the future. Councillor Peter Butlin stated that WRIF should help save over 4000 jobs in Warwickshire whilst creating over 2000 more. It is a wise investment to help people get back in to work. The WRIF is a major investment of over £130m. It will not make much money for the Council but as it is a loan scheme, as opposed to a grant scheme, it will be possible to keep money moving around.

Councillor Kam Kaur (Portfolio Holder for Economy and Place) seconded the motion and reserved her right to speak.

Councillor Sarah Boad stated that WRIF is an exciting and forward-looking scheme. She recognised that the amount of money to be committed was sizable but added that she was satisfied that appropriate safeguards are in place. The money, she said, must be repaid. If it is not, then the scheme will founder. The Council has few opportunities to influence business but WRIF will provide leverage on issues such as climate change and innovation.

Councillor Adrian Warwick emphasised the need to protect jobs. That the Council is able to develop this scheme is indicative of prudent management of the budget. He acknowledged that the scheme carries risks but noted that safeguards are in place to reduce these.

Councillor John Holland welcomed the cross-party support being expressed for this project. He asked that other initiatives such as ethical investment and climate change be allowed to feed into the process. Councillor John Holland stressed that prosperity in a community is not solely about money.

Councillor Sarah Feeney (Deputy Leader of the Labour Group) noted that signs of economic recovery are appearing. Businesses are changing how they work but there remains a need to help hard to reach groups and those who are struggling.

Councillor Izzi Seccombe thanked Councillor Peter Butlin and the officers for their hard work. The process has taken a long time, she said, but the WRIF needs to be up and running as soon as possible. There is a genuine desire to see businesses grow and to exploit the skills and ability that exist in Warwickshire. This serves too to support residents.

Councillor Jonathan Chilvers commended the work that has been done. He had been concerned over the risks around the project but is reassured regarding safeguards. Councillor Jonathan Chilvers stated his intention to abstain from the vote. He reminded the meeting that there is a limit to the amount that the Council can borrow. It has already invested in a number of invest to save schemes and there will be other priority schemes that might have benefitted from the £130m earmarked for WRIF.

Councillor Chris Kettle welcomed the WRIF programme in the light of the damage that has been done during the Pandemic to the local economy. He counselled that any applications from businesses for support should be processed as quickly as possible.

Councillor Kam Kaur, who had seconded the motion, welcomed the cross-party support for WRIF being displayed in the chamber. The scheme will be a major help to businesses that are struggling she added.

In closing, Councillor Peter Butlin thanked members for their support adding that WRIF is not only about financial matters it is about helping people to get back onto their feet. He agreed that there is a need to expedite applications and to ensure that tax-payers' money is protected.

A vote was held. The motion was carried with one abstention.

Resolved:

That Council approves the addition of the Warwickshire Recovery and Investment Fund to the Capital Programme at a cost of up to £130 million, funded from additional borrowing and phased over the five years as set out in paragraph 4.3.

3. Treasury Management Strategy and Investment Strategy

Councillor Peter Butlin explained the need to update the council's investment strategy in the light of the decision made concerning WRIF. He stated that although there is a need to increase borrowing the council has historically been at the low end compared to other local authorities.

Councillor Kam Kaur seconded the motion and reserved the right to speak.

There were no additional comments by members. Councillor Kam Kaur stated that the strategies provide necessary assurances around controls and risk management and Councillor Peter Butlin concluded by stating that it is good to see the council investing in Warwickshire's people.

Resolved:

That:

1. The Treasury Management Strategy for 2021/22 (Appendix 1) be approved with immediate effect.
2. The Investment Strategy for 2021/22 (Appendix 2) be approved with immediate effect.
3. That the County Council requires the Strategic Director for Resources to ensure that gross borrowing does not exceed the prudential level specified (Appendix 1, Section 3.2, Table 10 "Authorised Borrowing Limit").
4. That the County Council requires the Strategic Director for Resources to ensure that gross investment in non-Treasury investments does not exceed the prudential levels specified (Appendix 2, Annex 7).
5. That the County Council delegate authority to the Strategic Director for Resources to undertake delegated responsibilities in respect of both strategies (Appendix 1, Annex 7, and Appendix 2, Section 2.5).
6. That the County Council requires the Strategic Director for Resources to implement the Minimum Revenue Provision (MRP) Policy (Appendix 1, Section 2.4).

4. A452/A46 Developer Improvement Works

Councillor Wallace Redford introduced this report and summarised its key elements explaining that with new developments it is desirable to construct supporting infrastructure early on. At Thickthorn in Kenilworth for this to happen it would be necessary for the council to forward fund the project and reclaim the money through Section 106.

Councillor Martin Watson seconded the motion and reserved the right to speak.

Amendment

Councillor Jonathan Chilvers tabled the following amendment.

"Add at the end of the first paragraph as part of the recommendation:

Work to safely connect designated cycle paths from the East of Kenilworth spine road to the Thickthorn roundabout and K2L and improving cycle connections at the St. John's gyratory will be prioritised with this section 106 funding. The funding will not be used for works relating only to the possible dualling of the A452 to Bericote".

In supporting the amendment Councillor Jonathan Chilvers stated that very often with infrastructure developments cycling and walking are almost forgotten being left until the end. They should be given priority as set out in the local transport plan. He added that there remains design work to be undertaken around Thickthorn. Connections need to be prioritised at the St John's petrol station and the link down the spine road to the A46. The report, he stated, refers to future proofing the junction against future traffic growth. This, he suggested, is inappropriate, it being preferable to reduce the amount of road traffic through cycling and walking.

The amendment was seconded by Councillor Will Roberts who reserved the right to speak.

Councillor Sarah Boad supported the Green Group amendment expressing her concern over the proposed dualling of the A452 to Bericote. She added that people need to get into the habit of cycling and walking.

Councillor John Holland suggested that the published report is untrue as it refers to improvements at the junction. The scheme as proposed would bring no improvements. Dualling at Bericote will place more traffic onto the A46 and this will, in turn, have an impact on Warwick town centre. He requested a delay to the scheme to allow for more consideration to be given to it. It was also noted that there remain in the area a number of schemes that are as yet unfinished. It would be better to finish these than commence another one, he concluded.

Councillor Peter Butlin informed council that there is no requirement to improve on the current position at the roundabout. There is, however, a requirement to mitigate against any negative impacts the associated development might bring. Councillor Peter Butlin stated that if rates of cycling were trebled this would amount to 6% of journeys. In addition, people are reverting to their cars and are reluctant to use public transport. Council was assured by Councillor Peter Butlin that based on previous precedents the money invested up front would be secure.

Councillor Bill Gifford supported the amendment emphasising the need to address the climate emergency through modal shift.

Councillor Sarah Feeney noted references in the report to uncertainty around the overall cost of the scheme and to the need to conclude negotiations. In view of these Councillor Sarah Feeney asked whether the council would be making a decision prematurely.

Councillor Will Roberts (Secunder of the amendment) stressed that the Green Group amendment was about placing active travel to the fore. There is time, he concluded, to bring about improvements at the roundabout.

Councillor Martin Watson (Secunder of the motion) state that whilst he supported the development of cycle routes, he could not support the proposed amendment.

Councillor Jonathan Chilvers (Mover of the amendment) stated that whilst he agreed with the principle of forward funding there remains a need to ensure that cycling and walking infrastructure is considered and delivered early on. He expressed a willingness to remove the reference to Bericote.

Councillor Wallace Redford (Mover of the motion) reminded members of the benefits of forward funding and stressed that the overall scheme concerns mitigation against the impact of development.

Vote on Amendment

A vote was held on the Green Group amendment – This was lost

Vote on original motion

A vote was held on the original motion as set out in the report. This was carried.

Resolved:

That Council approve the use of Capital Investment Funding of up to £6.6m to forward fund road improvements on the A452/A46 interchange to enable the proposed development in the area, on the basis that any of the funding which is not spent on those improvements will be refunded to the Capital Investment Fund and any which is spent will be recovered from local developer(s) through Section 106 funding.

5. Appointment of Proper Persons

Councillor Andy Jenns (Portfolio Holder for Customer and Transformation) moved the motion.

Councillor Dave Humphreys seconded the motion and reserved the right to speak.

There was no debate.

Vote

A vote was held. The motion was carried unanimously.

Resolved:

1. That Council notes and reaffirms the appointment of the Assistant Director for Business and Customer Services as the Proper Officer for Registration Services as set out in the constitution and authorises the post holder to carry out the duties and powers of the Proper Officer,
2. That Council confirms the delegation, on a temporary basis and until such time as the Strategic Director for Resources determines, of the role of Proper Officer for Registration Services to the Service Manager (Universal Services) Business and Customer Services, as the Tier 3 Manager responsible for Registration Services,
3. That the Delivery Lead Governance Services be appointed Scrutiny Officer,
4. That Council authorises the Strategic Director for Resources to make any changes to the constitution necessary to implement the decisions of Council.

6. Appointment to the Horton Joint Health Overview and Scrutiny Committee

Councillor Margaret Bell (Portfolio Holder for Adult Social Care and Health) explained to council that although the Horton Hospital is in Oxfordshire it serves residents from south Warwickshire. The joint health overview and scrutiny committee had extended an invitation to Warwickshire to send a representative. In the past this had been Councillor Wallace Redford as Chair of the Warwickshire Adult Social Care and Health Overview and Scrutiny Committee.

Councillor Jo Barker seconded the motion and reserved the right to speak.

There was on debate.

Councillor Jo Barker (Seconder of the motion) informed council that the future of the Horton Hospital has been threatened at least four times. She stated that it is essential for the council to have a representative at the joint committee.

Councillor Margaret Bell (Proposer of the motion) expressed her support for Councillor Clare Golby to be the council's representative.

Vote

A vote was held. The motion was carried unanimously.

Resolved:

That Council agree to nominate Councillor Clare Golby as the Council's representative on the Horton Joint Health Overview and Scrutiny Committee.

7. Audit and Standards Committee - Annual Report 2020/21

Councillor Andy Jenns introduced the published report and moved the motion stating the Audit and Standards Committee had undertaken some very valuable work over the last 12 months. He thanked members of the committee and John Bridgeman, the Chair of their committee for their hard work.

Councillor Parminder Singh Birdi seconded the motion and reserved the right to speak.

Councillor Bill Gifford observed that at present the Audit and Standards Committee has no Vice Chair. If John Bridgeman, the Chair, left for any reason or was unable to attend a meeting not having a Vice Chair would present problems.

Councillor Parminder Singh Birdi (Seconder of the Motion) welcomed cross party support for the report. He echoed support for John Bridgeman and agreed that a new independent member should be recruited. In addition, the work of officers and internal and external auditors was commended.

Vote

A vote was held. The motion was carried unanimously.

Resolved:

That Council endorses the Annual Report of the Audit & Standards Committee.

8. Annual Monitor of use of the Urgency and Call-In procedure 2020/2021

Councillor Izzi Seccombe moved the motion and explained the need on occasions to take decisions urgently. Over the last year, some urgent decisions have been related to the Pandemic and some have not.

Councillor Dave Humphreys seconded the motion and reserved the right to speak.

Councillor Jonathan Chilvers praised officers in the way urgent decisions are managed. He noted that decisions can be delivered quickly whilst maintaining transparency. Councillor Jonathan Chilvers asked if the model could be developed further so that more decisions could be reached quickly. In addition, efforts should be made to ensure that other stakeholders are informed of upcoming urgent decisions.

Councillor Dave Humphreys (Seconder of the motion) commented on the way in which urgent decisions have increased in number. He asked that members be kept informed of them as they arise.

Councillor Izzi Seccombe (Mover of the motion) stated that she is happy to look at ways in which the system can be improved but cautioned against any attempt to by-pass the current system that involves all members. Regarding engagement with the public she suggested that the use of social media should be explored.

A vote was held. The motion was carried unanimously.

Resolved:

That Council notes the content of the report.

9. Overview and Scrutiny Report 2020/2021

Councillor Clare Golby (Chair of Adult Social Care and Health Overview and Scrutiny Committee) moved the motion. Council was informed that scrutiny is a key element of its work. It has a tangible impact on people's lives and serves to ensure their safety and save money. Officers were thanked for their hard work. New members were particularly encouraged to read the report as it contains much information that will be of use to them.

Councillor Adrian Warwick (Chair of the Resources and Fire & Rescue Overview and Scrutiny Committee) seconded the motion and reserved the right to speak.

In the absence of the Chair of the Children and Young People Overview and Scrutiny Committee, Councillor Yousef Dahmash, Councillor Margaret Bell noted that his committee had undertaken some thorough work around educational outcomes and SEND. The highlight of meetings was when young people were able to attend to share their experience. This year young people with experience of care spoke regarding the House Project.

Councillor Jonathan Chilvers thanked Councillor Dahmash for his hard work as Chair of the Children and Young People Overview and Scrutiny Committee. He added that there is a danger of trying to do too much in committee meetings and expressed support for the idea of getting people in from outside to contribute to meetings. The use of MS Teams to hold briefing sessions was seen as a positive development to be encouraged.

Councillor Chris Kettle thanked Councillor Wallace Redford for his work on the Horton Joint HOSC. It is important, he said, to ensure that changes are not made by those outside of Warwickshire without appropriate engagement.

Councillor Adrian Warwick (Seconder of the Motion) acknowledged that Overview and Scrutiny is vital to the work of the council. Acting as a critical friend, looking at what has gone well and not well, it has been aided over the last year by the timely deployment of MS 365 and the hard work of officers.

A vote was held. The motion was agreed unanimously.

Resolved:

That Council notes the Overview and Scrutiny Annual Report 2020/2021

10. Terms of Reference for the Warwickshire Fire and Rescue Local Pension Board

Councillor Peter Butlin moved the motion and introduced the published report.

Councillor John Horner seconded the motion adding that the board is a legal requirement of the Pensions Regulator.

A vote was held. The motion was agreed unanimously.

Resolved:

That the Council approves the revised Terms of Reference for the Warwickshire Fire and Rescue Local Pension Board as set out in the appendix.

11. Revised Member Code of Conduct

Councillor Izzi Seccombe moved the motion and explained that the previous code of conduct had been agreed in 2012. Since then few incidents with members had been reported. The LGA had undertaken review work at the request of a number of councils that considered the guidance on codes of conduct needed updating. Councillor Izzi Seccombe that there is an expectation of behaviour in the council. There is a need to consider how we are regarded by our communities.

Councillor Andy Jenns seconded the motion and reserved the right to speak.

Councillor Bill Gifford stated that members should be proud of how they behave. He stated that the Audit and Standards Committee had been told that there had been no complaints recorded against councillors. If there had been any disagreements, they had been managed without recourse to the code of conduct.

Councillor Andy Jenns (Seconder of the motion) agreed with all that had been said regarding the conduct of councillors.

A vote was held. The motion was agreed unanimously.

Resolved:

That Council approves the adoption of the revised code of conduct as set out in Appendix 1.

The meeting adjourned at 12.10.

12. Notices of Motion

The meeting reconvened at 13.15

Motion 1 Bus Service in Warwickshire

Councillor Sarah Boad tabled the following motion.

“It is noted that the provision of local bus services in the County have suffered during the pandemic with a reduced frequency of the service and a large drop in the number of passengers.

It is also noted that a good and regular service is essential to achieve the modal shift required to reduce the number of car journeys.

This Council resolves to set up a cross party task and finish group to work with officers to draw up a fully costed Bus Service Improvement Plan for approval by Cabinet by the end of October 2021:

The plan should:

1. include an aim to deliver a comprehensive service for Warwickshire;
2. encourage greater use of buses;
3. encourage greater uptake and use of bus passes;
4. investigate the use of electric and hydrogen buses”

In presenting the motion Councillor Sarah Boad explained that bus services in Warwickshire have been badly affected by the Covid Pandemic with the number of customers and services falling significantly. People struggle to move around finding difficulty in accessing hospitals of appointments for example. Bus services should be reliable, comprehensive and reasonably priced. Bus use, she stated, is more environmentally friendly than travel by car. Council was asked to agree to the establishment of a cross-party working group to assist in the development of the BSIP.

Councillor Bill Gifford seconded the motion and reserved the right to speak.

Amendment 1

Councillor Jonathan Chilvers proposed a friendly amendment. This was to add a further point to the plan stating,

“incorporate the 'Bus Services Motion Enhancement Schedule' as approved by Communities Overview and Scrutiny Committee in September 2020”.

This amendment was accepted by Councillor Sarah Boad.

In presenting the amendment Councillor Jonathan Chilvers explained that whilst the council has no direct control over bus providers it does have levers to be used to influence their decisions. The need to work closely with the operators is very important.

Councillor Will Roberts seconded the amendment and reserved the right to speak.

Amendment 2

Councillor Wallace Redford proposed a friendly amendment. This was to remove the end of October 2021 deadline and add a sixth point stating,

“Consider the impact of new working patterns such as home working on demand for services”.

In presenting his amendment Councillor Redford recognised the need to encourage bus patronage adding that post-Pandemic there will be new working patterns to accommodate. He welcomed the establishment of a working group.

The amendment was seconded by Councillor Martin Watson who reserved his right to speak.

Councillor Sarah Boad accepted the amendment as friendly.

Debate

Councillor Sarah Feeney suggested that it will be important to review how children access school by bus. Air quality needs to be improved as does access to services by older people living in rural areas.

Councillor John Holland stated that it is important to have an understanding of the people who use buses. Fewer people travel to work by bus now but bus passes for the elderly have been a success. Councillor Holland added that the removal of a school bus service in Warwick will lead to an increase in car traffic in the town centre.

Councillor Izzi Seccombe reminded council that the project work being discussed will not review home to school transport. She agreed that bus services in rural areas are inadequate but noted that volunteer run bus services have been successful.

Councillor Peter Butlin welcomed the motion. He had witnessed a reduction in bus funding in the past adding that one bus a day is insufficient for communities. He cited a proposal for a light rail system in Coventry which the council may engage with. In addition, he has been briefed on electric and hydrogen bus development.

Councillor Judy Falp commented on the reduction of bus services serving her division adding that journeys that take 10 minutes by car, take almost an hour by bus. Public transport, she added, should be considered as an overall package combining buses and trains.

Councillor Bill Gifford (Secunder of the motion) stated that there is a need to develop a public transport ethos in Warwickshire. He hoped that people who work at home will begin to use public transport, but buses need to be punctual and regular. He concluded by suggesting that people who

use trains are different to those who use buses. Train users should be encouraged to use buses too.

Councillor Sarah Boad (Mover of the motion) confirmed that the motion did not concern itself with school transport. She suggested that volunteer buses may, in some instances aggravate difficulties in securing good commercial services. In addition, bus services are rarely frequent or regular enough to be of use to commuters. She agreed that bus journeys usually take longer than the private car.

Vote

Council voted on the new substantive motion that incorporated the two friendly amendments. Council agreed the motion unanimously.

Resolved:

1. Bus Services in Warwickshire

It is noted that the provision of local bus services in the County have suffered during the pandemic with a reduced frequency of the service and a large drop in the number of passengers.

It is also noted that a good and regular service is essential to achieve the modal shift required to reduce the number of car journeys.

This Council resolves to set up a cross party working group to work with officers to draw up a fully costed Bus Service Improvement Plan for consideration by Cabinet.

The plan should:

1. include an aim to deliver a comprehensive service for Warwickshire;
2. encourage greater use of buses;
3. encourage greater uptake and use of bus passes;
4. investigate the use of electric and hydrogen buses;
5. incorporate the 'Bus Services Motion Enhancement Schedule' as approved by Communities Overview and Scrutiny Committee in September 2020;
6. consider the impact of new working patterns such as home working on demand for services.

Motion 2. 20mph Speed Limits

Councillor Jonathan Chilvers tabled the following motion.

“This Council will produce a costed plan for Cabinet consideration to introduce 20mph speed limits in all residential areas across Warwickshire as part of the Speed Management Strategy refresh”.

In presenting his motion Councillor Chilvers stated that there is a desire to continue the 20mph debate started previously. He stressed that he was not pursuing the concept of 20mph zones but rather 20mph limits. He suggested that some people have expressed a desire for a 20mph speed

limit in their road and he asked why this could not be provided for all. It was acknowledged that a transition to 20mph would carry a financial cost but this could result in a reduction of 20% in accidents. The investment, he suggested, would see a return in a year.

Regarding enforcement it was recognised that many people would not adhere to a 20mph speed limit. They may, however, travel at 25mph.

Councillor Jonathan Chilvers noted that Councillor Wallace Redford was to table a friendly amendment but asked that it include a deadline of January 2021 for the work to be completed.

Councillor Will Roberts seconded the motion and reserved the right to speak.

Amendment

Councillor Wallace Redford proposed the following by way of an amendment.

This Council will ~~produce a costed plan for Cabinet consideration to introduce~~ establish a cross party working group to consider the evidence, cost, impact and/or benefit of 20mph speed limits in all residential areas including schools and other sites of wider interest across Warwickshire as part of the Speed Management Strategy refresh and to report the outcome of this work to Cabinet.

Councillor Redford recognised that 20mph limits are becoming more of an issue but stressed that one size does not necessarily fit all. Lower speeds bring recognised benefits in terms of safety. He concluded by stating that the police will need to be consulted on any proposals.

Councillor Chris Kettle seconded the amendment and reserved the right to speak.

Councillor Jonathan Chilvers accepted the amendment as friendly.

Debate

Councillor Bill Gifford stated that 20mph is safer and feels safer. He agreed that there should be 20mph limits as opposed to zones which can be expensive to install.

Councillor Andy Crump agreed with the amended motion adding that there continue to be too many people killed in car accidents. He agreed that one size would not fit all and added that safer travel; officers have now been appointed. One of their tasks will be to consider bespoke schemes.

Councillor Jill Simpson-Vince cautioned that whilst 20mph speed limits will suit some urban roads they will be inappropriate for others. In addition, some serious accidents happen at low speeds especially when reversing.

Councillor Justin Kerridge commended the motion. He had driven at 20mph through his neighbourhood and rapidly became used to it. The secret, he suggested, is to have a can-do attitude and not to seek excuses for inaction.

Councillor John Holland reminded council that 20mph speed limits serve to improve air quality as well as safety.

Councillor Clare Golby wanted to make it clear that the council is not seeking to introduce blanket 20mph speed limits immediately. Many people do not like 20mph limits. There is a need to look carefully at the issue and seek the views of residents. In considering the matter careful assessment should be made of alleged savings to emergency services of reduced speed limits.

Councillor Peter Butlin reminded council that funds have been made available for advisory 20mph speed limits near to schools. There should be no blanket approach, but consideration should be given to situations where a 20mph speed limit would be appropriate.

Councillor Chris Kettle (Seconder of the amendment) asked council to demonstrate leadership around this matter. 20mph speed limits have been shown to improve safety and many residents would choose to have them. In addition, lower speeds make the introduction of active travel schemes less costly.

Councillor Jonathan Chilvers (Mover of the motion) noted that road safety officers have plenty of evidence regarding 20mph speed limits to draw on. It will be important to see a break down of the figures. He concluded that where 20mph speed limits have been introduced it has been found that the larger the area the greater the levels of compliance.

Vote

A vote was held on the amended motion. Council agreed the amended motion unanimously.

Resolved:

This Council will establish a cross party working group to consider the evidence, cost, impact and/or benefit of 20mph speed limits in residential areas including schools and other sites of wider interest across Warwickshire as part of the Speed Management Strategy refresh and to report the outcome of this work to Cabinet.

13. Member Question Time (Standing Order 7)

Question 1

Councillor Jonathan Chilvers to Councillor Heather Timms.

We all want to be able to do more tree planting, but we need to maintain public support by looking after our current trees well. How many trees owned by the authority are currently awaiting pruning works following inspection? Given the current rate of jobs being done and new trees added how long will it take to clear the current backlog?

Response from Councillor Heather Timms

Tree works are categorised between 1 and 5 based on the urgency of the work required. Dangerous works are priority 1 (within 2 hours) and priority 5 (aspirational works) are when budgets allow.

The county council keep on top of the Cat 1 and 2 priorities jobs, and any long-term backlog is generally more aspirational priority 5 works. Looking on the database the primary bulk of works for

priority 3 to 5 are catching up from January 2020 and we would not classify this as a significant backlog of work.

WCC forestry have adopted a revised approach within the last 6 months to aim to reduce the backlog of the smaller category 3 and 4 works within the urban highway by having a dedicated team working through the backlog. The team will also address any priority 5 works if it is reasonable to do so (for example they are already on the street with traffic management) however we do not want to slow the team too much by doing Priority 5 works.

Cllr Chilvers raises an important point as it is critical that when we bid for additional funding for tree planting that we also ensure that sufficient provision is made for maintaining the trees into the future.

Question 2

Councillor Bill Gifford to Councillor Margaret Bell.

The County Council's Dementia Strategy should have been refreshed or renewed in 2019. I fully understand the strain that officers have been under since the start of the Pandemic, but when do you expect the strategy to be refreshed?

Response from Councillor Margaret Bell

Councillor Margaret Bell stated that officers of the council are currently working with colleagues in Coventry and Warwickshire on a refreshed strategy. This is being carried out through the Health Care Partnership. With consultation being carried out in August it is expected that the strategy will be presented to Cabinet by the end of the calendar year.

As a supplementary question Councillor Bill Gifford asked that social media pages be checked as they are out of date. This was agreed.

Question 3

Councillor Jenny Fradgley to Councillor Heather Timms

British agriculture is currently facing many challenges, (Climate Change, fragility of food systems, new trade deals, shortage of workers, an aging population-to list but some), and I'm sure that, Cllr Kam Kaur, whose portfolio covers viability in agriculture, is as keen as I am that this council does all it can to support our local farmers through encouraging the purchase of local produce wherever possible.

This council has a number of contractual arrangements where it might be possible to have an impact in this area, including the provision of meals in schools, the meals on wheels service and in care homes.

Would the Portfolio Holder support my request that the appropriate overview and scrutiny committee examines what steps this council can take to support local agricultural producers through its purchasing policies and contractual arrangements.

Consideration should also be given to developing a Food and Growing Strategy to ensure food production in Warwickshire continues its current high standards and viability into the future?

Response from Councillor Heather Timms

Councillor Heather Timms reminded council that it is for each overview and scrutiny committee to determine its work programme.

The council has a strong focus on social value and its policy is to support local jobs. In this there is a desire to focus on food production. Councillor Timms stated that she is the Chair of the “Food Forum” which was set up in 2020 to consider food procurement.

14. Any Other items of Urgent Business

None

The meeting rose at 2.40 pm

.....
Chair

Council

28 September 2021

County Councillor Dispensation

Recommendation

That the Council approves the absence of Councillor Tracey Drew from meetings of the authority on the grounds of ill health.

Proposed Dispensation

Councillor Tracey Drew is unwell and has not been able to attend meetings.

Section 85 Local Government Act 1972 provides that if a member of a local authority fails throughout a period of six consecutive months from the date of their last attendance at any meeting of the authority, they shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority.

Councillor Drew attended her last formal meeting on 25 May 2021 and the six-month period will expire on 24 November 2021.

The Council is asked to approve the absence of Councillor Drew whilst she is unwell.

Background papers

None

	Name	Contact Information
Report Author	Paul Williams	paulwilliamscl@warwickshire.gov.uk 01926 418196
Assistant Director	Sarah Duxbury	sarahduxbury@warwickshire.gov.uk 01926 412090
Strategic Director	Rob Powell	robpowell@warwickshire.gov.uk 01926 412564
Portfolio Holder	Councillor Andy Jenns Portfolio Holder for Customer and Transformation	andyjenns@warwickshire.gov.uk 01926 410410

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County Council

28 September 2021

Police and Crime Commissioner Representation

Recommendation

That the Warwickshire Police and Crime Commissioner be reappointed as a co-opted member of the full Council for the purposes of Section 7 Policing and Crime Act 2017

1. Executive Summary

- 1.1 The Policing and Crime Act 2017 ('the Act') places a statutory duty on Police and Crime Commissioners and other blue light emergency services to keep collaboration opportunities under review and to collaborate where this would improve the efficiency or effectiveness of emergency services.
- 1.2 Section 7 Policing and Crime Act 2017 ("the 2017 Act") enables a Police and Crime Commissioner (PCC) to seek representation on the Fire and Rescue Authority.
- 1.3 Warwickshire County Council, by a decision of full Council on 19th March 2019, invited the Warwickshire PCC to become a co-opted member of the full Council for the purpose of exercising his functions in relation to emergency services collaboration under the 2017 Act. His appointment was for the remainder of his then term to May 2021, at which point his co-option lapsed. At the May 2021 elections the incumbent Warwickshire PCC was re-elected.
- 1.4 By letter of 14 September 2021 (attached at Appendix) the Warwickshire PCC formally requested that he be re-appointed to the full Council as a co-opted member so that he may attend, speak and vote on matters to the extent that the business of the Council meeting relates to the functions of the Council as a fire and rescue authority including in respect of any overlapping police/fire and rescue matters. The request has been made on the same grounds as were previously approved by the Council in 2019 and for the same period, namely for the remainder of his term of office to May 2025.
- 1.3 The Council is obliged to consider the request and if granted the PCC would become a co-opted member of the Council with rights to speak and vote on matters relating to fire and rescue services. If the Council does not wish to grant the request it must give reasons.
- 1.4 As a co-opted member of the Council the PCC would be subject to the Council's member Code of Conduct in the same way as any other elected

member. The only difference is that in the event of a complaint being made against the PCC the complaint must be referred to the Police and Crime Panel (PCP) before the Council can take action. If the Panel make a report or recommendation to the PCC it may also make a report back to the Council.

- 1.5 If the Council agrees the recommendation above a Dispensations Sub Committee would be invited to sit to enable the Police and Crime Commissioner to receive the same dispensations under the Member Code of Conduct as other elected members. This would allow him to fulfil his role under the legislative regime.

2. Financial Implications

- 2.1 None

3. Environmental Implications

- 3.1 None

4. Timescales associated with the decision and next steps

- 4.1 As a Council decision, this would have immediate effect

Appendix

Letter from the Warwickshire PCC dated 14th September 2021

Background Papers

None

	Name	Contact Information
Report Author	Nichola Vine - Strategy & Commissioning Manager - Legal and Democratic	nicholavine@warwickshire.gov.uk Tel: 01926 736379
Chief Fire Officer	Ben Brook	benbrook@warwickshire.gov.uk Tel: 01926 412058
Strategic Director	Strategic Director for Communities – Mark Ryder	markryder@warwickshire.gov.uk Tel: 01926 412705
Portfolio Holder	Portfolio Holder for Fire & Rescue and Community Safety – Cllr Andy Crump	cllrcrump@warwickshire.gov.uk Tel: 01926 815745

The report was circulated to the following members prior to publication: The Chair and Party Spokes of the Resources and Fire and Rescue Overview and Scrutiny Committee

Local Member(s): none

Other members: none

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14 September 2021

Councillor Peter Butlin
Deputy Leader; Warwickshire County Council
Shire Hall
Warwick
CV34 4RL

Sent by email: cllrbutlin@warwickshire.gov.uk

Dear Peter

Subject – Re-appointment request pursuant to s.7 of the Policing and Crime Act 2017

I refer to the decision made by the Council on 19 March 2019 that I should be invited to become a co-opted member of the Council for the purposes of s.7 of the Policing and Crime Act 2017. Whilst, the period of my co-option ended at the end of my previous term of office, I would like to continue the arrangements that were in place.

Consequently, I formally request, pursuant to s.7 of the Act, that I am re-appointed to the Council as a co-opted member so that I may attend, speak and vote on matters to the extent that the business of the Council meeting relates to the functions of the Council as a fire and rescue authority including in respect of any overlapping police / fire and rescue matters.

As you know, the Policing and Crime Act 2017 ('the Act') places a statutory duty on Police and Crime Commissioners and other blue light emergency services to keep collaboration opportunities under review and to collaborate where this would improve the efficiency or effectiveness of emergency services.

I am keen for us to continue to explore how opportunities for joint working between the police and fire and rescue services may be of benefit to the citizens of Warwickshire. As part of my continued commitment to explore new ways of collaboration that result in more efficient or effective working, I continue to chair the Warwickshire Bluelight Joint Advisory Collaboration

Office of the Police and Crime Commissioner, 3 Northgate Street, Warwick, CV34 4SP

✉ opcc@warwickshire.pnn.police.uk ☎ 01926 733523

🌐 www.warwickshire-pcc.gov.uk

🐦 [@WarwickshirePCC](https://twitter.com/WarwickshirePCC)

📘 [WarwickshirePCC](https://www.facebook.com/WarwickshirePCC)

Board that comprises strategic decision makers from Warwickshire Police, Warwickshire Fire and Rescue Service, Warwickshire County Council, West Midlands Ambulance Service and the Coventry and Warwickshire Partnership Trust.

I understand that my representation on the Council is subject to the consent of the Council and that my request will be given due consideration at the Council meeting dated 28 September 2021.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Philip Secombe', written in a cursive style.

Philip Secombe TD
Police and Crime Commissioner

Tel: 01926 412322

E-mail: OPCC@warwickshire.pnn.police.uk

CC: Monica Fogarty, Chief Executive; Warwickshire County Council
Councillor David Reilly; Chair of the Police and Crime Panel

Council

28 September 2021

Education (Schools) Capital Programme 2021/22

Recommendation

That Council agrees that £49.5 million be added to the capital programme to deliver the new all-through provision in South Leamington/ Warwick (Oakley Grove).

1. Executive Summary

- 1.1 This report recommends proposals for allocating resources in the Education (Schools) Capital Programme to the specific project set out in Section 2. The proposal includes funding from developer contributions. It follows consideration of the proposals by the Cabinet at its meeting on 9th September 2021 at which the following recommendations were approved.
 - 1) That Cabinet recommends to Council that £49.5 million be added to the capital programme to deliver the new all-through provision in South Leamington/ Warwick (Oakley Grove).
 - 2) That Cabinet authorises, subject to Council approving the necessary addition to the Capital Programme, the Strategic Director for Communities, in consultation with the Portfolio Holder for Children, Families and Education, to invite tenders and enter into contracts that he considers necessary on terms and conditions acceptable to the Strategic Director for Resources.
- 1.2 Further information relating to how the Council plans for and anticipates the growth in demand for school places, is laid out in the Education Sufficiency Strategy and Annual Sufficiency Update.
- 1.3 All proposed education capital projects are considered against independently published third-party data to benchmark the cost to the Council of providing school places and ensuring effective allocation of resources. The cost per additional mainstream place utilises the Department for Education Local Authority School Places Scorecard 2019.
- 1.4 The current available funding is set out in section 3.

- 1.5 Warwickshire County Council (WCC) knows that there are insufficient school places in the South Leamington/Warwick area for 2023, regardless of how quickly families move into new homes.
- 1.6 There has recently been a significant increase in construction cost inflation with contributing factors such as HS2, EU exit and to a lesser extent Covid-19. This is resulting in both labour and material shortages which has inevitably increased prices. As such, contractors are having to factor in both known and likely further increases to tenders which has led to a sizeable increase in inflation. Due to the ongoing impact of HS2 and EU exit over the next few years it is anticipated these pressures will continue. In accordance with the Council's project management policies and arrangements, projects will be robustly monitored. The budget set out includes contingencies for additional costs at 15% and contingency plans are in place for the education of the incoming Year 7 cohort via temporary accommodation if required.

2. Proposals for addition to the 2021/2022 Capital Programme

New All-through Provision, South Leamington/ Warwick (Oakley Grove)

- 2.1 Based on pupil forecasting data, it is estimated that 4500 new homes in the South Leamington/ Warwick area will generate an additional 1022 children, or 6 to 7 forms of entry (FE), per year group.
- 2.2 In order to meet this demand, the first new primary provision opened in September 2017 and has since expanded to accommodate 2 FE entry (420 places). It is proposed that a further three new primary schools will be required across the area, one of which will be included in the primary phase of the proposed all-through school (Oakley Grove). Developer contributions and land secured via s106 agreements are key to delivery of the necessary provision.
- 2.3 Following funding approval by Council in December 2019, phase 2 of the expansion at Champion School is currently underway to accommodate an additional 550 pupils. While further bulge classes could be accommodated in some of the existing local secondary schools in the short term, the expected number of additional places associated with the housing growth in the local plan is significant enough to mean a new secondary school is required by 2023.
- 2.4 As outlined in the Education Sufficiency Strategy 2018-2023, where new housing developments justify additional primary and secondary school provision the preferred option is to open all-through schools to attain economies of scale. In order to deliver the new all-through school, an 11-hectare site has been secured at no cost to the Council via s106 agreement.
- 2.5 Without the delivery of this new education provision a shortfall of school places is inevitable, and WCC would not be able to meet need in the local

area. This would require the transportation of children, potentially at some distance, to other secondary schools within Warwickshire or possibly outside the County, with a resulting increased revenue cost pressure on the Home to School transport budget.

- 2.6 Warwick District Council (WDC) Planning Committee granted outline planning permission in November 2019, under application W/19/1030, for the Oakley Grove school site. Several planning conditions have been attached and the proposed new school will need to provide out of hours access for both community use of the sports provision and car parking for the neighbouring country park.
- 2.7 Current pupil forecast data shows the need for both the primary and secondary school element of the new provision to open for entry in September 2023. The aim, subject to Council approval, would be for secondary provision to open for Year 7 entry only in the first year and grow by one additional year group at a time over the next 5 years. This is a standardised approach and the preferred approach when opening schools that support new development because it means that the school grows with the local community rather than drawing in pupils from wider afield.
- 2.8 Similarly, it is expected the primary school will open from reception only and grow with each admissions year for the same reason as presented above. The exact timing to open the primary provision and the number of places initially available will depend on the delivery of any additional new primary provision in the wider local area.
- 2.9. Securing the contractor is key to confirming delivery costs and sequencing. Given market conditions and the current unknowns, engagement on cost pressures, contingencies and the delivery programme will be critical. This will need to include consideration of and approval for any temporary or interim accommodation needs pending practical completion and formal opening of the new school building.
- 2.10 The proposed Oakley Grove school will consist of:
- early years provision (50 places);
 - 2 FE (420 place) primary school;
 - 6 FE (900 place) secondary school; and
 - SEND resource provision attached to both the secondary and primary provision (8 places at primary and 10 to 14 places at secondary for SEMH).
- 2.11 The existing planning permission includes an option for future delivery of a 300-place 6th form and the current design proposals include the option on site for this provision. Current DfE guidance relating to new secondary schools places a presumption against inclusion of post-16 provision in new schools. Capital costs for the required 6th form teaching space have been ascertained but are excluded at this stage from the current proposal and will be submitted to Cabinet for consideration at a future date if required.

- 2.12 Sufficiency of post-16 provision across the wider local area is currently being reviewed and opportunities for expansion to meet projected need will include other local post-16 provision alongside future delivery of provision on this site.
- 2.13 This new school will be opened via the free school presumption route and the responsibility for delivery and funding of this project will reside with the County Council. As part of this process, a competition will be undertaken for Multi-Academy Trusts to bid for the opportunity to operate the new school. The presumption competition to select the sponsor Academy Trust, will run in Autumn 2021, with the successful Trust being appointed in early 2022. This process is determined by the Department for Education for all local authorities when delivering new schools.

Secondary need for places

- 2.14 Table 1 below outlines the current forecast need for secondary places in this area. Table 2 outlines the impact of this capital proposal towards meeting the need outlined in Table 1.

Table 1: Current expected shortfall in secondary school places (age 11-16) in the Leamington and Warwick planning area

Planning Area	Academic Year	Year 7 Capacity -PAN	Year 7 Forecast Pupil Numbers	Available Capacity (4% target)	Forms of Entry Available / Shortfall
Warwick and Leamington	2021/22	1081	1080	0%	0.0
	2022/23	1081	1145	-6%	-2.1
	2023/24	1081	1265	-17%	-6.1
	2024/25	1081	1213	-12%	-4.4
	2025/26	1081	1226	-13%	-4.8
	2026/27	1081	1340	-24%	-8.6
	2027/28	1081	1270	-18%	-6.3

Source: 2021 Forecast Pupil Numbers, Leamington and Warwick Secondary Year 7 entry (1 form of entry = 30 places)

Table 2: Impact of proposed new secondary school provision (showing additional places available from September 2023)

Planning Area	Academic Year	Year 7 Capacity -PAN	Year 7 Forecast Pupil Numbers	Available Capacity (4% target)	Forms of Entry Available / Shortfall
Warwick and Leamington	2021/22	1081	1080	0%	0.0
	2022/23	1081	1145	-6%	-2.1
	2023/24	1261	1265	0%	-0.1
	2024/25	1261	1213	4%	1.6
	2025/26	1261	1226	3%	1.2

	2026/27	1261	1340	-6%	-2.6
	2027/28	1261	1270	-1%	-0.3

Source: 2021 Forecast Pupil Numbers, Leamington and Warwick Secondary - Expected impact of new provision opening from September 2023 (1 form of entry = 30 places)

- 2.15 Prior to the opening of this new provision, the increased demand for 2022 entry will be accommodated via bulge classes and discussions have already taken place with existing schools. Following the opening of this new secondary provision, any future shortfalls associated with current predicted growth will be accommodated via bulge classes in existing secondary schools in the area. Current designs for this new secondary provision allow for longer term future expansion on site, subject to available funding and planning consents.

Primary need for places

- 2.16 Table 3 below outlines the current forecast need for primary places in this area. Table 4 outlines the impact of this capital proposal towards meeting the need outlined in Table 3.

Table 3: Current expected shortfall in primary school places (age 4-11) in the South Leamington planning area

Planning Area	Academic Year	Reception Capacity - PAN	Reception Forecast Pupil Numbers	Available Capacity (4% target)	Forms of Entry Available / Shortfall
South Leamington	2021/22	478	457	4%	0.7
	2022/23	478	456	5%	0.7
	2023/24	478	534	-12%	-1.9
	2024/25	478	524	-10%	-1.5
	2025/26	478	551	-15%	-2.4

Source: 2021 Forecast Pupil Numbers, South Leamington Primary (1 form of entry = 30 places)

Table 4: Impact of proposed new primary school provision (showing additional places available from September 2023)

Planning Area	Academic Year	Reception Capacity - PAN	Reception Forecast Pupil Numbers	Available Capacity (4% target)	Forms of Entry Available / Shortfall
South Leamington	2021/22	478	457	4%	0.7
	2022/23	478	456	5%	0.7
	2023/24	538	534	1%	0.1
	2024/25	538	524	3%	0.5
	2025/26	538	551	-2%	-0.4

Source: 2021 Forecast Pupil Numbers, South Leamington Primary - Expected impact of new provision opening from September 2023 (1 form of entry = 30 places)

- 2.17 Table 4 above shows the impact of this new primary provision opening with a published admission number of 60 from 2023 onwards. This approach is designed to provide future proofing for planned housing

development in the locality over the coming years. Given the geographical spread of housing development in the area this will be kept under review as it may be more appropriate to limit the intake of this primary provision to 30 places initially and to open additional new primary provision elsewhere in the local area to meet the need, thus providing local places for local children. . Any such proposal will need to account for the practicalities of primary age children accessing new provision, including travel safety, while widescale building works continue and will be subject further to a separate report to Cabinet. It is more financially viable to build a 2FE school for a primary, based on future projected housing, than to add on additional capacity at a later date. Consideration must also be given to the location of any future additional provision.

- 2.18 Exact timings on the need for places will depend on the building schedule of housing development across the wider area and officers will liaise with Warwick District Council, as the local planning authority, to monitor progress.
- 2.19 It should be noted that neighbouring primary planning areas, including North Leamington and Warwick, are forecast to retain available capacity. All new provision in South Leamington will deliver local places for local children as per the key priorities outlined in the Education Sufficiency Strategy 2018-2023 and are sized according to immediate local need of the accompanying housing development.

Site Master Planning and Conditions

- 2.20 Feasibility and master planning exercises have been undertaken to review delivery options for the site. The required accommodation has been produced to DfE building guidelines and factoring in the requirements for community use and country park access as required in the outline planning consent. The location of this site allows the opportunity to integrate the pedestrian entrances into the surrounding housing and the proposed neighbouring country park. The school site has been designed in collaboration with Warwick District Council's design for the country park to ensure walking and cycle routes through the park maximise sustainable travel to the new school. Throughout the design and development process the project team has engaged with partners at Warwick District Council and Bishops Tachbrook Parish Council and will continue to do so as the project moves forward.
- 2.21 The current planning consent outlines conditions requiring an agreement for community use of the school sport facilities outside of school hours. To satisfy the wider community use requirements stipulated by Warwick District Council, an uplift to the total floor area for the sports hall has been included to provide additional changing facilities, storage space, office and reception area and an enlarged main hall space. In comparison to an equivalent standard facility for school use this equates to an additional £679,000 in construction costs and associated fees. Officers are exploring

with partners potential alternative funding contributions for these additional elements.

- 2.22 In addition, current designs and cost plan include an enlarged Artificial Grass Pitch to meet the requirements for wider community use which equates to an additional £388,000 in construction costs compared to a standard school use facility. In partnership with Warwick District Council, a bid will be submitted to the Football Foundation to secure funding towards the total cost of the artificial pitch which is expected to cover the uplift in cost. The next opportunity to apply for this funding will be July 2022 and a condition for successful bids will include the need for the sports hall facility to include the wider community use uplifts outlined above.
- 2.23 This gives a total cost increase over £1 million to uplift the sports facilities to meet the requirements for wider community use as stipulated by Warwick District Council. This amount is currently included within the total project costs to allow design work and preparation of planning documents to proceed. If external funding is secured, education capital resources allocated to this project will be returned to the Education Capital pot and will be available for other schools' investment projects. If external funding is not secured, consideration will need to be given as to the optimal scheme design taking into account the planning conditions and any relevant known costs pressures at the appropriate time.
- 2.24 There has recently been a significant increase in construction cost inflation with contributing factors such as HS2, and regionally, the Commonwealth Games. In addition, EU exit and Covid-19 have disrupted supply chains. This is resulting in both labour and material shortages which is increasing prices. As such, contractors are having to factor in both known and anticipated further increases into tenders which has led to a sizeable increase. Due to the ongoing impact of HS2 and EU exit in the next few years it is expected these pressures will continue. Additionally, the nature of the site and access has also resulted in higher costs for groundworks and highways access. Topography of site requires extensive groundworks to create level plateaus for the formal sports pitches which has also resulted in increased costs for the external works. Prior to the securing of the outline planning consent an options appraisal was undertaken with Warwick District Council on possible alternative sites for this new provision and no other sites were found to be appropriate and available.
- 2.25 When compared to national benchmarking data, adjusted for inflation, the secondary phase of the works is significantly higher than the national benchmark for a new build secondary school. This has been reviewed during the feasibility work and it has been ascertained this increase relates to the anticipated general increased construction costs, site-specific community use requirements of the sports hall and the extensive abnormal ground works required to create the level plateaus required to construct the school buildings and sports pitches. The primary phase of the works concerning the primary school and early years provision

compares with the DfE benchmark cost per place for new build primary school provision. All abnormal groundwork costs are attributed to the secondary school phase of the construction.

- 2.26 Given this project is significantly above national benchmarking for comparable schemes, cost estimates will continue to be rigorously monitored and kept under review. Value engineering will be undertaken continuously to minimise costs and achieve best value. The figures provided in this report are the most accurate we have available, including contingencies, at the time of submission to allow delivery work to commence.
- 2.27 Work will be required once a construction contractor has been appointed to review the phasing of construction in detail and plan for mitigating options with the aim of the site being able to accommodate an initial September 2023 intake of pupils in Reception and Year 7. This will focus on a phased handover and completion of the buildings but is likely to require the use of temporary accommodation the costs of which would need to be considered and funding identified when there is greater certainty.
- 2.28 Total cost estimate for the proposed scheme is £50.05 million. To date £550,000 has been approved for design and development work undertaken for this scheme and has therefore been excluded from the total proposed allocation below.
- 2.29 Council is requested to agree to the allocation of £49.5 million as follows:
- | | |
|-----------------------------|----------------|
| Developer funding | £11.23 million |
| Education capital resources | £38.27 million |

3. Financial Implications

Overall Package (Table 5)

Total estimated project cost:	£50.050 million
Current approved funding:	£550,000 (excluded from total funding sought & taken from Developer contribution s106 funding)
Available developer contributions (s106) funding:	£11.230 million
Education Basic Need grant funding (from Department for Education):	£38.270 million

Total funding approval sought:	£49.500 million
---------------------------------------	------------------------

Basic Need Grant

- 3.1 Education Basic Need Capital resources currently available for all education projects totals £38.270 million. Due to projected costs for this project, all of the current available education capital resource is required and therefore it can be expected there will be challenges in funding future education capital projects.
- 3.2 £10 million of Basic Need Grant is currently forward-funding future s106 receipts. When these receipts are delivered, they will be returned to the Education Capital pot and will be available for other schools' investment.
- 3.3 Limited future Basic Need Grant funding is expected in the 2021-26 MTFS period, currently forecast at £4 million per annum.
- 3.4 Future education capital projects will need to utilise a combination of future Basic Need Grant and received and forecasted developer contributions. The balance of funding will be a call on corporate funds (mostly Capital Investment Fund) to ensure school places can be delivered in the right place to meet the need of growing cohorts.

Current s106 Developer Agreements

- 3.5 Table 6 below shows that developer contributions towards education provision secured within existing legal agreements countywide to date is in excess of £230 million, of which £139 million* is still to be received.
- 3.6 The timing for receipt of those funds still due will vary depending on the trigger points included within the individual legal agreements. All due funds once received will be required to be utilised in line with the obligations of the individual agreements.
- 3.7 **Table 6: S106 Developer Contributions in Respect of Education (as at 30th July 2021)**

Planning Authority	Contribution Required in S106	Received	Due
---------------------------	--------------------------------------	-----------------	------------

North Warwickshire Borough Council	£2,029,758	£669,192	£1,360,566
Nuneaton and Bedworth Borough Council	£27,955,624	£11,867,855	£16,087,769
Rugby Borough Council *	£90,484,434	£21,945,760	£68,538,676
Stratford District Council	£62,096,045	£22,901,217	£39,194,828
Warwick District Council	£49,297,567	£34,987,584	£14,309,984
Totals	£231,863,428	£92,371,607	£139,491,821

* It should be noted that these figures include the S106 for Houlton (Mast Site). This agreement allows the developer to deliver the schools rather than pay a financial contribution if they wish.

- 3.8 To date £92 million of developer contributions have been received with £55 million spent or allocated to previous education capital projects. This leaves £37 million in received developer contributions currently available for future education capital projects countywide, reducing to £26 million once the proposal within this report is accounted for.
- 3.9 In total £35.1 million has been included in s106 agreements to date from developments in the South Leamington/ Warwick area towards providing new education provision. To date £27.1 million has been received and £13.6 million of received developer contributions have been allocated to existing education capital projects in the area. This includes the delivery of the new Heathcote Primary School and the expansions of Campion School and Whitnash Primary School to meet the initial increases in pupil numbers in this area.
- 3.10 There are a number of live s106 agreements where funding can be allocated to support the Oakley Grove project. £0.550 million has previously been allocated from S106 and a further £11.2m collected is being proposed to allocate to the project outlined in this report.
- 3.11 There are a number of live agreements where trigger points have not yet been reached but where funding in support of the Oakley Grove project is identified. Subject to continued development and reach of trigger points, we could expect to receive a further £5.5 million (which is in addition to the £10m of 'forward funding' referred to in paragraph 3.2 that is also to be returned to the Capital Education Pot in due course). These amounts will be subject to indexation and so could increase. If, and when these amounts are received, these will be applied to the project in order to return Basic Need funding to corporate funds.

- 3.12 A further £4.25 million due or received in this area relates to specific obligations within the associated legal agreements in the local area and will be utilised for future education capital schemes, including SEND and Post 16 sufficiency.
- 3.13 It should be noted not all housing developments approved have included education contributions in s106 agreements, despite the requests and evidence provided by the County Council, as a result of historical challenges from developers relating to the financial viability of the developments.

Future s106 Developer Agreements

- 3.14 National planning guidance expects developers to pay for the full cost of providing the additional school places made necessary by their development, unless exceptionally viability considerations preclude that. Should further housing development come forward in the area, further contributions to this scheme will be sought where the statutory criteria for contributions are met.

Capital Investment Fund

- 3.15 Due to the significantly reduced Basic Need Grant expected in future years and forecast infrastructure requirements exceeding the amount of developer contributions secured through existing agreements, any funding gap which cannot be met by future developer contributions will require additional borrowing via the Capital Investment Fund (CIF). The fund currently has £90.9 million available over the 2021-26 MTFS period. Were this specific scheme to be funded from this source instead of Basic Need Grant (in order to maintain Education Capital resources for other pressures) then WCC will incur an opportunity cost in being unable to utilise CIF for other strategic investment opportunities.
- 3.16 Work is being undertaken on the Education Capital forward plan to ascertain the future capital requirements for new projects required over the short, medium and longer term and to identify any shortfalls in funding to inform the pipeline for future Capital Investment Fund priorities.

Revenue Contributions

- 3.17 Revenue funding for pre and post opening costs associated with the new school will be funded from the DSG Growth Fund allocation.

See Appendix for breakdown of income and expenditure.

4 Environmental Implications

- 4.1 Where feasible, the County Council will look to use modern methods of construction to achieve efficiencies and benefits particularly in terms of time, cost, and the environment.
- 4.2 Environmental risk assessments, together with mitigation statements to reduce any potential environmental impacts, are required for any capital project.
- 4.3 Larger scale projects will follow design objectives to ensure revenue costs are reduced and sustainable schemes are delivered within the financial envelope. This will be done incorporating design features to minimise heating and cooling demands, the careful selection of building materials, air tightness, and the inclusion of renewable energy features where economically feasible.
- 4.4 Proposed schemes aim to ensure the sufficiency of, and accessibility to, provision in local settings avoiding the need to travel further afield to access education or childcare provision.

5 Timescales associated with the decision and next steps

- 5.1 If approved by full Council this decision has immediate effect.
- 5.2 In reviewing the future education capital programme requirements, every effort will be made to secure delivery by other routes where possible including the DfE Wave process (as has been successfully achieved with the proposed Higham Lane North School at Top Farm in North Nuneaton) or by utilising available additional capacity in existing schools where possible.

Appendix

Schools Capital Programme 2021-22 Finance Breakdown

Background Papers

None

Supporting Papers

1. Education Sufficiency strategy 2018-2023.
2. Annual Education Sufficiency Update 2020.

	Name	Contact Information
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Strategic Director	Strategic Director for Communities	markryder@warwickshire.gov.uk
Portfolio Holder	Portfolio Holder for Children, Families and Education	jeffmorgan@warwickshire.gov.uk

The report was agreed by Cabinet on 9 September 2021 and also shared with the local member, Councillor Jan Matecki.

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SCHOOL CAPITAL PROGRAMME - FINANCE BREAKDOWN

		Available Basic Need Resources £m		
Balance following December 2020 Cabinet report		17.575		
Changes to existing projects -		4.053		
Funding Received		24.751		
Total Available Resources		38.273		
Projects Recommended for Support in September 2021 Cabinet Report		Total Cost £m	Proposed Use of Basic Need Resources £m	Proposed Use of Special Provision Fund £m
New All-through School, South Leamington / Warwick (Oakley Grove)		50.150	38.273	0.000
Total		£50.150	£38.273	0.000
Revised Unallocated/ (Shortfall) in Basic Need Resources			-£0.000	

APPENDIX 1

Proposed Use of Developer funding Resources £m	Other Funding £m
11.877	0.000
£11.877	£0.000

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County Council

28 September 2021

Independent Persons

Recommendation

That Council appoint the named individuals in the Appendix to the position of Independent Person for a four-year period to 30 September 2025.

1. Executive Summary

- 1.1 This report confirms the arrangements for the appointment of Independent Persons as required by Section 28 of the Localism Act 2011 for a four-year term of office.
- 1.2 Part 1, Chapter 7 of the Localism Act 2011 came into effect on 1 July 2011 (the 2011 Act). Section 28 of the 2011 Act requires the Council to appoint at least one Independent Person whose views will be sought when making decisions about allegations that Councillors have breached the Code of Conduct.
- 1.3 The Act requires that any Independent Person must not be, or have been within the past 5 years, a member, co-opted member or officer of the Council or any of the Parish or Town Councils in the Council's area; nor should they be a relative or close friend of a member, co-opted member or officer in the Council's area.
- 1.4 The role of the Independent Person was widened under the Local Authorities (Standing Orders) England (Amendment) Regulations 2015 which came into force on 11 May 2015 and changed the localised disciplinary process. A panel of at least 2 Independent Persons has to be convened to make recommendations to Council in connection with statutory Chief Officers.
- 1.5 The panel was last formally refreshed in 2017 and Council agreed on 16 March 2021 to extend the appointments of our current pool of Independent Persons to 19 October 2021 to enable the completion of a recruitment process in conjunction with a number of the District and Borough Councils in Warwickshire, and Solihull MBC.
- 1.6 That process of recruitment has concluded and those named at the Appendix are recommended for reappointment.

2. Financial Implications

- 2.1 There are no direct costs incurred in the appointment and training / development of Independent Persons because they do not receive an allowance and training will be delivered jointly by the Monitoring Officers of the participating authorities.
- 2.2 Independent Persons are, however, entitled to receive expenses if called upon to act.

3. Environmental Implications

- 3.1 None

4. Timescales associated with the decision and next steps

- 4.1 If approved, the Independent Persons listed at the Appendix will be reappointed for a four-year term to 30 September 2025.

Appendix

1. List of Appointees

Background Papers

1. None

	Name	Contact Information
Report Author	Nichola Vine	nicholavine@warwickshire.gov.uk 01926 416379
Assistant Director	Sarah Duxbury	sarahduxbury@warwickshire.gov.uk 01926 412090
Strategic Director	Rob Powell	robpowell@warwickshire.gov.uk 01926 412564
Portfolio Holder	Councillor Andy Jenns	andyjenns@warwickshire.gov.uk 01926 410410

The report was not circulated to members prior to publication.

Appendix

Standards Regime - List of Independent Persons from October 2021

1. Howard Darling
2. Mumtaz Goolam
3. Garth Murphy
4. Maureen O'Sullivan
5. David Stone
6. Raymond Leslie Tomkinson

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Council

28 September 2021

Review of Overview and Scrutiny

Recommendation

That Council approves the proposals for scrutiny reform as set out in Appendix 2

1. Background

- 1.1. The purpose of scrutiny is to provide a means to hold decision makers to account and to investigate and inquire into issues of interest and relevance to local people.
- 1.2. In light of the Government publishing statutory guidance on overview and scrutiny and the Centre for Public Scrutiny (now the Centre for Governance and Scrutiny (“CfGS”) updating its “Good Scrutiny Guide” in 2019, the Council invited Dr Jane Martin CBE to review how the Council currently operates scrutiny and to advise on improvements that would build on the statutory guidance and assist the Council to deliver on its objectives.
- 1.3. The review was commissioned in February 2020 and during subsequent months was conducted via a series of remote interviews with members and officers, and included a desk top analysis of past agendas, minutes and Task and Finish Group outputs. The review covered the following themes:
 - Culture and behaviours;
 - Reinforcing the value and importance of challenge;
 - Ownership of recommendations and actions;
 - Support for scrutiny members;
 - Aligning scrutiny more effectively to our Council Plan objectives; and
 - How to involve the public in scrutiny more effectively.
- 1.4. At its meeting of 9 September 2021, Cabinet agreed to recommend to Council the proposals for scrutiny reform as set out in Appendix 2. The Report will also be considered by the Audit and Standards Committee at its meeting on 24 September 2021.

2. Report Findings

2.1. Overall, the feedback from the review was positive and highlighted several areas of good practice, particularly around the use of member working groups during Covid. However, it also concluded that the scrutiny function would benefit from reinvigoration. A principles-based approach was recommended to drive scrutiny forward, reflecting the principles embedded in statutory guidance, being:

- independent ownership;
- driving improvement;
- critical friend challenge; and
- public voice.

2.2. The review outlined a number of opportunities to strengthen the overview and scrutiny function. These were:

- **Parity of esteem:** Scrutiny must have an authoritative voice and support to enhance executive policy development and decision-making.
- **Scrutinising performance:** Scrutiny discussions should be clearly led so that presentations add value, there is a clear line of sight to corporate success indicators and interpretation of the data is usefully aligned to risk.
- **Build a corporate partnership:** Scrutiny should hold the executive to account where necessary. Scrutiny members own the process recognising the wider public interest for Warwickshire. The agenda should be focused on corporate business with purposeful evidence-based discussion.
- **Work smarter:** Meetings should be more flexible, proactive and responsive to corporate priorities. Meetings should be collegiate, constructive and challenging.
- **Member support and training:** Members and officers involved in scrutiny should be supported and provided with appropriate training to maximise the benefit from their roles in the scrutiny process.
- **Develop external focus:** Imaginative thinking to reach local people is needed. Scrutiny should be aligned with public consultation exercises to inform executive strategy.

2.3. The report also focussed on a series of principles that would drive the refreshed approach. These were:

- **Partnership:** The scrutiny function is an integral, authoritative corporate partner with the executive in policy development and

decision-making. This partnership is focused and aligned with the Council's strategic objectives, corporate performance indicators, and the corporate business and planning cycle. Whilst the function is independent of Cabinet and owned by scrutiny members it will be flexible, dynamic and pro-active in support of the executive decision-making process.

- **Purposeful:** The scrutiny function is focused on making an impact and exerting influence on corporate policy and practice to develop learning and improvement. Its main aim is to ensure Warwickshire County Council can be the best it can be by building corporate experience and expertise based on a sense of place, especially in a fast-paced transformational change environment.
- **Challenging:** The scrutiny function will provide constructive cross-party challenge to hold the executive to account based on evidence and reflecting the views of local people. This includes both internal and external scrutiny. As 'critical friends', scrutiny members should respectfully ask the tough questions of the executive and professional officers of the Council, as well as external partners and providers, from an informed perspective and expect considered and informative answers.
- **Transparent:** The scrutiny function should shine a light internally and externally. It is an important vehicle for public consultation which should engage external partners, local people, and service users, and represent their views. Overview and Scrutiny should provide open and transparent scrutiny in the public interest to enhance the legitimacy of the local authority and build public trust and confidence.

2.4. The recommendations reached in the review can be seen in the full report at Appendix 1. In summary these included:

- 2.4.1. Relaunch the scrutiny function, championed by the Leader and Cabinet, with a corporate "common purpose" County Council scrutiny guide setting out the ambition and expectations for the function based on a partnership of mutual respect, transparency and constructive challenge.
- 2.4.2. Create greater alignment with corporate objectives by restructuring scrutiny committees in parallel to foster greater scrutiny of corporate themes and objectives and corporate performance.
- 2.4.3. Provide recognised authoritative leadership and direction for the scrutiny function by creating a new role of Chair of Overview and Scrutiny to chair a new Overview and Scrutiny Panel comprising all scrutiny Chairs.
- 2.4.4. Greater use of virtual meetings technology and, where appropriate, social media to engage the public, service providers and external partners and encourage elected member active participation.

- 2.4.5. Consider creating a dedicated team of Overview & Scrutiny (O&S) officers resourced adequately to provide data (particularly performance data) and information, advice and support to O&S Chairs and members, including liaison with strategic directors and senior staff.
- 2.4.6. Review the timetable for scrutiny committees to ensure meetings are held at the optimum time alongside the corporate business cycle and Cabinet meetings. Allow for greater meeting and agenda flexibility and greater use of Task and Finish Groups for scrutiny work, from single issue to corporate strategic themes, conducted to a strict brief and timescale with a project planning methodology. Dynamic Task and Finish Groups should be able to conduct a review in as little as one day where appropriate. But also conduct in-depth longer pieces of work.
- 2.4.7. Make use of virtual technology, in-house training and briefings should be provided for scrutiny Chairs and members on appointment and on-going, including subject updates as required and skills development. Committees should conduct an annual self-evaluation. A suite of scrutiny questions may be a good prompt to build confidence

3. Supporting Information

- 3.1. The recommendations from the Report were considered by the four Overview and Scrutiny Committees during the period March 2021 – July 2021.
- 3.2. The feedback from members was considered in light of Dr Martin's report and additional guidance from Centre for Governance and Scrutiny (CfGS) and has resulted in the proposals recommended within this report.
- 3.3. The key recommendation was that the Council develop a principles-based approach to reset and drive scrutiny, reflecting the principles of good scrutiny embedded in statutory guidance:
 - 3.3.1. independent ownership;
 - 3.3.2. driving improvement;
 - 3.3.3. critical friend challenge and
 - 3.3.4. public voice
- 3.4. Members favoured most but not all of the recommendations made. On balance members did not universally favour the idea of an OSC 'Chair of Chairs' to provide a coordinating role across the overview and scrutiny committees. Nor was there a consensus in favour of a bespoke team of scrutiny officers, and differing views were expressed in respect of greater use of virtual meetings and also the proposal to increase the number/ frequency of OSC meetings per year.

- 3.5. Officers identified some practical challenges with implementation of some of the recommendations, notably;
- 3.5.1. realignment of OSCs to Council Plan outcomes – whilst this would focus attention on delivery of objectives it risks being at the expense of other matters that the Council has a statutory duty to consider
 - 3.5.2. proposal for more virtual formal meetings of scrutiny - whilst attractive this would require legislative change as following the repeal of the changes permitted during the pandemic, all formal committee meetings must be held in person
 - 3.5.3. dedicated team of OSC officers – as it was considered this would have a negative impact on deployment of resources and recruitment and retention
- 3.6. In order to ensure continued delivery, the proposals also recommend a cap on the number of active Task & Finish Groups at any one time. This will assist in managing resource and the quality/ level of officer support available.
- 3.7. The proposals cover three areas to meet the themes of the recommendations in the Independent Report. These are Cultural, Planning and Agility. A “Miscellaneous” heading is also included to cover issues arising from the recommendations.
- 3.8. The tables in Appendix 2 summarise the proposals and the timetables for implementation of each recommendation.
- 3.9. At its meeting of 9 September 2021, Cabinet agreed to recommend to Council the proposals for scrutiny reform as set out in Appendix 2. The recommendations will also be considered by the Audit and Standards Committee at its meeting on 24th September 2021 and any feedback shared with members separately as necessary.

4. Financial Implications

- 4.1. There are no direct financial implications of this report.
- 4.2. The proposals are intended to be implemented within the current budgetary envelope of Legal and Democratic Services. There is a recommendation that resource levels within Democratic Services are reviewed after 6 – 9 months of implementation to ensure that the recommended outcomes of the scrutiny review are being delivered.

5. Environmental Implications

- 5.1. There are no direct environmental implications of the proposal

6. Timescales associated with the decision and next steps

6.1. The timescales for each proposal are included within the tables at Appendix 2 below. This decision, if approved by Council, will be effective with immediate effect.

Appendices

Appendix 1 - Report of Dr Jane Martin OBE
Appendix 2 - Scrutiny Review Proposals

Background Papers

None

	Name	Contact Information
Report Author	Nichola Vine Strategy & Commissioning Manager Legal and Democratic	nicholavine@warwickshire.gov.uk 01926 416379
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The report was circulated to the following members prior to publication:

Local Member(s): Not applicable

Other members: Appendices and recommendations previously published with Cabinet Paper

Appendix 1

**Review of the Overview and Scrutiny Function
Warwickshire County Council**

FINAL REPORT

**Dr Jane Martin CBE
October 2020**

Contents

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The Brief

WCC (consistent with revised statutory guidance May 2019) believe effective overview and scrutiny should:

- Provide constructive ‘critical friend’ challenge;
 - Amplify the voices and concerns of the public;
 - Be led by independent people who take responsibility for their role; and
 - Drive improvement in public services.
- Scrutiny will not be effective unless an organisation’s culture, behaviours and attitudes support it
 - Resourcing of scrutiny is critical to its long-term success and to embedding the culture within any authority
 - Effective scrutiny requires good planning. The recommendations of scrutiny should make a tangible difference to the work of the authority and, in order to do so, require a long-term agenda and forward plan that is flexible enough to accommodate any matters of urgency that may crop up.
 - Warwickshire’s model of specialist OSCs supported by Democratic Services Officers and with expert input from specialist officers is a valid model, provided it is adequately resourced but there are other models and approaches which may provide a greater level of benefit in the new landscape we are operating in

Corporate Board agreed that now is an appropriate time to review the approach to scrutiny. The Leader of the Council is fully supportive of this review.

A final report will present recommendations to Corporate Board and subsequently members on:

- (a) appropriate principles for scrutiny (considering the challenges above and in light of the statutory guidance),
- (b) feedback on key opportunities to improve upon our current ways of operating scrutiny, and
- (c) a recommendation as to how WCC might move forward to develop its scrutiny approach to deliver on the Council Plan and objectives.

Methodology

In order to gain a broad insight into the current arrangements, challenges and opportunities of the overview and scrutiny function, telephone interviews were conducted with 27 participants during June, July and August. These included:

The Leader and Deputy Leader of the Council
Cabinet Portfolio Holders
Chair of Scrutiny Committees
Representatives from each of the political parties
The Chief Executive
Strategic Directors
Democratic Services Officers

The interviews were confidential and no interviewee will be quoted. The interviewer took written notes of the discussions for the sole purpose of this report which will be destroyed when the report is received and signed off.

Interviews were based on questions organised around the following themes:

1. How do we embed scrutiny in the DNA of the organisation and drive the necessary culture and behaviours required to ensure scrutiny adds value to delivery of our organisational priority outcomes?
2. How do we give voice to and drive a change in the approach/attitude to scrutiny by members and officers; i.e. Reinforce the value and importance of challenge, remove the perception that it is “fault finding”, and drive an effective and collaborative approach to scrutiny which is impactful?
3. How do we manage disagreements in approach - i.e. executive-scrutiny protocols etc.?
4. How do we embed ownership with members and officers of recommendations from scrutiny, and ensure that the actions that arise are followed through and monitored?
5. How do we ensure scrutiny members are supported in having an independent and open mind-set and have the right skills set to fulfil their role?
6. How do we align scrutiny more effectively to our Council Plan objectives – including commitments to climate change and commercial approach to problem solving?

7. How do involve the public in scrutiny more effectively?

Desk-based background review of relevant corporate documents including minutes of scrutiny meetings was also undertaken.

Throughout this report the overview and scrutiny function will be referred to as the scrutiny function or scrutiny.

Overview

Warwickshire County Council currently operates with four Overview and Scrutiny Committees: Resources and Fire & Rescue; Communities; Children & Young People; Adult Social Care and Health with an additional joint Health Committee. The Council has a Conservative majority group of 33 elected members with small opposition groups formed by 7 Labour, 8 Liberal Democrat and 2 Green Party representatives. In addition, there are 4 Independents. There are 3 vacant seats at the current time. The Council has in the past often had no political party in overall control. The ways of working from this tradition seem to have coloured a consensus approach and some deference to officers which persists. Reflecting the current political environment, members of the majority group have been nominated for the Chairs of all Scrutiny committees. The Leader of the Council and her Deputy both value the importance of an effective scrutiny function and want to encourage a more impactful role.

Across all interviewees there was clear support for developing an effective scrutiny function. In most cases, from a range of perspectives, interviewees were positive about the work carried out and felt that the Cabinet were open to different views, ideas and challenge. But there is inconsistency between committees and the contribution of committee members, sometimes coloured by party politics, and often a general lack of constructive challenge. Reasons for this are not entirely clear, but it is certainly felt that scrutiny members need to be fully supported, with clearly presented information; that they need to keep their knowledge base up to date; and fully understand the role they can play and the influence that can be brought to bear on corporate policy development and decision. Frustration expressed around some of these issues demonstrates the need for change, and the willingness to change. The potential of the scrutiny function is not currently being developed or harnessed to support the strategic ambition of the Council.

There is, however, much good practice. Some Chairs are particularly mentioned for their skilled chairing and effective approach to reviews which have been greatly valued. For example, the cross-party work of the Climate Change Working Group; external scrutiny of GP provision; and the scrutiny review of Home/School Transport.

The Council clearly fosters good relationships. There is good cross-party working and a good working relationship between executive and scrutiny. Although scrutiny appears to make few recommendations back to the executive, when they do these are fairly considered. It is notable that although not formally scrutiny groups, the cross-party Cabinet Working Groups for post-Covid strategy development have been universally welcomed, not least for the clear focus and deadlines. The regular agenda setting meetings between scrutiny committee Chairs and their portfolio holder counterparts (spokes and chairs meetings) supported by officers are clearly very effective. It must be said, however, that although Council officers

are supportive of scrutiny, scrutiny committee members expressed a sense that they felt the needs of executive members were usually prioritised.

All concerned were positive about the support from Democratic Services Officers and valued the role they played. But it was acknowledged that resources had been pared back over recent years and the department was mainly focused on administration. The lack of resources was most acute in limiting the number of task and finish scrutiny groups. These groups were regarded as the most effective way of working but required proper resourcing which was now lacking. Resourcing may also have a knock-on effect on public engagement arrangements and there could be opportunities to build on the corporate 'Let's Talk' public consultation exercise. In any event, there is potential for more imaginative thinking on public involvement in scrutiny, which is often best tapped into in a task and finish group environment. Whilst there are some very good examples of external scrutiny which involve external partners and user groups, there is more that could be done. It was acknowledged that the geography of the County could mitigate against participation and that the use of technology for more remote engagement could be an opportunity

In the main, however, the scrutiny function seems to be 'stuck in a rut' and needs to be reinvigorated. Routine scrutiny committee meetings are in danger of losing their way based on a formulaic cycle with the addition of members' topics of interest. Indeed the balance currently being struck is between review of individual scrutiny members' special interests which motivate engagement, and effective scrutiny of corporate business (especially performance) and good overview of policy development which is not yet seen as meaningful by some members. There is also frustration on the part of many members at the length of some agendas, and the way business is conducted which can stifle robust discussion. Scrutiny business needs to be much more purposeful and prioritised in relation to the Council corporate cycle and forward plan. Across the piece scrutiny members need to be better engaged in this regard and scrutiny Chairs need to be both supported and more open to achieving this. The routinised approach to committee meetings with a set timetable is frustrating for many, including the executive, and means that scrutiny is not timely and too slow. Indeed, many interviewees were critical of the lack of flexibility and pro-activity. This devalues the role of scrutiny. The Council's ambitious plans for transformational change only highlights the lack of dynamism.

Appropriate principles for scrutiny

The following principles should be adopted to reset and drive a refreshed approach to the overview and scrutiny function. They reflect the principles of good scrutiny embedded in statutory guidance: independent ownership; driving improvement; critical friend challenge and public voice.

- 1. Partnership: The scrutiny function is an integral, authoritative corporate partner with the executive in policy development and decision-making.** This partnership is focused and aligned with the council's strategic objectives, corporate performance indicators, and the corporate business and planning cycle. Whilst the function is independent of Cabinet and owned by scrutiny members it will be flexible, dynamic and pro-active in support of the executive decision-making process.
- 2. Purposeful: The scrutiny function is focused on making an impact and exerting influence on corporate policy and practice to develop learning and improvement.** Its main aim is to ensure WCC can be the best it can be by building corporate experience and expertise based on a sense of place, especially in a fast-paced transformational change environment.
- 3. Challenging: The scrutiny function will provide constructive cross-party challenge to hold the executive to account based on evidence and reflecting the views of local people.** This includes both internal and external scrutiny. As 'critical friends', scrutiny members should respectfully ask the tough questions of the executive and professional officers of the Council, as well as external partners and provider, from an informed perspective and expect considered and informative answers.
- 4. Transparent: The scrutiny function should shine a light internally and externally.** It is an important vehicle for public consultation which should engage external partners, local people and service users, and represent their views. O&S should provide open and transparent scrutiny in the public interest to enhance the legitimacy of the local authority and build public trust and confidence.

Key opportunities to improve

There are a number of key areas where there are significant opportunities to improve.

Parity of esteem: Scrutiny should not be seen as a second-class function. It must have an authoritative voice. This means that all members and officers should demonstrate in their day to day practice how best to realise the potential for an effective scrutiny function to enhance executive policy development and decision-making.

Scrutinising performance: The way in which corporate performance is scrutinised is not yet satisfactory. The way in which performance data is presented to scrutiny has been carefully considered and reviewed recently, and the general view is that this is now better, but there is still room for improvement so that scrutiny members make the best use of the data. Scrutiny discussions should be clearly led so that presentations add value, there is a clear line of sight to corporate success indicators and interpretation of the data is usefully aligned to risk. Effort put into this by both officers and members will pay dividends

Build a corporate partnership: From a strong base of good working relationship and mutual member and officer respect there must be more rigorous challenge from scrutiny and acknowledgement that the scrutiny function should hold the executive to account where necessary: a 'one Council' model. The executive and senior management are open and welcome the challenge from scrutiny. It is notable that scrutiny is rarely the theatre for oppositional politics but scrutiny members must collectively own the process and not depend on officers. This means more rigour but best behaviour. It is also importance that members get the balance right between representing the views of their constituents and recognising the wider public interest for Warwickshire. They should set the agenda but be focused on corporate business with purposeful evidence -based discussion. All scrutiny members from all parties have a role to play in this endeavour.

It is also notable that the recent opportunity to work together to develop common aims in Cabinet cross-party working groups post-Covid has been universally welcomed. To build this partnership in practice, scrutiny needs to work cross-boundaries and not be silo focused. Scrutiny chairs and members should be thinking of how they can impact constructively on policy development and decisions. This does not mean routinely 'clearing' executive decisions but prioritising and acknowledging where challenge and accountability is most needed. It also means working with senior management and portfolio-holders but also holding them to account. Scrutiny needs to understand the evidence-base for policy and decisions and the impact on local people but recognise corporate objectives and understand that the executive has to work effectively and often quickly to respond to local issues and/or government initiatives. The overview function of policy is equally important in driving

transformation, improvement and learning by shaping policy throughout the annual corporate planning cycle.

Work smarter: Scrutiny meetings vary in their practice and impact but there is much potential for improvement. The 'chairs and spokes' meetings work well but still agendas can be too long and packed with pet topics. Meetings must be more flexible, pro-active and responsive to corporate priorities. The respectful environment must not be cosy but nor should it be confrontational. Behaviour in meetings should follow 3 C's: collegiate, constructive and challenging. The development of virtual meetings using remote technology has shown that more efficient use of time can be made. Many interviewees said this should be continued not least to avoid travel time and costs.

Member support and training: Scrutiny members need adequate support from officers across the Council so they are properly informed and advised. This is especially the case for scrutiny Chairs. This review presents an opportunity to redefine 'what good looks like' for scrutiny and agree how best to achieve this. It seems that resources for training and support is lacking but virtual technology provides a cost-effective opportunity for in-house briefings and scrutiny skills development. The in-committee member training initiated in the Health and Social Care Scrutiny Committee was acknowledged as effective and helpful

Develop external focus: There are some very good examples of external scrutiny reviews including transport providers and Academy Trusts, but this requires sufficient resources. Scrutiny is the Council function designed to gather the views and experiences of service users and providers to feed into the corporate cycle. Imaginative thinking to reach local people and not just known activists is needed. A one Council approach means that scrutiny should be aligned with and can often lead public consultation exercises to inform executive strategy.

Recommendations to develop WCC approach to scrutiny

1. The Council should relaunch the scrutiny function, championed by the Leader and Cabinet, with a corporate 'common purpose' WCC scrutiny guide setting out the ambition and expectations for the function based on a partnership of mutual respect, transparency and constructive challenge. This should highlight a behaviour code based on the 3 C's: collegiate, constructive and challenging.
2. Provide recognised authoritative leadership and direction for the scrutiny function by creating a new role of Chair of Overview and Scrutiny to chair a new Overview and Scrutiny Panel comprised all scrutiny Chairs. This post could be an elected position by all council members.
3. Create greater alignment with corporate objectives by restructuring scrutiny committees in parallel to foster greater scrutiny of corporate themes and objectives and corporate performance. In the current circumstances, restructuring to follow the four change portfolio themes; Place, Economy and Climate; Community; Health and Wellbeing and Social Care; and Organisation could be an effective way forward. Any restructure would have to take into account statutory requirements.
4. Review the timetable for scrutiny committees to ensure meetings are held at the optimum time alongside the corporate business cycle and Cabinet meetings. Allow for greater meeting and agenda flexibility and greater use of Task and Finish Groups for scrutiny work, from single issue to corporate strategic themes, conducted to a strict brief and timescale with a project planning methodology. Dynamic Task and Finish Groups should be able to conduct a review in as little as one day where appropriate. But also conduct in-depth longer pieces of work.
5. Create a dedicated team of O&S officers resourced adequately to provide data (particularly performance data) and information, advice and support to O&S Chairs and members, including liaison with strategic directors and senior staff.
6. Greater use of virtual meetings technology and, where appropriate, social media to engage the public, service providers and external partners and encourage elected member active participation.
7. Making use of virtual technology, in-house training and briefings should be provided for scrutiny Chairs and members on appointment and on-going, including subject updates as required and skills development. The Adult Health and Social Care Committee model of in-committee member briefings should be rolled out further.

Committees should conduct an annual self-evaluation. A suite of scrutiny questions may be a good prompt to build confidence.

Dr Jane Martin CBE 2 October 2020

Appendix 1

List of interviewees

1. Councillor Adrian Warwick
(Chair of Resources and Fire & Rescue OSC)
2. Councillor Alan Cockburn
(Chair of Communities OSC)
3. Councillor Andy Crump
(Portfolio Holder for Fire & Rescue and Community Safety)
4. Councillor Colin Hayfield
(Portfolio Holder for Education and Learning)
5. Councillor Heather Timms
(Portfolio Holder for Environment and Heritage & Culture)
6. Councillor Izzi Seccombe
(Leader of the Council and Conservative Group and Portfolio Holder for Economic Development)
7. Councillor Jeff Clarke
(Portfolio Holder for Transport & Planning)
8. Councillor Jeff Morgan
(Portfolio Holder for Children's Services)
9. Councillor Jerry Roodhouse
(Leader of the Liberal Democrats)
10. Councillor John Holland
(Labour member)
11. Councillor Jonathan Chilvers
(Leader of the Green Party)
12. Councillor Kam Kaur
(Portfolio Holder for Customer and Transformation)
13. Councillor Keith Kondakor

(Green Party Member)

14. Councillor Les Caborn
(Portfolio Holder for Adult Social Care & Health)

 15. Councillor Peter Butlin
(Deputy Leader of the Council and Conservative Group and Portfolio Holder for Finance and Property)

 16. Councillor Wallace Redford
(Chair of Adult Social Care & Health OSC)

 17. Councillor Yousef Dahmash
(Chair of Children and Young People's OSC)
-

18. Helen Barnsley – Democratic Services Officer

19. Mark Ryder – Strategic Director (Communities)

20. Monica Fogarty – Chief Executive

21. Nic Vine - Strategy and Commissioning Manager (Legal and Democratic)

22. Nigel Minns – Strategic Director (People)

23. Paul Spencer – Senior Democratic Services Officer

24. Paul Williams – Democratic Services Team Leader

25. Rob Powell– Strategic Director (Resources)

26. Sarah Duxbury - Assistant Director (Governance & Policy)

Appendix 2

Proposals - Cultural	Timeframe
Agree a Statement of Behaviours drafted by OSC members and officers, based on the principles identified in the independent report; Collegiate, Constructive, Challenging	September 21 – January 22
Annual Training for Members	Already in member training plan
OSC Chairs to discuss with Cabinet and Corporate Board matters where it is considered Scrutiny could add value to the decision-making process, and to liaise with other OSC Chairs to ensure that such matters can be considered in an efficient and effective way without causing undue delay to any proposal. Chair and Party Spokes with Strategic Directors to consider which upcoming projects, programmes or decisions would benefit from pre-Cabinet engagement with OSC Scrutiny. Also opportunity for greater involvement of OSC in considering the development of new policies as part of Forward Plan programme prior to Cabinet.	Work could begin in September meeting cycle
Updates not requiring input or decision to be dealt with electronically to free agendas for those matters intended to result in recommendations to decision making bodies	September 21 onwards
Proposals Planning	Timeframe
The OSC Committee cycle should be driven by the work programme but as a matter of principle each OSC Committee should meet between 5 and 6 times a year	Start from next Municipal Year

The OSCs will remain at 4 with the same Terms of Reference for the remainder of the municipal year. Climate change to be factored into the current work programme of either Communities OSC or as a cross cutting theme. Wider review of remit of OSCs to take place in advance of May 2022 Annual Council with any changes approved by Council.	Focus on climate change from September. Other changes from May 2022
All OSCs to consider the key themes arising from the Council Plan and agreed priorities, including cross cutting themes such as wellbeing, climate and tackling inequalities when undertaking their role.	From September cycle
Regular Chair, Vice Chair and Spokes meetings to specifically focus on the Forward Plan for decision making and scrutiny activity over coming months	From September cycle
The Chief Executive and Leader meet with Chairs and Vice Chairs of OSC's on a 6 monthly basis to consider potential future themes to assist the committees with consideration of work programmes.	From new municipal year

Proposals Planning	Timeframe
The OSC Committee cycle should be driven by the work programme but as a matter of principle each OSC Committee should meet between 5 and 6 times a year	Start from next Municipal Year
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Regular Chair, Vice Chair and Spokes meetings to specifically focus on the Forward Plan for decision making and scrutiny activity over coming months	From September cycle
The Chief Executive and Leader meet with Chairs and Vice Chairs of OSC's on a 6 monthly basis to consider potential future themes to assist the committees with consideration of work programmes.	From new municipal year

Proposals - Agility	Timeframe
Task and Finish Groups will be used in a dynamic fashion and will be cross party. Task and Finish Groups are encouraged to seek public input into the matters under discussion where appropriate as part of their process of review. There will be a ceiling agreed on the numbers of TFGs that can be undertaken at any one time to manage officer support /capacity	From September 2021
Chairs of individual OSCs will be encouraged to agree joint Overview and Scrutiny activity with another chair if that is considered the most effective use of resources in respect of any topic.	From September 2021
Resource requirements within Democratic Services will be reviewed within 6 – 9 months of the proposals being implemented	June 2022

Proposals - Miscellaneous	Timeframe
There will be no separate Scrutiny Team within Resources Directorate as it is felt this will undermine work of current Democratic Services Team and has not proved effective in the past	September 2021

Technology will be used where it can be – current legislation does not permit public meetings to be virtual or hybrid. Until this changes OSC meetings will need to be held in public and in person (although they will be streamed also)	September 2021
Legal attendance will become more common at OSCs to provide support to Democratic Services and enable succession planning/skills development	September 2021
We will work to align Scrutiny more closely with Integrated Planning and encourage public engagement, including use of the Voice of Warwickshire to identify suitable T&F topics.	September 2021

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Council

28 September 2021

Warwickshire Youth Justice Plan 2021/22

Recommendation

That Council approves the Warwickshire Youth Justice Plan.

1. Executive Summary

- 1.1 Under the Crime and Disorder Act 1998, there is a requirement for the production of an Annual Youth Justice Plan.
- 1.2 An exceptional decision was made by the Youth Justice Board (YJB) to exempt local partnerships from this requirement for 2020/21 in the context of the circumstances created by the COVID-19 pandemic. Instead the YJB required that an action plan was developed to sustain services during the pandemic, alongside required improvements in accordance with national 'Standards for Youth Justice' guidance. This action plan has been overseen and progress monitored by the multiagency Chief Officer Board for the Youth Justice Service with successful outcomes that are referred to in the attached plan.
- 1.3 The 2021/22 plan is prepared in accordance with the requirements prescribed by the Youth Justice Board with a particular emphasis on a 'Child First' approach to young offenders.
- 1.4 Whilst this Youth Justice Plan is prepared in accordance with the YJB requirements and is shared by the whole partnership, this document is well aligned with the Warwickshire County Council Plan 2020-2025. The main goal of the Youth Justice Service is to prevent offending and reoffending and is in accordance with the County Council priority outcome to support our communities to stay safe and independent. An increasing area of Youth Justice delivery involves targeting young people at an early stage to stop them progressing into the Youth Justice system. The key Council priority relating to job readiness and training is a key priority outlined in this plan and YJS resources are being realigned to ensure that we work to improve our young offender engagement in schools and training. Our work to refresh our contacts with victims as we emerge from the lockdown of the pandemic is also a key target moving forward. As outlined in the plan we are seeking opportunities to train and develop our workforce in respect of trauma informed practice, disproportionality and to refresh our longstanding commitment to relationship-based practice, utilising the power and strength of family through the

application of Restorative Practice. As our Council Plan states: 'we will ensure that young people understand and take responsibility for their behaviour. We will identify and manage risk in the community and ensure the voices of victims are heard and responded to'.

- 1.5 The report highlights our continued strong performance in the key areas of Youth Justice Performance measures. Warwickshire reoffending rates for young people remain in line with statistical comparators although the frequency of offending by those who do reoffend is higher than some. It is believed that this reflects the complexity of some of the Warwickshire young people who do offend, and also is a reflection of their involvement in Criminal Exploitation. The increase in youth violence and weapon related crime is a national trend that is reflected locally. Warwickshire Youth Justice Service is actively involved in the development of the local 'Preventing Youth Violence Strategy' and targeted efforts to address issues of serious and organised crime.
- 1.6 Through the pandemic our level of First Time Entrants into the Youth Justice system has increased to become more akin to the levels of our statistical comparators. Many of these First Time Entrants remain outside the Court system being made the subject of an 'Out of Court Disposal'. This local trend of a statistical increase in lower-level crime is also noted in the recent thematic (Her Majesty's Inspectorate of Probation) report at a national level.
- 1.7 The Warwickshire Youth Justice Plan outlines our response to the COVID-19 pandemic where the Service was well supported by efforts and resources put in place by Warwickshire County Council including new technology, Personal and Protective Equipment and agile working arrangements. In line with all Public Services, Warwickshire Youth Justice will learn from the experience of working during the pandemic and ensure that we carry forward the best parts of new practice whilst restoring some features that were not part of our COVID Secure approach. An example of this would be that we have found that many young people respond very positively to exchange and challenge through virtual media, but the learning is that this needs to be supported by regular in person contact to ensure the best safeguarding and risk management approach.
- 1.8 A key area of concern as we move out of the pandemic is the under engagement of Youth Justice Service users in Education, Training and Employment which is one of the most significant protective factors in the prevention of crime. Consistent and relevant education/training provision provides structure, occupation, peer group relationships and personal discipline for young people. Within Youth Justice we are realigning staffing to ensure that we target this area of performance moving forward and this is highlighted in the Youth Justice Plan.

- 1.9 The Youth Justice Service is working with the Equality and Inclusion Partnership (EQuIP) to look at areas of inequality in our services and an action plan is being developed to address these.
- 1.10 Services to victims of youth crime are being refreshed as we emerge from the pandemic, and the use of our Referral Order Panel volunteers in the delivery of Community Justice.

2. Financial Implications

- 2.1 None, other than the overall cost of operating the service.

3. Environmental Implications

- 3.1 There are no direct environmental implications in the Youth Justice Plan.

4. Supporting Information

- 4.1 The purpose of this report is to seek approval of the 2021/22 Youth Justice Plan and ensure that Council is aware of the continuous improvement actions within the Warwickshire Youth Justice Service. The report was considered and supported by Cabinet at its meeting of 9 September 2021.
- 4.2 The Warwickshire Youth Justice Plan provides an outline of our response to the pandemic and key areas of development moving forward.
- 4.3 Warwickshire is a high performing Youth Justice Service which has successfully sustained service delivery during the pandemic. There are clear plans for improvement as we emerge from the restrictions of the pandemic which also incorporate learning and practice developed during the lockdown period.
- 4.4 There are ongoing challenges in relation to emerging Youth Violence, disproportionality, and a need to continue to track performance against statistical comparators particularly in relation to First Time Entrants into the system.
- 4.5 The actions associated with the Plan will be tracked and monitored by the Youth Justice Chief Officer Board in line with the requirements of the Crime and Disorder Act 1998.

5. Timescales associated with the decision and next steps

- 5.1 If approved by Council, this decision will have immediate effect.

Appendix

2021/2022 Youth Justice Plan

	Name	Contact Information
Report Author	<p>Sally Nash Group Manager, Warwickshire Youth Justice Service</p> <p><u>Contributions from :</u> Warwickshire Youth Justice Young People Warwickshire Youth Justice Chief Officer Board</p> <p><u>Shared and consulted with :</u> Warwickshire Youth Justice Chief Officer Board Warwickshire Youth Justice Management Team</p>	sallynash@warwickshire.gov.uk
Assistant Director	John Coleman	johncoleman@warwickshire.gov.uk
Strategic Director	Nigel Minns	nigelminns@warwickshire.gov.uk
Portfolio Holder	Councillor Jeff Morgan	jeffmorgan@warwickshire.gov.uk

The report was shared with the Children and Young People Overview and Scrutiny Committee and supported by Cabinet.

"Working in partnership to support young people, families and victims to prevent offending and reduce re-offending to build a safer and stronger community."



Office of the
Police and Crime
Commissioner
for Warwickshire

WARWICKSHIRE YOUTH JUSTICE PLAN 2021/22

1. Introduction, Vision and Strategy

- 1.1 Warwickshire Youth Justice Service (WYJS) is preparing this plan at a time when we are emerging from the lockdown arrangements necessitated by the unprecedented effects of the COVID-19 pandemic. WYJS and partners are proud of the way we have sustained and appropriately modified services during this time, to ensure that our practice is as COVID secure as possible, whilst also focussing on the needs of our service users. We have maintained oversight and contact with young people and have demonstrated timely responses to the work demands generated by both the Out of Court Disposal system and also from our Youth and Crown Courts.
- 1.2 Warwickshire County Council is striving towards the achievement of a Child Friendly Warwickshire approach. In this we seek to ensure that children and young people are at the heart of everything we do, be it through direct practice or in wider decision making about life in our County. This also reflects the ambition of the Youth Justice Board (Strategic Plan 2021-24) to ensure we are a 'Child First' Youth Justice Service. As part of this ambition and as part of the preparation for this plan our Chief Officer Board commissioned dialogue with a variety of our service users so that in addition to our normal service user feedback processes, young people could share their experiences of our services during the pandemic and also assist us shape our vision and planning for our Youth Justice services moving forward.

'You're doing your best, you were still going out to see me, and phoning me'

'COVID hasn't worked for me at school, now I'm always getting into trouble because I didn't work at home and now, I'm behind and not in the top set anymore'

'You get good support, and a good bond with your YJS worker'

'My tag ripped at my hairy legs and was so uncomfortable particularly in the heat'

'Being on police bail I felt in the dark'

'People work for a month for what I can earn in a night, you want things and you can earn and you are not going to get a proper job'

'I'm sick of my order'

'The YJS helped me get my CSCS card, everyone I know doesn't have a job, it's a big problem'

'It's a bit embarrassing when you have to explain your offences'

- 1.3 Within Children and Family Services we have adopted a Restorative Practice approach to our work which is something our YJS has been able to provide leadership with, given the longstanding feature of Restorative Justice in our work. The model of high support and high challenge is something that is well placed in the Youth Justice system. The Youth Justice Board Strategic Plan 2021-24 highlights the importance of relationship based practice and our local initiatives support the ambition to embed this approach to work across the

Sector. Our understanding of trauma informed practice assists us understand the young person's journey, and helps us to focus on the reasons and context of their behaviour, whilst encouraging them to take responsibility for their current situation working WITH them to ensure they have an opportunity to move on into a more constructive lifestyle.

- 1.4 We recognise our work needs to be sensitive and relevant to our whole community. This is also emphasised in the Annual Report of our Inspectorate, HMIP. The 'Black Lives Matter' movement has brought all of these ambitions into sharper relief. We are currently working with our local provider EQUIP to scrutinise our current work and shape a bespoke plan for change that should reflect our increased awareness of the experience of minority service users and drive work for targeted and specific improvements. This will reflect the conclusions of the Lammy report which seeks explanation and actions to address disproportionality .
- 1.5 Our vision for WYJS moving forward is that young people are at the heart of everything we do, and we ensure best possible outcomes with them both in terms of quality of life and the prevention of offending. We recognise that many of our young people have increasingly complex needs and whilst our cohorts may be smaller the level of demand in respect of their risk and need is often greater.
- 1.6 Our strategy will be to work in the strength of our partnership across services to ensure best outcomes , with agreed mutual actions and philosophy. We also recognise that in implementing this strategy we are able to lean on an active and engaged Chief Officer Board to achieve this. All of this emanates out of strong partnership arrangements that exist in Warwickshire . Our 'Standards for Youth Justice' audit highlighted a lot of strengths in our work but also the challenges. Achieving our vision calls for the support and proactivity of the whole partnership in so many ways. One example is supporting the transitions that young people as experience in their lives across the breadth of partnership delivery e.g education, health and Children in Care placements, all of which can so profoundly affect them both now and also in their future life chances.
- 1.7 A draft of this plan and the feedback from our young people was shared and actively considered in our June 2021 Chief Officer Board . The vision, strategy and actions that emanate out of this plan are wholeheartedly endorsed across our whole YJS partnership.

2. Governance, leadership, and partnership arrangements

- 2.1 In line with the Crime and Disorder Act 1998, our Youth Justice Service reports into the Safer Warwickshire Partnership. The line management and oversight of the Service sits within the Local Authority Children and Family Service. The cross cutting agenda of the child and community safety is reflected in our reporting both to Elected Members and the wider

partnership. Our Youth Justice partnership is well represented at our Local Criminal Justice Board (LCJB) and is actively involved in the management of the multiagency Justice Centres located in Nuneaton and Leamington Spa. There is a positive and active connection with the Office of the Local Police and Crime Commissioner, and our Commissioner is an active member of the YJS Chief Officer Board. WYJS regularly attends Youth Court Panel meetings and at recent meetings has provided input in respect of proportionate Out of Court Decision Making, Youth Justice Planning and Youth Crime Prevention. The portfolio of responsibility of our WYJS Service Manager also includes Domestic Abuse and Child Exploitation and this facilitates the joint management of the overlapping aspects of these issues.

- 2.2 As is reflected around the country and highlighted in recent reports by HMIP and also in the YJB Strategic Plan, Warwickshire has experienced increasing prevalence and concern in respect of the growth of Youth Violence, County Lines and associated features. The YJS is a key and active partner in the development of the Warwickshire Violence Prevention Strategy, and the Warwickshire County Council lead officer for Community Safety is a regular attendee and contributor at Chief Officer Board.
- 2.3 In line with national trends, Out of Court Disposals (OOC) constitute an increasing portion of our business. The OOC Joint Decision Making outcomes are regularly reviewed by the Regional Scrutiny Panel. As we move out of the pandemic we will review and look forward to widening the membership of our weekly Decision Making Panel. Within the Children and Family Service there has been a strong move to develop our Early Help offer including the 'Pathway to Change' assessment where crime prevention and working with young people on the cusp of offending is a key priority. The Targeted Youth Support senior managers sits as part of our OOC Panel. In this way we are seeking to address the needs of young people on the cusp of our system before they move into Youth Justice, a concern that is highlighted by HMIP.
- 2.4 The WYJS Chief Officer Board (Strategic Management Board) meets quarterly and is well attended. Meetings have been sustained on a virtual basis throughout the pandemic period. The Director of Children's Services (who is also a lead member of the Warwickshire Safeguarding Board) is Chair of our Chief Officer Board. The five Youth Justice statutory partners which comprise Children's Social Care, Education, Police, Health and Probation are all represented. Our Health membership includes both Commissioner and Provider representatives. The Board also welcomes the renewed attendance from the local Youth Court Panel. In addition, our Police and Crime Commissioner and County Council lead for Community Safety are regular members and contributors. This breadth of membership within the Board ensures that there is linkage and interface with a very wide range of strategic drivers and meetings. Our Service Manager is an active member of

the Safer Warwickshire partnership, the Warwickshire Safeguarding Partnership, and associated subgroups.

- 2.5 Over the last two years we have worked to improve and develop ways to ensure Chief Officer Board members are in touch with WYJS front line work and understand the craft of Youth Justice. Examples of these improvements would include the participation of strategic members of the Board in the YJS Quality Assurance auditing process, as well as a 'Practice Spotlight' presentation at each Board meeting highlighting an aspect of service delivery. This latter feature is presented by frontline staff and recent examples include Court delivery, the ASSETplus assessment document and working to deliver services in the COVID environment. Several Board members have also observed and provided feedback on our Out of Court Disposals Joint Decision Making Panel. The Board receives quarterly performance reports and the associated discussions guide future improvement plans which are also tracked and reported on in Board meetings. All of this contributes to a cycle of continuous improvement. Different Board members are key strategic leads for aspects of our 'Standards for Youth Justice' audit and improvement plan. The Board receives budget and finance reports which guide the shaping of staffing and services. Learning from significant cases that highlight Safeguarding and/or Public Protection issues are shared with the Board to inform strategic thinking and service developments.
- 2.6 Both strategically and operationally we are keen that our user voice is included and impacts upon our planning and work moving forward. We continue to utilise the Viewpoint feedback system and seek other methods of feedback including our recent Black Lives Matter strategic review work and the specific conversations with service users about this plan.
- 2.7 At an operational level there are strong partnership arrangements in place to ensure support for children on the cusp of, or already part of the justice system. We hold regular meetings at an operational level with partnership providers from both the statutory and voluntary sector to ensure our mutual delivery agenda and challenges are addressed. Strong examples of this would be our regular meetings with Police Custody Sergeants, Barnardos, Health and Safety advisers, Local Early Action Partnerships, Area Behaviour Partnerships (education) and Strategy meetings within Children's Social Care. Operational and management staff access training and liaison meetings within Children and Family Support which increasingly eases professional relationships and dialogue about the needs of mutual young people.
- 2.8 There are multiple examples of joint working with Early Help and Targeted Youth Support colleagues to identify and address the needs of young people on the cusp of offending. This has been a strong challenge throughout the pandemic period, and we have worked to divert young people away from involvement in crime, and wherever possible provide constructive alternatives including a Virtual Youth Club to occupy their time and investment in proactive outreach youth work. There is an overlap of Youth Justice young people who

are also known to the dedicated multiagency Child Exploitation team and we work to continually improve our mutual services to ensure that they are joined up and streamlined so that young people caught in this cycle of behaviour receive the best possible services.

- 2.9 For those organisations with staff who are seconded into the Youth Justice Service, there are working agreements in place to ensure coherent management and regular three way delivery review meetings. All statutory partners have staff in the Service, with WCC funding both Education and Social Care staff.

3. Resources and Services

- 3.1 The grant received from the Youth Justice Board is used for the provision of staff within the Service and this is evidenced in our annual audit certificates. A full breakdown of our partnership financial contributions is provided to the Youth Justice Board as part of our July data set. These contributions are represented both in staffing and cash contributions.

- 3.2 In terms of our key statutory partners we can confirm:

- Children's Social Care provide seven qualified social worker posts to our Youth Justice Service who are also supported in their work by YJS practitioners who come from a variety of professional pathways.
- The National Probation Service second the equivalent of one full time post which comprises both Probation Officer hours and Probation Service Officer time. A small cash contribution is also made towards YJS overheads
- Warwickshire Youth Justice has two seconded police officers as part of the delivery team with an additional cash contribution towards work to prevent offending
- A YJS Practitioner post is dedicated to the delivery of effective education and training liaison services. Youth Justice has retained a budget for the provision of some specific Education Psychology Services
- Services in relation to young people's mental health are provided as part of the WCC commissioned RISE (CAMHS) services. There are two secondees one of whom focusses on statutory work, with the other targeting Out of Court Disposals. We have strong links with the local Liaison and Diversion scheme for young people at the point of apprehension/arrest.
- The YJS has two Substance Misuse secondees from our Voluntary Sector COMPASS partner. These posts are funded by the Office of the Police and Crime Commissioner.

- Other partners who actively contribute time and bespoke effort into our Youth Justice Service include Prospects (careers and training advice); Local Neighbourhood partnerships; Child Exploitation Team (WCC); Targeted Youth Support and Early Help (step downs).
- 3.3 In terms of our building assets, we remain active partners in our two unique Justice Centres. We support the delivery of Youth and Crown Court Services in Coventry but regret the bespoke more local facilities are currently not utilised. We are working to develop our delivery centre in Bloxham to widen its use and reach for the benefit of young people across our community.
- 3.4 The development of flexible working, in part in response to the pandemic has taught us that young people can respond positively to the virtual environment but that this must always be balanced with face to face contact with staff and providers.
- 3.5 We use our YJB grant, partner contributions and other available resources to deliver our YJS and associated prevention and step down services. This is all with the aim of supporting our vision to improve the quality of life of our young people and the wider community by preventing and reducing offending. As will be seen later in this plan the drivers for the use of our resources will be to reinstate full services and target key areas of improvement.

4. Performance and priorities

- 4.1 Our Chief Officer Board receives a quarterly performance report which provides updates on the three national indicators but also details more localised offending information and other areas that contribute towards desistance including the engagement of young offenders in Education, Training and Employment , local safeguarding and risk measurements.

What priorities is our performance information guiding us to?

- Small or individual numbers of young people can skew our performance data
- There is a continued concern about the prevalence of violence related offences
- There is an increase in the rate of First Time Entrants into our Youth Justice System which may in part reflect our embedding of an Out of Court Disposal system, but also may reflect issues that arise out of the pandemic
- There has been an increase in Remand bed nights in custody during the pandemic due to delays in the Courts listing systems. We also have evidence of being able to provide high risk alternatives to remands in custody that have kept young people and the community safe.
- We have an increase of young people in custody who are serving sentences for serious crime although numbers remain small

- The partnership has not received regular information from the centre about reoffending rates but is aware that the frequency of the reoffending of those who do reoffend has increased. This may be attributed to a small number of young people who have been found to prolifically reoffend. This reflects national trends recognised by both HMIP and the YJB. We also recognise that the cycle of Exploitation and crime traps young people into a pattern of behaviour
- We make regular referrals to the national NRM system in an effort to address the consequence of exploitation and ensure that prosecution is proportionate and reflective of the level of culpability
- Our engagement levels in Education Training and Employment are low and require remedial action which is outlined later in this plan. This does reflect national trends following the pandemic but is a primary priority for our local partnership.

5. Responding to the pandemic and recovery from COVID-19

- 5.1 We asked our young people how they had experienced our services during the pandemic :

‘My order finished, and I had missed some sessions because of COVID. I decided with my worker that I needed a few extra sessions and that’s why I am still here.’

‘They (YJS) helped me get my CSCS card, everyone I know doesn’t have a job, it’s a big problem’

‘I wouldn’t have known where to start with it all and the pandemic without X (YJS worker)’

‘I’ve missed the transfer window in football because of COVID and I won’t get the chance to play in the higher league’

- 5.2 The management of Youth Justice Services during the pandemic required an agile and flexible response to service users and all stakeholders including the Courts, Custody blocks, the Secure estate, and our staff. The issues highlighted in the November HMIP (Her Majesty’s Inspectorate of Probation) thematic report into the impact of the pandemic on services has resonance for the Warwickshire experience. Many of the key issues highlighted there reflected our local challenges and these include relationships with the Secure Estate, the prevalence of child to parent/care abuse, and the Digital Divide.
- 5.3 Warwickshire Youth Justice was well placed with the introduction of new technology hardware to enable staff to work remotely utilising the ‘Microsoft Teams’ system to engage with partners, young people and the Courts. The Local Authority was also able to be part of the Government issue of computer hardware to eligible young people who were struggling to access education

and other services because of a lack of equipment suitable for remote working.

- 5.4 The provision of Appropriate Adult services in police cells was a particular challenge and the Local Authority moved quickly to ensure the provision of full PPE for relevant staff which also facilitated any other necessary 'in person' contacts with young people and their families. We utilised our digital technology to keep in contact with young people in the Secure Estate or appearing in Courts. We also participated in the Public Health led meetings to address the pandemic outbreak in a local Secure Institution.
- 5.5 Many young people have engaged well in the virtual environment and have been able to undertake some reflective offending behaviour work through the use of media and technology. Our experience mirrors that in the thematic HMIP report that there were a variety of responses to our adapted services. We worked hard to address compliance with those young people for whom the virtual world did not fit so well and there is no indication of an increase in enforcement through the Courts. The key learning from this time has been that there are newly recognised benefits of working with young people in the virtual environment, but nothing replaces real time interpersonal contact where we can tailor interventions to match bespoke need. The importance of establishing relationship based practice with a young person whilst agreeing an Intervention plan is reinforced by this whole experience. We have also found effective engagement both with victims and parents was severely hampered by lock down.
- 5.6 In terms of staff care, Youth Justice Staff acquired keyworker status within the Authority and were also prioritised for early vaccination opportunities at their own choice. As indicated in the HMIP thematic report, there has never been a more important time to focus on staff support and supervision, and we have increased virtual team 'check in' opportunities and other support mechanisms. We have been particularly mindful of the induction process for new staff in a situation where they have lacked the opportunity to personally meet their colleagues. One such member of staff was part of the presentation to our Chief Officer Board on her experience of working during the pandemic.
- 5.7 Our Referral Order Panel volunteer group largely comprised vulnerable and protected groups which, combined with our large geographical area and limited access to secure technology made the provision of our Panel work a challenge. Substitute Panel arrangements were instigated which sustained the oversight of the very small number of Orders that were imposed by the Courts. This natural break in our normal cycle of Panel work has resulted in a refresh of approach and the introduction of additional technology for our volunteers. We will also undertake a refreshed recruitment drive with the ambition to ensure that moving forward our volunteers represent a more diverse demography whilst also valuing our longer standing Panel Members.

- 5.8 Much is reported about Court backlogs generated by the pandemic situation. Our existing strong and supportive mutual relationship with the Youth Court facilitated a prompt and proactive response to managing Court lists and attendance with a view to addressing the backlog. In this we also worked with our neighbouring YOT, Coventry, with whom we share a Youth Court. It is pleasing to report that this joint partnership effort by Courts and YOTs to address the backlog has resulted in our Youth Court getting back to 'real time' quicker than many comparators.
- 5.9 As part of our Local Authority responsibilities we had prepared a COVID Recovery plan which included the arrangements to ensure COVID secure practice. The existence of a Business Continuity Plan that was pre pandemic assisted us in ensuring our Recovery Plan was comprehensive but also, to plan for the move out of lockdown. Throughout the period of the pandemic we have continued to provide a reception, duty, Court and Appropriate Adult office presence supported by a duty manager. Moving forward, our original COVID Recovery Plan has been modified in accordance with the changing times within the pandemic. In respect of the removal of restrictions, there has been a challenge in the changing government timescales for those plans and we have worked hard to ensure this does not create a start/stop approach to recovery. Presently, YJS is working towards increased office presence and ensuring that routine face to face contact with young people is always the norm, whilst recognising that some young people have thrived in the virtual environment. We have learned that a developed blended approach could well be effective in preventing offending.
- 5.10 The resumption of an 'in person' presence in Court, cells and the Secure Estate assists the reach, effectiveness and Safeguarding within our practice.

6. Challenges, risks, and issues

- 6.1 Warwickshire Youth Justice Service has sustained a realistic resourcing level and has plans to refocus some interventions on the emergence from the pandemic.
- 6.2 A realignment of resources and healthy staff turnover has produced a recruitment campaign with appointed staff awaiting take up post. The induction of new staff in an environment where some COVID related restrictions are still in place is a challenge and the Service is experiencing some capacity pressure. This is seen as short term and the arrival of new staff with new focus is seen as a real opportunity within the Service as we refocus our work on the emergence from lockdown.
- 6.3 With our Court work back in real time, we continue to encounter the challenge of being based in Court buildings that are no longer utilised for Youth Court work and having to provide time and resources for staff to work outside of County when attending Courts.

- 6.4 We have noted in our performance information the increasing use of Out of Court Disposals and at both a strategic and operational level we are seeking to ensure that these Disposals are both proportionate and in accordance with risk and need of the young people involved and the wider community. We need to ensure that our First Time Entrants population is monitored, and we increase the liaison with Targeted Youth support and schools to ensure that young people are diverted from the system before matters escalated. The reflections in the HMIP annual report on Youth Offending Teams in respect of the management of First Time Entrants and ensuring those diverted get services is something that is mirrored locally.
- 6.5 As we emerge from the pandemic, we need to ensure that we re-invigorate our work with Victims ensuring they retain their voice in the Youth Justice system. Our consultation with young people in respect of this Plan has indicated that young people often have a very different perception of risk and levels of victim empathy can be varied. The reinstatement of our Referral Order Panel members will also provide the opportunity to refresh the voice or presence of victims in Panel work.
- 6.6 Our work with EQUIP and action planning to address potential discrimination in our system is a real opportunity to drive forward on these issues which is welcomed both by our strategic partnership and the operational staff group.
- 6.7 A key performance challenge is the area of engagement in Education Training and Employment of our young people, again a concern that is identified in the HMIP Annual report. We are re-aligning our resources to create a dedicated YJS practitioner post, change the role of the EP (Educational Psychologist) Service in our work. There are also plans to receive part-time Speech and Language support for our young people. All of this combined with increased performance drill down is intended to improve our performance levels over the period of this planning cycle.
- 6.8 Recent involvements in a cross border (but out of area) Serious Case Review highlighted the need for quality communication and information sharing. We are confident that our business support and data responses are fit to respond to fulfil this ambition. The issue of young people who move across local government borders as part of County Lines or exploitation activity remains a challenge, but Warwickshire now has a cross border agreement in place with our neighbours to the West.
- 6.9 Our Youth Justice data is now managed within a centralised Corporate department and much work has been undertaken to ensure that the training and data quality functions remain as strong as has been historically the case. Given the current unreliability and historical nature of centrally generated PNC reoffending data, Warwickshire is exploring the potential to implement a more up to date reoffending toolkit that over time will plan to measure reoffending of those subject to Community Resolution which is a current gap highlighted in the HMIP Annual Report.

- 6.10 During the pandemic period WYJS has refreshed its approach to Quality Assurance of our work and is looking to ensure that lessons learned from audit cycles are cascaded to staff and produce changes for process but also in outcomes for children.
- 6.11 We are aware that we have a higher number of children serving sentences in custody than has recently been the case, although numbers remain small. Custody reviews are undertaken on all cases and our Chief Officer Board receives explanation and reassurance that those committed into the Secure Estate reflect a proportionate response to risk and offending.
- 6.12 Warwickshire continues to track and drive changes generated by our Standards for Youth Justice Audit, in particular concerns about transitions for young people be it as placements for Children in Care, changes in education provision, changes in health status, or the transition to adulthood via services from Probation.

7. How are we contributing to and learning from wider Youth Justice sector improvements?

- 7.1 Three of our senior managers have been involved in the work of the national YJSIP providing coaching and mentoring, management training and participating in Peer Reviews (when pandemic restrictions permit)
- 7.2 We have also appreciated advice and guidance in respect of our Out of Court disposal processes from YJSIP including proportionate Youth Justice focussed assessments.

8. Service improvement plan and the ambition for what we will achieve

- 8.1 Improvements for 2021/22 will focus upon:
- Engagement of young offenders in Education, Training and Employment
 - Concerns about the prevalence of Youth Violence and the development of a Prevention Strategy
 - Continuous improvement in our Out of Court Disposal processes and the rise in First Time Entrants into our system.
 - Cycle of continuous improvement in practice and recording, supported by our improving Quality Assurance processes
 - Development of a bespoke parenting approach with direct links but distinct from our work with young people.
 - Provision of improved technology for sessional and volunteer staff
 - Induction and training of new and existing Staff. We have an ambitious training and development programme including a focus on the trauma informed approach, Restorative Practice, practice improvements following audit findings, AIM (Harmful Sexual Behaviour), refresh of Anti discriminatory practice training and development for staff

List of Acronyms and Local Organisations

AIM	licenced model of work utilised to address Harmful Sexual Behaviour
ASSETplus	nationally prescribed core assessment for Youth Justice in respect of risk and need factors
Barnardo's	Voluntary sector provided utilised by YJS to provide intensive remand accommodation and support
COB	Chief Officer Board (local equivalent of YOT Management Board)
COMPASS	Local substance misuse service for young people
EQUIP	Local Equalities provider/consultancy approved by WCC
HMIP	Her Majesty's Inspectorate of Probation (government body with mandate to inspect Youth Offending Teams)
LCJB	Local Criminal Justice Board
OOCD	Out of Court Disposals (work in the pre Court space with lower risk offending)
OPCC	Office of the Police and Crime Commissioner
RISE	Local Child and Adolescent Mental Health (CAMHS) provider
SFYJ	Standards for Youth Justice, nationally prescribed standards of work for YJ delivery
SWP	Safer Warwickshire Partnership
Viewpoint	Provider of bespoke software for Youth Justice customer feedback
WCC	Warwickshire County Council
WSB	Warwickshire Safeguarding Board
WYJS	Warwickshire Youth Justice Service
YJB	Youth Justice Board
YJS	Youth Justice Service
YOT	Youth Offending Team

Reports referenced in this report

- **Child First Justice:**
[https://repository.lboro.ac.uk/articles/report/Child First Justice the research evidencebase Summary report /14153162](https://repository.lboro.ac.uk/articles/report/Child_First_Justice_the_research_evidencebase_Summary_report_/14153162)
- **YJB Strategic Plan 2021-2024 :**
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/966200/YJB Strategic Plan 2021 - 2024.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/966200/YJB_Strategic_Plan_2021_-_2024.pdf)
- **A thematic review of the work of youth offending services during the COVID-19 pandemic can be viewed online here:**
<https://www.justiceinspectorates.gov.uk/hmiprobation/wpcontent/uploads/sites/5/2020/11/201110-A-thematic-review-of-the-work-of-youth-offendingservices-during-the-COVID-19-pandemic.pdf>
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- **HMIP Annual Report: Inspection of youth offending services (2019-2020) :**
<https://www.justiceinspectorates.gov.uk/hmiprobation/inspections/yar2020/>
- **The Lammy Review :**
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/643001/lammy-review-final-report.pdf
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