

# CABINET AGENDA

**Tuesday, 18 September 2018 at 10.00 am in the Blaydon Room - Civic Centre**

---

From the Chief Executive, Sheena Ramsey

---

Item	Business
1	<b>Apologies for absence</b>
2	<b>Minutes</b> (Pages 3 - 12)  Cabinet is asked to approve as a correct record the minutes of the last meeting held on 17 July 2018.  <b>Key Decision</b>
3	<b>Regional Adoption Agency Update</b> (Pages 13 - 64)  Report of the Strategic Director, Care, Wellbeing and Learning  <b>Recommendations to Council</b>
4	<b>Revisions to the Council's Retirement Policy and Redundancy Policy</b> (Pages 65 - 122)  Report of the Strategic Director, Corporate Services and Governance
5	<b>Annual Report of the Audit and Standards Committee</b> (Pages 123 - 132)  Report of the Strategic Director, Corporate Resources
6	<b>Annual Youth Justice Strategic Plan 2018-19</b> (Pages 133 - 174)  Report of the Strategic Director, Care, Wellbeing and Learning  <b>Non Key Decisions</b>
7	<b>Post 16 Special Educational Needs and Disabilities (SEND) Provision in Gateshead Special Schools</b> (Pages 175 - 184)  Report of the Strategic Director, Care, Wellbeing and Learning
8	<b>Nomination of Local Authority School Governors</b> (Pages 185 - 188)  Report of the Strategic Director, Care, Wellbeing and Learning
9	<b>Responses to Consultations</b> (Pages 189 - 208)  Report of the Chief Executive

**10** | **West Gateshead Bus Alliance** (Pages 209 - 260)

Report of the Strategic Director, Communities and Environment

**11** | **Petitions Schedule** (Pages 261 - 264)

Report of the Strategic Director, Corporate Services and Governance

Contact: Kevin Ingledew Email: [keviningledew@gateshead.gov.uk](mailto:keviningledew@gateshead.gov.uk), Tel: 0191 4332142,  
Date: Monday, 10 September 2018

## GATESHEAD METROPOLITAN BOROUGH COUNCIL

### CABINET MEETING

Tuesday, 17 July 2018

**PRESENT:** Councillor M Gannon

Councillors: C Donovan, J Adams, M Brain, A Douglas,  
M Foy, L Green, G Haley, J McElroy and M McNestry

#### C28 **MINUTES**

The minutes of the last meeting held on 19 June 2018 were approved as a correct record and signed by the Chair.

#### C29 **BIRTLEY CREMATORIUM CREMATOR REPLACEMENT**

Consideration has been given to the proposed replacement of the cremator at Birtley Crematorium.

The alternative options to that being recommended, but which were discounted, included either not replacing the cremator or replacing it with two new cremators.

- RESOLVED -
- (i) That the replacement of the cremator at Birtley Crematorium with one cremator, a mercury abatement system and associated equipment be approved.
  - (ii) That an extension to Birtley Crematorium (if required) to house a mercury abatement system and improved staff welfare facilities be approved.
  - (iii) That a further report be submitted following the procurement process and recommending a tender(s) for the necessary works.

The above decisions have been made for the following reasons:

- (A) To continue to offer a crematorium facility to residents in the South of the Borough.
- (B) To have capacity to increase cremations in the event of a pandemic.

#### C30 **TENDERS FOR THE SUPPLY OF GOODS AND SERVICES**

Consideration has been given to tenders received for the supply of goods and services.

- RESOLVED -
- (i) That the tender received from Sunderland City Council be accepted for the Provision of a Cash Collection Service for a

36 month period commencing 1 October 2018, with an option to extend for a further 12 month period.

- (ii) That the tender received from Change Grow Live Services Ltd be accepted for the Provision of Gateshead Recovery Partnership, Integrated Drug & Alcohol Service for Adults for a 48 month period commencing 1 November 2018, with an option to extend for a further 3 x 12 month period.
- (iii) That the tender received from Telefonica UK Limited be accepted for the Contract for Mobile Voice and Data Services for an initial period of 60 months with effect from 1 August 2018, with the option to extend for a further 2 x 12 month periods.
- (iv) That the tender received from Conduent Parking Enforcement Solutions Ltd be accepted for the Framework for the Supply, Installation and Maintenance of Bus Lane Enforcement Cameras and Associated Review and Notice Processing Services for a 24 month period with effect from 1 August 2018, with the option to extend for a further 2 x 12 month periods.

The above decisions have been made following a comprehensive evaluation of the tenders received and the approved tenders are the most economically advantageous tenders submitted.

C31

### **HERITAGE LOTTERY FUND (HLF) CAPITAL FUNDING PROPOSAL FOR CENTRAL LIBRARY**

Consideration has been given to the submission of the stage 2 application to Heritage Lottery Fund (HLF) to secure funding of £514,200 and the provision of £29,000 match funding to support a project that will improve access to the local studies collection at the Central Library.

RESOLVED - That the submission of the stage 2 application to HLF to secure funding of £514,200 and the provision of £29,000 match funding to support a project that will improve access to the local studies collection at the Central Library be approved.

The above decision has been made for the following reasons:

- (A) To greatly improve public access to the unique local history archive held at Gateshead Central Library.
- (B) To allow the implementation of a project that will engage a wide range of community organisations and volunteers in the heritage of Gateshead and the resources held within the collection.

C32

### **MEDIUM TERM FINANCIAL STRATEGY 2019/20 - 2023/24**

Consideration has been given to recommending the Council to approve the Medium Term



Financial Strategy (MTFS) 2019/20 to 2023/24 and to the outcome of a review of Council Reserves.

RESOLVED -

That the Council be recommended to:

- (i) approve of the Medium Term Financial Strategy for 2019/20 to 2023/24;
- (ii) note the review of both general fund and strategic earmarked Council reserves;
- (iii) note that the Strategic Director, Corporate Resources, following consultation with the Chief Executive, will continue to produce and monitor on an annual basis, a rolling programme of five-year budget forecasts taking account of the key issues facing the Council; and
- (iv) note that the Strategic Director, Corporate Resources, following consultation with the Chief Executive will continue to keep under review and update the MTFS as appropriate to respond to Government policy and funding announcements.

The above decisions have been made for the following reasons:

- (A) To contribute to the good financial management practice of the Council.
- (B) To assist the financial sustainability of the Council over the medium to long term.

C33

### **CAPITAL PROGRAMME AND PRUDENTIAL INDICATORS 2018/19 – 1ST QUARTER REVIEW**

Consideration has been given to the position on the 2018/19 capital programme and Prudential Indicators at the end of the first quarter to 30 June 2018.

- RESOLVED -
- (i) That the Council be recommended that all variations to the 2018/19 Capital Programme as detailed in appendix 2 are agreed as the revised programme.
  - (ii) That the Council be recommended to approve the financing of the revised programme.
  - (iii) That it be confirmed to the Council the capital expenditure and capital financing requirement indicators have been revised in line with the revised budget and that none of the approved Prudential Indicators set for 2018/19 have been breached.

The above decisions have been made for the following reasons:

- (A) To ensure the optimum use of the Council's capital resources in 2018/19.

- (B) To accommodate changes to the Council's in-year capital expenditure plans.
- (C) To ensure performance has been assessed against the approved Prudential Limits.

C34

### **REVENUE BUDGET - FIRST QUARTER REVIEW 2018/19**

Consideration has been given to the latest monitoring position on the 2018/19 revenue budget at the end of the first quarter to 30 June 2018 and to recommending the Council to approve administrative virements.

- RESOLVED -
- (i) That the Council's revenue expenditure position at 30 June 2018, as set out in appendix 1 to the report be noted.
  - (ii) That the Council be recommended to approve the administrative virements set out in the report.

The above decisions have been made to contribute to sound financial management and the long-term financial sustainability of the Council.

C35

### **CONSENT TO THE ESTABLISHMENT OF A TRANSPORT JOINT COMMITTEE**

Consideration has been given to giving consent to the making of the Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018 ("the Order") in so far as it requires the two Combined Authorities established by the Order to appoint a joint transport committee, and makes consequential amendments to the Durham, Gateshead, Newcastle Upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland Combined Authority Order 2014 ("the 2014 Order").

- RESOLVED -
- That the Chief Executive, following consultation with the Leader of the Council, be authorised to provide Gateshead Council's formal consent to the making of the Order, specifically in respect of the making of Part 3 (Transport) and Part 2 of Schedule 5 (amendments to the 2014 Order as a consequence of establishment of the Joint Transport Committee), when requested by the Minister for Housing, Communities and Local Government for the Council's formal confirmation of consent.

The above decision has been made for the following reasons:

- (A) Through the arrangements proposed in the draft Order the current integrated approach to transport matters at a regional and sub-regional level, and the corresponding decision-making framework as exists within NECA, can be most closely replicated.
- (B) The introduction of a Proper Officer for transport across the joint committee's area of operation is expected to enhance the

resourcing and co-ordination of transport functions at a regional and sub-regional level and engagement of all seven of the constituent authorities.

C36

### **COUNCIL PLAN - YEAR END ASSESSMENT OF PERFORMANCE AND DELIVERY 2017/18**

Consideration has been given to the Council Plan – Year End Assessment of Performance and Delivery report for 2017/18.

- RESOLVED -
- (i) That the recommendations of all of the Council's Overview and Scrutiny Committees in relation to the 2017/18 year end performance report, as set out in appendix 4 to the report, be approved.
  - (ii) That the Council has satisfactorily met its performance objectives and has addressed the outcomes in delivering the Council Plan.

The above decisions have been made to ensure performance supports the delivery and achievements of the Council Plan 2015-2020.

C37

### **REVISED CATCHMENT AREAS IN EAST GATESHEAD**

Consideration has been given to consultation on the proposal to amend the school catchment areas in the East of Gateshead in light of the closure of Thomas Hepburn Community Academy (THCA) at the end of August 2019 together with the proposed revised school catchment areas for purposes of the 2018/19 Year 6 pupils, applications to secondary schools.

- RESOLVED -
- (i) That the use of the proposed catchment areas for the academic year 2019/20 be approved.
  - (ii) That consultation on the proposals to change the catchment areas from September 2020 be approved and to take place between October 2018 and January 2019.

The above decisions have been made in order for the Council to provide sufficient secondary school places in the East of Gateshead.

C38

### **ADULT SOCIAL CARE AND PUBLIC HEALTH - ANNUAL REPORT ON SERVICES COMPLAINTS, COMPLIMENTS AND REPRESENTATIONS - APRIL 2017 TO MARCH 2018**

Consideration has been given to the Annual Report for 2017-2018 for the Adults Social Care Statutory Complaints Procedure 2009 and the Public Health Statutory Complaints Procedure 2012.

- RESOLVED -
- (i) That the Annual Report on Complaints, Compliments and Representations be endorsed.

- (ii) That the report be referred to the Care, Health & Wellbeing Overview and Scrutiny Committee for consideration.

The above decisions have been made for the following reasons:

- (A) It is a statutory requirement that the report is considered by a formal committee.
- (B) To ensure member involvement in the statutory complaints procedure.

C39

### **CHILDREN AND FAMILIES SERVICE - ANNUAL REPORT ON SERVICES COMPLAINTS, COMPLIMENTS AND REPRESENTATIONS - APRIL 2017 TO MARCH 2018**

Consideration has been given to the Annual Report for 2017 - 2018 for the Children's Social Care Service Statutory Complaints Procedure.

- RESOLVED -
- (i) That the Annual Report on Children's Services Complaints, Compliments and Representations be endorsed.
  - (ii) That the report be referred to the Families Overview and Scrutiny Committee for consideration.

The above decisions have been made for the following reasons:

- (A) It is a statutory requirement that the report is considered by a formal committee.
- (B) To improve practice and the offer to children and families.

C40

### **NOMINATION OF A LOCAL AUTHORITY SCHOOL GOVERNOR**

Consideration has been given to the nomination of a local authority governor to Larkspur Community Primary School.

- RESOLVED -
- (i) That Councillor Judith Gibson be nominated as a local authority school governor at Larkspur Community Primary School for a period of four years with effect from 17 July 2018.
  - (ii) That it be noted the term of office is determined by the school's Instrument of Government.

The above decision has been made to ensure the School Governing Body has full representation.

C41

### **WORK TO ADDRESS THE HARM CAUSED BY TOBACCO**

Consideration has been given to the findings and recommendations of a review by Care,

Wellbeing and Learning Overview and Scrutiny Committee in relation to work to address harms caused by tobacco.

RESOLVED - That the recommendations, findings and analysis of evidence outlined in appendix 2 to the report be endorsed.

The above decision has been made to ensure that the Council optimises the benefits to the population arising from achieving the lowest rates of tobacco use possible, with the aim of achieving a smoking prevalence in adults of 5% by 2025.

C42

### **COMMUNITIES AND PLACE OVERVIEW AND SCRUTINY COMMITTEE - REVIEW OF ROADS AND HIGHWAYS**

Consideration has been given to the findings and recommendations of a review by Communities and Place Overview and Scrutiny Committee (OSC) in relation to roads and highways.

RESOLVED - (i) That the findings and analysis of evidence outlined in appendix 2 to the report be noted.

(ii) That the recommendations from the OSC review as set out in appendix 2 to the report be approved.

The above decisions have been made for the following reasons:

- (A) To ensure the Council meets its statutory duties with regard to maintaining roads within Gateshead.
- (B) To ensure the better management of the road network in support of wider Council and community objectives.

C43

### **EUROPEAN STRUCTURAL AND INVESTMENT FUND 2014-20 PROJECT PROPOSAL**

Consideration has been given to developing and submitting a full application for European Social Fund (ESF) funding and providing match funding of £199,000 to deliver an employment support project for Gateshead residents with protected characteristics and workless Gateshead Housing Company tenants.

RESOLVED - (i) That the submission of a full application by the Strategic Director, Communities and Environment following consultation with the Strategic Director, Corporate Resources and Strategic Director, Corporate Services and Governance be approved.

(ii) That the allocation of up to £199,000 match funding as set out in the report be approved.

(iii) That if the bid is successful, acceptance of the bid be delegated to the Strategic Director, Corporate Services and Governance following consultation with the Strategic Director, Corporate Resources, subject to a review of the

Department of Works and Pensions (DWP) terms and conditions.

The above decisions have been made for the following reasons:

- (A) To maximise external funding available to the Council to support the delivery of key priorities.
- (B) To provide the following benefits for unemployed residents:
  - Delivery of targeted and specialist provision to improve well-being, confidence and skills.
  - Support to access vocational and accredited training and skills emphasising digital and IT access.
  - Money management support and advice.
  - Integrated employment support / housing management.
  - Volunteering to re-engage furthest from labour market.
  - A peer support programme to allow residents to support and encourage one another on a day-to-day basis.
  - A place-based approach targeted to estates and neighbourhoods with support delivered on-site.
  - Assistance for those unable to access mainstream DWP support because they do not claim eligible benefits.

C44

#### **GAMBLING STATEMENT OF PRINCIPLES 2019-2022**

Consideration has been given to undertaking a public consultation on a draft revised Statement of Principles, by which the Council will make decisions when exercising its responsibilities under the Gambling Act 2005.

RESOLVED - That the draft Statement of Principles be consulted upon for a 12 week period following this meeting, and that the Communities and Place Overview and Scrutiny Committee be asked to consider the results of that consultation and give their comments to Cabinet so that a final version of the Statement of Principles can be recommended to Council for approval.

The above decision has been made because there is a legal requirement to prepare and revise every three years a Statement of Principles under the Gambling Act 2005.

C45

#### **PROPOSED LEASE OF LAND AT DERWENTHAUGH MARINA**

Consideration has been given to the grant of a lease of land at Derwenthaugh Marina to the Derwenthaugh Boat Station of Sea Cadet Corps pursuant to the Council's Community Asset Transfer policy.

RESOLVED - That the Strategic Director, Corporate Services and Governance be authorised to grant a 35 year ground lease at a peppercorn rent, to the Derwenthaugh Boat Station of the Sea

Cadet Corps pursuant to the Council's Community Asset Transfer policy.

The above decision has been made to manage the Council's assets in line with the Corporate Asset Strategy and Management Plan.

C46 **APPROVAL OF SCHEMES, ESTIMATES AND TENDERS DURING THE SUMMER RECESS**

Consideration has been given to the Strategic Director, Communities and Environment and the Service Director, Council Housing, Design and Technical Services, following consultation with the Strategic Directors, Corporate Resources and Corporate Services and Governance, to be authorised to jointly approve schemes and estimates, and to invite and accept tenders over certain thresholds, during the summer recess following this Cabinet meeting up to the Cabinet meeting on 18 September 2018.

- RESOLVED - That the Strategic Director, Communities and Environment and the Service Director, Council Housing, Design and Technical Services, following consultation with the Strategic Directors, Corporate Resources and Corporate Services and Governance, be authorised to jointly:
- (a) approve schemes and estimates for any works contract estimated to cost more than £100,000;
  - (b) invite tenders for any works contract estimated to cost more than £100,000; and
  - (c) accept tenders, place orders for works, supplies and services up to a value equivalent to the tendering thresholds specified in the European Procurement Directives during the summer recess.

The above decision has been made to enable projects to progress and to avoid delay in delivery of the capital programme and its related expenditure.

C47 **EXCLUSION OF THE PRESS AND PUBLIC**

- RESOLVED - That the press and public be excluded from the meeting during consideration of the remaining business in accordance with paragraph 3 of Schedule 12A to the Local Government Act 1972.

C48 **FORMER COUNCIL OFFICES, PRINCE CONSORT ROAD**

Consideration has been given to the terms of a long lease of the former Council office block at Prince Consort Road to Gateshead Health NHS Foundation Trust ('the Trust') and the grant of a separate Loan to the Trust, to fund the refurbishment and fit-out of the building for the purposes of its reuse as a doctors' surgery, outreach services for the Queen Elizabeth Hospital and office accommodation.

- RESOLVED - (i) That the grant of a 99 year full repairing & insuring lease (subject to the grant of planning permission) to Gateshead

Health NHS Foundation Trust from a date to be agreed and on the terms outlined in the report be approved.

- (ii) That the Strategic Director, Corporate Services and Governance be authorised to negotiate the detailed terms of the lease.
- (iii) That the grant of a loan to Gateshead Health NHS Foundation Trust of the amount set out in the report, for the refurbishment and fit-out of the building, subject to the repayment of borrowings by the Trust be approved.
- (iv) That the Strategic Director, Corporate Resources be authorised to finalise the terms of the Loan Agreement.

The above decisions have been made for the following reasons:

- (A) To bring a vacant property back into economic use.
- (B) To facilitate the development of a valuable community health facility.

(Councillor M Gannon declared a personal and non-prejudicial interest in the above matter because he is a member of the Queen Elizabeth Hospital NHS Foundation Trust Board and withdrew from the meeting whilst the matter was under consideration. Councillor C Donovan took the Chair for this item.)

Copies of all reports and appendices referred to in these minutes are available online and in the minute file. Please note access restrictions apply for exempt business as defined by the Access to Information Act.

The decisions referred to in these minutes will come into force and be implemented after the expiry of 3 working days after the publication date of the minutes identified below unless the matters are 'called in'.

Publication date: 19 July 2018

**Chair.....**



**TITLE OF REPORT:** Regional Adoption Agency Update

**REPORT OF:** Caroline O'Neill, Strategic Director, Care, Wellbeing and Learning

---

### **Purpose of the Report**

1. The development of a Regional Adoption Agency (RAA) for the North East is subject to approval of the Cabinets of each of the participating local authorities: Gateshead Council, Newcastle City Council, North Tyneside Council, Northumberland County Council and South Tyneside Council (the Constituent Councils).
2. This report provides an update to Cabinet on the progress of the development of the proposals of the RAA. It is proposed that North Tyneside Council will act as the host authority for the RAA with the other participating authorities delegating their adoption functions, pursuant to the Local Government Act 2000, to North Tyneside Council.

### **Background**

3. The development of RAA proposals is part of the national adoption agenda set out in the Department for Education (DfE) paper 'Regionalising Adoption' in June 2015. This was further developed by the Government in 'Adoption; A Vision for Change' in March 2016.
4. In these papers the Government has sought to address a number of challenges in National adoption practice as follows:
  - Inefficiencies in the delivery of adoption services in England
  - Matching of children
  - Recruitment concerns
  - Adoption Support challenges

### **The Expression of Interest and Establishment of the RAA Project Board and Team**

5. In November 2015, Newcastle City Council submitted an Expression of Interest on behalf of itself, Northumberland County Council, North Tyneside Council and Gateshead Council, and four voluntary adoption agencies - After Adoption, Barnardos, ARC NE and Durham Family Welfare (DFW) to the DfE in relation to the development of regional adoption agency arrangements in the North East. South Tyneside Council subsequently joined the project. These five authorities are the Constituent Councils for the RAA proposals.
6. Following the approval of the Expression of Interest, a Project Board was established to drive the project forward. The Project Board is made up from the Assistant Directors of Childrens' Services from each of the authorities and the Voluntary

Adoption Agencies of After Adoption, Barnardos, Arc Adoption and Durham Family Welfare. The Project Board is overseen by an Executive Board made up of the Directors of Children's Services from each of the Constituent Authorities.

7. As an initial starting point the Project Board, supported by DfE appointed project mentors, agreed the following vision and high level objectives:

### **Vision and Objectives**

8. RAA Vision:

- Excellent adoption services that transform children's and families' lives for the better

9. RAA objectives:

- We place all children in a timely way in high quality, successful, life-long adoptive placements which meet all of their needs.
- Families and prospective adopters receive a high quality experience no matter where they live.
- Adoptive children and families receive the support they need for as long as they need it.
- Our skilled and dedicated staff are proud to work for the service.
- We achieve our objectives by working together in a spirit of collaboration, openness and co-production.

### **Options Appraisal**

10. To take the project forward the Project Board carried out an options appraisal on a number of potential delivery models for regionalised adoption services. The potential delivery models, which the DfE asked the Project Board to consider, are summarised below:
  - Option 1: A single local authority host on behalf of a number of local authorities;
  - Option 2: A Joint Venture between local authorities;
  - Option 3: A Joint Venture between the voluntary adoption agencies and the local authorities;
  - Option 4: Outsourcing to existing Voluntary Adoption Agency
11. Financial modeling was carried out on Option 1 and Option 2. Options 3 and 4 were discounted at an early stage as none of the voluntary adoption agencies indicated a wish to enter in such arrangements.
12. In June 2017, the Cabinets of the Constituent Councils indicated their support in principle for the continued development of a RAA for the North East and the use of a local authority owned Joint Venture Company (JVCo) (Option 2) as the preferred business model to deliver the RAA. This "in principle" support was subject to an analysis of the available options and the final decision on the model.
13. In March 2018, a further report to the Cabinets indicated that although initial results of the options appraisal exercise had indicated that Option 2 could potentially provide flexibility and the ability to innovate in a business sense, as financial modeling

progressed it became clear that the cost this model would be considerably more expensive than current arrangements in each local authority.

14. The financial modeling highlighted that, between the two options, the ability to recover VAT within the local authority hosted model (Option 1) established a clear and significant financial difference between the two options with the host model assessed as significantly more efficient in this regard.
15. In relation to ease of implementation generally, the delegation of adoption functions to one local authority is more straightforward than establishing a joint venture vehicle and commissioning that vehicle to provide the required services. In addition, the transfer of staff to another local authority and the provision of proper pension arrangements is simpler and cheaper than with a joint venture vehicle. Furthermore, it is considered an advantage in terms of the sense of ownership if the regional adoption service is hosted by one of the Constituent Councils.
16. In the light of the above, the Cabinets agreed in June 2018 that the preferred delivery model for the RAA be the local authority hosted model (Option 1). Furthermore, the Cabinets agreed that North Tyneside Council, subject to final approval, would undertake the role of lead and host authority for the RAA.

### **The Development and Implementation of the Preferred Option**

17. Since the decision in June 2018, the Project Team and the specialist workstreams created to deliver the RAA proposals have worked to develop the arrangements to deliver and implement the Preferred Option.
18. A number of workstreams under the direction of a Senior Manager from Children's Services within North Tyneside Council with support from Gateshead Council and the other authorities have been established to look at the issues associated with the transfer of functions from the four other Constituent Councils to North Tyneside Council.
19. The workstream are:
  - Communications
  - Finance
  - Human Resources
  - Information Technology
  - Legal
  - Social work practice
  - Procurement/Commissioning
  - Property/Estates
  - Performance Management

### **Governance Arrangements for the Hosted Model**

20. To make the hosted model operate effectively the four other Constituent Councils must delegate their adoption services functions to the Host Authority pursuant to Sections 9EA and 9EB of the Local Government Act 2000 and the Local Authorities

(Arrangements for the Discharge of Functions) (England) Regulations 2012. Each Cabinet of the Constituent Authorities must therefore make a resolution that its Adoption Functions be delegated to North Tyneside Council. North Tyneside Council's Cabinet must also make a resolution to accept the delegations from the other four Constituent Councils.

21. The Adoption Functions to be delegated to North Tyneside Council are:
  - Recruitment and Assessment of prospective adopters;
  - Matching and Placement - to match prospective adopters with children in need of adoption
  - Post placement and post Adoption Order support (3 year limit)
  - Support and advice to all affected by adoption
  - Develop and manage all forms of post adoption contact (Post Box) between adopted children and their birth families
  - Step Parent Adoption
  - Inter-country Adoption
22. Further details of the Adoption Functions to be undertaken by North Tyneside Council are set out in the Business Case at Appendix 2.
23. The arrangements for the delivery of the RAA services by the lead and host authority will be supported by an appropriate legal agreement being entered into by the Constituent Councils. The Shared Services Agreement will cover such matters as the financial contributions necessary from the Constituent Councils, indemnities, apportionment of surplus and deficits, governance and oversight and the services to be provided.
24. Heads of Terms for the Shared Services Agreement have been developed between the Constituent Authorities. The Head of Terms if approved will set out the overall legal, financial and operational principles under which the shared arrangements pursuant to the lead authority and host model as described above will operate.
25. A copy of the Heads of Terms is attached at Appendix 3. Cabinet is requested to approve the Head of Terms.
26. If Cabinet is minded to approve the Head of Terms, Cabinet is also requested to authorise the Strategic Director Corporate Services and Governance in consultation with the Director of Public Health, Service Director Learning and Schools, Service Director Children and Families, Strategic Director Corporate Resources and the Cabinet Member for Children and Young People to negotiate, finalise and complete the Shared Services Agreement between the Constituent Authorities in accordance with the principles provided by the Head of Terms.
27. In relation to the operation of the RAA at a practical level, the RAA will be led by a Senior Manager of North Tyneside Council who will act as the service head. That Senior Manager will be a member of the Senior Management Team of the Health, Education, Care and Safeguarding Service and will report directly to the Head of Health, Education, Care and Safeguarding (the Director of Adults and Children's Services).

28. To ensure that there is effective communication and engagement between the Constituent Councils the Shared Services Agreement will provide for the creation of an Officer Liaison Group. This will be made up of the Directors of Children's Services or their nominees. This Officer Liaison Group will meet on a quarterly basis and will provide a direct formal point of contact between North Tyneside Council as the lead and host of the RAA and the other Constituent Councils.
29. The Liaison Group will monitor the performance of the RAA against the relevant performance management targets.
30. Within the Constituent Councils who are delegating their Adoption Functions appropriate arrangements between their Director of Children's Services and their authority's administration will be necessary to ensure that political oversight of the arrangements is maintained within each authority.
31. Notwithstanding the above the Shared Services Agreement will also provide for a formal dispute resolution process should issues in relation to the delivery of the RAA develop.
32. The RAA will have its own budget and medium term financial plan. It is anticipated that discussions in relation to the RAA's budget will begin in September of each year with a view to an agreed budget being ready for incorporation into the overall budget of North Tyneside Council when it sets its annual budget in February/March each year.
33. The Shared Services Agreement will also provide, should the situation arise, for the termination of the agreement and thereby termination of the delivery of the functions of the RAA by North Tyneside Council. It is proposed that where one of the Constituent Councils gives notice to terminate this will cause a termination event and will bring an end to the whole arrangement. 12 months' notice will be required by any of the Constituent Councils to terminate the shared service arrangement.

## **Financial Arrangements**

34. A significant element of the work undertaken in relation to development of the RAA has related to the financial arrangements that will be necessary between the Constituent Authorities to support the delivery of the functions of the RAA by North Tyneside Council.
35. The RAA will be funded by the Constituent Council's under the following arrangements based on an average of the 2015/16 & 2016/17 net cost to each Local Authority, with a view to annual review of the model in line with performance management.

Table 1 – Baseline net cost, % contribution and value of contribution to the RAA.

<b>LA</b>	<b>2 Year Average Net Cost 2015/16 to 2016/17 (excluding purchased placements but including inter-agency income)</b>	<b>%</b>	<b>Contribution To RAA</b>
Gateshead	£593,140	22	£534,596
Newcastle	£525,575	20	£485,997
North Tyneside	£384,535	15	£364,497
Northumberland	£712,963	27	£656,095
South Tyneside	£420,934	16	£388,797
<b>Total</b>	<b>£2,637,148</b>	<b>100</b>	<b>£2,429,983</b>

36. A proposed budget for a proposed North Tyneside Council hosted model is shown in Table 2.

Table 2 – Draft budget for the proposed RAA hosted by North Tyneside Council

<b>Expenditure/Income Category</b>	<b>Budget</b>
Staffing	£2,173,840
Premises, IT and Running Costs	£499,249
Support Services	£257,714
Commissioned Post Adoption Support	£150,180
<b>Gross Expenditure</b>	<b>£3,080,983</b>
Inter-agency fee income	<b>-£651,000</b>
<b>Net Budget</b>	<b>£2,429,983</b>

37. There are a number of assumptions to note in the proposed budget including:
- The RAA will generate income from selling 21 adopters each year and any income generated from selling these placements is retained by the RAA.
  - There will be no redundancy costs anticipated as part of the setup of the hosted service.
  - All set up costs (including ICT, premises, and additional staffing resource required by the host authority) will be fully funded from the DfE implementation grant held by Newcastle.

### **Identity and Branding**

38. As part of the development of Adopt North East, the communications workstream has led on the development of an identity for the new service.
39. The opportunity to submit identity proposals was promoted through each of the five local authorities' design and print channels.

40. The creative brief focused on developing a branding toolkit including logos, stationery and signage. The scope of the brief did not include a marketing campaign, this will be developed closer to the launch of Adopt North East by North Tyneside Council in consultation with the other Constituent Councils.
41. Consultation on the five options took place from 20 – 27 July 2018 with key stakeholders including prospective adopters, adoptive parents, children and birth families, voluntary adoption agencies, lead Cabinet members and staff across the five local authorities.
42. The preferred identity and branding option is attached at Appendix 5.

### **Decision Options:**

43. The following decision options are available for consideration by Cabinet:

#### Option 1

To approve the recommendations set out in Paragraph 44.

#### Option 2

To reject the recommendations set out in Paragraph 44 and request officers to undertake more work in relation to the development of proposals for a Regional Adoption Agency.

Option 1 is the recommended option.

### **Recommendations**

44. It is recommended that Cabinet is recommended to:
  - (i) Note the progress and in particular the outcome of public consultation, with respect to the proposal for the adoption services of Gateshead Council, Newcastle City Council, North Tyneside Council, Northumberland County Council and South Tyneside Council to be combined to create a Regional Adoption Agency.
  - (ii) Note the Business Case associated with the delivery of the RAA and the associated funding arrangements in relation to the local authority hosted model, set out at Appendix 2.
  - (iii) Agree that the preferred business model for the RAA be a local authority hosted model which will operate through the delegation of the Constituent Councils' Adoption Functions (as detailed in the report) to a host local authority pursuant to Sections 9EA and 9EB of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012.
  - (iv) Agree that North Tyneside Council will act as the Lead and Host Authority for the Regional Adoption Agency and that the new arrangements will commence 1st December 2018.
  - (v) Agree the Heads of Terms, set out at Appendix 3, for the Shared Services Agreement between the Constituent Councils which will govern the provision of the RAA.
  - (vi) Agree to accept the delegation of the Adoption Functions, as detailed in the

report, pursuant to Sections 9EA and 9EB of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012, from each of the Constituent Councils.

- (vii) Authorise Strategic Director, Corporate Services and Governance following consultation with the Director of Public Health, Service Director Learning and Schools, Service Director Children and Families, Strategic Director Corporate Resources and the Cabinet Member for Children and Young People to negotiate, finalise and complete the Shared Services Agreement between the Constituent Authorities prior to the arrangements set out above commencing.
- (viii) Agree to the RAA being known as “Adopt North East” and that the identity and branding proposal set out in Appendix 5 be approved.

For the following reason:

Option 1 is recommended as this option meets the requirements being placed on the Council by the Government in relation to the regionalisation of adoption services and is the most financially and legally efficient available option.

---

**CONTACT Officers:**

Elaine Devaney, Service Director Children and Families – 433 2704  
Brendan McNeany, Legal Manager – 433 2610  
Alan Foster, Finance Business Partner – 433 2677



## APPENDIX 1

### Policy Context

1. The Government has signaled a clear intention that by 2020 all local authorities will be part of regional agencies. The Education and Adoption Act 2016 makes provision for the Government to direct a local authority to have its adoption functions carried out on its behalf by another authority or adoption agency where such provision has not already been made by the Authority.
2. The provision of an adoption service is a statutory requirement and the Council is required to monitor the provision of adoption services.
3. The Adoption and Children Act 2002 provides the structure for an adoption service. Under section 3 of the Adoption and Children Act 2002, each Council must continue to maintain within its area an adoption service designed to meet the needs of children who may be adopted, their parents, natural parents and former guardians.
4. These services are referred to as the 'adoption service', meaning either a local authority or a registered adoption society (section 2(1) of the Adoption and Children Act 2002).

### Background

5. The Government has signaled a clear intention that by 2020 all local authorities will be part of regional agencies. The Education and Adoption Act 2016 makes provision for the Government to direct a local authority to have its adoption functions carried out on its behalf by another authority or adoption agency where such provision has not already been made by the Authority.
6. Local Authorities have a statutory duty to provide adoption services to all those affected by adoption living in their area. Services to meet those responsibilities are required to meet legislative requirements and Minimum Standards for Adoption Services and are inspected regularly by Ofsted to ensure they do so.
7. The move towards the proposed RAA will not remove the statutory responsibilities placed on local authorities but will have far reaching changes for how those functions are organised, managed and delivered.
8. While all the authorities involved with the project have and currently continue to provide high performing adoption services, the Government expects that regional adoption agencies will be better able to target the recruitment of prospective adopters, speed up the matching and placement of children, improve adoption support services and may create efficiency savings.

### Consultation

9. Engagement with stakeholders has been an integral part of the RAA project. Engagement events have taken place with over 250 participants from stakeholder

groups including - adults, children and young people affected by adoption; adopters, LA and VAA adoption staff; partners in health – CCG's; education via Virtual Heads; and the Court Service. Engagement events have been held since February 2016 and continued stakeholder involvement has taken place through web based surveys, staff newsletters and face to face events.

10. Consultation on the proposals to develop a Regional Adoption Agency was delivered over a period of eight weeks between 3 July – 28 August 2018.
11. An online consultation was published on North Tyneside Council's website which outlined the proposals and provided an opportunity for stakeholders to have their say.
12. The online questionnaire was promoted to key stakeholders who have been regularly engaged throughout the process including; prospective adopters, adoptive parents, children and birth families, voluntary adoption agencies, staff, partners and providers.
13. The consultation was also promoted more widely to the general public via each local authority's communications channels.
14. The initial results of the consultation are attached at Appendix 4. The details of the completed consultation will be circulated in due course before the Cabinet meeting.
15. The Cabinet Members for Children and Young People has been consulted.

### **Alternative Options**

16. Not being part of the Project:

Any future difference in opinion across the LA's as to the role and scope of Adopt North East and future governance arrangements could delay implementation. There is a risk to the Local Authority if it fails to join a regional agency. This would include central government directing how and by whom its service would be delivered.

### **Implications of Recommended Option**

17. **Resources:**

- a) **Financial Implications** – The Council will make a contribution of £534,596 to the RAA for its first year of operation which will be accommodated within the existing revenue budget. It is suggested that a ring-fenced reserve is established by the RAA from any potential surplus, the value of any contribution to a reserve to be agreed between the Chief Finance officers. The RAA will be set its budget annually. Any changes in the contribution from the Council will be reported to Council as part of its normal budget-setting process.
- b) **Human Resources Implications** – Under the proposed Host and Lead Authority arrangement approximately fifty staff from across the Constituent Councils will come together under the employment of North Tyneside Council. Those staff currently employed by the Constituent Councils (other than North Tyneside Council) will be transferred to North Tyneside Council pursuant to the Transfer of Undertakings (Protection of Employment) Regulations 2006 (the TUPE Regulations). Staff engagement has begun and if the Cabinets of the

Constituent Authorities agree to the proposals in this report, further engagement will be undertaken to ensure that each authority complies with its duties under the TUPE Regulations.

**c) Property Implications** - The relocation of in scope staff from their current working base to the recommended accommodation site will be required to meet the needs of the organisation as a regional agency.

18. **Risk Management Implication** - A risk register is maintained by the Project Board as part of regular project management practice with mitigating actions identified to ensure the likelihood and impact of risks is managed proactively.

19. **Equality and Diversity Implications** - An equality impact assessment (EIA) has been undertaken in relation to the proposals contained in this report. This attached at Appendix 6. The EIA does not identify any particular impact, with respect of the Authority's Public Sector Equality Duty, on individuals who possess protected characteristics.

20. **Crime and Disorder Implications** – There are no direct crime and disorder implications arising from this report.

21. **Health Implications** - There are no direct health implications

22. **Sustainability Implications** - There are no direct sustainability implications arising from this report.

23. **Human Rights Implications** - There are no direct human rights implications arising from this report.

24. **Area and Ward Implications** - There are no direct area and ward implications arising directly as a result of this report.

## 25. **Background Information**

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

1. Regionalising Adoption – Department for Education June 2015
2. Adoption: A Vision for change – Department for Education March 2016
3. The Education and Adoption Act 2016

## **Appendices:**

Appendix 2 – Business Case

Appendix 3 – Heads of Terms

Appendix 4 – Consultation outcome

Appendix 5 - Identity and branding proposals

Appendix 6 – Equality Impact Assessment

This page is intentionally left blank

**Title:** Business Case - Regional Adoption Agency (Adopt North East)  
**Authorisation (sign off):**

Approval from	Comment	Date
LA Representatives on RAA Board		
Executive Board		
Section 151 Officers		

## CONTENTS

<b>1 EXECUTIVE SUMMARY</b> .....	<b>3</b>
<b>2 INTRODUCTION AND OVERVIEW</b> .....	<b>4</b>
<b>3 PURPOSE OF THIS DOCUMENT</b> .....	<b>4</b>
<b>4 PROJECT WORK UNDERTAKEN</b> .....	<b>5</b>
<b>5 SCOPE AND VISION OF THE REGIONAL ADOPTION AGENCY</b> .....	<b>5</b>
<b>6 DELIVERY MODEL OPTIONS CONSIDERED</b> .....	<b>6</b>
<b>7 RECOMMENDATIONS FOR THE PROVISION OF THE REGIONAL ADOPTION AGENCY</b> .....	<b>8</b>
<b>8 PROPOSED GOVERNANCE ARRANGEMENTS AND LEGAL IMPLICATIONS</b> .....	<b>8</b>
<b>9 FINANCIAL ASSESSMENT</b> .....	<b>10</b>
<b>9.1 Baseline Costs</b> .....	<b>10</b>
<b>9.2 Business model and funding options</b> .....	<b>10</b>
<b>9.3 Agreement of apportionment of surplus and deficit</b> .....	<b>12</b>
<b>10. THE OPERATING MODEL</b> .....	<b>13</b>
<b>10.1 Services in scope</b> .....	<b>13</b>
<b>10.2 Property and ICT</b> .....	<b>13</b>
<b>10.3 Data and Information</b> .....	<b>14</b>
<b>10.4 Commissioning Arrangements</b> .....	<b>14</b>
<b>11. STRATEGIC BENEFITS</b> .....	<b>14</b>
<b>12. STRATEGIC RISKS</b> .....	<b>16</b>
<b>12.1 Being part of the RAA</b> .....	<b>16</b>
<b>12.2 Not being part of the RAA</b> .....	<b>17</b>
<b>13. STAKEHOLDER ENGAGEMENT</b> .....	<b>17</b>
<b>APPENDIX 1: Key Roles in the Project Team</b> .....	<b>19</b>
<b>APPENDIX 2: High level project plan</b> .....	<b>20</b>

## 1 EXECUTIVE SUMMARY

It is proposed that a new Regional Adoption Agency (RAA) is created through combining the adoption services for the local authority areas of Gateshead, Newcastle, North Tyneside, Northumberland and South Tyneside.

These authorities wish to build on the success of their existing services to improve performance in meeting the needs of those children who require permanence through adoption, by bringing together the best practice from each of these authorities and voluntary agencies.

It is proposed, subject to approval of the Cabinets of each authority, that the Regional Adoption Agency be known as Adopt North East.

This document describes how establishing a RAA will allow the authorities to provide a more cohesive, efficient and effective use of resources and development of practice.

In June 2015, the Department for Education (DfE) published a paper '*Regionalising Adoption*' setting out the proposals for the establishment of Regional Adoption Agencies (RAAs). This paper gave a very clear directive to local authorities that it was the Government's expectation for all authorities to be part of a Regional Adoption Agency by 2020.

Subsequently in 2016 the Government enacted the Education and Adoption Act 2016. This Act requires local authorities to combine their adoption services in Regional Adoption Agencies. If a local authority does not combine their adoption services the Act allows for the Government to direct a local authority to combine its services with other providers.

Funding has been made available from the Department for Education (DfE) as part of a national Regional Adoption Agency Programme for local authorities and other partners, where appropriate, to develop RAA arrangements.

A Project Board, Executive Board and work streams have collaborated to produce a detailed set of RAA proposals.

Work to determine the RAA proposals has involved extensive financial analysis and has concluded with the recommendation that the provision of the RAA services be via a lead authority/hosted model. It is therefore also proposed that North Tyneside Council should act as the lead and host Local Authority.

Stakeholder consultation has been extensive and yielded intelligence and insights which have been incorporated into the planning of the RAA.

## **2 INTRODUCTION AND OVERVIEW**

As explained above, the development of Regional Adoption Agency proposals is part of the national adoption agenda set out in the Department for Education (DfE) paper 'Regionalising Adoption' in June 2015. This was further developed by the Government in 'Adoption; A Vision for Change' in March 2016 and put into law with the enactment of the Education and Adoption Act 2016.

The Government has sought to address, by the above, a number of challenges in national adoption practice as follows:

- Inefficiencies in the delivery of adoption services in England
- Matching of children
- Recruitment concerns
- Adoption Support challenges

Local Authorities have a statutory duty to provide adoption services to all those affected by adoption living in their area and those services are subject to regular inspection by Ofsted to ensure they meet legislative requirements and minimum standards for adoption.

The move towards the proposed Regional Adoption Agency will not remove the statutory responsibilities placed on local authorities but will have far reaching changes for how those functions are organised, managed and delivered.

While all the authorities involved with the project have and currently continue to provide high performing adoption services, the Government expects that Regional Adoption Agencies will be better able to target the recruitment of prospective adopters, speed up the matching and placement of children, improve adoption support services and may create efficiency savings.

In November 2015, Newcastle City Council submitted an Expression of Interest on behalf of itself, Northumberland County Council, North Tyneside Council and Gateshead MBC, and four voluntary adoption agencies - After Adoption, Barnardos, ARC NE and Durham Family Welfare (DFW) to the DfE in relation to the development of regional adoption agency arrangements in the North East. South Tyneside Council subsequently joined the project.

Following the approval of the Expression of Interest, a Project Board was established to drive the project forward. The Project Board is made up from the Assistant Directors of Children's Services from each of the authorities and the Voluntary Adoption Agencies of After Adoption, Barnardos, Arc Adoption and Durham Family Welfare. The Project Board is overseen by an Executive Board made up of the Directors of Children's Services from each of the Constituent Authorities. Further details of the project support arrangements are provided in Appendix 1.

## **3 PURPOSE OF THIS DOCUMENT**

This document sets out the case for creating a new Regional Adoption Agency by combining the adoption services for the local authority areas of Gateshead, Newcastle upon Tyne, North Tyneside, Northumberland and South Tyneside, working in partnership with the Voluntary Adoption Agencies (VAA), After Adoption, ARC NE, Barnardos and Durham Family Welfare (DFW).

This document also describes how establishing a single adoption agency will allow in particular



the five authorities to provide a more cohesive and effective use of resources and promote the development of practice to the benefit of children, adopters and others who are affected by adoption.

This Business Case proposes a governance and operational financial model that sets out how the RAA will work with its partners to deliver adoption services.

#### **4 PROJECT WORK UNDERTAKEN**

The development of the proposals for the RAA follows substantial project work undertaken since January 2016. In particular this has involved:

- Establishing local authority and VAA project governance arrangements. This included the establishment of an RAA Project Board as well as an Executive Board (made up of the Directors of Childrens' Services). The Project Board has membership from Assistant Directors of Children's Services or their equivalent and VAA representative. A Project Team, comprising of a DFE sponsored coach, Project Managers and workstream leads (who have expertise in areas such as the adoption journey, finance, human resources, legal, information technology/information governance, estates/property, communications and engagement) has also been created to develop the proposals;
- Creating a baseline of the current adoption services provided by the 5 Local Authorities. This has included extensive analysis of finance, historical and current spend/income, performance and staffing; and
- Continued and ongoing stakeholder engagement and involvement. This has been a strong feature of the project and has included surveys, staff newsletters and face to face engagement events. Consultation events have been held with relevant stakeholder groups including adopters, birth parents, children and young people affected by adoption; staff; and partners in health and education. After Adoption have led on adopter and adopted children consultation. Elected members and relevant portfolio holders have also been consulted in all five local authorities and reports have been submitted to the respective Cabinets as this has been necessary.

#### **5 SCOPE AND VISION OF THE REGIONAL ADOPTION AGENCY**

As stated above the proposed RAA will encompass the local authority areas of Gateshead, Newcastle, North Tyneside, Northumberland and South Tyneside. It is estimated that the RAA will initially place 123 children per annum. (Based on average number of children placed for adoption across the 5 Local Authorities in 2016/17 & 2017/18)

The Project Team working with the Project Board and Executive Board developed the following to encompass the vision and objectives of the RAA:

##### **RAA vision:**

Excellent adoption services that transform children's and families' lives for the better.

## **RAA objectives:**

- We place all children in a timely way in high quality, successful, life-long adoptive placements which meet all of their needs.
- Families and prospective adopters receive a high quality experience no matter where they live.
- Adoptive children and families receive the support they need for as long as they need it.
- Our skilled and dedicated staff are proud to work for the service.
- We achieve our objectives by working together in a spirit of collaboration, openness and co-production.

## **6 DELIVERY MODEL OPTIONS CONSIDERED.**

The Project Team and both the Project Board and Executive Board have considered which of the following strategic delivery options for the RAA would be appropriate. The options, which were suggested by the Department for Education (DfE), that have been considered are:

- Option 1 - A single local authority host;
- Option 2 - A Joint Venture between the local authorities in the form of a Local Authority Trading Company (JV/LATC)
- Option 3 - A Joint Venture between the local authorities and the Voluntary Adoption Agencies creating a new VAA
- Option 4 – Outsourcing service delivery to an existing Voluntary Adoption Agency

The options appraisal undertaken by the Project Team and Boards utilised the approach recommended by the DfE and has been used by other projects throughout the Regional Adoption Agency Programme. Project Board evaluated the four options against the following set of criteria:

- 1) Desirability. i.e. how well the delivery model would promote the objectives and priorities of adopters and adoptees and help meet key outcomes (feel safe, live fulfilling lives, be healthy, have a voice, reach their potential and be resilient);
- 2) Feasibility. i.e. the extent to which each option could be implemented within required timelines and budgets and allows for an appropriate level of ownership, involvement and control of the partners; and
- 3) Viability. i.e. the extent to which the model demonstrates financial and operational sustainability.

The initial Options Appraisal indicated that Options 1, 2 could be considered as possible options. The other options were not considered appropriate for the following reasons:

- Option 3: A Joint Venture between the local authorities and VAAs – essentially this was dismissed as an option for two reasons. Firstly there was no appetite within the VAA partnership to become involved in such an enterprise. Secondly, there was also significant concern expressed by local authority partners about sharing control of any such Joint

Venture entity with VAA's whilst being fully funded by the local authorities.

- Option 4: Outsourcing service delivery to an existing VAA – as above there was no appetite from VAA's to take on this role. There are in fact very few such arrangements nationally.

Financial modelling was therefore carried out on Option 1 (A single local authority host model) and Option 2 (the JV/LATC).

The initial results of the Options Appraisal exercise had indicated that Option 2 (the JV/LATC model) could potentially provide greater flexibility and in particular the ability to innovate in a business sense.

Therefore in June 2017, the Cabinets of the local authorities indicated their support in principal for the continued development of a RAA and the use of a JV/LATC model as the preferred business model to deliver the RAA. This "in principal" support was subject to an analysis of the two available options and a final decision on the model.

In March 2018, a further report to the Cabinets indicated that although initial results of the options appraisal exercise had indicated that Option 2 could potentially provide flexibility and the ability to innovate in a business sense, as the financial modeling had progressed it had become clear that the cost this model would be considerably more expensive than current arrangements in each local authority.

In June 2018, the Cabinets considered a further report on the proposals relating to the RAA. The Cabinets were advised that the financial modeling highlighted that, between the two options, the ability to recover VAT in the local authority hosted model established a clear and significant financial difference between the two options with the host model assessed as significantly more efficient in this regard.

Furthermore in relation to ease of implementation generally, the delegation of adoption functions to one local authority was more straightforward than establishing a joint venture vehicle and commissioning that vehicle to provide the required services. In addition the transfer of staff to another local authority and the provision of proper pension arrangements was simpler and cheaper than with a joint venture vehicle.

It was also noted as an advantage, in terms of the sense of ownership, if the regional adoption service was hosted by one of the local authority partners.

In considering the above, the Cabinets noted that to make the hosted model operate effectively four of the local authorities would have to delegate their adoption services functions to one host authority pursuant to Sections 9EA and 9EB of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012. The Host Authority would then deliver the adoption services on behalf the authorities. This arrangement would be supported by an appropriate legal agreement being entered into by the authorities covering such matters as the financial contributions necessary from the authorities, indemnities, sharing of budget shortfalls together with internal governance and oversight.

It was also noted that North Tyneside Council had been identified as the proposed host and lead authority for the RAA because of its readiness to undertake this role.

The June 2018 Cabinets of the authorities therefore noted:

1. that the preferred business model for the RAA was a local authority hosted model which would operate through the delegation of adoption functions to a host local authority pursuant to Sections 9EA and 9EB of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012; and
2. the proposal for North Tyneside Council to act as the Lead and Host Authority for the RAA;

The above was subject to final approval of the proposals following the receipt and analysis of a consultation exercise and the finalisation of this business case and the agreement of appropriate Heads of Terms for the Shared Services Agreement to be entered into between the authorities.

The results of the consultation process are to be reported in full to the Cabinets when the consultation process has ended, but the initial results are positive and supportive of the proposals for the RAA. Heads of Terms for the Shared Services Agreement between the authorities have been developed and are also subject to Cabinet approval.

This business case is now complete and details of the financial arrangements between the authorities that will support the RAA have been identified and are set out in this document and in the reports to be submitted to the Cabinets.

## **7 RECOMMENDATION FOR THE PROVISION OF THE REGIONAL ADOPTION AGENCY.**

Following a comprehensive financial analysis, the detail of which is set out later in this document, and the other findings in this business case, the RAA Executive Board recommends to the Cabinets of the authorities involved that the most effective delivery model for the RAA is the local authority hosted model and that North Tyneside Council act as the host authority with the appropriate delegation of functions.

## **8 PROPOSED GOVERNANCE ARRANGEMENTS AND LEGAL IMPLICATIONS.**

To make the hosted model operate effectively, as explained above, it is proposed that the four other authorities delegate their adoption services functions to the Host Authority, North Tyneside Council, pursuant to Sections 9EA and 9EB of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012. Each Cabinet of the Constituent Authorities must therefore make a resolution that its Adoption Functions be delegated to North Tyneside Council. North Tyneside Council must also make a resolution to accept the delegations from the other four Constituent Councils.

The Adoption Functions to be delegated to North Tyneside Council are:

- Recruitment and Assessment of prospective adopters;
- Matching and Placement - to match prospective adopters with children in need of adoption

- Post placement and post Adoption Order support (3 year limit)
- Support and advice to all affected by adoption
- Develop and manage all forms of post adoption contact (Post Box) between adopted children and their birth families
- Step Parent Adoption
- Inter-country Adoption

The arrangements for the delivery of the RAA services by the lead and host authority will be supported by an appropriate legal agreement being entered into by the Constituent Councils. The Shared Services Agreement will cover such matters as the financial contributions necessary from the Constituent Councils, indemnities, sharing of budget shortfalls, governance and oversight and the services to be provided. The Cabinets will be requested to approve the Head of Terms that have been developed and then to grant a delegation to their Head of Legal Services, in consultation with appropriate members and officers in their authorities, to negotiate and finalise the Shared Services Agreement.

To ensure that there is effective communication and engagement between the authorities the Shared Services Agreement will provide for the creation of an Officer Liaison Group. This will be made up of the Directors of Children's Services or their nominees. This Officer Liaison Group will meet on a quarterly basis and will provide a direct formal point of contact between North Tyneside Council as the lead and host of the RAA and the other authorities. Clearly less formal lines of communication will also operate between the North Tyneside Council and the other authorities in relation to operational matters.

The Liaison Group will monitor the performance of the RAA against the relevant performance management targets.

Within the local authorities who are delegating their Adoption Functions appropriate arrangements between their Director of Children's Services and their authority's administration will be necessary to ensure that political oversight of the arrangements is maintained within each authority.

Notwithstanding the above the Shared Services Agreement will also provide for a formal dispute resolution process should issues in relation to the delivery of the RAA develop.

The RAA will have its own budget and medium term financial plan. It is anticipated that discussions in relation to the RAA's budget will begin in September of each year with a view to an agreed budget being ready for incorporation into the overall budget of North Tyneside Council when it sets its annual budget in February/March each year.

The Shared Services Agreement will also provide, should the situation arise, for the termination of the agreement and thereby termination of the delivery of the functions of the RAA by North Tyneside Council. It is proposed that where one of the Constituent Councils gives notice to terminate this will cause a termination event and will bring an end to the whole arrangement. 12 months' notice will be required by any of the Constituent Councils to terminate the shared service arrangement.

## **9 FINANCIAL ASSESSMENT**

## 9.1 Baseline Costs

The Finance workstream consisted of representatives from each of the five local authorities, who were tasked with identifying the 'baseline' cost for the adoption service for their respective authorities, and developing options for an acceptable funding model.

The Project Board commissioned an external company, Aleron, to assist the Finance Workstream in collecting the baseline financial information and activity data, and develop a proposed Business Model. It was decided that collecting actual cost, rather than budget, would be the most sensible approach to produce a true reflection of the cost of the Adoption Service for each Local Authority. Financial and activity data was collected for a four year period, 2013/14 to 2016/17, which allowed for the calculation of average costs, and identification of any one-off instances of income or expenditure which could distort the typical annual cost for a Local Authority. It also established an overall baseline cost and a number of unit costs for each authority, for comparison purposes. During this exercise, it was agreed that the following costs were 'in scope' and therefore included in the baseline cost:

- Staffing costs directly related to the adoption service
- Non-staffing/running costs
- Corporate Overheads
- Post adoption support, exclusively staffing costs and commissioned services
- Income from selling placements (inter-agency fees)

Income from selling placements will be retained by the RAA for any placements where the match is made post RAA 'go live' on the 1<sup>st</sup> December 2018. Any placements matched before this time the income will be retained by the Local Authority involved.

Costs 'out of scope' and therefore not reflected in the baseline cost and assumed to be retained by individual authorities are:

- Post adoption financial support (allowances)
- Commissioned post adoption therapeutic support, that exceeds the £5k funding limit imposed by the Adoption Support Fund (ASF)
- Cost of purchased placements (inter-agency fees)

## 9.2 Business Model and Funding Options

Four funding models were proposed by the Finance workstream to the Executive Board where each LA:

1. Does not participate in an RAA, and risks paying the equivalent of the inter-agency fee per adoption by joining an RAA at a later date.
2. Takes a stepped approach, to pay current level initially with a view to move to a standard unit cost model over a three year period.
3. Pays a standardised unit cost per adoption.
4. Pays current level.

Directors of Children’s Services from each Local Authority, agreed in principal to adopt model 4, the financial model proposed seeks to ensure that each Local Authority will continue contribute the average net cost that they have paid from figures 2015/16- 2016/17. The financial modeling has attempted to ensure that no local authority is required to pay more.

Further work was then undertaken to develop the budget for a proposed North Tyneside Council hosted model, shown in Table1.

Table 1 – Draft Budget for RAA hosted by North Tyneside Council

<b>Expenditure/Income Category</b>	<b>Budget</b>
Staffing	£2,173,840
Premises, IT and Running Costs	£499,249
Support Services	£257,714
Commissioned Post Adoption Support	£150,180
<b>Gross Expenditure</b>	<b>£3,080,983</b>
Inter-agency fee income	-£651,000
<b>Net Budget</b>	<b>£2,429,983</b>

This followed with a series of options to establish the % contribution from each authority. These included a combination of the following:

- Allocating gross cost by
  - cost category:
    - Staffing (based on structure established by the Human Resources workstream)
    - Running Costs (3 year average)
    - Contract value for each Local Authority for commissioned Post Adoption Support
  - A total gross cost
  - net cost
- Allocating income generated from selling placements, based on a two year average of activity of selling placements
- Allocating Net cost by
  - Gross cost

- Net cost (2 year average)
- 3 year average of the number of children adopted

These options were considered by the Directors of Finance for each authority, and it was agreed that the contribution would be based on a 2 year average of net cost (2015/16 and 2016/17). Table 2 shows the net cost for each authority used as the basis to calculate the contribution, and the estimated contribution from each authority.

Table 2 – Baseline net cost, % Contribution and Value of Contribution to RAA.

<b>LA</b>	<b>2 Year Average Net Cost 2015/16 to 2016/17 (excluding purchased placements but including inter-agency income)</b>	<b>%</b>	<b>Contribution To RAA</b>
Gateshead	£593,140	22	£534,596
Newcastle	£525,575	20	£485,997
North Tyneside	£384,535	15	£364,497
Northumberland	£712,963	27	£656,095
South Tyneside	£420,934	16	£388,797
<b>Total</b>	<b>£2,637,148</b>	<b>100</b>	<b>£2,429,983</b>

There are a number of assumptions to note in the proposed Finance Model, including:

- The RAA will generate income from selling 21 adopters each year and any income generated from selling these placements is retained by the RAA.
- There will be no redundancy costs.
- All set up costs (including ICT, premises, and additional staffing resource required by the host authority) will be fully funded from the DfE implementation grant held by Newcastle.

### **9.3 Agreement of Apportionment of Surplus and Deficit.**

A number of options have been considered for the distribution of any surplus or deficit:

1. Allocate any surplus or deficit in relation to the proportion of an authority's financial contribution.
2. Allocate any surplus or deficit to take into account both the proportion of an authority's financial contribution and the actual number of adoptions achieved for each authority, weighted 50% and 50% respectively.
3. Allocate any surplus based on proportion of an authority's financial contribution, and allocate



any deficit equally to each Local Authority.

It has been agreed that option 2 should be applied. This takes into account adoption activity and financial contributions.

It is suggested that a ring-fenced reserve is established from any potential surplus, the value of any contribution to a reserve to be agreed between the Chief Finance officers. This will include consideration of any future years' pressures, particularly in relation to risk areas such as achieving income from selling placements, and to develop the service moving forward. Any remaining surplus to be redistributed in accordance with the agreed mechanism.

## **10 THE OPERATING MODEL**

### **10.1 Services in scope**

The RAA will deliver the following main services across the five local authorities:

- Recruitment and Assessment of prospective adopters;
- Matching and Placement – to match prospective adopters with children in need of adoption
- Adoption Panels for approvals and matches
- Post placement and post Adoption Order support
- Support and advice to all affected by adoption
- Develop and manage all forms of post adoption contact (Post Box) between adopted children and their birth families
- Step Parent Adoption
- Inter-country Adoption
- Work in partnership with the child's social worker where the child has a plan of adoption.

In relation to the operation of the RAA at a practical level, the RAA will be led by a Senior Manager of North Tyneside Council who will act as the service head. That Senior Manager will be a member of the Senior Management Team of the Health, Education, Care and Safeguarding Service and will report directly to the Head of Health, Education, Care and Safeguarding (the Director of Adults and Childrens' Services) at North Tyneside Council.

Under the arrangements for the proposed RAA, the staff who currently deliver the adoption services in each of the authorities will all come together under the employment of North Tyneside Council pursuant to the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE). A formal consultation process with individuals and recognised Trade Unions has commenced and will continue if the proposals as set out in this report are approved.

Detail on the proposed organisation, including staffing roles and functions will be developed in due course by North Tyneside Council. The organisational structure will be designed and shaped to maximise the journey outcomes for children and prospective adopters.

### **10.2 Property and ICT.**

It is proposed that the RAA will be "headquartered" in the Pembroke Wing, Balliol Primary School, Benton.

The service provided by the RAA will cover a broad geographical area from south of the Tyne to the Scottish border. A high degree of mobile working is anticipated to make the most efficient use of staff time and accessibility for service users. It is also important that the main operational base be able to establish a visible identity for the service, offers a cost effective training venue as required and provides a degree of separation from operational children's social work staff to ensure that birth parents and adopters are not put in difficult position of using the same facilities at the same time.

The ICT provision for the RAA will involve setting up a Case Management system based on North Tyneside Council's implementation of Liquidlogic LCS, as well as putting in place the required connectivity, mobile and desktop devices, and provision of 'generic' software licensing (Microsoft Office, Outlook etc.). Liquidlogic is a dedicated social services ICT system that supports the data collection and storage of information held by North Tyneside Children's services.

A dedicated resource is being recruited by North Tyneside Council to co-ordinate the configuration of the Case Management system and the wider ICT delivery project, and to provide intensive user support in the immediate post go-live period.

### **10.3 Data and Information.**

Data and Information will be required for the day to day operation and management of the RAA. Management Information will be generated automatically from core systems such as Liquidlogic LCS where possible.

Performance Management Information will be required to be presented to the RAA management team within North Tyneside Council, Ofsted, the other local authorities, the Adoption Leadership Board, the Department for Education and other partners, should the proposals be accepted.

A transitional phase of data transfer from the local authorities' systems to the proposed RAA host authority (North Tyneside Council) of live Adopter cases will be required prior to 'go live' 1<sup>st</sup> December 2018.

Historic closed cases will not be transferred and will be retained and archived by the respective individual Authorities.

A Data Sharing Agreement is being developed to enable the RAA staff to operate effectively and lawfully, with consideration of the General Data Protection Regulation 2016 (GDPR) and Data Protection Act 2018. This will be completed and approved in collaboration with respective local authority information governance lead officers and North Tyneside Council's Caldicott Guardian and then incorporated into the Shared Services Agreement before the RAA becomes operational.

### **10.4 Commissioning Arrangements**

The delivery of post adoption services to the RAA will be underpinned by a range of support functions. From a practical perspective, it is anticipated that in most instances the current Local Authority contracting organisation will extend as necessary any existing contracts to meet need.

Further work is being undertaken in relation to commissioning and post adoption support for the future of the RAA.

## 11 STRATEGIC BENEFITS

In taking the vision and objectives into account the key aim in combining services to create a single Regional Adoption Agency is to achieve better outcomes for all children and young people with adoption plans in the region.

It is anticipated that by coming together and combining adoption services into a new regional agency, with a with larger operating area, will provide benefits children and their adoptive families by giving a wider pool of adopters and children, and will also allow for the development of more effective matching and better support services.

Currently the statutory functions required of local authorities in respect of adoption are provided by each of the five local authorities within their own geographic areas. Therefore, in terms of recruiting adoptive parents all the agencies, whether local authority or voluntary, are competing with each other. There is therefore duplication of effort and associated costs with the risk that some people who are wishing to be considered as adoptive parents are confused about where and how to proceed with their enquiry.

The proposed RAA will have a single point of contact for prospective adopters, reducing the current fragmentation of services. Similarly, a single point of entry to the adoption service regionally will improve access to adoption support services for adoptive families, and also for adopted adults and birth family members, who have a statutory entitlement to receive a service.

These proposals build on feedback received from adoptive parents as part of the stakeholder consultation and some excerpts from the consultation conclusions are set out below for illustration:

*“The general consensus included that many parents felt they have received a lot of information around the issues that can be faced by adopted children and children in the care system, however there was greater need for more information with regard to how this can impact the child later in life and how parents can manage and support the child effectively.”*

*“A key message given from participants highlighted the need for greater focus on post adoption support for parents, with parents identifying that this needs to be of ‘high quality’ and ‘long term’. Parents highlighted the need for preventative post adoption support and earlier interventions rather than allowing situations to escalate and require crisis intervention,”*

*“Parents highlighted the importance and benefit of the Adoption Support Fund, however many commented that some social work teams do not know the full range of services that could be accessed via the ASF.”*

*“Parents also highlighted that the regional adoption agency should prioritise ensuring the access to services is experienced in a seamless and effective way to all adoptive children, parents and families that require support. ‘Too much bureaucracy’ was highlighted as a substantial barrier to a timely and successful adoption journey.”*

*“A vital message within the feedback received included the need for a ‘one point’ service that can be accessed by parents advising of all ranges of support available to them and how this can be accessed. In addition, parents added that*

*they felt access to services should be made a clearer process, with some commenting on their frustrations around being ‘passed from pillar to post’.*

*It was felt that a regional adoption agency should give clarity to families of the support available, with regular timely updates of information of all services that may be beneficial to them. In addition, parents felt that they should be encouraged to feel confident enough to access support as early as possible, with some suggesting that this message should be outlined throughout the initial stages and beyond.”*

It will also no longer be necessary for the five local authorities to retain their individual Adoption Panels for the purposes of approving prospective adopters and adoption matches. This will provide greater efficiency, but it should be noted that each authority will continue to have to have a designated Agency Decision Maker for considering and agreeing the plan that a child should be placed for adoption and approval of the match. It is prudent to highlight that each authority will remain responsible for adoption services and assurance to Ofsted that each is meeting their statutory requirements.

The RAA will bring the existing local expertise together in respect of what makes a successful adoption, this includes best adoption matching practice, development of meaningful and realistic support plans and best use of resources available as and when needed.

Being more focused in terms of adopter recruitment may also widen the diversity and choice of potential adoptive families for children. This will be of particular value in delivering the benefits of improved early permanence planning and matching panel practice. A whole journey model has been developed as a part of the project and is built on the “best practice” from the five local authority’s adoption services and will continue to be reviewed throughout the first year of operation as the evidence of the RAA emerges.

In summary, the benefits expected to be realised through the development of the RAA:

- Improved timescales for adopter assessments
- Higher conversion rate from enquiry to approval of prospective adopters
- Wider diversity and choice of adoptive families
- More timely matching of approved adopters
- Improved timescales for placing children with their adoptive families
- Greater adopter engagement in service planning and delivery
- More extensive and consistent core offer re therapeutic training pre placement and post placement/Adoption Order
- Improved performance measurement and management across the service

## **12 STRATEGIC RISKS**

### **12.1 Being a part of the RAA.**

Moving to a Regional Adoption Agency may lead to concerns that adoption services will no longer be in control of individual Local Authorities. The proposed RAA will be formally constituted through a Shared Services Agreement between the authorities. The Shared Services Agreement

will provide a service specification which will set out how North Tyneside council will provide the adoption service on behalf of the other 4 Local Authorities.

Major reorganisation of adoption services in the region may have an impact on service delivery to children and adoptive families in the short term. To mitigate these risks, consistent and regular staff engagement events have been facilitated. Alongside more focused meetings for practitioners in specific areas of the adopter's journey, for example, recruitment, assessment, panel practice and post adoption support.

Performance measures aligned with the revised operating model and regular monitoring arrangements will be established and monitored in accordance with the provisions within the Shared Services Agreement.

The staffing structure will include the staff in scope to TUPE into the RAA and will reflect the business requirements of the RAA and the proposed host authority. The staffing levels will be based upon the finance available to fund the shared service and will be developed considering actual demand experienced over the past three years, however because of the known difficulties in accurately predicting the numbers of children who are subject to a Placement Order there is a risk that the staffing levels may not be consistent with demand. This would be address under the terms of the Shared Services Agreement should this arise.

Consultation feedback from adopters clearly raises the importance of getting post adoption support right, from the provision of comprehensive information at an early stage to a focus on the long-term impact of support needs. The RAA will therefore endeavour to use skilled staff capacity to develop a consistent, highly responsive offer in post approval support and post placement support to improve outcomes for children. This is with a view to reducing placement breakdowns including in relation to later difficulties when adopted children reach their teenage years.

There is risk, even regionally, of not being able to recruit adopters able to meet the needs of the children waiting, leading to more interagency placements and financial viability issues. More coordinated and targeted recruitment activity by the RAA is expected to address this.

## **12.2 Not being part of the RAA.**

There is a risk to a Local Authority if it fails to join a regional adoption agency. This could include central government directing how and by whom its service would be delivered.

The development of regional adoption agencies across the country is likely to reduce the availability of adopters for any Local Authority who is not a member of an RAA. This may increase the costs of being required to purchase an adopter placement from an RAA or VAA.

Local Authorities who are not currently involved within an Regional Adoption Agency and may need to join a Regional Adoption Agency at a later date risk having to negotiate terms of membership with an already established partnership who may be less responsive to their particular needs.

## **13.0 STAKEHOLDER ENGAGEMENT**

Engagement with stakeholders is an integral part of the Regional Adoption Agency development. Engagement events have taken place with over 250 participants from stakeholder groups including;

- Adults affected by adoption,

- Children and young people affected by adoption
- Adopters
- Affected staff from each local authority
- VAA staff from ARC NE, DFW, AA and Barnardos,
- Partners in health
- CCG's
- Education via Virtual Heads
- The court service.

Engagement events have been held since February 2016 and continued stakeholder involvement has taken place through web based surveys, staff newsletters and face to face events.

Elected members and portfolio holders have been consulted in all five local authorities. This report follows on from previous Cabinet agreements in 2017 and in June 2018 on the development of the RAA.

Ongoing stakeholder engagement and feedback are included in plans for the implementation phase of the RAA.

## APPENDIX 1.

### Key roles in the project team:

**Project Team-** established by Newcastle City Council to develop the project plan included consultants as project managers and a project support officer funded by the DfE grant who are responsible for overseeing and managing the overall RAA project plan on behalf of the Executive Board to ensure that the desired project objectives are delivered.

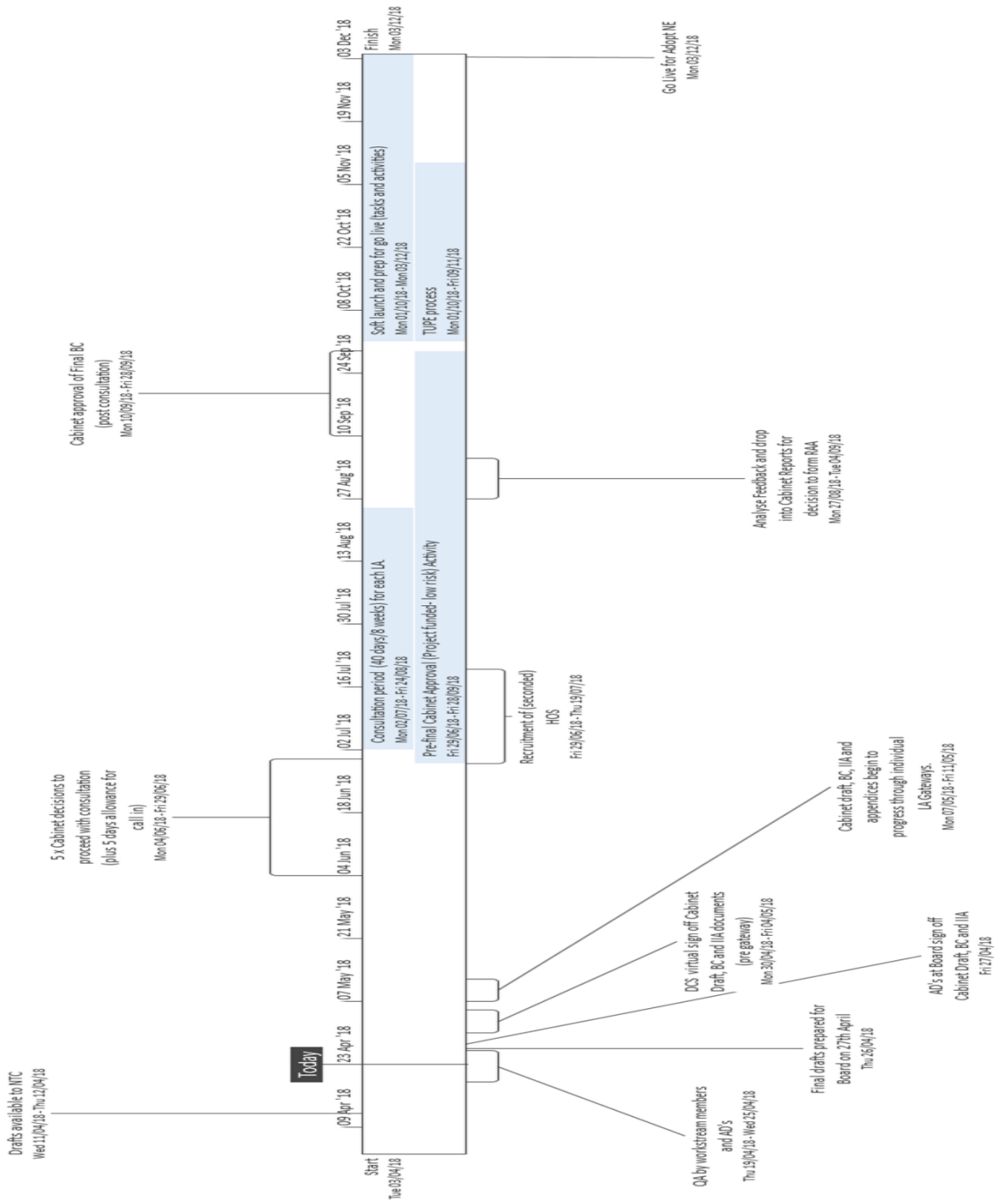
Each work stream is led by North Tyneside (Proposed Host Authority) officers led by a Senior Manager in children's services who have managing individual work stream project activities and the delivery of scheduled work stream outputs in co-operation with work stream leads from each of the Local Authorities.

The work streams have been across the following areas:

- Communications
- Finance
- Human Resources
- Information Technology
- Legal
- Social work practice
- Procurement/Commissioning
- Property/Estates
- Performance Management.

# APPENDIX 2.

## 6.2 High Level Project Plan





**Regional Adoption Agency (RAA)**

Shared Services Agreement - Proposed Heads of Terms

Parties: North Tyneside Council (Host) and Newcastle City Council, Gateshead Council, Northumberland County Council and South Tyneside Council.

<b>Term to be Agreed</b>	<b>Detail</b>
Term	Continuous until termination (see proposal for termination)
Termination	<p>Participant Authorities: 12 months advance written notice to the Host Authority and cc'd to all other constituent authorities.</p> <p>If one Participant Authority gives written notice to terminate the Shared Services Agreement between all participant authorities will terminate at the end of the notice period.</p> <p>Host Authority: – a material breach of an individual Authority's obligations under the Agreement (inc. financial contributions) - If the Host has legally imposed restrictions on its abilities to undertake its functions as set out under this agreement.</p>
Consequences of Termination	Please refer to the Apportionment of Surpluses and Deficits Head of Terms below which will contain detailed financial consequences of termination.
Delegation of Functions	<p>Agreement will contain a confirmation of each Authority's delegation to the Host and reference to relevant statutory provisions.</p> <p>Delegation of functions will be given to the Host Authority pursuant to Sections 9EA and 9EB of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012. Each Cabinet of the Constituent Authorities must therefore make a resolution that its Adoption Functions be delegated to North Tyneside Council. North Tyneside Council must also make a resolution to accept the delegations from the other four Constituent Councils</p>
Governance of the RAA	<p>The RAA will be delivered by the Host, NTC.</p> <p>An Authorised Officer Liaison Group will be established which will constitute the DCS' (or their nominee) of each of the constituent authorities.</p> <p>The Group will meet quarterly with the RAA Service Manager (NTC's Service Manager).</p> <p>This will give the constituent authorities the opportunity to meet with NTC as the provider of</p>

	<p>the RAA to discuss the delivery of the RAA and issues that have arisen over the last period, including those which may have been resolved during that period. This will be akin to a contract management meeting. In the event of an emergency situation arising outside the normal cycle of meetings the Participant Authorities shall have the right to call for either a meeting with the Host Authority or a meeting of the Group</p> <p>There will also be a review the performance and the financial position of the service.</p> <p>The governance arrangements will also include provide for an opportunity for the participating authorities to exercise some political oversight through involvement of the relevant Lead member in each authority. This could be by annual meeting either separately or as part of one of the quarterly RAA meetings</p>
Dispute Resolution	<ol style="list-style-type: none"> <li>1. Authorised Officers (30 days)</li> <li>2. Chief Executives (30 further days)</li> <li>3. Mediation</li> </ol> <p>If the dispute is not resolved by any of the above measures then the authority in dispute will have the right to terminate the agreement as above or to seek a remedy through legal proceedings</p>
Provision of RAA by North Tyneside	Recital regarding RAA being appointed by all authorities party to the Agreement
RAA Service Manager	Will be determined and appointed by the Host Authority.
Set up and other start up Costs	The DfE Grant will be spent on Set up Costs. Once this is exceeded, local authorities will contribute to any additional costs based on the funding model.
Service plan and financial matters	<p>Draft budget setting every November for approval within North Tyneside Council's Budget Setting Process in February. Draft to be agreed by DCS' in November of each year of operation.</p> <p>3 year (medium term) financial plan will be required in addition to the Annual Budget of the</p>

	<p>RAA.</p> <p>Assets – to be distributed on wind up – please refer to Apportionment of Surpluses and Deficits Head of Term below. The same principles will be adopted here.</p> <p>Indemnity – regarding insurance claims - NTC to seek appropriate insurances to cover liability for undertaking the service on behalf of all constituent authorities. Payment of the insurance policies and any appropriate run off insurance cover (if relevant) will be included in the budget.</p> <p>Indemnity – future liabilities, eg rent. This will be included in the budget.</p> <p>Each Authority’s contribution to the RAA budget - quarterly in advance.</p> <p>Service plan to be agreed annually.</p> <p>Arrangements for Apportionment of Surpluses and Deficits will be as follows:</p> <ul style="list-style-type: none"> <li>• Any surplus or deficit is allocated to take into account both the proportion of an Authority’s financial contribution and the actual number of adoptions achieved for each local authority weighted 50% and 50% respectively.</li> <li>• In the event of a surplus the surplus will be allocated to authorities who have not received the expected number of adoptions pro rata based on the variance to the original estimate.</li> <li>• In the event of a deficit, the allocation will be pro rata on the proportion of the actual number of children adopted.</li> <li>• If there is a surplus and all Authorities have achieved more that their estimated numbers of adoptions the pro rate is based on their financial contribution only in that year.</li> <li>• In the circumstances of termination the distribution of any assets and the contributions towards any liabilities will be based on each authorities financial contribution in the year.</li> </ul>
Premises	Agreed. NTC has sourced the Pembroke Wing of Baliol Primary School, North Tyneside. It is proposed that there will be a 5 year lease term.

	<p>The appropriate Lease will be entered into by NTC (tenant) as the Host of the RAA and North Tyneside Learning Trust as owner (landlord).</p>
Staffing	<p>All staff in scope in the constituent authorities will TUPE transfer to NTC.</p> <p><u>Staffing Indemnities</u>  NTC as host and as incoming employer of all in scope staff will require from each of the constituent authorities and indemnity for any employment causes of action that occurred pre transfer date, where the action is taken against NTC as the incoming employer.</p> <p>NB: Registered Manager will remain with each constituent Authority and the costs for this individual and employment obligations will be met by the relevant constituent authority.</p>
Existing Contracts for services and/or goods	<p>The contracts for all services/good accepted by NTC as required for the delivery of the RAA will need to be considered for novation to NTC. Where appropriate NTC may seek indemnities from the original contracting Authority in respect of procurement route and pre transfer breach.</p>
Information Governance	<p>NTC will take the lead on all information governance matters and information governance compliance.</p> <p>All parties to the Shared Services Agreement will be required to sign a Data Sharing and Processing Agreement with NTC. To enable this to happen all parties will need to comply with the requests of NTC's Information Governance team during this phase of negotiation.</p> <p>Provisions in Shared Services Agreement will include:</p> <ul style="list-style-type: none"> <li>- Each authorities compliance with GDPR</li> <li>- Each authority will provide assistance to NTC in respect of data protection compliance, subject access requests and request under the Freedom of Information Act 2000.</li> <li>- Storage and retention of records.</li> </ul>
RAA Practice and Procedures	<p>This will set out the agreed best practice for the delivery for the RAA – these will be appended as a schedule to the Shared Services Agreement.</p>
Insurance and Indemnities	<p>Insurance will be obtained by NTC at commercially acceptable levels of cover for the risks associated with the delivery of the RAA. Costs for insurance will be included in the costs of the RAA to be split between the constituent authorities in accordance with the Service Plan.</p>

	Consideration will need to be given to indemnities provided by the constituent authorities in respect of future insurance claims.
Ownership and insurance of assets	All assets will be purchased, where required by NTC. Contributions will be made by all constituent authorities in accordance with the Funding Model and in line with the agreed budget. Assets will be insured by NTC. Insurance costs will be met by all constituent authorities as a contribution to NTC under the Service Plan.
Audit	<p>NTC's internal audit team will provide the required audit oversight for the service. Feedback and updates relating to this will be provided through the liaison group.</p> <p>As provider of the service, NTC's external auditors will also be engaged to audit this service where required. .This will form part of NTCs annual external audit as required by law. Contributions to the costs in respect thereof will be made by each constituent authorities and will form part of the budget.</p>

This page is intentionally left blank

# Adopt North East Consultation

This report was generated on 26/07/18. Overall 53 respondents completed this questionnaire. The report has been filtered to show the responses for 'All Respondents'.

The following charts are restricted to the top 12 codes. Lists are restricted to the most recent 100 rows.

## Do you agree or disagree with the rationale for regionalising local authority adoption services and creating the new service – Adopt North East?



### Please give your reasons here:

- Should offer local children a greater chance of been adopted
- It should make adoption quicker and easier to match, taking children out of local authorities therefore giving a new start without threat of birth families being in locality.
- Would be better for the children that need to be placed outside their local Authority
- I broadly agree but need to hold in mind that this should not be seen as a cost cutting exercise and bigger is not always better - better is better
- The new service gives a positive message for all involved with adoption.
- Wider pool to match adopters/children, economies of scale, easier to share learning/collaborate
- Everyone receives the same, high quality service, no matter where they live.
- All adoptive children and families should receive support for as long as is necessary. regionalisation will mean that everyone should receive a good quality of service throughout the regions. what would be important is the services on offer must match the need not be a one size fits all.
- Regionalising services can produce economies of scale and theoretically greater choice of families for children when it comes to matching. However , my concern is that larger organisations may become impersonal for adopters who in the past have benefited from a sense of belonging. I also fear that Voluntary Adoption Agencies, who have specialised over the years in finding families for harder to place children, will not be there in the future to do so if they do not have guaranteed income at a level that makes them sustainable. Spot purchased commisioning arrangements could lead to this whereas contractual service level agreements could provide a positive basis for partnership working
- Regionalisation removes an element of customer choice, however it may result in the spreading of best practice.
- Pooling resources has to be better than relying on one service. More resources the better the service and the better outcomes for children and families
- I think it will be more effective in recruiting adopters and will reduce delay n finding placements for children
- Delay for children placed for adoption will hopefully be kept to a minimum.
- I can see how it would be beneficial having a larger pool of adopters to choose from and a more consistent service across the area, I just fear that standards will drop to the lowest rather than be pulled up to the highest.

Please give your reasons here:

Agree with this vision of a new Regional Adoption Agency, think there will be some challenges but do feel positive and enthusiastic about this new development.

I think there are a number of strengths in that families will have access to a greater range of services and services will potentially be more accessible.

Hopefully more cohesive, extending options for prospective adopters and providing more opportunities for permanence for children.

I understand the need for reducing overlap and therefore money and the need to provide an outstanding service across the north east. I worry that some of the good will be lost along the way and the personal elemnet that makes North tyneside so good will go

I can see the rationale behind the model but I am unsure of the ability to implement a fair and consistent service across all the areas.

Better co-ordination of services rather than agencies competing for families.

Support being available throughout the children's lives is vital and so important.

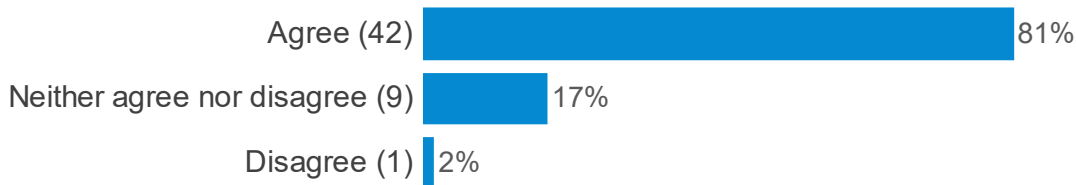
Best practice will be better disseminated and support should be easier to obtain across council boundaries

It is a highly specialist area, where pooling skills, knowledge and motivated people can really benefit children and families. The safety themes mean that having a wider pool of families to consider should reduce the waiting time considerably.

better contact and control for communication

The bigger the better!

**Do you agree or disagree that creating Adopt North East will improve marketing to adopters and create better coordinated messaging across the North East?**



Please give your reasons here:

Having one regional agency will improve marketing and will give clarity to adopters and sure a more consistent service to adopters and children

I agree that it should as long as it is run effectively

Yes pooling resources and staff experience\skills together

I think this has been the benefit of other RAA initiatives but would be interested how this includes the VAA partners

This is a new way forward and will inspire and improve services

Reasons adequately covered above

Pooled resources, knowledge and skills will help to improve marketing

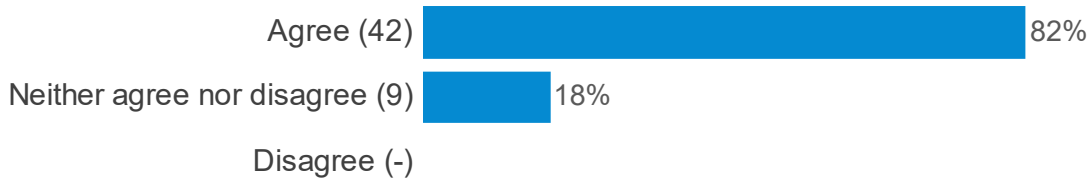
Im not convinced that marketing for adoption will improve the uptake. people either want to adopt or not and if they do most would have the knowlege to appraoch the LA. perhaps time, resoecues money could be better used imo



Please give your reasons here:

- Pooled resources and a joined up strategic approach will hopefully produce a dividend
- Greater budget capacity should result in better marketing techniques.
- Brilliant idea and way forward
- I think it will be clearer to the public about who they need to contact and I believe that recruitment will be improved as there will be less competition and more resources available
- A consistent message across the region would be good
- Amalgamating five adoption services with very different ways of working will present it's challenges however it will be good to have well co-ordinated messages and marketing across the North East.
- This will happen in the future, however in the short term the new system may be confusing, so marketing will have many purposes.
- Having the same criteria across the region will be good as will having just one point of contact
- Larger workforce giving greater publicity potential.
- Lots of fine words about principles but nothing about nitty, gritty practicalities
- Yes I think there will be economies of scale for the agencies. However as a single adopter i chose to go to a voluntary agency and was disappointed by the unwelcoming approach of some LAs. I think having some specialist services/ skills for adopters outside the heterosexual couple mode is useful easier to locate, access, communicate
- They should be more people to help do this job

**Do you agree or disagree that creating Adopt North East will improve the recruitment and assessment process for adopters and their journey with Adopt North East will be timely?**



**Please give your reasons here:**

- Again is true in theory but depends on how efficient the system is and how quickly all involved can make decisions
- Better training and understanding of attachment will benefit both potential adopters and children from a very early stage and throughout. More desperately needs to be done in schools though.
- Yes pooling staff skills and experiences together as well as resources. Having one RAA to approach will minimise confusion for adopters and encourage positive networks with prospective adopters
- I think there is a great potential for this to be improved and streamlined but not to assume this would be an automatic result - will require some work
- Everyone within the RAA has the opportunity to work together to improve the adopters journey
- Very pleased to hear that therapeutic parenting will be included in training
- Adopters won't have to wait for training
- no prospective adopters or child should be left in an untimely process

**Please give your reasons here:**

I hope this is the case but there will still be the problem of having adoption medicals undertaken in time and of receiving a return on statutory checks and references in a timely fashion.

This depends on how much preparation has been done before the 'go live' date to ensure systems and processes are in place and that there is not a 'downturn' in recruitment during any transition phase.

Process seems sound and will enhance everyones journey

Agree that therapeutic parenting training and attachment is a good idea - what about working with the child's trauma?

More regular panels is a great idea for adopters and children.

It will reduce the confusion about where to go but I do not feel that it would improve the journey or assessment process.

Timeliness is very important for prospective adopters who make that most important initial contact with some trepidation and anxiety. Fortnightly panels are a good idea for approval and matching.

Would need to see how this works in practice. Will training programmes run locally, will service be personalised.

I agree that it will help with courses being held more frequently but feel that potetial adopters may be put off if thy have to travel too far. Also you would need to ensure that the relationship between adopters and the person assessing is not lost. It is hard enough to open up to an unknown person, if a different person shows up to each interview it will be impossible.

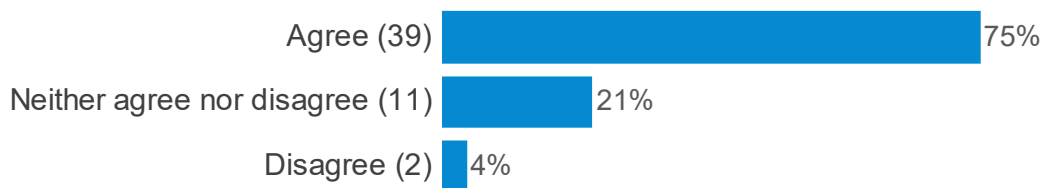
Should be a much quicker process and more efficient.

Hopefully, but travelling long distances to get to training can be a disincentive and the region covered is large.

more on your doorstep, give people a more comfrotable feeling

I would like to think so as again the more people involved should make it more organised and quicker

**Do you agree or disagree that creating a regionalised adoption agency - Adopt North East - efficient, high quality adoption support services can be provided for all families in the scope of the new service?**



**Please give your reasons here:**

Has already come to light that each region has own policies etc and is hard for all to make agreements

Better working together with schools, parents and other agencies will really benefit children and parents who feel isolated.

No more post code lottery for services hopefully!

One of my biggest hopes for RAA's is that they remove the postcode lottery of adoption support services and that adoptive and birth families have a range of quality support made available to them across the whole region.

This area of support requires high levels of resources from all involved and everyone affected by adoption should be given the same opportunity to be helped through the process.

**Please give your reasons here:**

Glad to see attention being paid to high-quality, post-adoption support. Some concern about service potentially becoming too monolithic and not being responsive to different needs in different areas.

Pooling resources, skills and experience, means a quality level of adoption support can be offered. It also means that the referral process should be more streamlined, and families will not have to wait so long to receive support. There will be more options of support available to families, so this will better meet their needs.

Yes as long as serious consideration is given to what "type" of support is needed and ultimately offered. One size, or variation of does not fit all. An example would be story stem or play therapy .... not ideal for highly traumatised children, specialist services within the region should be sought

We currently offer high quality Adoption Support Services across the North East but within your proposed collaborative we have only supported Tyneside therefore the proposal would allow all LAs to access services such as ours.

Discussions need to take place with the Voluntary Sector, who already have many of these services at their disposal. rather than re-inventing the wheel.

The RAA planning for self sufficiency may mean that other services currently available from VAA's will no longer be available in the market.

Scope of services means that adoptive families and birth families will have greater chance of meeting their needs and support

Pooled resources will create a greater service mass more able to cope/manage staffing issues and surges in demand

At present I am under North tyneside, I know everyone i am comfortable talking to them and going to them with my problems and asking for assistance. I do not feel this would be the case with a much larger organisation.

It will be good to have a single commissioning service and to be able to bring different therapeutic providers so that parents can be given choice of the different therapeutic services. It may be a challenge though taking into account the geographical spread of Adopt North East in terms of parents accessing such services dependant on where they live.

This will depend on resources, having consistency and fair access to services, and ensure VAA's are included in the overall service.

I have had a good experience and would like everyone to have the same as long as that standard remains high

I would need to review the finished model and the providers understanding of on going support.

Current adoption support in Newcastle is poor, in our experience with social workers being very reluctant to apply to the ASF. Any improvement on this would be very welcome.

Support services are vital and need to be seen as standard and not upon need as that usually means it us on Kate and makes parents feel inadequate which should be eradicated as offered to everyone.

It can be but will it? PAS needs to be for the entire period of an adoption and this assumption needs to be in place from the very beginning. Will sufficient resources be available?

It should do, but sometimes adopters need to feel they are accessing independent advocacy and something that stands outside the system in order to be able to challenge. This can be tricky to establish if the network is too closely entwined.

Again I would like to think this as long as there is plenty people in the system to cope with each job

## Adopt North East Consultation

**We are keen to ensure that this consultation reaches people from across the region; please would you help us to confirm this by providing the first five digits of your postcode in the space below?**

NE35R	Ts15 9
ne81h	NE8 3JH
Ne259	DH33J
NE65 0	ne28 7
Ne28 7	NE96B
ne11	
NE26 2N	
NE29 9LE	
dh8 9qt	
NE17R	
Ne30 3	
NE34 9	
DH2 1A	
NE10 0	
NE26 2	
SR5 2T	
ts17 5	
TS10 1	
SR5 2T	
NE34 7	
ne11 9	
TS159	
Sr5 1n	
DH4 4YA	
TS17 6	
ne360	
NE30 3	
NE6	
ne28 6	
NE13 9	
ne25 8	
NE8	
NE30 3	
NE29 8	
TS26 8	
Ne65T	
Ts18 5	
NE15 5	
ne303	
DH5 8Q	

**Logo option 2**

Nuturing families



**ADOPT**  
NORTH EAST

Page 57



This page is intentionally left blank

The purpose of this initial assessment is to analyse whether a new or substantially revised policy, strategy, function or budget proposal is likely to have significant negative impact in terms of equality and therefore require a full Equality Impact Assessment (Stage 2). *If you are already aware that a full assessment is required, there is no need to complete Stage 1.*

<b>Group:</b> Care Wellbeing and learning	<b>Service:</b> Children and Families	<b>Section:</b> Looked After Children	<b>Officer responsible for assessment:</b>
<b>Support officers:</b> Jill Little Service manager looked after children Elaine Devaney Service director		<b>Completion date:</b> 7/9/2018  <b>Review date:</b> 7/9/2019	
<b>(1) Name &amp; purpose of the policy, strategy, function or budget proposal:</b> Briefly describe the aims, objectives and purpose of the policy/function or budget proposal	<p>The Regional Adoption Agency (RAA) will provide a greater pool of adopters so that children will have a better chance of being matched with a family which can meet their needs; and the number of children placed for adoption will increase. The Regional Adoption Agency (RAA) will provide a greater pool of adopters so that children will have a better chance of being matched with a family which can meet their needs; and the number of children placed for adoption will increase. To make adoption services more efficient and effective for children and their adoptive families by undertaking them on a regional rather than Local Authority basis</p> <p>Our communities and individuals are safe and protected from harm and are able to remain independent for longer.</p> <p>- Resources and services are targeted efficiently whether delivered by the local authority, commissioned or in partnership.</p>		

	<p>The proposal affects 8 staff. Appropriate TUPE arrangements are in place. Guidance from personnel was sought during the development of this proposal. Unions have been consulted in relation to the development of RAA. In relation to any subsequent changes with implications for staff the Council's employment, secondment, redundancy and TUPE policies will be adhered to.</p> <p>The project and move to the RAA is monitored by the Project Board with decisions being made on the infrastructure of the new agency.</p> <p>The RAA is expected to improve the successful placement of children with adoptive parents; this includes children with disabilities and children from BME backgrounds and other protected characteristics under the Equality Act 2010.</p>
<p><b>(2) Is this new or existing?</b></p>	<p>The regional adoption agency is a new organisation.</p>
<p><b>(3) Who are the main customer groups affected by this policy, strategy, function or budget proposal and has there been prior consultation undertaken?</b></p>	<p>This will primarily benefit the children and their adopters</p> <p>The RAA is designed to promote equality in that children with complex needs will have more placement choice should have the opportunity of adoption</p> <p>The proposals will be presented to Gateshead Council Cabinet in September 2018. Upon the outcome of cabinet decision. The Adoption agency anticipate if agreement is given to go live in December 2018.</p> <p>Adoptive parents and adopted service users have received briefings and been consulted They will be given the support necessary to meet any needs linked to the protected characteristics such as religion, race, culture and language.</p> <p>Where specific needs are identified then the RAA has the capacity to arrange for appropriate training for the adoptive parents, and to ensure support from the relevant services e.g. children with disabilities team, SENCO additional needs assessments etc.</p>



**(4) Using the table below please consider the impact of the policy, strategy, function or budget proposal on the protected characteristics as identified in the Equality Act 2010. If you have identified negative impact then a full EIA will need to be completed. Please note Question 5 should be answered in relation to impact on employees.**

<b>Protected Characteristics</b>	<b>Assessment of Potential Impact (delete as appropriate)</b>	<b>Reason for this Assessment</b>	<b>Are there any mitigating circumstances?</b>
Age	Positive/Negative/Neutral	neutral	
Disability	Positive/Negative/Neutral	neutral	
Race	Positive/Negative/Neutral	neutral	
Gender (includes gender reassignment)	Positive/Negative/Neutral	neutral	
Pregnancy & Maternity	Positive/Negative/Neutral	neutral	
Sexuality	Positive/Negative/Neutral	neutral	
Religion or belief	Positive/Negative/Neutral	neutral	
Marriage & civil partnership	Positive/Negative/Neutral	neutral	

**(5) Impact on Council Employees**

Please indicate which of the protected characteristics your assessment has identified as being of relevance:

Age	<input type="checkbox"/>	Disability	<input type="checkbox"/>	Race	<input type="checkbox"/>	Gender (inc. gender reassignment)	<input type="checkbox"/>
Pregnancy & Maternity	<input type="checkbox"/>	Sexuality	<input type="checkbox"/>	Religion or belief	<input type="checkbox"/>	Marriage & civil partnership	<input type="checkbox"/>
None	<input checked="" type="checkbox"/>						

Reason:

Adoption can affect all parts of society. The assessment has considered any potential impact on all of the effected council employees/

**(6) Evidence and Engagement**

**Please use this section to detail the information that you have considered to assess the service for its relevance to equality eg data, research, engagement etc.**

Consultation processes with staff, decision makers and stakeholders taken place over the last year. In our current plan this the DfE have a full consultation over the last 12 months has been completed. There is an impact on staff regarding travelling distance which for some staff will be further.

The communication plan has been implemented as part of the consultation process. The consultation has been conducted with staff, managers, decision makers and stakeholders.

There is no negative or adverse impact identified at present but may be subject to change based on feedback through the consultation.

UPDATE – There are number of concerns of the location of the Hub particularly by staff currently based in Worcestershire. This impacts 5-8 staff transferring to Hub functions planned to be delivered in Warwickshire. An agreement has been reached to allow flexible working for all staff and requirement for Worcestershire staff to work from Warwickshire to a minimum. The

**(7) Should this policy, strategy, function, or budget proposal proceed to a Stage Two EIA?**

**No**

If yes is this because:

1. Negative impact identified
2. Need better monitoring data
3. Need other information
4. Possibility to promote equal opportunities and good inter-group relations.

Date Stage Two EIA to commence:

Target date for completion of Stage Two EIA:

**SIGNED: Jill Little**  
**Completing Officer**

**SIGNED: Elaine Devaney**  
**Service Director**

**SIGNED:**  
**Strategic Director**

**Once completed, please forward to Jane Bench in the Policy, Transformation and Communications Service for evaluation.**

**TITLE OF REPORT:** Revisions to the Council's Retirement Policy and Redundancy Policy

**REPORT OF:** Mike Barker, Strategic Director, Corporate Services & Governance

---

### **Purpose of the Report**

1. To agree a revised Retirement Policy and revised Local Government Pension Scheme (LGPS) Discretions Policy for approval by the Council as set out in appendix 2. To also agree a revised Redundancy Policy as set out in appendix 3 to this report.

### **Background**

2. The purpose of the Council's Retirement Policy is to assist the Council when considering applications for early retirement from employees who are eligible for payment of benefits under the LGPS. This is aligned to the Council's workforce planning process and provides for consideration of retirement applications in an effective, fair and consistent manner, taking into account the financial and managerial interests of the Council.
3. The Local Government Pension Scheme Regulations 2013 and the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 introduced a legal requirement for the Council to set a policy on a number of pension discretions. The current Retirement Policy details these discretions and was approved by the Council on 17 July 2014.
4. The current Redundancy Policy was approved by the Council on 28 February 2013 following a review of the redundancy payments scheme.

### **Proposal**

5. **Retirement Policy (Appendix 2)** – this has been revised to ensure it reflects current good practice, taking into account the Council's ongoing financial position, and the fact that releasing pension on an unreduced basis can result in a significant associated cost for the Council in the form of a 'strain on the fund'. It also reflects the most recent updates to the Local Government Pension Regulations.

The main changes are:

- Inclusion of the procedure for managing applications for flexible retirement, and providing clarity on the criteria on which applications will be considered. Notably, the policy highlights that applications for flexible retirement will only be granted in exceptional circumstances or where there is little cost to the Council.

- Inclusion of the provisions relating to ill health retirement which are currently outlined in a separate document.
- Highlighting that it is the intention of the Government to introduce legislation to provide for repayment of public sector exit payments and an exit payment cap. Note that this legislation is pending and therefore the policy may need further updating in the future.
- Providing clarity in respect of voluntary early retirement applications which are a cost to the Council – such applications will only be granted in exceptional circumstances or where there is little strain on the pension fund; each case will continue to be considered on its merits. The policy also clarifies that the Pensions and Pay Discretions Sub-Committee will consider appeals where applications for voluntary early retirement have not been agreed.
- Clarification that the Strategic Director, Corporate Services and Governance can agree the discretions relating to the non-aggregation of pension benefits i.e. where an employee requests not to aggregate their deferred benefits with new LGPS employment.

Taking into account these updates, the revised policy articulates more clearly the Council's position, particularly in relation to the discretions available to grant early retirement where there is a cost to the Council. It is anticipated that by providing this clarity will better manage employee's expectations in this respect.

6. Applications for the early release of deferred benefits which are a cost to the Council will continue to be considered by the Pensions and Pay Discretions Sub-Committee.
7. **Redundancy Policy (Appendix 3)** - in conjunction with the changes detailed above, the Council's Redundancy Policy has also been revised. The main change is in respect of consideration of applications for voluntary redundancy in cases where there is no risk of compulsory redundancy.
8. As a consequence of the Council-wide voluntary redundancy exercise undertaken in 2011 there have been high levels of expectation amongst the workforce in relation to the ability to secure voluntary redundancy at age 55. The change proposed in the revised policy should ensure that employees do not have unrealistic expectations in this regard. The main change therefore relates to providing clarification that applications for voluntary redundancy will be approved only where to do so will clearly support effective business planning and service delivery; and, will take into account the cost to the Council.

### **Recommendation**

9. Cabinet is asked to recommend the Council to:
  - (i) approve the attached revised Retirement and Redundancy Policies, which include the Council's policy on pension discretions; and
  - (ii) authorise the Strategic Director Corporate Services & Governance in consultation with the Leader of the Council to make any minor amendments to the policies that may be required following further consultation with Trade Unions.

The above decisions have been made for the following reasons:

- (i) To ensure the Retirement Policy reflects current good practice, taking into account the Council's ongoing financial position, and the fact that releasing pension on an unreduced basis can result in a significant associated cost for the Council in the form of a 'strain on the fund'.
- (ii) To reflect in the Retirement Policy the most recent updates to the Local Government Pension Regulations.
- (iii) To ensure that employees do not have unrealistic expectations of the ability to secure voluntary redundancy at age 55 by providing clarification in the Redundancy Policy that applications for voluntary redundancy will be approved only where to do so will clearly support effective business planning and service delivery; and, will take into account the cost to the Council.

---

**Contact: Janice Barclay**

**Ext 2101**

### Policy Context

1. The proposed amendments to the Retirement Policy, Discretions Policy, and Redundancy Policy update the HR framework to enable the Council to manage workforce matters in support of the objectives of the Council Plan and the Workforce Strategy.

### Background

2. The Retirement Policy and Discretions Policy were approved by the Council on 17 July 2014 as a result of the Local Government Pension Scheme Regulations 2013 and the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 which, in effect, brought about the implementation of a new scheme from 1 April 2014 and introduced a legal requirement to set a policy on discretions.
3. The current Redundancy Policy was approved by the Council on 28 February 2013 following a review of the redundancy payments scheme.

### Consultation

4. The views of the Leader of the Council have been sought in drafting this report. The Council's recognised non-teaching Trade Unions have also been consulted extensively in relation to the proposed amendments. Although the Trade Unions acknowledge the financial pressures faced by the Council, they are concerned that the Council is taking a very restrictive approach to awarding flexible retirement and early retirement on an unreduced basis, or which is a cost to the Council. The policy does however provide for each case to be considered on its merits and allows the Council to apply its discretion as appropriate. Trade Unions have requested anonymised data be provided, on a quarterly basis, in relation to the numbers of applications and whether or not these were approved. This will ensure transparency in the application of the policy.
5. The Trade Unions are also concerned that the Council is seeking to limit the approval of applications for VR from employees not at risk of redundancy, and that VR could 'become the exception rather than the rule' and would therefore have unacceptable implications for 'bumped' redundancies. Management have assured the Trade Unions that the Council has a successful track record in redeploying staff who are facing redundancy and will continue in this endeavour which includes exhausting opportunities for bumped redundancies. However, in light of the ongoing financial challenges the Council faces and the increasing pressure on services, there needs to be certainty that by approving a VR in a not 'at risk' area the Council is acting in the best financial and managerial interests.

There are some minor issues in relation to the retirement policy which remain subject to discussion with the Trade Unions. These relate to changes made to the policies initially agreed with Trade Unions as a result of late notification of revised guidance from the Local Government Pension Scheme in respect of the exercise of discretions. However, if Cabinet agree, these can be considered by the Strategic Director Corporate Services & Governance under delegated powers.



## Alternative Options

6. No alternative options have been proposed other than those presented for Cabinet approval, as they are considered to be the best way of achieving the objective of the policies: i.e. assisting the Council to consider the retirement of pensionable employees and to manage redundancies as part of its workforce planning process in an effective, fair and consistent manner.

## Implications of Recommended Option

### 7. Resources:

- a) **Financial Implications** – The Strategic Director Corporate Resources confirms that there are no direct financial implications arising from this report. Where applications under this policy are received the financial implications will be considered on a case by case basis.
- b) **Human Resources Implications** – The objective of the retirement and redundancy policies is to allow the Council to consider the retirement of pensionable employees and manage redundancies as part of its workforce planning process in an effective, fair and consistent manner. In applying the policies, the Council reserves the right to determine how the options/discretions presented within the policy will be applied to each of its pensionable employees. The policies provide sufficient flexibility for the Council to make decisions which are in the best financial, managerial and operational interests. The policies form part of the Council's overall human resources policy framework, through which it aims to be an exemplary employer.
- c) **Property Implications** – there are no property implications arising from the recommendations within this report.

8. **Risk Management Implications** - The changes in the Council's Retirement Policy and Redundancy Policy statements as recommended in the report are not considered to introduce any new risk.

9. **Equality and Diversity Implications** – Each application submitted under the Retirement Policy is considered on a case by case basis. In doing so an application is assessed on its own facts, taking into account personal circumstances, financial and service delivery implications. Likewise, any application for voluntary redundancy is considered in the context of business objectives and the long-term delivery of the service. The Council has never received any legal challenges in connection with a retirement-related application, or an application for voluntary redundancy, where the challenge is based on a protected characteristic (race, gender, disability, sexual orientation, religion or belief, or age). However, extreme care will continue to be taken to ensure that there are no direct or indirect discrimination implications when considering each application under these policies.

Equality Impact Assessments have been completed in relation to both policies and are available within the Council's online papers.

10. **Crime and Disorder Implications** – There are no crime and disorder implications.

11. **Health Implications** - There are no health implications.
12. **Sustainability Implications** - There are no sustainability implications.
13. **Human Rights Implications** – Under the Retirement Policy employees have a right to individual representation and a regulatory appeal mechanism (the LGPS Internal Disputes Review Procedure) is in place to ensure this.
14. **Area and Ward Implications** - There are no area and ward implications.
15. **Background Information** - None

# Retirement Policy



**Links to Other Policies:**

Redundancy Policy and Procedure [\[insert hyperlink to policy\]](#)

**Effective date:**

1<sup>st</sup> October 2018

**Review Date:**

Autumn 2021

**Status:**

This policy and procedure does not form part of any employee's contract of employment and the Council may amend it at any time.

**HR and Workforce Development Policy and Guidance in Gateshead Council**

Gateshead Council's HR and Workforce Development policies take into account current legislation, rules, regulations and best practice guidance from a range of professional and public bodies, including the following:



UK Legislation



EU Legislation



ACAS



CIPD Best Practice

Content

1.0	Aim .....	1
2.0	Definition of Retirement .....	1
3.0	Application of the Policy .....	1
4.0	Commitments .....	1
5.0	Voluntary Retirement.....	2
6.0	Early Retirement on Redundancy Grounds (Compensation Payments) .....	3
7.0	Early Retirement on Grounds of Efficiency .....	3
8.0	Flexible Retirement .....	4
9.0	Ill Health Retirement .....	5
10.0	Retirement Age.....	8
11.0	Awarding of Additional Pension .....	8
12.0	Repayment of Public Sector Exit Payments.....	9
13.0	Exit Payment Cap.....	9
14.0	Former Employees Requesting Release of Pension Benefits .....	9
15.0	Employer Discretions .....	11
	Appendix 1 - Procedure for Voluntary Retirement Applications.....	12
	Appendix 2 - Procedure for Flexible Retirement Applications.....	15
	Appendix 3 – LGPS Employer’s Discretions Policy .....	18
	Appendix 4 - Further Employer Discretions - Policy Statement .....	24

## 1.0 Aim

The Council regards its employees as essential to the successful delivery of excellent services to the public. The aim of this policy is to provide the Council with a framework which allows the consideration of early retirement applications as part of its workforce planning process in an effective, fair, and consistent manner.

## 2.0 Definition of Retirement

Within the context of this policy 'retirement' is defined as all circumstances where an employee with accrued benefits under the Local Government Pension Scheme (LGPS) wishes to retire (either fully or flexibly). It should be noted that this policy cannot override any statutory provisions which may be applicable in any individual circumstance.

## 3.0 Application of the Policy

The early retirement provisions within this policy apply to all employees who are aged 55 or over who are members of the LGPS and have the relevant qualifying service. Other provisions potentially apply to all employees including non-teaching employees in schools and some former employees.

Application of any option within this policy shall not be used as a substitute for early retirement on the grounds of permanent ill health.

## 4.0 Commitments

In situations where an employee meets the criteria for any of the options outlined within this policy

### **The Council will ensure that:**

- Employees are treated in a fair and consistent manner.
- Communication between employees and their managers and trade unions is maintained throughout the procedure.
- Regulations and LGPS rules are adhered to.
- In cases of redundancy the Council's redundancy policy is adhered to.

### **Employees must ensure that they:**

- Adhere to the procedures laid down within this policy.
- Provide accurate and timely information as required.

- Continue to perform their role in an effective manner, with satisfactory levels of conduct and performance.

## 5.0 Voluntary Retirement

- 5.1 Under LGPS Regulations 2013, it is possible for a member of the LGPS to retire at any age on or after their 55<sup>th</sup> birthday and draw their pension immediately. There is no requirement for the Council to give consent, but the pension paid will be reduced on an actuarial basis depending on the individual circumstances of the person retiring.
- 5.2 Provisions for the '85 year rule' are made in The Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014. Where these regulations apply, the member satisfies the 85 year rule if the sum of the following is 85 years or more:
- their age in whole years on the date of requesting payment of benefits; plus,
  - total scheme membership in whole years; and
  - in the case where the request for payment is made after local government employment ends, the period beginning with the end of that employment and ending with the date the request is made
- 5.3 The 85 year rule provides protection against actuarial reductions either in whole or part depending on the individual's personal circumstances.
- 5.4 The 85 year rule protection will not automatically apply where a member chooses to voluntarily retire between the age 55 and under the age of 60. However, the regulations provide discretion for the Council to 'switch the rule back on' and in doing so meet the strain on the fund cost.
- 5.5 Irrespective of the 85 year rule, there is further provision whereby the Council may agree to waive in whole or part the actuarial reduction that would otherwise apply as a result of early retirement.
- 5.6 In relation to paragraphs 5.4 and 5.5 above, any application for a reduction to be waived, or the 85 year rule to be switched on, will only be approved in exceptional circumstances or where there is little strain on the fund. Applications will be considered having regard to personal, financial and service delivery implications.
- 5.7 Applications to receive a pension as a result of voluntary retirement must be made to the Tyne and Wear Pension Fund 3 months prior to the proposed date of leaving by completing a CARE 65 form available from the Tyne & Wear

Pension Fund. The procedure for making an application for voluntary retirement where the employee is requesting that the 85 year rule be switched on, or requesting that a reduction is waived, is detailed in [Appendix 1](#).

## 6.0 Early Retirement on Redundancy Grounds (Compensation Payments)

- 6.1 Proposals involving early retirement on the grounds of redundancy will be considered where attempts to find alternative employment of a similar and appropriate type have been exhausted. The same benefits and entitlements will be paid regardless of whether the early retirement on the grounds of redundancy is 'voluntary' or 'compulsory'. For any proposals based on redundancy the Strategic Director, Corporate Services & Governance must confirm that a post is redundant and the post must be deleted from the establishment of the service.
- 6.2 Where it is confirmed that these circumstances are met, accrued pension benefits under the LGPS are payable immediately on an unreduced basis if the employee is aged 55 or over. If the employee has any Additional Pension Contributions (APCs) or Additional Regular Contributions (ARCs) relating to the job they are being made redundant from, the APCs/ARCs would also be released but on an actuarially reduced basis.
- 6.3 Further information about redundancy is provided in the Council's Redundancy Policy.

## 7.0 Early Retirement on Grounds of Efficiency

- 7.1 An active member of the LGPS who has attained age 55 and whose employment is terminated by mutual consent on grounds of business efficiency will be entitled to immediate payment of their retirement pension.
- 7.2 Regulations require that their 'main' scheme pension benefits will be paid in full and the Council will meet the strain on fund costs.
- 7.3 Any pension purchased by way of APCs/ARCs will be actuarially reduced. However, any additional pension awarded by the Council will not be actuarially reduced.
- 7.4 Where an employee's employment is terminated by mutual consent on grounds of business efficiency, the Council reserves the right to award additional pension within the scope of the LGPS Regulations 2013. Each case will be



considered on its own facts and when considering each case, the personal, financial and service delivery implications will be assessed.

- 7.5 In circumstances where any additional pension may be awarded, it is important to check the impact on the 'Annual Allowance' and 'Lifetime Allowance'. Employees are advised to seek their own financial advice on any implications before any decisions are made.

## 8.0 Flexible Retirement

- 8.1 Flexible retirement is seen as a pathway to full retirement for employees, while allowing for effective succession planning for the Council. As such, flexible retirement applications will be considered in that context. A scheme member who has attained age 55 can apply to draw their retirement pension whilst remaining in employment and building up further benefits. In accordance with the regulations, employees who are granted flexible retirement are required to draw all of their pre 2008 pension benefits; and can choose, with the Council's approval, whether to draw all, part, or none of their post 2008 pension benefits.

Applications for flexible retirement are subject to the following:

- there is a reduction in hours or grade which results in the sum of the revised salary and pension benefits arising from flexible retirement not exceeding current salary. Reductions in hours can only apply to the employee's substantive post and not to an acting up or secondment.
- reduced working arrangements are permanent - there will be no right to revert back to the original working hours.
- if an application is withdrawn, or it is turned down, a further application cannot be made for 12 months.
- employees who have flexibly retired may not subsequently apply for positions that would result in either an increase in hours or being paid at a higher grade.
- there is not an automatic entitlement to flexible retirement. An employee's application will be considered in relation to the human resource management, personal, financial and service delivery implications for the Council and it will only be granted in very exceptional circumstances or where there is little cost to the Council in the form of a strain on the fund.

The procedure for Flexible Retirement applications is at [Appendix 2](#)

- 8.2 Pension Benefits and Pay

From the start of the revised working arrangement an employee will be paid for their new contracted hours of work and receive their pension benefits. These benefits may be reduced because they are being taken early, unless the Council exercises its discretion to waive all or some of that reduction. In reaching a decision (on whether to waive all or some of the reduction) each case will be viewed on its individual merits, having regard to the financial, personal, human resource management and service delivery implications.

Employees will automatically become new members of the LGPS based on their reduced hours or reduced grade. Any employee may opt out of the LGPS in accordance with the rules of the Scheme.

### 8.3 Cost (strain on the fund)

The cost associated with flexible retirement is related to an employee's age and length of service. In certain cases there will be no cost because they may be taking reduced benefits. However, in other cases there will be a strain on the fund cost even when reduced benefits are being taken.

Only in very exceptional circumstances will an employee be awarded flexible retirement where there is a cost to the Council which cannot be met by applying an actuarial reduction.

## 9.0 Ill Health Retirement

9.1 If an employee is a member of the LGPS and has 2 years or more qualifying service, and their employment is terminated on the grounds of ill-health, a pension may be payable where the employee has been certified by Council's Physician (Independent Registered Medical Practitioner) as meeting one of the 3 tiers of Ill Health Retirement. Note that a tier 3 award is subject to regular review – see below. Each case will be considered by the Service Director Human Resources and Workforce Development with legal advice as necessary. The Service Director, Human Resources and Workforce Development will decide (on behalf of the Council as employer) whether to retire the employee on the grounds of ill health. In order to reach a fully informed decision, the employee's consent to disclosure of relevant medical evidence including GP or consultant reports may be required.

### 9.2 Ill health retirement criteria / tiers

The Council will make the decision whether to award ill health retirement benefits and if so, which tier should be awarded. The Council will need to take

account of evidence and the opinion of an IRMP. The criteria in the LGPS regulations that the employer must consider are whether:

- The employee's illness or infirmity of mind or body mean that they are **permanently incapable** of discharging efficiently the duties of their current employment, and;
- As a result of the ill health or infirmity of mind or body, the employee is not immediately capable of undertaking any gainful employment.

The LGPS Regulations explain the meaning of these terms.

**'Permanently incapable'** means that the person will, more likely than not, be incapable of discharging efficiently the duties of their employment because of ill health or infirmity of mind or body until, at the earliest, their 'normal pension age'.

**'Gainful employment'** means paid employment for not less than 30 hours in each week for a period of not less than 12 months. This means any job, not just one that has similar pay and conditions to the employee's current employment. Working fewer than 30 hours per week will not prevent anyone from being considered for ill health retirement criteria. Also, there is not a lower age limit to ill health retirement.

In accordance with the process set out at 9.1, once the Council decides whether the employee meets the criteria for ill health retirement, they consider the level of the benefit to award. The descriptions of 'Benefits Payable' set out below are only a guide, as the level of benefits payable will depend on the employee's individual circumstances. There are three tiers providing different benefits:

Qualifying criteria	Benefits payable
<p><b>Tier 1</b> Where the employee is unlikely to be capable of undertaking any gainful employment before their Normal Pension Age.</p> <p><b>Tier 2</b> Where the employee cannot do their job and although they are unlikely to be capable of undertaking gainful employment within three years of leaving their employment, it is likely that they will be capable of undertaking gainful employment before their Normal Pension Age.</p> <p><b>Tier 3</b> If the employee cannot do their current job, but evidence suggests it is likely that they will be capable of undertaking gainful employment within three years of leaving their employment, or before their Normal Pension Age if earlier.</p>	<p><b>Tier 1</b> Ill health benefits are based on the pension already built up in the employee's pension account at the date of leaving the scheme plus an amount equivalent to the amount of earned pension the employee would have accrued to normal pension age based on assumed pensionable pay as defined in LGPS regulations.</p> <p><b>Tier 2</b> Ill health benefits are based on the pension already built up in the employee's pension account at the date of leaving the scheme plus an amount equivalent to 25% of the amount of earned pension the employee would have accrued to normal pension age based on assumed pensionable pay as defined in LGPS regulations.</p> <p><b>Tier 3</b> Ill health benefits are based on the pension the employee has already built up in their pension account at the point of leaving. Payment of these benefits will be stopped after 3 years, or earlier if the employee is in gainful employment or becomes capable of such employment, provided they have not reached their Normal Pension Age by then. If the payment is stopped it will normally become payable again from their Normal Pension Age but there are provisions to allow it to be paid earlier. Details would be provided at the time.</p> <p>A tier 3 pension will be reviewed after 18 months, the result of which will mean the pension will either:</p> <ul style="list-style-type: none"> <li>• Continue to be paid</li> <li>• Stop or</li> <li>• Increase as if the employee was awarded a tier 2 pension.</li> </ul>

- 9.3 Former employees may apply for release of deferred benefits on the grounds of ill health and each case will be considered with regard to the pension regulations that apply in accordance with the date of leaving the scheme. Applications will be considered in accordance with the procedure set out at paragraph 9.1.
- 9.4 If an employee is refused ill-health retirement, is dissatisfied with the tier of benefits awarded, or a former employee is refused release of deferred benefits on medical grounds, they may appeal in accordance with the LGPS Appeals Procedure. Please contact HR Advice for further information.

### 10.0 Retirement Age

- 10.1 The Council does not have a default retirement age (DRA) and employees can remain in their post indefinitely provided they remain capable of carrying out their role to the standard expected by the Council.
- 10.2 An employee's normal retirement age for pension purposes is determined by their individual circumstances. For state pension purposes this is governed by their date of birth. For LGPS purposes this is similarly determined by their date of birth with the employee's normal retirement age being their state retirement age with a minimum age of 65.

### 11.0 Awarding of Additional Pension

- 11.1 Regulation 31 of the Local Government Pension Scheme Regulations 2013 includes provision for the Council to grant additional pension of up to £6,822 (current value at the date of this policy). The award of additional pension can be made:
- In respect of an active member; or
  - Within six months of an active member leaving employment by reason of redundancy or business efficiency.
- 11.2 In relation to active members, this provision may, in exceptional circumstances, be used as an aid to recruitment and/or retention of key members of staff, or for other reasons of business efficiency.
- 11.3 A lump sum compensation payment cannot be made under The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 if, in respect of the termination, the employee has been awarded additional pension under Regulation 31 of the LGPS Regulations 2013. As this policy makes provision

for compensation payments on redundancy, the Council will not award additional pension to employees leaving on redundancy grounds.

## 12.0 Repayment of Public Sector Exit Payments

The Government intends to introduce legislation (The Repayment of Public Sector Exit Payments Regulations 2016), whereby any former employee who earned at least £80,000 per annum and who returns to work anywhere in the public sector within a year of leaving, including under a contract for services, is required to repay a proportion of their exit payment. The repayment liability reduces proportionately over the subsequent 365 days.

## 13.0 Exit Payment Cap

The Government intends to introduce legislation capping exit payments, including redundancy payments and the cost to the employer of any strain on the pension fund. The proposed limit is £95,000. Further detail is awaited and this policy will be updated in accordance with the legislation when enacted. Please contact HR Advice for further information.

## 14.0 Former Employees Requesting Release of Pension Benefits

There are a number of circumstances where the Council may apply discretions to the early release of pension. Any discretion which is a cost to the Council will **not** normally be applied. Discretions which incur a cost will be applied only in exceptional circumstances.

### 14.1 Early Release of Deferred Benefits for employees who left on or after 1 April 2014

A former employee (who left on or after 1 April 2014) can choose to draw their pension at any time on reaching age 55. The pension will be actuarially reduced and the 85 year rule will not automatically apply if the employee is aged between 55 and 60.

14.2 However, the Council has the right to 'switch the 85 year rule back on' and / or waive the reduction in whole or part depending on the individual circumstances.

14.3 In these circumstances the former employee must notify the Council that they wish for either of the above discretions to be applied. On receipt of an application a report will be presented to Pensions & Pay Discretions Sub-

Committee. When considering applications, each case will be considered on its own merits, taking the financial implications for the Council and personal circumstances of the employee and any dependants into account.

**14.4 Early Release of Deferred Benefits for Leavers and suspended Tier 3 benefits between 1<sup>st</sup> April 2008 and 31<sup>st</sup> March 2014**

At or after age 55 a former employee can choose to draw their deferred benefits. Their pension may be actuarially reduced and if taken between age 50 and 60, the 85 year rule will not automatically apply.

However, the Council has a right to 'switch the 85 year rule back on' and/or waive, on compassionate grounds, an actuarial reduction that may apply to any deferred benefits that are paid before age 65. In these circumstances, an actuarial reduction may only be waived in full.

- 14.5 In these cases the former employee must notify the Council that they wish for either of the above discretions to be applied. On receipt of an application, a report will be prepared and presented to Pensions & Pay Discretions Sub-Committee and each case will be considered on its own merits, taking into account the personal circumstances of the employee and any dependants, and the financial implications for the Council.

**14.6 Early Release of Deferred Benefits for Leavers between 1<sup>st</sup> April 1998 and 31<sup>st</sup> March 2008**

At or after age 50 and before age 55 a former employee can request early release of their deferred benefits with the Council's consent.

At or after age 55 a former employee can choose to draw their pension without the Council's consent. The pension may be actuarially reduced, and if the benefits are drawn between age 55 and 60, the 85 year rule will not automatically apply.

However, the Council has a right to 'switch the 85 rule back on' and/or waive, on compassionate grounds, an actuarial reduction that may apply to any deferred benefits which are paid before age 65. In these circumstances, an actuarial reduction may only be waived in full.

- 14.7 In these cases the former employee must notify the Council that they wish for any of the above discretions to be applied. On receipt of an application, a report will be prepared and presented to Pensions & Pay Discretions Sub-Committee and each case will be considered on its own merits, taking into account the personal circumstances of the employee and any dependants,

and the financial implications for the Council. Where an applicant is aged between 50 and 55, consideration will be given for consent to the release of the deferred benefit and to the waiving of any reduction. Where an applicant is 55 or over consideration will be given to switching on the 85 year rule and/or waiving the actuarial of any reduction.

14.8 There are potentially significant tax implications (for both the applicant and the Council) in releasing deferred benefits before age 55. Any such cases will be discussed with the Tyne and Wear Pension Fund before a final decision is taken.

#### 14.9 **Early Release of Deferred Benefits for Leavers before 1<sup>st</sup> April 1998**

At any time from age 50 to 65 a former employee can request early release of their deferred benefits and the Council can grant this but only on compassionate grounds. If the application is granted benefits will be released without actuarial reduction.

14.10 A report will be prepared for each application and be presented to Pensions & Pay Discretions Sub-Committee and each case will be considered on its own merits, taking into account the personal circumstances of the employee and any dependants, and the financial implications for the Council.

14.11 There are potentially significant tax implications (for both the applicant and the Council) in releasing deferred benefits before age 55. Any such cases will be discussed with the Tyne and Wear Pension Fund before a final decision is taken.

## 15.0 Employer Discretions

Other discretions available to the Council are detailed at [Appendix 4](#). Decisions in respect of discretions (i) to (v) of Appendix 4 are delegated to the Strategic Director, Corporate Services & Governance.

Cases requiring a determination under the remaining delegations will be considered by Pensions & Pay Discretions Sub-Committee as and when a case arises.



## Appendix 1 - Procedure for Voluntary Retirement Applications

Under LGPS Regulations 2013, it is possible for a LGPS member to take voluntary retirement at any age on or after their 55<sup>th</sup> birthday and draw their pension immediately. There is no requirement for the Council to give consent but the pension paid will be reduced on an actuarial basis depending on the circumstances of the person retiring.

Employees aged 55 or over but who have not yet reached their state pension age should complete CARE form 65, available from the Tyne and Wear Pension Fund website, in these circumstances.

Employees over their state pension age should contact the Tyne and Wear Pension Fund directly who will advise on the procedure to be followed.

Redundancy/efficiency, ill health and flexible retirement applications are dealt with separately under the relevant Council policies.

Therefore, the following procedure is **only** to be used in respect of voluntary early retirement applications where there are financial implications for the Council, in the form of a 'strain on the fund'.

Such applications will involve the employee:

- Applying to have an 'actuarial reduction' waived; and /or,
- Applying to have the 85 year rule switched on.

### Procedure

1. An eligible employee expresses an interest in early retirement to their Service Director. They do this by completing form ER1– part 1 only. An eligible employee is one who is (a) aged 55 or over, and (b) is currently paying pension contributions to the LGPS and has a minimum of two years' pensionable service or relevant qualifying service.
2. Applications will only be approved in exceptional circumstances, therefore the applicant must set out any relevant information which should be taken into account in support of their application.

3. The Service Director must complete part 2 of form ER1 and forward it to HR Advice.
4. HR Advice will send a copy of the ER1 to Corporate Resources who will obtain pension estimate figures from the Tyne and Wear Pension Fund. Corporate Resources will also complete the front page of Form ER2 and return it to HR Advice.
5. HR Advice will complete form ER3 which details estimated benefits and forward it to the employee via their Service Director. HR Advice will also complete section 5 of the ER2 form, which shows the costs and savings of that early retirement application and forward that to the relevant Service Director.
6. After considering their pension benefits, the employee should decide whether or not they wish to continue with their application. If they wish to proceed, the employee must notify their Service Director of this decision in writing.
7. A Service Director cannot approve an application where there is a strain on the fund. If the employee wishes to pursue their application, it will be referred to the Officer Panel which comprises officers from HR Advice and Corporate Resources. Factors to be considered will include: personal circumstances; service requirements; organisational context and financial implications.
8. The Officer Panel will examine each voluntary retirement case, consider the financial and other information including the exceptional circumstances provided by the employee, and make a recommendation to the Strategic Director, Corporate Services and Governance. This information will also be entered onto the Form ER2. The Panel will only recommend approval in very exceptional circumstances.
9. Applications, together with the recommendation from the Officer Panel, will be submitted to the Strategic Director, Corporate Services & Governance for decision.
10. In considering the recommendation, the Strategic Director, Corporate Services & Governance will, if necessary, consult with the Strategic Director Corporate Resources and the employee's Service Director and/or Strategic Director.
11. The Strategic Director, Corporate Services and Governance will inform the employee in writing of the outcome of their application, and their right of appeal.
12. Where an application is rejected, the employee has a right of appeal to the Pensions and Pay Discretions Sub Committee. Where an employee wishes to appeal against the decision to reject their application, they must, within 10

working days of receipt of the letter confirming the decision, submit their appeal, and any additional information to the Strategic Director, Corporate Services and Governance. The Pensions and Pay Sub-Committee will consider the employee's written submission.

13. Where applications for voluntary early retirement are approved, a formal offer will be made (ER4).
14. If the employee accepts the offer of voluntary retirement they must confirm the original date of retirement, or agree an alternative mutually acceptable retirement date with their Service Director.

## Appendix 2 - Procedure for Flexible Retirement Applications

Applications for flexible retirement where there is no cost to the Council (strain on the fund) may be approved by Service Directors. In reaching a decision on whether or not to approve an application, Service Directors must take into account the implications for service delivery, the organisational context, the personal circumstances of the employee and any savings which could be achieved by reducing the hours of the post. Service Directors should be aware that there will be a strain on the fund if an employee flexibly retires between the age of 55 and 60 and meets the 85 year rule.

The following procedure must be followed where the employee is applying for flexible retirement on an unreduced basis (i.e. applying to have an actuarial reduction waived which results in strain on the fund costs).

1. An eligible employee expresses an interest in flexible retirement to the Service Director. They do this by completing form FR1 – part 1 only. An eligible employee is one who is (a) aged 55 or over, and (b) currently an active member of the LGPS
2. When considering applications for flexible retirement, the Council will take into account the personal circumstances of the applicant, service-delivery requirements and the financial implications in order to determine whether, or not, the application should be supported. If it is rejected, the employee has the right of appeal to the Pensions and Pay Discretions Sub-Committee of the Council. Applications will only be approved in exceptional circumstances or where there is little cost to the Council in the form of a strain on the fund, therefore the employee must set out any relevant information which should be taken into account in support of their application.
3. Where a Service Director decides an application cannot be supported for operational reasons they must inform the employee and give the reason(s) in writing. The employee may appeal in writing to the Strategic Director, Corporate Services & Governance if they are not satisfied with the decision.
4. The Service Director must complete part 2 of form FR1 and forward it to HR Advice.
5. HR Advice will send a copy of the FR1 to Corporate Resources who will obtain pension estimate figures from the Tyne and Wear Pension Fund. Corporate Resources will also complete the front page of Form FR2 and

return it to HR Advice.

6. HR Advice will complete form FR3 which details estimated benefits and forward it to the employee via their Service Director. HR Advice will also complete section 5 of the FR 2 form which shows the costs and savings of that early retirement application and forward that to the relevant Service Director.
7. After considering their pension benefits, the employee should decide whether or not they wish to continue with their application. If they wish to proceed, the employee must notify their Service Director of this decision in writing.
8. A Service Director cannot approve an application where there is a strain on the fund. If the employee wishes to pursue their application, it will be referred to the Officer Panel which comprises officers from HR Advice and Corporate Resources.
9. Officers from Human Resources and Finance and ICT will examine each flexible retirement case taking into account the personal circumstances; service requirements; organisational context and financial implications and make a recommendation to the Strategic Director, Corporate Services and Governance. This information will also be entered onto the Form FR2.
10. Applications, together with the recommendation from the Officer Panel, will be submitted to the Strategic Director, Corporate Services & Governance for decision.
11. The Strategic Director, Corporate Services & Governance will, if necessary, consult with the Strategic Director Corporate Resources and the employee's Service Director and/or Strategic Director.
12. The Strategic Director, Corporate Services and Governance will inform the employee in writing of the outcome of their application, and of their right of appeal.
13. Where an application is rejected, the employee has a right of appeal to the Pensions and Pay Discretions Sub Committee. Where an employee wishes to appeal against the decision to reject their application, they must, within 10 working days of receipt of the letter confirming the decision, submit a written request to the Strategic Director, Corporate Services and Governance. The Pensions and Pay Discretions Sub-Committee will consider the employee's written submission.

14. Where an application for flexible retirement is approved, a formal offer will be made (FR4).
15. If the employee accepts the offer of flexible retirement they must agree a mutually acceptable effective date with their Service Director.

## Appendix 3 – LGPS Employer’s Discretions Policy

### LGPS 2014 Scheme – reviewed September 2018

Discretion	Regulation	Policy
Determine rate of employees’ contributions	R9(1) & R9(3)	<p>The Council will set contribution rates based on a member’s contractual pay in each employment as at 1st April each year. However, if the member’s contractual pay changes during the year such that it falls into a different contribution band, the rate will be reassessed in the pay period when the change takes effect. Where the change has taken effect mid-month, the rate will be calculated based on a proportion of the old and new salaries. The rate will then be re-calculated in the following month based solely on the new salary. If changes to contractual pay are applied retrospectively, contributions will be collected or refunded as appropriate.</p> <p>If a member changes job during a pay period, each job will be assessed separately.</p> <p>If the member is a casual/zero hours employee they will automatically be placed on the lowest contribution band.</p>
Whether, how much, and in what circumstances to contribute to a shared cost APC scheme	R16(2)(e)* & R16(4)(d)*	The Council will not share the cost of APCs.
Whether to extend 30 day deadline for member to elect for a shared cost APC upon return from a period of absence from work with permission with no pensionable pay (otherwise than because of illness or injury, relevant child-related leave or	R16(16)	<p>If notification of the right to elect for a SCAPC is given after the return to work, the Council will give employees 30 days from the date of notification to make such an election. Notification will be deemed to have been provided from the date of any letter or e-mail sent to the employee.</p> <p>Any applications received after this deadline will be considered</p>

reserve forces service leave)		taking into account the facts of each case.
Whether to extend the 12 month option period for a member to elect that post 31 March 2014 deferred benefits should not be aggregated with a new employment	R22(8)(b)	Requests will be automatically accepted where it can be proven that the employee did not receive relevant notice informing them of their right to retain separate benefits and of the relevant deadline. Other applications will be considered on the facts of the case.
Whether to extend the 12 month option period for a member to elect that post 31 March 2014 deferred benefits should not be aggregated with an ongoing concurrent employment	R22(7)(b)	Requests will be automatically accepted where it can be proven that the employee did not receive relevant notice informing them of their right to retain separate benefits and of the relevant deadline. Other applications will be considered on the facts of the case.
Whether to extend the 12 month option period for a member (who did not become a member of the 2014 Scheme by virtue of TP5(1)) to elect that pre 1 April 2014 deferred benefits should be aggregated with a new employment.	TP10(6)	Requests will be automatically accepted where it can be proven that the employee did not receive relevant notice informing them of their right to aggregate pre 1 April 2014 deferred benefits and of the relevant deadline. Other applications will be considered on the facts of the case.
Whether all or some benefits can be paid if an employee reduces their hours or grade (flexible retirement)	R30(6)* & TP11(2)	<p>An employee's application will be considered in relation to the human resource management, financial and service delivery implications for the Council. In considering an application:</p> <ul style="list-style-type: none"> <li>• There must be a reduction in hours or grade in order that the revised salary and pension benefits arising from the flexible retirement do not exceed the current salary. Reductions in hours can only apply to the substantive post and not to a seconded post or other temporary post.</li> <li>• Reduced working arrangements are permanent so there is no right to revert back to the original working hours.</li> <li>• In accordance with the flexible working policy, if an application is withdrawn or it is turned down, another application cannot be made for 12 months, other than in exceptional circumstances.</li> <li>• Employees who have flexibly retired may not</li> </ul>



		subsequently apply for positions that would result in either an increase in hours or being paid at a higher grade, unless exceptional circumstances apply.
Whether to waive, in whole or in part, actuarial reduction on benefits paid on flexible retirement	R30(8)*	Only in very exceptional circumstances will an employee be awarded flexible retirement where there is a cost to the Council which cannot be met by applying an actuarial reduction.
Whether to waive, in whole or in part, actuarial reduction on benefits which a member voluntarily draws before normal pension age other than on the grounds of flexible retirement (where the member only has post 31/3/14 membership)	R30(8)*	Each case will be considered on its own facts having regard to personal, financial and service delivery implications. Only in exceptional circumstances will an employee have their application approved.
Whether to “switch on” the 85 year rule for a member voluntarily drawing benefits on or after age 55 and before age 60 (other than on the grounds of flexible retirement).	TPSch 2, para 1(2) & 1(1)(c)	Each case will be considered on its own facts having regard to personal, financial and service delivery implications. Only in exceptional circumstances will an employee have their application approved.
Whether to waive any actuarial reduction for a member voluntarily drawing benefits before normal pension age other than on the grounds of flexible retirement (where the member has both pre 1/4/14 and post 31/3/14 membership) a) on compassionate grounds (pre 1/4/14 membership) and in whole or in part on any grounds (post 31/3/14 membership) if the member was not in the Scheme before 1/10/06, b) on compassionate grounds (pre	TPSch 2, para 2(3)	Each case will be considered on its own facts having regard to personal, financial and service delivery implications. Only in exceptional circumstances will an employee have their application approved.

<p>1/4/14 membership) and in whole or in part on any grounds (post 31/3/14 membership) if the member was in the Scheme before 1/10/06, will not be 60 by 31/3/16 and will not attain 60 between 1/4/16 and 31/3/20</p> <p>c) on compassionate grounds (pre 1/4/16 membership) and in whole or in part on any grounds (post 31/3/16 membership) if the member was in the Scheme before 1/10/06 and will be 60 by 31/3/16</p> <p>d) on compassionate grounds (pre 1/4/20 membership) and in whole or in part on any grounds (post 31/3/20 membership) if the member was in the Scheme before 1/10/06, will not be 60 by 31/3/16 and will attain 60 between 1/4/16 and 31/3/20</p>		
<p>Whether to grant additional pension to an active member or within 6 months of ceasing to be an active member by reason of redundancy or business efficiency (by up to £6,675 p.a.)</p>	R31*	<p>In relation to active members, this provision may, in exceptional circumstances, be used as an aid to recruitment and/or retention of key members of staff, or for other reasons of business efficiency.</p> <p>There will be no award of additional pension to employees leaving on redundancy grounds.</p> <p>In respect of retirement on efficiency grounds, each case will be considered on its own facts considering the personal, financial and service delivery implications.</p>
<p>Extend normal time limit for acceptance of a transfer value beyond 12 months from joining the LGPS</p>	R100(6)	<p>Requests will be automatically accepted by the Council where it can be proven that the employee did not receive relevant notice informing them of their right to inward transfer and of the relevant deadlines. Other cases will be considered on their merits.</p>

		The TWPF must also agree to the transfer.
<b>Discretions in relation to scheme members who ceased active membership on or after 01/04/08 and before 01/04/14</b>		
Whether to “switch on” the 85 year rule for a member voluntarily drawing benefits on or after age 55 and before age 60.	TPSch2, para(1)(2) & 1(1)(c)	Each case will be considered on its own facts having regard to personal, financial and service delivery implications. Only in exceptional circumstances will an employee have their application approved.
Whether to waive, on compassionate grounds, the actuarial reduction applied to deferred benefits paid early under B30 (member)	B30(5) TPSch 2, para 2(1)	Each case will be considered on its own merits, taking the financial implications for the Council and personal circumstances of the employee into account.
Whether to “switch on” the 85 year rule for a pensioner member with deferred benefits voluntarily drawing benefits on or after age 55 and before age 60.	TPSch 2, para 1(2) & 1(1)(c)	Each case will be considered on its own facts having regard to personal, financial and service delivery implications. Only in exceptional circumstances will an employee have their application approved.
Whether to waive, on compassionate grounds, the actuarial reduction applied to benefits paid early under B30A	B30A(5)*	Each case will be considered on its own merits, taking the financial implications for the Council and personal circumstances of the employee into account.
<b>Discretions in relation to scheme members who ceased active membership on or after 01/04/98 and before 01/04/08</b>		
Grant application from a leaver for early payment of benefits on or after age 50 and before age 55	31(2)	Each case will be considered on its own merits, taking the financial implications for the Council and personal circumstances of the employee into account.
Whether to “switch on” the 85 year rule for a member with deferred benefits voluntarily drawing benefits on or after age 55 and before age 60.	TPSch 2, para 1(2) & 1(1)(f) and R60	Each case will be considered on its own facts having regard to personal, financial and service delivery implications. Only in exceptional circumstances will an employee have their application approved
Waive, on compassionate grounds, the actuarial reduction applied to benefits paid early.	31(5)	Each case will be considered on its own merits, taking the financial implications for the Council and personal circumstances of the employee into account
<b>Discretions in relation to scheme members who ceased active membership before 01/04/98</b>		
Grant application for early payment of	TL4 & L106(1) &	Each case will be considered on its own merits, taking the

deferred benefits on or after age 50 on compassionate grounds	D11(2)(c)	financial implications for the Council and personal circumstances of the employee into account
Discretions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 (as amended)		
To base redundancy payments on an actual weeks pay where this exceeds the statutory week's pay limit.	5	Redundancy payments will be based on contractual weekly pay where this exceeds the statutory maximum
To award lump sum compensation of up to 104 week's pay in cases of redundancy, termination of employment on efficiency grounds, or cessation of a joint appointment.	6	Compensation made in respect of voluntary and compulsory redundancies will be on the basis of applying a multiplier of 1.25 to the statutory redundancy matrix (giving a maximum of 37.5 weeks redundancy pay). No compensation will be paid in relation to employments ending on efficiency grounds.

## Appendix 4 - Further Employer Discretions - Policy Statement

Each application in respect of the following discretions will be considered on its individual merits, taking into account the personal circumstances of the interested parties and the financial implications for the Council.

Decisions in respect of discretions (i) to (vii) below are delegated to the Strategic Director, Corporate Services & Governance.

Cases requiring a determination under the remaining delegations will be considered by Pensions & Pay Discretions Sub-Committee as and when a case arises.

Any discretion which is a cost to the Council will not normally be applied. Discretions which incur a cost will be applied only in exceptional circumstances.

### **Decisions delegated to the Strategic Director, Corporate Services & Governance:**

i) **Shared Cost Additional Pension Contributions (SCAPC)** - where an employee has been on an authorised leave of absence with no pensionable pay, they can elect to buy back the lost pension by way of additional pension contributions (APC). Provided the election is made within 30 days of returning to work, regulations require that the Council shall pay 2/3rds of the cost of the APC.

If notification of the right to elect for a SCAPC is given after the return to work, the Council will give employees 30 days from the date of notification to make such an election. Notification will be deemed to have been provided from the date of any letter or e-mail sent to the employee. Any applications received after this deadline will be considered taking into account the facts of each case.

ii) **Employees wishing to pay APCs** in other circumstances may do so to purchase pension of up to £6,822 (current value). The Council has decided, under this policy, that it will not share the cost of any such arrangement.

iii) **Inward transfer of pension rights** from another registered pension scheme - the Council may allow, where a request for the inward transfer of pension rights from another registered pension scheme is made more than 12 months after the person first became an active member in an employment, that the transfer be accepted. The Tyne and Wear Pension Fund must also agree to such a request before the transfer is classed as fully agreed (Regulation 100 of the Administration Regulations). Requests will be automatically accepted by the Council where it can be proven that the employee did not receive relevant notice informing them of their right to inward

transfer and of the relevant deadlines. Applications received in other circumstances will be considered on their merits.

iv) **Non aggregation of pension benefits** post 31 March 2014 (or combinations of pre-April 2014 and post-March 2014 benefits) - the Council may grant a request by an employee not to aggregate their deferred benefits with their new LGPS employment (or ongoing concurrent LGPS employment) where the request is made more than 12 months after they commenced membership of the LGPS in the new employment (or more than 12 months after they ceased concurrent membership). Requests will be automatically accepted by the Council where it can be proven that the employee did not receive relevant notice informing them of their right to retain separate benefits and of the relevant deadline. Other applications will be considered on the facts of the case.

v) **Aggregation of pre April 2014 LGPS benefits** with a new LGPS employment - the Council may grant a request by an employee to aggregate their deferred benefits with their new LGPS employment where the request is made more than 12 months after they commenced membership of the LGPS in the new employment. Requests will be automatically accepted by the Council where it can be proven that the employee did not receive relevant notice informing them of their right to retain separate benefits and of the relevant deadline. Other applications will be considered on the facts of the case.

vi) **Contribution rates** - the Council will set contribution rates based on a member's contractual pay in each employment as at 1 April each year. However, if the member's contractual pay changes during the year such that it falls into a different contribution band, the rate will be reassessed in the pay period when the change takes effect. Where the change has taken effect mid-month, the rate will be calculated based on a proportion of the old and new salaries. The rate will then be recalculated the following month based solely on the new salary.

If changes to contractual pay are applied retrospectively, contributions will be collected or refunded as appropriate.

If an employee changes job at any time during a pay period, each job will be assessed separately.

If the member is a casual/zero hours employee they will automatically be placed on the lowest contribution band.

vii) **Effect of fees on pensionable pay** - considering each individual case on its merits, only in exceptional circumstances will the Council refuse consent to a member's final pensionable pay being calculated by reference to fees earned over a period of three consecutive years within the final ten years of his/her membership of the Scheme (Regulation 11 of the Benefits Regulations).

**Cases to be considered by Pensions & Pay Discretions Sub-Committee as and when required:**

The following discretions only apply where an Employer has awarded added years under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000 or preceding regulations.

viii) Where additional service has been awarded to a retired member and the recipient subsequently enters a relevant employment, the employer must ensure that the aggregate of:

- a. The annual compensation, and
- b. The annual pension from the LGPS, and
- c. The annual rate of pay from the new employment

does not exceed the annual rate of pay from the employment in respect of which the added years were granted, as increased by inflation. If that position cannot be achieved by a reduction in the annual compensation, then the annual compensation must be suspended.

ix) Where the retired member who was awarded additional service subsequently ceases the **new** employment, and the sum in years of-

- a. his earlier extra service adjusted in accordance with paragraph (4) of regulation 9 if paragraph (3) of that regulation applies to him; and
- b. his total membership for the purpose of calculating under the Pension Regulations, on the relevant assumptions, his retirement pension on cessation of his new employment, exceeds the total membership which would have been used for the purpose of that calculation if he had held his terminated employment until his 65<sup>th</sup> birthday,

the Council must reduce the annual compensation by such amount as it considers appropriate (Regulation 19 of the Discretionary Compensation Regulations 2000).

x) When the recipient of the award dies the Council must decide how the compensation is apportioned if there is a joint entitlement to surviving spouse's short and long term annual compensation, (Regulation 21 of the Discretionary Compensation Regulations 2000).

xi) If, at the time of their death, the recipient was in a new pensionable employment, the Council must decide the extent to which any reduction will apply in calculating any short and long term annual compensation (Regulation 22 of the Discretionary Compensation Regulations 2000).

xii) The Council may direct that surviving spouse's additional compensation shall not cease on remarriage or cohabitation where award was made prior to 1st April 1998. Also, where in the past and under old regulations payment of a spouse's additional pension has ceased due to remarriage or cohabitation, the Council must decide if it is to be reinstated on cessation of that remarriage or cohabitation (Regulation 21 of Discretionary Compensation Regulations 2000).

xiii) Where children's pensions are not payable under the Scheme the Council shall determine how, and in what portions, any children's annual compensation shall be paid (Regulation 25 of Discretionary Compensation Regulations 2000).



## Further Information

Gateshead Council recognises that from time to time employees may have questions or concerns relating to the content of this document. In certain situations employees' rights and obligations may change; in such circumstances the Council will abide by any statutory obligations.

The Council wishes to encourage open discussion with employees to ensure that questions and problems can be resolved as quickly as possible. Employees are encouraged to seek clarification on any issues with the appropriate Line Manager in the first instance.

## Sustainability

Improving our environmental performance and doing things in a more sustainable way should be seen as integral to our core business practices. To demonstrate the Council's commitment to improving environmental and sustainable performance, please be mindful if printing this document – keeping paper usage to a minimum (print only version), printing on both sides, and recycling.

## Equality Statement

Gateshead Council is an equal opportunities employer where all employees are treated with dignity and respect. We are fully committed to equality, diversity and human rights and to ensuring our culture, working environment, policies, processes and practices are free from bias. This policy applies to all employees regardless of protected characteristics, subject to any eligibility criteria which may include length of service, grade, working pattern or other applicable national terms and conditions of service.

## Inclusive Communications

It is our ambition to ensure that Council documents are readable, accessible and engaging for staff. In formatting this document, good practice principles around engagement and inclusive communications have been adhered to. If you require this document in an alternative format please contact HR and Workforce Development.

## Review and Monitoring

This policy will be reviewed every three years or sooner where applicable to reflect changing the needs of the Council and any other legislative or good practice requirements.

This page is intentionally left blank

# Redundancy Policy and Procedure



1922/PS/2018

**Links to Other Policies:**

Retirement Policy [\[hyperlink to policy will be inserted when published\]](#)

Teachers' Pension Scheme Members - Retirement/Redundancy Payments Policy

Redeployment Policy [\[insert hyperlink to policy\]](#)

**Effective date:**

1<sup>st</sup> October 2018

**Review Date:**

Autumn 2021

**Status:**

This policy and procedure does not form part of any employee's contract of employment and the Council may amend it at any time.

**HR and Workforce Development Policy and Guidance in Gateshead Council**

Gateshead Council's HR and Workforce Development policies take into account current legislation, rules, regulations and best practice guidance from a range of professional and public bodies, including the following:



UK Legislation



EU Legislation



ACAS



CIPD Best Practice

Contents

Redundancy Policy Statement .....	1
1.0 Aim .....	1
2.0 Definition of Redundancy.....	1
3.0 Scope of the Policy .....	1
4.0 Commitments .....	2
Redundancy Procedure .....	3
1.0 Statutory Notification.....	3
2.0 Consultation .....	4
3.0 Voluntary Redundancy.....	5
4.0 Compulsory Redundancy.....	7
5.0 Notice Periods .....	8
6.0 Appeals Procedure .....	8
7.0 Assistance in finding other work.....	8
8.0 Advice and Guidance.....	9
9.0 Redundancy Payments.....	10
10.0 Multiple Contracts.....	11
11.0 Note on Application of Criteria and Weightings .....	11

## Redundancy Policy Statement

### 1.0 Aim

Government austerity measures and increasing demand for services will inevitably lead to changes to the way services are delivered across the Council. To ensure the Council maintains its ability to deliver, new and innovative ways of working must be continually encouraged by the Council and embraced by its employees. Changes may ultimately have an impact on the employees of the Council; however, the Council is fully committed to maintaining job security for all its employees where possible. Where ultimately there may be a requirement to reduce the workforce, the Council will consider other options available through the HR Framework before the use of compulsory redundancy.

The purpose of this policy is to outline how employees will be treated if it unfortunately becomes necessary to propose redundancies. The policy relates to proposals in respect of both voluntary and compulsory redundancies.

### 2.0 Definition of Redundancy

In legal terms, redundancy occurs when an employee is dismissed because:

- the employer closes down the business or service; or
- the employer closes down the employee's workplace; or
- there is a diminishing need for employees to do work of a particular kind.

### 3.0 Scope of the Policy

This policy applies to all employees who have at least 12 months' continuous local government service, including employees with fixed term or temporary contracts. However, it does not apply to:

- a. Centrally employed members of the Teachers' Pension Scheme in relation to release of pension. Please refer to the Teachers' Pension Scheme Members - Retirement/Redundancy Payments Policy.
- b. Employees appointed by, or employed by, the governing body to work in a school. (The responsibility for redundancy matters in these instances lies with the governing body of the school.)

To qualify for a redundancy payment an employee will have to have at least 2 years' continuous local government service at the date of redundancy.

## 4.0 Commitments

Compulsory redundancies will only take effect when all other options have been explored and excluded, including redeployment within the Council and voluntary redundancy and voluntary early retirement.

### 4.1 The Council

In all cases of redundancy the Council will ensure that:

- The selection procedure is fair, consistent, objective, and non-discriminatory and in accordance with the Council's Equal Opportunities Policy and redundancy legislation and best practice.
- The selection criteria are clear, objective and precisely defined.
- No employee is treated less favourably or discriminated against in the application of the redundancy selection criteria.
- It uses its best endeavours to avoid compulsory redundancy, and will seek to retain skills and knowledge within the organisation wherever possible.
- It enters into consultations with trade unions, workplace representatives and individual employees as soon as the possibility of a reduction in the size of the workforce arises in order to discuss the problem and explore the options for avoiding, reducing or mitigating the consequences of redundancies.
- Where compulsory redundancy is unavoidable the situation will be handled in the most fair, consistent, and sympathetic manner possible and minimise as far as possible any hardship that may be suffered by the employees concerned.

### 4.2 Employees

In all cases of redundancy the Council expects affected employees to:

- Continue to perform their current role or the role required of them.
- Make themselves available to enter into consultations with management with the aim of discussing the problem and exploring the options for avoiding, reducing or mitigating the consequences of redundancies.
- Undertake an offer of suitable alternative employment and be prepared to consider a wide range of alternative jobs in line with the Council's Redeployment Policy.

## Redundancy Procedure

In order to minimise the impact of reductions in the workforce the following procedure will be applied. The Strategic Director, Corporate Services and Governance must be advised as soon as the potential for redundancies is identified.

### 1.0 Statutory Notification

Where potential redundancies have been identified, written details will be provided to recognised trade unions. Statutory consultation notices (section 188 letters) will be issued to trade unions, regarding proposed redundancies detailing:

- The reason for the proposals
- The numbers and descriptions of employees to be proposed as dismissed as redundant
- The total number of employees of that description employed by the Council at the establishment in question
- The proposed method of selecting the employees who may be dismissed\*
- The proposed method of carrying out the dismissals, including the period over which the dismissals are to take effect
- The proposed method of calculating the amount of any redundancy payments to be made.
- The number of agency workers working temporarily for and under the supervision and direction of the Council, including where they are working and the type of work they are carrying out.

\* refer to 'Note on Application of Criteria and Weightings'

The Strategic Director, Corporate Services and Governance will inform the Secretary of State at the Department for Business, Innovation and Skills (BIS) on form HR1 of proposed redundancies in the following circumstances:

- If 20-99 employees at one establishment are being made redundant, at least 30 days' notice will be given before the first dismissal takes effect.
- If 100 employees at one establishment are being made redundant, at least 45 days' notice will be given before the first dismissal takes effect



The HR1 notice must be provided to the BIS before notice to terminate an employee's contract of employment is issued.

## 2.0 Consultation

Failure to consult appropriately with the relevant trade unions and all employees affected about proposed redundancies can lead to a complaint to an Employment Tribunal which may result in the payment of compensation to affected employees. It is important to note that consultations with all affected employees is essential, including those who are absent from work.

### 2.1 Timescales for Consultation

Management, supported by Human Resources will enter into consultations with trade unions, workplace representatives and / or individual employees as soon as the Council starts to consider potential redundancies. The purpose of the consultations is to establish whether the proposed changes can be achieved by means other than redundancy and if not, to try to minimise the number of compulsory redundancies.

The Council has a statutory obligation to:

- begin consultations at the earliest possible opportunity where the number of redundancies proposed is less than 20.
- begin the consultation process at least 30 days before the first dismissal takes place, where between 20 and 99 redundancies are proposed at one establishment over a period of 90 days or less.
- begin the consultation process at least 45 days before the first dismissal, where the number of redundancies proposed is 100 or more over a period of 90 days or less.
- In all cases, consultations will commence as soon as reasonably practicable and no redundancy notice of dismissal will be issued until at least 14 days after consultation begins.

Where there is the potential for large-scale redundancies the Council will endeavour to apply a 90 day consultation period.

Management will consult with the trade union representatives of those at risk of redundancy, and with those who are recognised to represent employees who may be affected by the measures taken in connection with those dismissals e.g. employees having to take on reallocated work.

## 2.2 Objectives of Consultation

The Council will consult employees and their representatives about:

- Avoiding dismissals
- Reducing the number of employees to be dismissed
- Mitigating the consequences of any dismissals.

Amongst other measures to avoid or minimise redundancies, consideration must be given to the following, subject to the Council's immediate strategic considerations:

- Restricting the recruitment of new employees other than where this is essential;
- Restricting and reviewing the use of subcontracted labour;
- Restricting the use temporary and casual employees;
- Reducing overtime and other employment costs;
- Covering the cost of the posts using other funding;
- Exploring opportunities to maximise trading or increase revenue;
- Return of secondees to their parent organisation;
- Redeploying the affected employees into other suitable Council vacancies, noting the ability to do this on a trial period basis;
- Inviting applications for consideration for early retirement and / or voluntary redundancy. Early retirement will be considered in line with the Council's Retirement Policy and is subject to ensuring that the balance of skills and experience within the remaining workforce is appropriate to the Council's future operating needs.

Consultation might also cover special arrangements for the treatment of apprentices. It is the responsibility of the Council to try to find alternative opportunities for apprentices to complete their apprenticeships within the same industry. Only as a last resort should apprentices be treated as part of the labour force for the purposes of redundancy selection.

Consultation must be undertaken with a view to reaching agreement with the appropriate representatives on these issues, even if employees to be made redundant are volunteers.

## 3.0 Voluntary Redundancy

Prior to making any compulsory redundancies the Council will consider whether any voluntary redundancies can be supported. Agreement to voluntary redundancy is subject to ensuring that the balance of skills and experience within the remaining workforce is appropriate to the Council's future operating needs.

**Voluntary redundancy applications in ‘at risk’ areas:**

The Council will write to all affected employees (i.e. those identified as at risk of redundancy) asking them if they wish to apply for voluntary redundancy and/or voluntary retirement. Where the number of applicants exceeds requirements, selection will be based on the criteria as set out in the section ‘Selecting for Redundancy’

**Voluntary redundancy applications from employees not at risk of redundancy:**

Where employees not at risk are interested in taking voluntary redundancy, they should speak to their manager to declare their interest. There are no guarantees that voluntary redundancy applications will be agreed, especially where there is a business need to retain people who have key skills in certain areas. However, where there is an opportunity for someone whose job is at risk to move into a job in another suitable area, others not in ‘at risk’ areas may be considered for voluntary redundancy.

Applications will only be approved where to do so would clearly support effective business planning and service delivery in the long-term. In addition, the cost to the Council will be a major consideration. In order to reach a decision on whether or not to support an application, consideration will be given to the viability of a bumped redundancy where appropriate. A bumped redundancy occurs when an employee whose role is not at risk of redundancy leaves on grounds of redundancy, and the resulting vacancy is filled by an employee whose role is redundant. This may be achieved by a sequence of moves rather than a single one.

**Selecting for Voluntary Redundancy:**

Where the number of volunteers in any given selection pool exceeds requirements, selection will be based on the following criteria:

- Capability
- Attendance Record
- Disciplinary Record

Further details regarding these criteria are set out in the [‘Note on Application of Criteria and Weightings’](#). The employee with the fewest points will be selected.

Where two or more employees are tied on the same points, the selection decision will be based on length of service with Gateshead Council. The employee with the longer length of service would be selected. The Council will discuss the reasons for non-selection with individuals.

The Council has the right to decline any application for voluntary redundancy. An application may be declined for the following reasons:

- The need to retain specialist knowledge and skills within the service
- The post is fixed term
- A bumped redundancy cannot be identified.

This is not an exhaustive list and there may be other factors affecting a decision at that time. The reasons for declining an application will be set out in writing.

### 4.0 Compulsory Redundancy

Where voluntary redundancy has not produced suitable or sufficient volunteers, the Council, in consultation with the trade unions, will need to select employees for redundancy.

A dismissal on the grounds of redundancy may be considered by an Employment Tribunal to be unfair if the procedure for selection for redundancy has been unfairly applied to the employee(s) concerned, or, if the way in which it has been carried out has been unreasonable e.g. without adequate warning or consultation with the appropriate representatives.

Before applying the redundancy selection criteria, it may be necessary to exempt certain employees from the possibility of being selected. This is because they possess, for example, specialist skills, qualifications or experience that are vital to the continuing viability of their group or service and the delivery of its services in the future. Discussion of these factors should take place with the trade unions at the outset where a redundancy situation is being proposed. In doing so, management must document why these skills, qualifications or experience are crucial to the ongoing viability of their service.

Following these discussions, and in the absence of appropriate volunteers, it may prove necessary to apply a redundancy selection process. This will be based on the agreed selection criteria as detailed in the [‘Note on Application of Criteria and Weightings’](#), against which points will be allocated as appropriate for each employee on each occasion.

The total points allocated for the criteria will be used to place employees in a rank order with fewest points at the top and most points at the bottom. Selection for redundancy will be based upon fewest points.

Where two or more employees are tied on the same points, the selection decision will be based on length of service with Gateshead Council. The employee with the shorter length of service would be selected. If two employees have the exact same length of service, then a competitive interview will be held.

The relevant Service Manager, together with a representative of Human Resources, will apply the selection criteria. The results will be presented to the trade unions,

confidentially, for their information for use in supporting their members. Those selected for redundancy will be advised at a formal meeting at which their trade union or a work colleague can be present.

Those employees not selected for redundancy will be advised of this in writing.

## 5.0 Notice Periods

Employees will be given notice in accordance with their contract of employment.

## 6.0 Appeals Procedure

If an employee who is selected for redundancy considers that the agreed selection criteria have been unfairly applied in their case, they have the right to appeal to the Personnel Appeals Committee.

If an employee selected for redundancy is absent from work, dismissal will take place in their absence, with a right of appeal to the Personnel Appeals Committee.

Any employee who wishes to exercise their right of appeal against selection for redundancy must do so in writing, within 10 working days of receiving their redundancy notice. Appeals must be submitted to the Strategic Director, Corporate Services and Governance, clearly stating the reasons for the appeal and provide, where relevant, evidence to support their appeal.

The employee has the right to be accompanied at the appeal by a work colleague or trade union representative. Employees will be notified in writing within 10 days of the Personnel Appeal Committee's decision.

The decision of the Personnel Appeals Committee will be the final decision of the Council in the matter.

## 7.0 Assistance in finding other work

### 7.1 Suitable Alternative Work

The Council must attempt to seek alternative employment for employees who are in receipt of a notice of dismissal for redundancy. The Council will follow the procedure detailed in the Redeployment Policy when seeking alternative work for employees. Redeployment will only be sought for an employee during their notice period. No extension will be given beyond the date of dismissal.

Where the Strategic Director, Corporate Services and Governance is satisfied that a suitable alternative post has been offered to an employee who is selected for

redundancy and such alternative employment has been declined, the redundancy payment will be withheld.

Where alternative work cannot be found within the Council for an employee selected for redundancy, Economic Development may be able to assist in securing alternative employment outside the Council.

### **7.2 Trial Period**

An employee who is in receipt of a redundancy notice of dismissal is entitled to a trial period in an alternative job. The Council will follow the procedure detailed in the Redeployment policy when an employee undertakes a trial period.

If an employee works beyond the end of the trial period, or an agreed extended period, any redundancy entitlement will be lost as the employee will be deemed to have accepted the new job.

If the Service Director ends a trial period for a reason connected with the suitability for the new job, the employee will receive a redundancy payment under their old contract of employment. If the dismissal is not connected with the redundancy e.g. misconduct, the employee may lose that entitlement.

### **7.3 Time off to look for new work / training**

Subject to the Council's operational needs, all employees in receipt of a redundancy notice of dismissal will, as a minimum, be given paid time off work during their notice period to attend interviews or training opportunities. Requests for reasonable time off should be agreed with their line manager.

## **8.0 Advice and Guidance**

The Council's Economic Development Service can provide advice and guidance to employees selected for redundancy on:

- how to find another job
- the completion of application forms
- attending interviews

The Council can also provide counselling to employees, prior to the expiry of their notice period to assist them in dealing with being selected for redundancy.

## 9.0 Redundancy Payments

All redundancy payments made by the Council will be in accordance with the Council policy in place at the time of dismissal and will be paid no sooner than 5 working days, and no later than 10 working days after the date of redundancy.

To be entitled to a redundancy payment an employee must have at least two years continuous local government service. All employees who receive redundancy payments will be given written notification of the way in which their redundancy payment has been calculated. The same benefits and entitlements will be offered regardless of whether the redundancy is 'voluntary' or 'compulsory'.

Redundancy payments are based on the statutory redundancy pay table and are subject to an employee's age and length of service. For each complete year of service, up to a maximum of 20, employees are entitled to:

- for each year of service under 22 years old – ½ a week's pay
- for each year of service at age 22 but under 41 - 1 week's pay
- for each year of service at age 41 or over – 1.5 weeks' pay.

The Council applies a multiplier of 1.25 times the number of weeks' pay given in the statutory redundancy pay table, giving a maximum of 37.5 weeks' pay.

This provides for a discretionary compensation payment based on up to 37.5 weeks statutory redundancy pay. The Council will exercise its power to use actual pay in the calculation of weekly pay and the discretionary compensation will be inclusive of any statutory redundancy payment. A redundancy pay table is included in this document.

Employees aged over 65 will qualify for a redundancy payment if the reason for their dismissal is redundancy.

### 9.1 Calculation of a week's pay

A week's pay is that which the employee is entitled to under the terms of their contract. This may include implied terms that have been established via regular payments and by custom and practice. As such it does not just include terms (payment entitlements) written into the employee's contract of employment. It will, for example, include those payments received where the employee has worked the same pattern over a period of at least 12 weeks prior to the termination date. For the avoidance of doubt, it will not include any employer's contributions to the Pension Fund.

The calculation date is the date on which the employment is terminated.

If an employee's pay varies (such as the regular receipt of lettings allowances or additional hours), the amount of a week's contractual pay is averaged over the 12 weeks prior to the calculation date.

## 9.2 Statutory Maternity and Adoption Pay

Once an employee has qualified for statutory maternity pay she will be eligible to be paid for the full 39 week period even if she is made redundant during her maternity leave. For example, if the qualifying week begins on 1<sup>st</sup> January, and the woman is dismissed after this date she will still be entitled to statutory maternity pay even if she was not planning to start her maternity leave until closer to her expected date of childbirth.

If an employee is on maternity or adoption leave when they are made redundant they will not be required to refund the monies paid, or such part thereof.

## 9.3 Pension

Providing LGPS rules are met, such as having sufficient LGPS membership, any employee aged 55 or over who volunteers or is selected for redundancy, will be entitled to early release of their pension benefits as from the date of their termination.

## 10.0 Multiple Contracts

Where an employee has multiple contracts with the Council at the point that the redundancy notice of dismissal is issued, the start date in the contract that they are being made redundant from will be used to calculate their redundancy payment. Where an employee has had multiple contracts but only has one contract of employment at the time the redundancy notice of dismissal is issued, then their start date in their very first contract of employment with the Council is used for calculating their redundancy payment where they have continuous service, and taking into account any previous continuous local government service.

## 11.0 Note on Application of Criteria and Weightings

In most cases where a redundancy situation has been proposed, volunteers will be sought in the first instance. However, if there are insufficient volunteers or, if there is a need to retain specialist skills or experience, the following criteria will be used to select employees to be made redundant.

A reference period is shown below for each of the criteria. The effective date (where the reference period starts from) will be the date the redundancy situation is formally notified to the trade unions and the Section 188 letter is issued i.e. the date of the s188 notice. This date can only be altered where an employee has been absent due to maternity, adoption, additional paternity leave, other statutory leave, or a career



break e.g. where an employee has been on maternity leave for 6 months then their qualifying period goes back a further 6 months. The reference period cannot be altered because of any delay in the process or due to any other circumstances.

**Capability (Generic competencies, knowledge, qualifications, skills & experience)**

This criterion will assess whether or not an employee is fulfilling the requirements of the job.

The Council's policy defines capability as:

*... the ability an employee has to perform his/her duties to a standard that is acceptable to the Council for the effective and efficient delivery of its services. In the normal course of work employees meet and may exceed these standards.*

Any formal Improvement Notes issued for reasons of capability or negligence under the capability procedure will be reflected in this criterion. This is to avoid double counting under criterion (d) Disciplinary Record.

The Service Manager will allocate an overall score for this criterion.

The score will be one of the following:

- |  |           |
|--|-----------|
| ◆ Meets overall requirements of the job  | 20 points |
| ◆ Does not meet all requirements of the job and is subject to an Improvement Note under the Council's Capability Procedure | 15 points |
| ◆ Subject to a Final Improvement Note  | 10 points |

**Length of Service**

The period of continuous service with Gateshead Council measured from employment start date to effective date is used to calculate the employee's length of service, not just the service in their current job. However, where an employee has multiple contracts with the Council at the point of redundancy, the start date in the contract that they are being made redundant from is used to calculate their continuous service. Where an employee has had multiple contracts but only has one contract at the time of redundancy, then their start date in their very first contract is used for calculating their length of service, where this is continuous service.

For employees who have taken a career break of 12 months or less, the time spent on their career break will count as part of their continuous service. For employees who have taken a career break of over 12 months their contract of employment ended at the commencement of their career break. Therefore, their continuous

service start date will be effective from the first day they returned to work after their career break.

Employees will be allocated one point for each full year of continuous service with Gateshead Council up to a maximum of 20 years (20 points).

For employees who have transferred to the Council under the Transfer of Undertakings (Protection of Employment) Regulations (TUPE), continuity of service is preserved and service with their previous employer will be taken into account.

### **Attendance record**

An absence is classified as any absence due to sickness, whether self-certified or covered by a medical certificate (fit note).

Before selecting on the basis of attendance, it is essential that the reasons for and extent of any absences be identified. Any absences which directly relate to disability, pregnancy/maternity or industrial disease, industrial accident or industrial assault will be excluded from consideration.

Absences due to hospital appointments or special leave and recorded as such will not be counted. Where the employee is admitted to hospital and is away from work for more than a day this will be counted as an absence.

All types of authorised absence such as annual leave, maternity leave, paternity leave, etc. will not be counted.

Points will be awarded over a 36-month qualifying period measured prior to the effective date. For employees who have taken a career break of 12 months or less during the 36-month qualifying period, the assessment period will extend beyond the 36-month qualifying period, equal to the length of the career break. For example, if an employee has taken a six-month career break, the 36-month qualifying period will be extended by a further six months.

This criterion will look to take into account the frequency and total duration of any absences. That is, a score will be allocated for the number of absences and a separate score for the total duration of those absences. A combined score will then be produced:

### **Number of occasions**

Zero absences	= 10 points
1 absence	= 9 points
2 absences	= 7 points
3 absences	= 5 points
4 absences	= 3 points

5 absences	= 2 points
6 absences	= 1 points
7+ absences	= 0 points

**Total number of days**

0 days	= 10 points
More than 0 and up to 5 days	= 9 points
More than 5 and up to 10 days	= 7 points
More than 10 and up to 25 days	= 5 points
More than 25 days and up to 50 days	= 3 points
More than 50 days and up to 75 days	= 2 points
More than 75 days	= 0 points

Absences after the effective date will not be taken into account.

Absences of ½ day will be counted as one occasion.

Absence for part-time employees will be converted to the full-time equivalent to ensure fair and equitable scoring for attendance.

**Disciplinary record**

Formal warnings issued in accordance with the Council’s disciplinary procedure will be taken into account here. These will include warnings issued for misconduct but **not** for concerns connected with an employee’s capability (improvement notes).

Formal warnings issued for short-term persistent sickness absences will also not be included as this performance issue has already been considered in the ‘attendance’ criteria.

Points will be awarded with reference to a 24-month qualifying period measured prior to the effective date as follows:

- No warnings = 20 points
- Written warning = 15 points
- Final written warning issued within the period of 12-24 months prior to the effective date = 10 points
- Final written warning issued within the last 12 months prior to the effective date = 5 points
- Redeployment with a final written warning as an alternative to dismissal = 0 points



## Further Information

Gateshead Council recognises that from time to time employees may have questions or concerns relating to the content of this document. In certain situations employees' rights and obligations may change; in such circumstances the Council will abide by any statutory obligations.

The Council wishes to encourage open discussion with employees to ensure that questions and problems can be resolved as quickly as possible. Employees are encouraged to seek clarification on any issues with the appropriate Line Manager in the first instance.

## Sustainability

Improving our environmental performance and doing things in a more sustainable way should be seen as integral to our core business practices. To demonstrate the Council's commitment to improving environmental and sustainable performance, please be mindful if printing this document – keeping paper usage to a minimum (print only version), printing on both sides, and recycling.

## Equality Statement

Gateshead Council is an equal opportunities employer where all employees are treated with dignity and respect. We are fully committed to equality, diversity and human rights and to ensuring our culture, working environment, policies, processes and practices are free from bias. This policy applies to all employees regardless of protected characteristics, subject to any eligibility criteria which may include length of service, grade, working pattern or other applicable national terms and conditions of service.

## Inclusive Communications

It is our ambition to ensure that Council documents are readable, accessible and engaging for staff. In formatting this document, good practice principles around engagement and inclusive communications have been adhered to. If you require this document in an alternative format please contact HR and Workforce Development.

## Review and Monitoring

This policy will be reviewed every three years or sooner where applicable to reflect changing the needs of the Council and any other legislative or good practice requirements.

This page is intentionally left blank

**TITLE OF REPORT:** Annual Report of the Audit and Standards Committee 2017/18

**REPORT OF:** Darren Collins, Strategic Director, Corporate Resources

---

**Purpose of the Report**

1. Cabinet is asked to consider the Audit and Standards Committee Annual Report for 2017/18 and agree that this report is submitted to Council.

**Background**

2. In line with best practice the Audit and Standards Committee is required to report to Cabinet and Council on the Committee's activity each year. The report for 2017/18 was agreed by the Audit and Standards Committee on 23 July 2018.

**Proposal**

3. Cabinet is asked to consider the Audit and Standards Committee's Annual Report at Appendix 2 and agree to submit it to Council. The Report provides an overview on the work of the Audit and Standards Committee during 2017/18, and describes how it has had a positive impact on governance, financial reporting and audit issues across the Council, as well as providing challenge and independent assurance on the risk management framework and associated internal control environment.

**Recommendation**

4. It is recommended that Cabinet endorse the Annual Report of the Audit and Standards Committee for 2017/18 and agree that it is submitted to Council.

For the following reason:

To strengthen the Council's arrangements for oversight by councillors of governance, audit, risk management, the internal control framework, value for money and efficiency.

---

**CONTACT: Craig Oakes Ext 3711**

### Policy Context

1. The proposal supports the Council's policy, service planning and performance management framework which aims to ensure that all resources are directed towards delivery of Vision 2030 and the Council's strategic approach, Making Gateshead a Place Where Everyone Thrives.

### Background

2. In line with best practice, the Audit and Standards Committee is required to submit an annual report to Cabinet and Council, and also any further reports and recommendations as it sees fit. The areas of activity of the Audit and Standards Committee during 2017/18 are set out in the Annual Report.

### Contents of the Report

3. Appendix 2 outlines the activity which the Audit and Standards Committee has covered over the last year.
4. The Audit and Standards Committee has received reports in the following areas:
  - Internal Audit planning, performance and activity;
  - Annual Internal Audit benchmarking results;
  - Internal Audit recommendations;
  - External Audit planning, performance and activity;
  - Corporate Risk Management and Resilience activity;
  - Annual Counter Fraud Update
  - The Annual Governance Statement and supporting evidence;
  - Review of Internal Audit Charter and compliance with Public Sector Internal Audit Standards;
  - Annual Audit Letter;
  - Achievement of Going Concern Status;
  - Audit Completion Report and Council Statement of Accounts;
  - Treasury Management Policy and mid-year update.;
  - Counter Fraud and Corruption Arrangements;
  - Risk Management within Resilience and Emergency Planning; and
  - Local Code of Governance.
5. There were no reports in year which were specific to Standards issues. No complaints have been received under the Member's Code of Conduct, that required investigation, nor was there any guidance or best practice issued during the year that warranted a report. The Monitoring Officer is responsible for maintaining and promoting high standards within the Council and he and his staff have contributed to the Audit work on good governance particularly those matters relating to the Corporate Risk Management activity and the Annual Governance Statement.



6. Based on the evidence presented during the year and at the meeting of the Audit and Standards Committee on 18 June 2018 it was concluded that the Council's system of internal control and governance framework is effective. This was demonstrated through the approval of the Annual Governance Statement for 2017/18, which accompanies the Statement of Accounts.

### **Consultation**

7. The Audit and Standards Committee considered and agreed the contents of this report at their meeting of 23 July 2018.

### **Alternative Options**

8. There are no alternative options.

### **Implications of Recommended Option**

#### **9. Resources:**

- a) **Financial Implications** - The Strategic Director, Corporate Resources confirms that there are no financial implications arising from this report.
- b) **Human Resources Implications** – There are no human resources implications arising from this report.
- c) **Property Implications** – There are no property implications arising from this report.

10. **Risk Management Implications** - The Audit and Standards Committee receives quarterly reports on risk management and has been instrumental in championing risk awareness training for councillors.

11. **Equality and Diversity Implications** – there are no equality and diversity implications arising from this report.

12. **Crime and Disorder Implications** – There are no crime and disorder implications arising from this report.

13. **Health Implications** – There are no health implications arising from this report.

14. **Sustainability Implications** – There are no sustainability implications arising from this report.

15. **Human Rights Implications** – There are no human rights implications arising from this report.

16. **Area and Ward Implications** – There are no area and ward implications arising from this report.
17. **Background Information** – Report of the Audit and Standards Committee meeting on 24 July 2017.

**Contents of the Report to Cabinet and Council – 2017/18**

1. The areas of activity considered by the Audit and Standards Committee during 2017/18 are set out below.

**Internal Audit planning, performance and activity**

2. As at 31 March 2018 96% of the Internal Audit Plan was completed, which resulted in 63 audit reports. Of these reports 56 (89%) found systems to be operating well or satisfactory, with 7 (11%) reporting systems having significant weaknesses, of which two were in relation to schools.
3. All recommendations are followed-up as part of the Internal Audit process and the Audit and Standards Committee will monitor the outcomes.
4. Based on this evidence arising from Internal Audit activity during 2017/18, the Council's internal control systems and governance and risk management arrangements are considered to be effective.
5. The Internal Audit Service has also co-ordinated the Council's National Fraud Initiative (NFI) work and has supported Council managers with irregularity, e-mail, internet and other disciplinary investigations on an ongoing basis during 2017/18, with quarterly updates to Audit and Standards Committee.
6. Other reports received during 2017/18 relating to Internal Audit included the CIPFA Benchmarking Results for 2016/17. The Audit and Standards Committee also approved the Audit Strategy and Plan.
7. The Audit and Standards Committee will continue to monitor Internal Audit's progress on a quarterly basis against the 2018/19 Audit Plan.

**External Audit planning, performance and activity**

8. The following external audit report has been reviewed over the year:
  - Audit Strategy Memorandum for year ended 31 March 2018.
9. The Committee was also asked to consider how it exercises oversight of certain key management processes in relation to some specific areas of governance with a potential to impact upon the financial statements during 2017/18. This was a requirement to satisfy the external auditors that such oversight was in place in order to comply with International Auditing Standards. The Committee agreed that an effective level of oversight was in place.

### **Corporate Risk Management and Resilience activity**

10. The Committee receives quarterly reports on the assurance derived from risk management. These reports make Councillors aware of the arrangements that exist within the Council for managing risk, the impact that these have had and the plans for further development of risk management arrangements.

### **Annual Counter Fraud Update**

11. The Committee receives an annual report updating on activity undertaken during the financial year in relation to the work of the Corporate Fraud Team.

### **The Annual Governance Statement and supporting evidence**

12. The Annual Governance Statement for 2017/18 concluded that the Council's system of internal control, risk management and governance framework is effective.
13. The Audit and Standards Committee approved the Annual Governance Statement for 2017/18 at its meeting on 18 June 2018, following a review of the evidence detailed below in paragraphs 14-30, and evidence seen by the Committee during the year.

### **Cabinet Members**

14. Assurance was sought from Members of the Cabinet on the effectiveness they felt could be placed on the Council's corporate governance arrangements. They concluded that effective governance arrangements are in place.

### **Senior Managers**

15. Service Directors completed self-assessment assurance statements detailing the level of assurance obtained from their key control processes. The conclusion of this exercise found that senior managers agreed that effective control systems were in place overall. These areas will be examined as part of the 2018/19 Audit Plan and the outcomes reported to the Audit and Standards Committee in July 2018.

### **Internal Audit**

16. The Internal Audit Service has undertaken audit work throughout the year based on the risk based audit plan. In addition, the Council has a framework of assurance available to satisfy it that risks have been properly identified and are being managed by controls that are adequately designed and effective in operation. This includes assurance from a variety of sources other than the Internal Audit Service. These other audit systems have been assessed, as part of the Audit Plan.

17. Based on this audit activity the overall opinion of the Chief Internal Auditor for the year 2017/18 was that internal control systems and risk management and governance arrangements are effective.
18. The Internal Audit Charter was revised to accommodate changes in the Public Sector Internal Audit Standards (PSIAS) from 1 April in line with new and revised IPPF Global Standards. The main points and changes to the PSIAS and subsequently the Internal Audit Charter are summarised as follows:
  - Emphasis on proper safeguards being in place where the Chief Audit Executive has roles beyond Internal Audit.
  - The Standards now explicitly refer to the service considering 'trends and emerging issues that could impact on the organisation'.
  - Specifically references that the Service should be 'future focussed and continually add value to the organisation'.
  - Inclusion of a new interpretation relating to reliance on other assurance providers
19. A review of the effectiveness of Internal Audit has also been undertaken for 2017/18 in line with the Accounts and Audit Regulations 2015. This review focused upon compliance with the Public Sector Internal Audit Standards and the CIPFA Statement on the Role of the Head of Internal Audit, reliance placed by the external auditor on Internal Audit's work, an assessment of the effectiveness of the Audit and Standards Committee and relevant local performance information. Based on the review the Council's system of Internal Audit was considered to be operating effectively.

### **Risk Management**

20. Risk management is embedded in the Council through a Corporate Risk Management Policy which includes the requirement to identify strategic and operational risks, assess those risks for likelihood and impact, identify mitigating controls and allocate responsibility for those controls. The Council maintains and reviews a register of its business risks, linking them to strategic business objectives and assigning ownership for each risk.
21. The Strategic Director, Corporate Resources reported that risk management arrangements during the year were effective.

### **Performance Management and Data Quality**

22. The Council has a Corporate Performance Management Framework which helps it deliver the priorities within the Council Plan. The monitoring of performance takes place at key performance points as identified in the framework including quarterly performance reported to Group Management Teams and Corporate Senior Officer meetings.

23. In addition, performance is also monitored, measured, challenged and scrutinised on a six monthly basis at Cabinet and respective Overview and Scrutiny Committees.
24. Based on evidence arising from the performance management process for 2017/18 effective controls are in place.

### **Views of the External Auditor and other External Inspectors**

25. Mazars, the Council's external auditor, issued an Annual Audit Letter in October 2017 covering the financial year 2016/17. This comprised of two elements: the audit of the Council's financial statements and an assessment of the Council's arrangements to achieve value for money in its use of resources. An unqualified opinion was given in both of these areas for 2016/17.
26. Other external inspectorates' reports have been issued from time to time on management and governance arrangements to the Council.

### **The Legal and Regulatory Framework**

27. Assurance has been obtained from the Strategic Director, Corporate Services and Governance as the Monitoring Officer who has a legal duty to ensure the lawfulness and fairness of decision-making within the Council. The Council has a Constitution in place and compliance with established policies, procedures, laws and regulations is ensured by the requirement to give the Strategic Director, Corporate Services and Governance the opportunity to comment on every report submitted to a decision-making body.

### **Financial Controls**

28. Assurance has been obtained from the Strategic Director, Corporate Resources, who is designated as the responsible officer for the administration of the Council's financial affairs under Section 151 of the Local Government Act 1972, that financial controls are effective. Systems in place include Financial Regulations, the opportunity to comment on the financial implications of committee reports, monitoring meetings and evidence from internal and external audit.

### **Partnerships**

29. Service Directors review partnerships within their service plans on an annual basis. As partners are key to the delivery of the Council's objectives assurance of their control and governance systems is required. Service Directors have also been required to provide assurance on governance arrangements through their self-assessment statements and all Services are required to identify, through their business plans, where delivery of activity could impact on partnership working.

30. Based on evidence arising from partnerships for 2017/18 effective controls are in place.

### **Other Reports**

#### **Achievement of Going Concern Status**

31. The Committee received a report considering the Council's status as a going concern.
32. Authorities are required by Section 32 of the Local Government Finance Act 1992 to set a balanced budget. However, financial pressures within the local government sector mean that there continues to be a risk that the Chief Finance Officer (Section 151 officer) may need to consider whether action is required under Section 114 of the 1988 Act, where the Section 151 officer must report, following consultation with the council's monitoring officer, to all authority's members if they believe expenditure is likely to exceed incoming resources in the current or in any future year.
33. The report outlined the assessment of the Council's status as a going concern as this is now considered best practice in the current challenging local government financial climate.
34. Based on the assessment undertaken, the Council's Chief Finance Officer (Section 151 officer) view was that the Council is fully aware of the challenges it faces and is prepared to deliver its services in the future taking account of the future known risks and therefore the Council is a going concern and the 2016/17 Statement of Accounts should be prepared on that basis.

#### **Audit Completion Report and Council's Statement of Accounts**

35. The outcome and findings of the audit of the Council's Statement of Accounts 2016/17 by the Council's external auditor, Mazars, along with the audited Statement of Accounts, were reported to the Audit and Standards Committee 24 July 2017. Mazars issued an unqualified opinion on the Statement of Accounts, and concluded that the Council has proper arrangements in place to secure economy, efficiency and effectiveness in its use of resources. The Committee noted the contents of the report and resolved that the Accounts Committee be advised that they had no issues to raise on the outcomes and findings of the Council's Statement of Accounts 2016/17 by Mazars

#### **Treasury Management Policy & Strategy and Six Monthly Update**

36. In line with CIPFA's Code of Practice on Treasury Management the Annual Treasury Policy and Strategy are reviewed by the Audit and Standards Committee prior to being reported to Cabinet and Council. A six monthly position is also reported through the Audit and Standards Committee to highlight progress on investment performance and borrowing.

## **Local Code of Governance Update**

37. The Council has a local code of governance which was originally presented to the Audit Committee in April 2007. In line with good practice the document should be reviewed regularly and the Audit and Standards Committee were asked to consider and approve an updated version on 29 January 2018, based on the CIPFA Delivering Good Governance in Local Government: Framework. The Code defines how the Council complies with the principles of good governance laid down by the Independent Commission on Good Governance in Public Services and forms an integral part of the Councils' Annual Governance Statement, which is a legal requirement to demonstrate the level of assurance that can be given by the Council's control systems and governance arrangements.
38. The new approach from CIPFA is intended to better assist local authorities, and associated organisations and vehicles through which authorities now work, in reviewing the effectiveness of their governance arrangements by reference to best practice and using a self-assessment.

## **Counter Fraud and Corruption Arrangements**

39. The Committee received a report detailing the outcome of the review of the Council's overall Counter Fraud and Corruption Arrangements, including the revised Counter Fraud and Corruption Policy and Fraud Response Plan, and the proposed Counter Fraud and Corruption Strategy.
40. Regular reports on any activity relating to this Strategy, and progress against the fraud plan will be presented to the Committee.
41. An annual report will be provided to the Committee on performance against the Strategy and the effectiveness of the Strategy. Conclusions will also form part of the Annual Governance Statement.

## **Risk Management within Resilience and Emergency Planning**

42. The Committee received a report providing an overview of:
  - the risks associated to the Council within the Resilience and Emergency Planning function
  - the relevant statutory legislation;
  - the Community Risk Register;and how the Council operates to mitigate and manage these risks.



**TITLE OF REPORT:** Annual Youth Justice Strategic Plan 2018/19

**REPORT OF:** Caroline O'Neill, Strategic Director, Care Wellbeing and Learning

---

### **Purpose of the Report**

1. To seek approval for the Annual Youth Justice Strategic Plan for 2018 – 2019.

### **Background**

2. There is a requirement for Youth Offending Teams (YOTs) to produce an Annual Youth Justice Plan, which is one of the grant conditions for Local Authorities. The YJB has produced guidelines on what should be incorporated, however this is not restrictive – contents as follows:
  - Introduction
  - Performance Data (including Restraints in Custody)
  - Structure and Governance
  - Innovation and Promising Practice
  - Partnership Arrangements
  - Resources and Value for Money (including staffing structure)
  - Key Priorities
  - Risks to Future Delivery
  - What do People Say About Us?
  - Our Work with Victims
  - Contact Us
3. The Plan should be endorsed by Cabinet, full Council and the YOT Board and requires signatories from Northumbria Police, Northumbria Probation Service, Public Health and the Strategic Director for Care, Wellbeing and Learning.

### **Proposal**

4. The Annual Youth Justice Strategic Plan has been prepared by the YOT Management Team. The Plan considers the two recent HMIP Thematic Inspections on, 'The Work of Youth Offending Teams to Protect the Public' (2017) and 'Out of Court Disposal work in Youth Offending Teams' (2018) and the YOT is confident that the standard of work delivered within Gateshead YOT, is in line with the recommendations outlined in both reports. The annual plan reports on performance, financial management and the work of the YOT during the previous year and identifies recommendations, priorities and risks for the service in the coming year.

5. Key priorities for 2018/19 are:

- Improve the access to general health assessments for young people who enter the Criminal Justice System – carried forward from 17/19 plan.

New Priorities:

- Explore with the Newcastle/Gateshead CCG to identify potential funding to introduce the Liaison and Diversion scheme within Gateshead.
- Review Restorative Justice approaches within Gateshead and apply for renewal of the Restorative Justice Quality Mark (RJQM).
- Explore alternative methods of funding with regional colleagues to deliver on Attachment Based Parenting Interventions for young people known to Youth Justice Services.
- To embed the Enhanced Case Management (ECM) model and Adverse Childhood Experiences (ACEs) research into every day practice which will aim to acknowledge and consider young people's diverse needs in relation to trauma.
- Ensure that relevant staff attend the 3 days – Trauma Recovery Training arranged for March 2019.
- To develop preventative approaches to work with young people in local authority care, children in need, complex children in need, and child protection arenas and those at risk of Civil Injunctions.

**Risks to Future Delivery**

6. The restructure of the Early Help team in Gateshead has included the Youth Offending Team. This has meant a significant change in management roles and responsibilities which could, if not managed effectively, result in less experienced managers taking a lead on the Youth Justice agenda. This if not managed effectively could impact on staff morale, staff development and the destabilising of the team.
7. First time entrants (FTE) have reduced in the quarter from January 2018 to March 2018 and whilst this is a positive ongoing trend, given the recent restructure and the dissolution of the Prevention Team into new roles within Early Help Services from September 2018, this could have an impact on FTEs.
8. Potential budget efficiencies, and changes within the Youth Justice Board could impact on overall performance.
9. Maintaining and improving performance in a changing political landscape could dilute the Youth Justice services provided to young people and their families.

**Recommendations**

10. Cabinet is asked to recommend the Council to endorse the Annual Youth Justice Strategic Plan 2018/19.

For the following reason:

To allow the Youth Offending Team to fulfil its strategic and operational responsibilities.

---

**CONTACT:** Susan Butler

extension: 4596

## APPENDIX 1

### Policy Context

1. It is a requirement of Grant Funding from the Youth Justice Board that an annual strategic plan is produced for all Youth Offending Teams/Services. The annual plan contributes to the Council's strategic approach 'Making Gateshead a Place Where Everyone Thrives' and to the 'Reducing risk and promoting resilience' priority in Children Gateshead, the plan for children young people and families in Gateshead.

### Background

2. The Annual Strategic Plan was tabled for discussion with Board members and agreed with minor amendments at the YOT Board on 24 July 2018. The Strategic Plan was submitted by the 31 July deadline and covers the following sections:
  - (i) Introduction
  - (ii) Performance Data (including Restraints in Custody)
  - (iii) Structure and Governance
  - (iv) Innovation and Promising Practice
  - (v) Partnership Arrangements
  - (vi) Resources and Value for Money including staffing structures
  - (vii) Key Priorities
  - (viii) Risks to Future Delivery
  - (ix) What do People Say About Us?
  - (x) Our Work with Victims
  - (xi) Contact Us.
3. The Plan has been submitted to the Youth Justice Board (YJB) who will forward the Plan to Her Majesty's Inspectorate of Probation (HMIP) and Ministers.
4. The Plan will be used by HMIP through an intelligence led and focus of resources in a way that drives improvement, selecting YOTs through a risk based approach guided by published criteria. HMIP expect to conduct up to 30 YOT inspections over the course of a year. In each inspection, the case assessment sample size will be linked to the number of children and young/people subject to YOT supervision. This will enable HMIP to inspect in a proportionate way whilst producing statistically valid findings.

### Consultation

5. The Cabinet Members for Children and Young People and the YOT Board have been consulted.

### Alternative Options

6. There are no alternative options. An Annual Report and Business Plan requires updating on an annual basis and is a statutory requirement for YOT's.

## Implications of Recommended Option

### 7. Resources:

- a) **Financial Implications** – The Strategic Director, Corporate Resources confirms there are no financial implications arising from this report.
- b) **Human Resources Implications** – There are no specific implications arising from this report.
- c) **Property Implications** - There are no property Implications.

8. **Risk Management Implication** - The risks to changes in management roles within the YOT has been identified within the Plan, as well as the reduction in staff undertaking a preventative role which could impact on the First Time Entrants (FTE) target. Potential budget efficiencies and changes within the Youth Justice Board could impact on overall performance and maintaining and improving performance in a changing political landscape could dilute the Youth Justice services provided to young people and families.

9. **Equality and Diversity Implications** - The work of the YOT contributes to the Families Gateshead Programme and the improved emotional health and well-being for children, young people and their families.

10. **Crime and Disorder Implications** – The YOT includes professionals who specialise in parenting, drug and alcohol use, emotional mental health, education and offending behaviour work. The YOT supports multi agency interventions and will work with families where issues around anti-social behaviour and those young people on the cusp of offending have been identified, or where there is a potential risk that there may be in the future. Over the last few years the YOT has developed areas of business which include: Child to Parent Violence work; worrying sexualised behaviour worker linked to NSPCC; and staff have benefitted from Extremism and Anti Radicalisation Training which does not feature highly in our work but remains an area of work which we regularly review.

11. **Health Implications** - The YOT works to improve and minimise the potential for substance misuse and emotional mental health of all the young people where this is identified as an issue. The YOT is working with the Children's Health Commissioner to try and identify resources that will enable young people known to YOT to access a general health nurse – which is identified as a gap in service provision.

12. **Sustainability Implications** - The YOT model delivers a responsive and flexible support to young people and their families to ensure that we provide effective interventions and intervene as early as possible.

13. **Human Rights Implications** - There are no human rights implications arising from this report.

14. **Area and Ward Implications** - Gateshead YOT covers all areas and wards within Gateshead and YOT staff regularly see young people and their families within their homes or local community settings. Reparation projects cover all areas and wards.

#### **Background Information**

15. See attached copy of Youth Justice Strategic Plan for 2018/19.





# Youth Justice Strategic Plan 2018-19

Page 139



## Foreword

I have pleasure in presenting Gateshead Youth Offending Team's Plan for 2018/19. The submitted plan is part of the grant conditions and part of Gateshead's continued commitment to keep the Youth Justice Board, Her Majesty's Inspectorate of Probation, Board Members, Partner agencies and employees up to date with the work of the team.

The strategic plan provides an update on the Key Priorities set for the statutory Youth Offending Team for 2018/19 and informs on the progress and successes achieved during the last year. The strategic plan looks forward to how, with partners, the team will continue to deliver improved outcomes for some of our most vulnerable young people and help to steer them from offending behaviour into education and positive activities so that they can achieve their full potential.

The last three years has seen a period of change within the local authority with the development and implementation of the Early Help Service (EHS) in late 2017. Early 2018 saw the development and implementation of the Intensive Referral and Assessment Team (IRAT) to replace the current Referral and Assessment Team and the Multi-Agency Assessment and Referral Team (MAART) that replaces the adult MASH. These changes have ensured that concerns for children and vulnerable adults are dealt with daily by Police Officers, Early Help Staff and social work staff.

New ways of working have strengthened the continuum of care for all vulnerable children and adults who reside in Gateshead and ensures a prompt response to all concerns identified. Gateshead's Early Help strategy and intervention is a force for transforming the lives of children, families and communities, particularly the most disadvantaged. Its importance today in terms of policy and practice owes as much to its economic sense, as well as the social and personal benefits that it can generate.

The aspiration and vision articulated in the strategy is that:

***'All children and young people are empowered and supported to develop to their full potential and have the life skills and opportunities to play an active part in society' CYPP 2014-17.'***

The aim of this strategy is to empower families, professionals from all sectors and local communities to work collaboratively in order to make Gateshead the best place in which to live and develop.

The strategy recognises that from conception to the age of two years the effects of disadvantage are magnified. We know that this is a period of significant brain development and that neglect in these early years is likely to lead to a substantial and detrimental impact on a child's development. Equally we know that the other significant period of brain development is during the teenage years as young people approach puberty. This is a time when young people often want to take more risks and it is important that early help services are in place for young people identified as vulnerable. We therefore want to ensure, through our collective approaches outlined in the strategy, that these children will be prioritised with the ambition for all children to get the best start in life.



**Councillor Gary Haley**  
Cabinet Member  
Children & Young People





## Contents

Section 1	– Introduction	4
Section 2	– Performance Data 2018/19	7
Section 3	– Structure and Governance	15
Section 4	– Innovative and Promising Practice	16
Section 5	– Partnership Arrangements	19
Section 6	– Resources and Value for Money	24
Section 7	– Key Priorities for 2018/19	26
Section 8	– Risks to Future Delivery	27
Section 9	– What do People Say About Us?	28
Section 10	– Our Work with Victims	32
Section 11	– Contact Us	34



# Introduction

Gateshead's Vision 2030 for local people is to realise their full potential, enjoy the best quality of life in a healthy, equal, safe, prosperous and sustainable Gateshead. The Council's strategic approach has developed 5 pledges as follows:

- **Put people and families at the heart of everything we do;**
- **Tackle inequalities so people have a fair chance;**
- **Support our communities to support themselves and each other;**
- **Invest in our economy to provide sustainable opportunities for employment, innovation and growth across the Borough;**
- **Work together and fight for a better future for Gateshead.**

During 2017 the Council restructured part of its Care Wellbeing and Learning Directorate to develop an Early Help Service established late September 2017. The Early Help Service consists of two Early Help Teams and a Hub. The Youth Offending Team sits within Early Help Team 2. The restructure has brought together staff from different backgrounds and the model is based on the Troubled Families ethos and way of working which includes a lead practitioner, Common Assessment Framework and Team around the Family.

The second phase of this development is due July 2018 when the newly procured 0-19 Public Health Nursing Service, delivered by Harrogate and District NHS Foundation Trust will align with Early Help. The Trust will work closely with Gateshead Council and key delivery partners to transform and continuously improve the 0-19 public health nursing service by challenging assumptions, jointly develop an integrated delivery model which will create a shared vision, value and behaviours for the service, and agree a transformational route map which will identify workstreams and improvement projects to transform service delivery.

The Youth Offending Team (YOT) continues to review its performance in relation to the following nationally report outcomes:

- **Reduction in the rate of first time entrants (FTE)**
- **Reduction in the rate of re-offending**
- **Reduction in the rate of custody**

The principles of the Youth Justice Board (YJB) are:

- **Children first, offenders second**
- **Encourage system-led change, use the expertise within local authorities and the secure estate to improve practice**
- **Be an enabler of innovation**
- **Fulfil statutory functions**
- **Listen to children**
- **Focus on outcome not process**
- **Reduce bureaucratic burden and duplication**

Despite significant financial pressures, a restructure and changes to local delivery service frameworks, YOT will continue to adhere to the principles of the Youth Justice Board and will continued to deliver a high-quality service which we will demonstrate within our performance outcomes.

The Early Help teams contribute to the prevention of crime under the umbrella of the Troubled Families agenda which has reducing crime and ASB as one of its 6 key indicators. The latest published data for period 2016/17 shows that Gateshead has seen a 21% increase to the number of FTE entering the youth Justice System. When we compare the latest period to the earliest period available (2012/13) this calculates as a -28% decrease. During the latest quarter (Jan 2018 and March 2018) there were 10 FTE reported, when compared to the same period for the previous year (22) this is a 54% reduction.

The triage and community resolution work has now been assimilated into the work of the statutory YOT so that the positive impact preventative work has upon first time entrants is not lost.

### **HMIP Thematic Inspections (Out of Court Disposals and Public Protection)**

Gateshead YOT have considered two recent HMIP Thematic inspections on, "The Work of Youth Offending Teams to Protect the Public" (2017) and "Out-of-court disposal work in Youth Offending Teams" (2018) and are confident that the standard of work delivered within Gateshead YOT, is in line with the recommendations outlined in both reports. This work has impacted positively on re-offending rates.

Out of Court Disposals - Gateshead YOT assess every Youth Caution, Triage and Community Resolution (CR). ASSET+ is used to assess youth cautions with a summarised smaller version for Triage and CR. We have also devised a Youth Caution 1 check list to use in situations where it is not appropriate to undertake a full assessment. An example of this could be when:

- **a young person comes to the attention of Police for a low-level offence;**
- **high need is identified;**
- **appropriate services are already in place;**
- **where it is not seen in the interest of the child to undertake an assessment and introduce more professionals when not required.**

Weekly pod meetings, where attendance is mandatory, allow ongoing, interagency collaboration with partners, the Victim Liaison Worker and Police to ensure that victims are protected and listened to and that conditions are meaningful and geared to reduce the risk all round. Assessments are discussed and there is a multi-agency, multi-disciplinary team contribution to planning.

During the assessment process, young people and their parents/carers are provided with information regarding the process, expectations and potential consequence for non-compliance.

Protection the Public - Gateshead YOT Case Management team have received Trauma and ACE (Adverse Child Experiences) Training and have read the Evaluation of the Enhanced Case Management Approach Report (March 17). We have adapted the way in which we approach and attempt to engage with young people as well as considering this in terms of sequencing and enforcement. Through the Quality Assurance process, the voice of the child and their parents/carers is visible, in both assessment and planning. Pod meetings, as mentioned above, contribute to a multi-professional and agency approach to reviews where managers encourage a joint approach in decision making. This supports the staff development and contributes to protecting the public.

Staff are aware that they are expected to approach legal services prior to any attempts to access young people's social media pages to protect the public.

# Gateshead Community Safety Board

The Early Help Team 2 Service Manager is an active member of the Gateshead Community Safety Partnership who have identified priorities for 2018/19 as follows:

## **Anti-Social Behaviour & Environmental Crime**

Tackling issues of anti-social behaviour and environmental crime continues to be one of the biggest areas of concern identified by residents.

## **Domestic Abuse**

Domestic abuse continues to increase year-on-year and the effect that it has on individuals, their families, their children and wider society is profound.

## **Restricting Supply – Drug Misuse**

We know drug misuse causes significant problems for local communities – and recognise that we need to do more to be able to restrict its supply.

There are also several thematic areas which the Board will monitor for 2018/19, as follows:

## **Hate Crime and Tension Monitoring**

We will continue to raise awareness of hate crime and provide relevant support/guidance to victims as well as monitoring local tensions to ensure we engender cohesive and integrated communities.

## **Preventing Violent Extremism (Terrorism)**

The threat of terrorism continues to be ever-present and we will continue to promote amongst our partners and to engage/safeguard vulnerable persons who have the potential to be drawn into this area.

## **Serious and Organised Crime (Disruption)**

We will persist in preventing people getting involved in serious and organised crime activity, strengthen our protection/response to it as well as continuing to work collectively to pursue and disrupt the criminals behind it.

## **Repeat Victimisation and Vulnerability**

We need to ensure that we have services in place that will help us to tackle repeat victimisation and vulnerable clients.

## **Reducing Re-offending**

We know that a small proportion of offenders generate a disproportionate level of crime and disorder. We will continue to work collectively to provide appropriate support/enforcement to change behaviour and divert offenders.

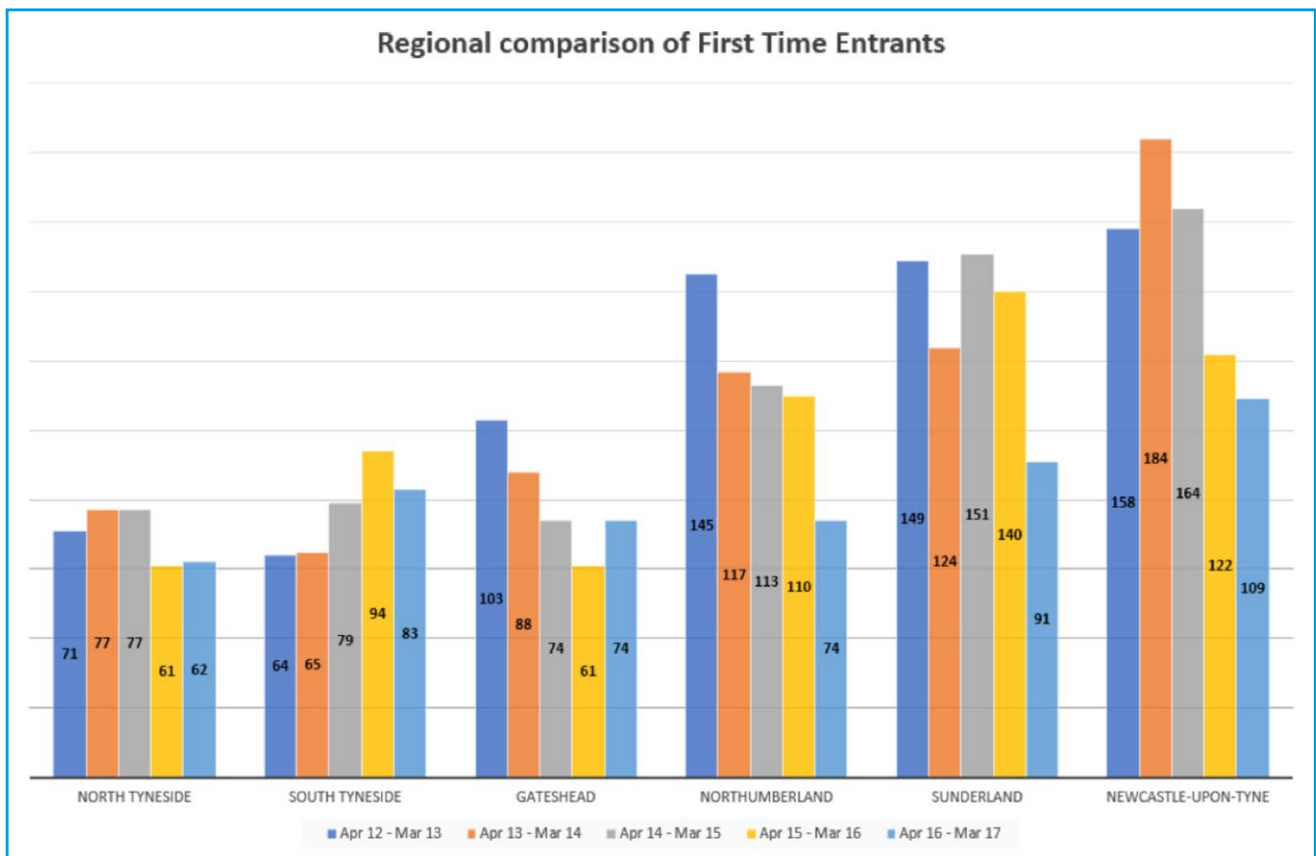
## **Integrated Offender Management (IOM) – new approach**

A revised approach to how we address the offending behaviour of some of our most complex and prolific offenders is due to be rolled out by Northumbria Police during 2018/19. The new Integrated Offender Management (IOM) model is a multi-agency process designed to help identify, respond and stop persistent offending across the Borough and has strong links to the work overseen by the Youth Offending Team (YOT) Board. The transition of young offenders from YOT provision through into probation services will be a crucial element of IOM and needs to be correctly managed to ensure a reduction in recidivism and ensure that young adults are effectively supported. Regular updates are provided on the progress around the IOM model to both the Community Safety Partnership and to the YOT Board.



# Performance Data 2016/17

## First Time Entrants (FTE) data source – Police National Computer (PNC)



During the latest quarter (January 2018/March 2018) there were 10 FTE reported, when compared to the same period for the previous year (22) this is a 54% reduction.

The latest published data (April 2016/March 2017) shows that Gateshead had a 21% increase to the number of First Time Entrants entering the youth Justice System since published data (April 2015/March 2016). When we compare the latest period to the earliest period available (April 2012/March 2013) this calculates as a -28% decrease.

With Gateshead YOT being aligned with the newly developed Early Help Service, the capacity for prevention interventions has increased significantly. In addition, the YOT works with young people subjected to all community resolutions or Triage interventions, with the aim of preventing offending and reducing the likelihood of those young people becoming a First Time Entrant (FTE).

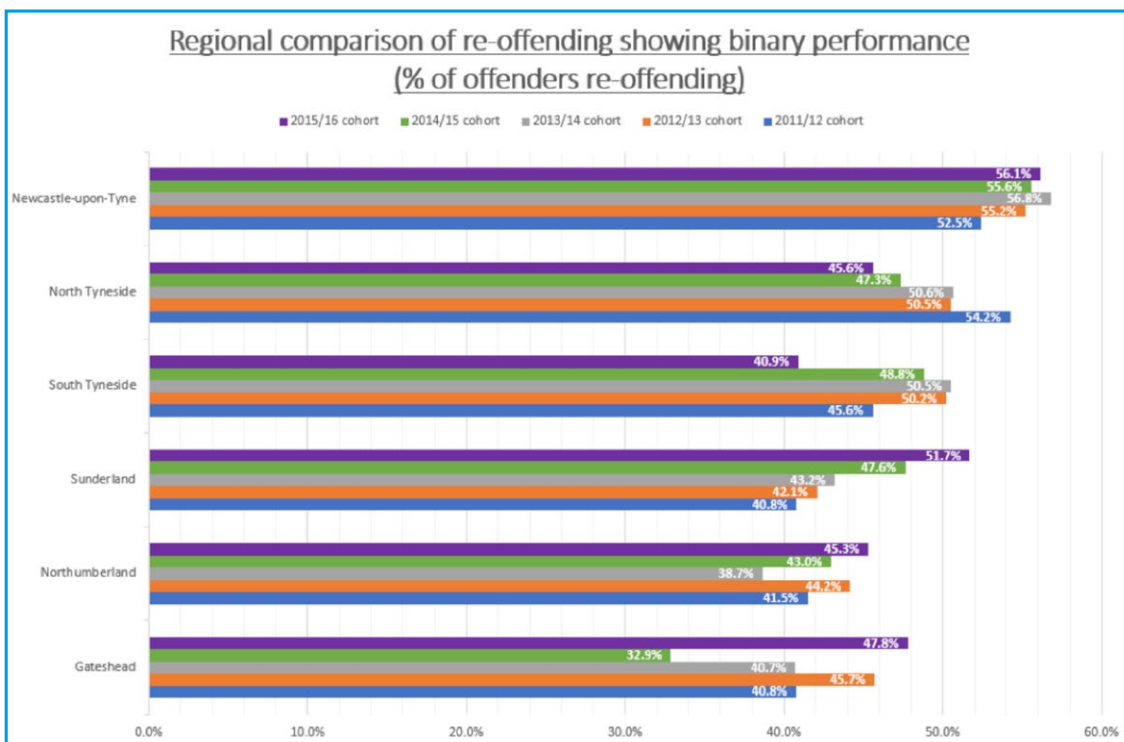
Gateshead's FTE's	2012/13	2013/14	2014/15	2015/16	2016/17
Number	103	88	74	61	74
Rate/100,000	599	500	430	361	437
North East (PCC Northumbria area only)	2012/13	2013/14	2014/15	2015/16	2016/17
Number	690	655	658	588	493
Rate/100,000	568	532	541	490	411
North East	2012/13	2013/14	2014/15	2015/16	2016/17
Number	4,163	3,512	3,297	3,049	2,576
Rate/100,000	586	490	464	432	363
National	2012/13	2013/14	2014/15	2015/16	2016/17
Number	26,351	21,433	19,848	17,663	15,812
Rate/100,000	539	437	406	362	321

### Re-offending data source – Police National Computer (PNC)

The most recently published 12-month reoffending data from the Police National Computer (PNC) for April 2015/Mar 2016 sets Gateshead's binary performance (percentage of young people who go on to reoffend) at 47.8%. When we compare this data to the previous year of 32.9% (Apr 2014/Mar 2015) the binary performance has increased by 14.9%.

While caseloads in youth justice have continued to reduce nationally, the young people that remain active have tended to be more chaotic and complex and are often open to multiple services such as Children's Services (29%) and Early Help Services (16%). This has impacted on reoffending locally given a reduced cohort with increased offending per young person.

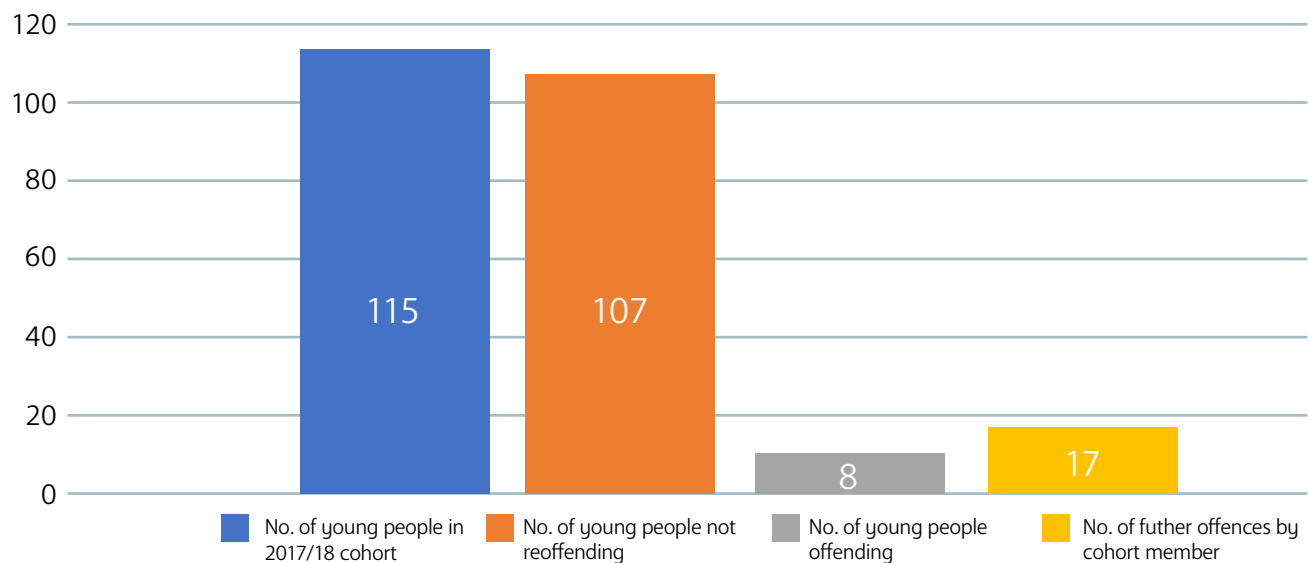
The latest binary performance of 47.8% is lower than the Northumbria PCC regional average of 49.8%, but higher than the National average of 41.9%.



<b>Gateshead's Proven Rate of Reoffending</b>	<b>2011/12</b>	<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16</b>
Reoffences/reoffender	2.98	2.83	2.57	3.49	3.69
% Reoffending	40.1	45.7	40.7	32.9	47.8
<b>North East (PCC Northumbria area only)</b>	<b>2011/12</b>	<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16</b>
Reoffences/reoffender	3.28	3.14	3.45	3.9	3.91
% Reoffending	46.4	48.2	47.7	48.2	49.8
<b>North East</b>	<b>2011/12</b>	<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16</b>
Reoffences/reoffender	3.32	3.42	3.58	3.96	4.04
% Reoffending	41.6	43.3	44.5	44.9	44.4
<b>National</b>	<b>2011/12</b>	<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16</b>
Reoffences/reoffender	3.14	3.25	3.41	3.61	3.78
% Reoffending	40.4	41.0	42.9	42.6	41.9

### Latest Offending data of 2017/18 Community Resolution & Triage cohort

Current offending of 2017/18 Community Resolution/Triage cohort



Latest offending data relating to those young people receiving either a Community resolution or Triage intervention during April 2017/March 2018 shows the reoffending rate at 7%, this is a -68% reduction when compared to the previous year's cohort binary performance currently at 22%.

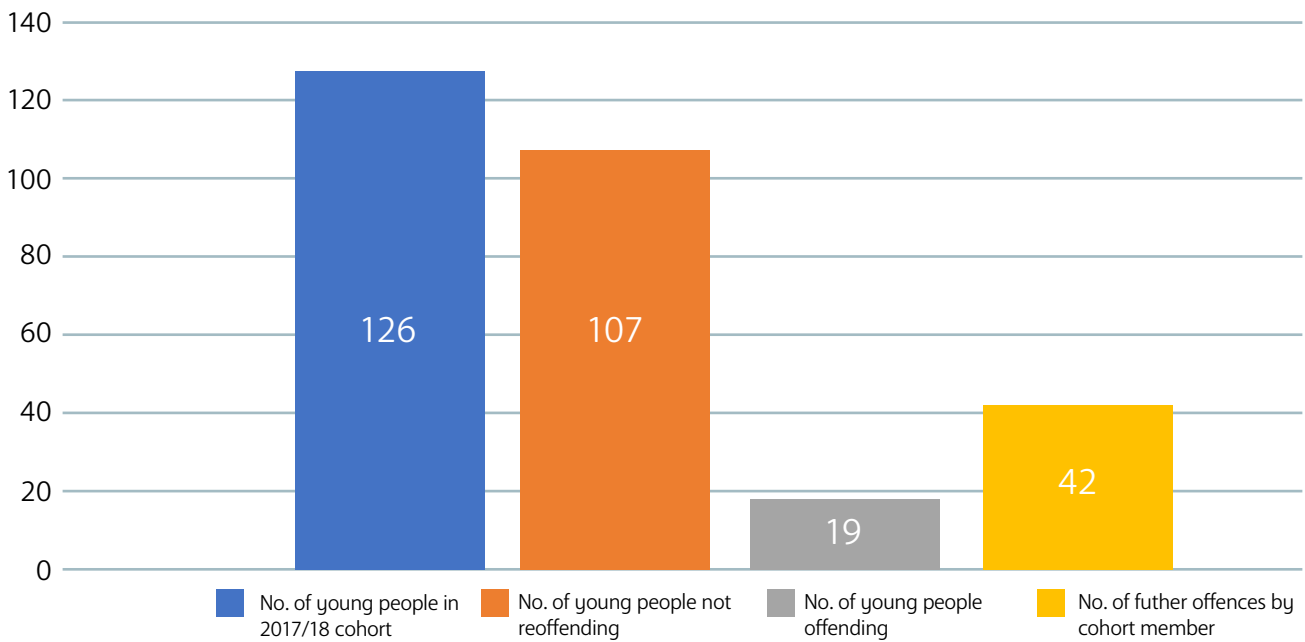
Of the 115-young people within this cohort, 8 young people have so far gone onto offend, committing a total of 17 offences.

Using a monthly tool, we can track the offending of this cohort which enables the YOT to review the current YOT intervention plan that is in place. This ensures that all relevant interventions are evident and sequenced appropriately to prevent the likelihood of those young people becoming First Time Entrants (FTE). Referral pathways are developed into the Early Help Teams to provide a joint approach and wrap around service to the whole family. This can also act as an exit plan for YOT where risk factors are evident which necessitates a lengthier and ongoing intervention.



## Latest Offending data of 2017/18 Live tracker cohort

Current offending of 2017/18 Live tracker cohort



Latest offending data relating to those young people receiving either a Youth Caution or court disposal during April 2017/March 2018 shows the reoffending rate at 15%, this is a -46% reduction when compared to the previous year's cohort binary performance currently at 28%.

Of the 126-young people within this cohort, 19 young people have so far gone onto offend committing a total of 42 offences.

Like the Community Resolution and Triage cohort we can track those young people who received either a Youth Caution or court conviction for an 18-month period. Upon refreshing the cohort offending data the YOT management team review those cases each month to ensure the plan in place is robust and includes the necessary objectives to prevent further offending.



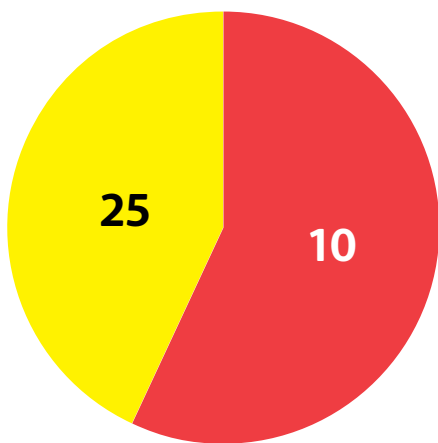


## Active cohort analysis

YOT Performance Management regularly track those young people within each re-offending cohort monthly. The YOT are also able to identify which cohort members are open to a YOT intervention on a weekly basis using the Risk Register report. This weekly report is a breakdown of cases open to the YOT that includes the latest case level data relating to many factors such as: Likelihood of re-offending (LOR), Risk of Serious Harm (ROSH), Safety and Wellbeing (S&W), Looked After Child (LAC) status, Child Protection (CP) involvement, Troubled Families involvement. The YOT's most worrying cases (LOR, ROSH or S&W) are also identified on this register as Cases of Concern, which supports managers to oversee high risk issues and the age of young people is noted to support transition work.

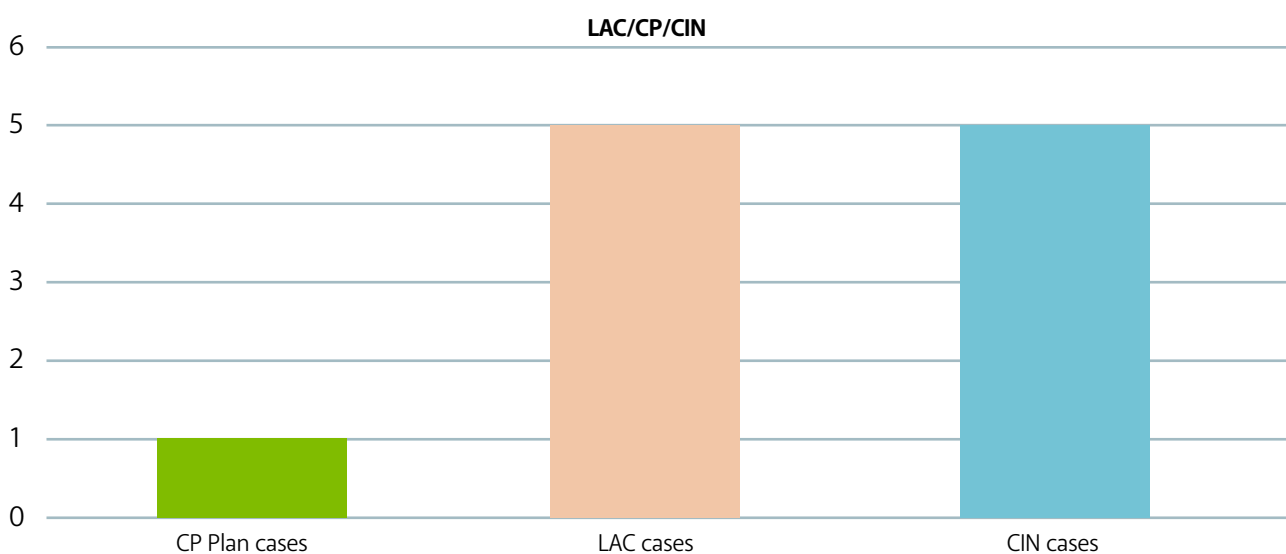
The below charts are a snapshot as of May 2018 that outlines the types of risks associated with those cohort members who are currently open to a YOT intervention. As of May 2018, of the 241 cohort members being tracked there were a total of 35 or 14% of the re-offending cohort cases open to the YOT, below is a summary of current risks associated with those active cohort cases:

### Troubled Families Involvement



**71%** (25) of active cohort cases are allocated to the Troubled Families Programme

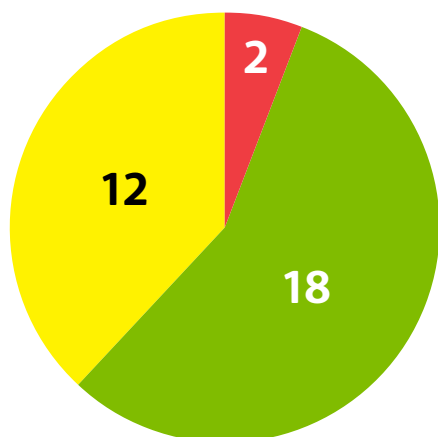
■ Active cohort cases with Troubled Families involvement
 ■ Active cohort cases without Troubled Families involvement



3% of active cohort cases are subjected to a Child Protection Plan  
 14% are identified as a Looked After Child (LAC)  
 14% are identified as a Child in Need (CIN)

## Latest Offending data of 2017/18 Live tracker cohort

### Likelihood of re-offending



**6%** (2) of active cohort cases were recently assessed with a High Likelihood of re-offending

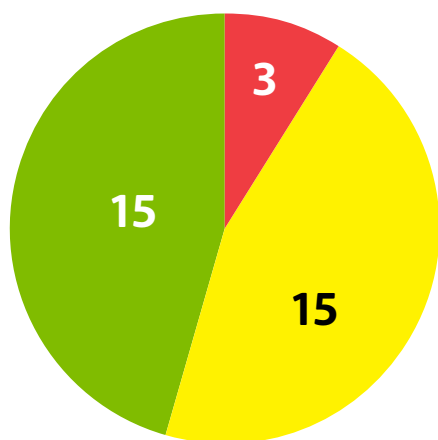
**56%** (18) were assessed with a Medium Likelihood of re-offending

**38%** (12) were assessed with a Low Likelihood of re-offending

■ High likelihood of re-offending ■ Medium likelihood of re-offending ■ Low likelihood of re-offending

NB: the likelihood of re-offending is based on many factors such as: gender, age, prior conviction severity and frequency.

### Risk of serious harm



**9%** (3) of active cohort cases have a High Risk of Serious Harm rating

**45%** (15) of cases have a Medium Risk of Serious Harm rating

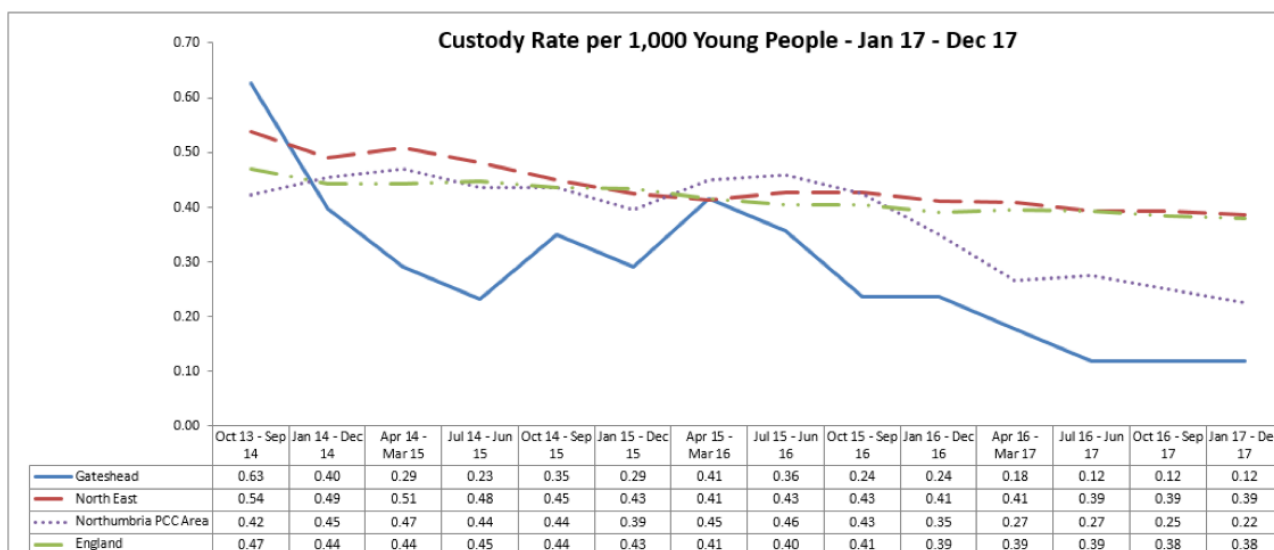
**45%** (15) of cases have a Low Risk of Serious Harm rating

■ High likelihood of re-offending ■ Medium likelihood of re-offending ■ Low likelihood of re-offending

NB: The Risk of Serious Harm Level is based on a "Yes" response to any of the questions in the indicators of harm section within the assessment.

## Custodial Sentences – Data source Case Level Data

The latest YJB published data for January 17/December 17 shows the 12-month rate of Custody for Gateshead at 0.12, this represents 2 custodial sentences in the 12-month period, and is a -50% reduction when compared to the same period of the previous year. This is below the Northumbria PCC regional average for this period (0.23), and below the National average (0.38).



Gateshead continues to reduce the number of custodial sentences given to young offenders using alternative interventions to custody.

## Looked After Children

There were 20 cases of Looked After Children (LAC) who were sentenced to a YOT intervention throughout April 2017/March 2018, which is a 43% increase in the number of LAC offenders when compared to the previous year (14).

11 LAC or 55% were subjected to a Section 20 order (single period or accommodation), 8 LAC or 40% were subjected to a Care Order, and 1 LAC or 5% was subjected to an Interim Care Order.



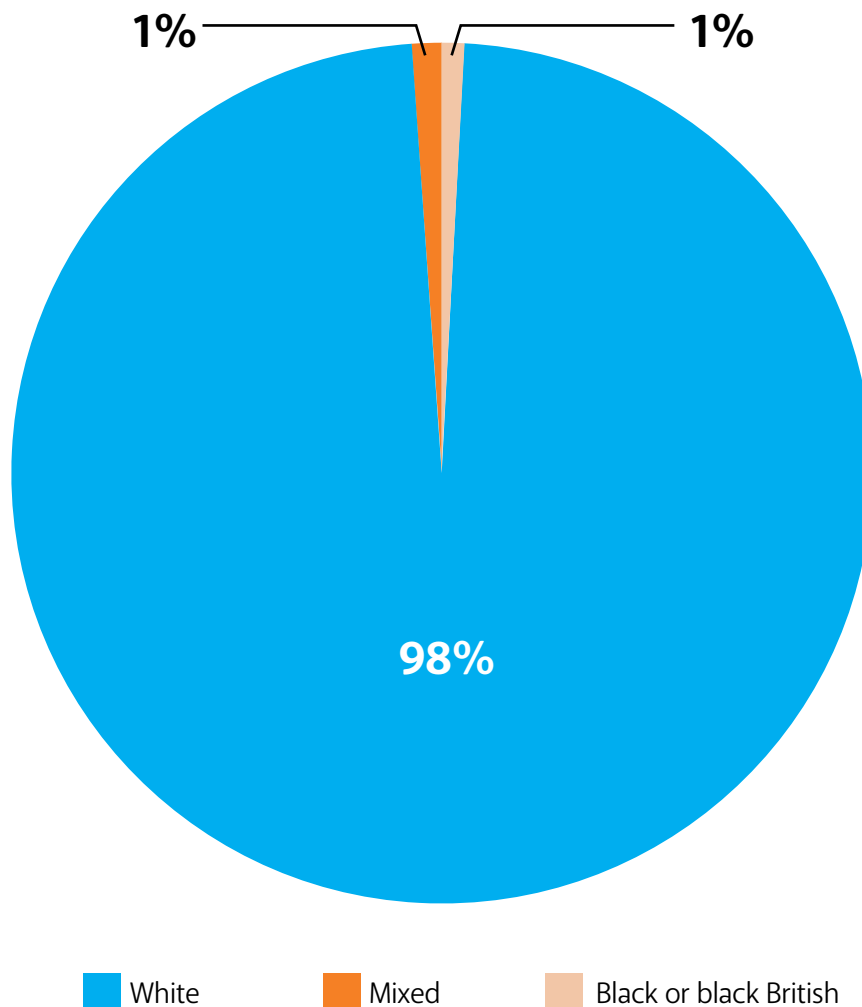
### Restraints in Secure Accommodation

During the period of April 2017/March 2018 there were no instances of restraints being used by custodial establishments. These incidents are reported to the YOT Board and the YOT Assistant Team Manager attends the regional YJB Practice Improvement Meeting where restraints are monitored and where necessary, further investigation can be undertaken.

### Ethnic proportion of young people receiving youth cautions or convictions during April 2017 & March 2018

Young people from white ethnic background accounted for 98% of all young people receiving a youth caution or court conviction in the year ending March 2018. Those from a black or black British ethnic background accounted for 1%. Those from a mixed ethnic background accounted for 1%. This is in line with the latest Office for National Statistics (ONS) census report for Gateshead.

**Ethnic breakdown of young offenders who received a youth caution or conviction during April 2017 and March 2018**





## Structure and Governance

The YOT Board was reviewed during 2017/18 and a newly appointed external Chair from Northumbria Police was appointed in early 2018.

The Board has changed from quarterly to bi-monthly meetings and we are currently reviewing membership of the Board and ensuring that Board members fully understand their role and remit and the implications of the new HMIP Inspection Framework, particularly around Governance and Leadership.

The YOT Board reports to the Families Overview and Scrutiny Committee (OSC), to present achievements, challenges and seeks the views of members on the annual strategic plan. The final report is presented to appropriate Portfolio and Cabinet Members for approval.

The YOT continues to be managed by a Service Manager who is also responsible for an Early Help Team and is the lead officer to co-ordinate the Troubled Families Programme for Gateshead.

Since the restructure of the YOT prevention staff into the new Early Help Service the YOT has undertaken responsibility to carry out the Missing Interviews for young people who go missing from Gateshead.

These young people are often known to YOT and our Looked After Service which strengthens relationships between the two services and gives a wealth of information to the YOT team. This work was previously carried out by staff from the Youth Service who have now joined and increased the resource into the Reparation and Intensive Supervision and Surveillance Team (ISS).

The line management arrangements have not changed for the Service Manager who is still currently line managed by the Service Director of Early Help who reports directly to the Director of Children's Services.

The YOT continues to hold weekly Management and Leadership Team (MALT) meetings, Chaired by the Service Manager. The MALT continues to monitor all performance reports that are scheduled in at regular intervals throughout the month; ensures that data is submitted to the YJB in a timely manner; ensures compliance with the secure estate placement information; co-ordinates the completion of National Standards and has continued with local arrangements for the reviewing of Community Safeguarding and Public Protection incidents aligned to the LSCB. These incidents continue to be reported to the YOT Board and LSCB and any actions are monitored through the YOT Board.



# Innovative and Promising Practice

## **RJ quality mark**

Research shows Restorative Justice delivers better outcomes across schools, care, community and the criminal justice system. Done well, it has the potential to change lives. The Restorative Justice Council wants to make sure it is always done well so that people harmed by crime and conflict can be confident they will get a safe, effective service that meets their needs. The Restorative Service Quality Mark (RSQM) gives the public that confidence. Holding the RSQM is a celebration of the hard work undertaken by organisations offering a restorative service and is the best way of showcasing safe, high quality practice. Gateshead YOT was one of the first Youth Offending Team's in the country to gain this accreditation, in 2018 the YOT will apply to renew the Award.

## **Respect Young People's programme (RYPP)**

Gateshead has had a relationship with Respect (a charity intervening in domestic abuse and family violence) for many years which was established when Gateshead Youth Offending Team still had its prevention service. Staff within the prevention team were trained in RYPP (Respect Young People's Programme) to address the emerging issue of what is commonly known as APVA (adolescent to parent violence and abuse). Since September 2018 the prevention team has been incorporated into an Early Help Model. This service is a tier two service with objectives to reduce the number of children entering statutory Children's Services.

Having lost some of the trained workers in this restructure a bid for additional funding was made to the OPCC which has secured staff training. This has meant that we were able to train a further 18 practitioners across both teams within Early Help in June 2018 to ensure that we are still able to work in a preventative way despite restructuring. In the coming year we will continue to dual allocate cases where parent/carer abuse is an issue which should reduce the incidences of children who refuse to attend school and to prevent further reoffending.

Continued links with Respect has also meant that we have secured Gateshead as the location of the next annual Respect Conference which will be held on 26th September 2018. This is the first time the conference has been held within the North East and it will be a fantastic way to showcase domestic abuse services within Gateshead. All regional Youth Justice Organisations and third sector organisations have been invited to this event.

## **Attachment based parenting interventions**

A child with a secure attachment is deemed to have a positive view of self and others having experienced sensitive and attuned parenting. There are now several pieces of research that show that attachment insecurity correlates with anxiety and emotional wellbeing. In addition, there are numerous papers highlighting the link between secure infant attachment and the development of language skills and social functioning (Belsky & Fearon, 2002), with poor social and communication skills a known risk factor for offending.





Insecure attachment patterns are also thought to play a role in the development of some personality disorders with disorganised insecure attachment as the subtype that best predicts future problems and its rate varies from around 15% in families who access universal services to over 80% in families where there is neglect or maltreatment (Goodman, 2012, p. 262). Assisting parents to have a secure relationship with their children could therefore help prevent offending, better language skills, social functioning could improve school readiness and responses to the education system. This could help to prevent the 'accumulation of disadvantage' that is often seen across the lifespan for those who have a poor start (Ferraro et al 2016).

For these reasons we are beginning to explore the use of attachment based parenting approaches with Early Help cases to encourage secure child to parent attachment in the recipients which could further reduce First Time Entrants (FTE). Models based upon the ABC (Attachment and Bio-Behavioural Catch up) are being explored as means of addressing parenting deficits that may lead to offending and school refusal in later life. It is hoped that this will assist us in reducing the number of children who enter the Criminal Justice System further. The ABC intervention is being considered as it has a strong evidence base for efficacy as outlined in randomised control trials. There is a significant cost to this programme as it was developed in America. This is something that could be explored in the next 12 months with other Youth Justice Managers in the region.

### **The Enhanced Case Management Model and ACE's (Adverse Childhood Experiences)**

Gateshead YOT have adopted a different approach regarding the process of assessment and intervention, and how we interact with young people and their parents and carers. Drawing on the Evaluation of the Enhanced Case Management approach (published 28.3.18) we have considered the Trauma Recovery Model and ACE's, and provided YOT Practitioners and managers with training and briefings which has increased their knowledge and understanding in relation to how early attachment, trauma and adverse life events can impact on a young person's ability to engage effectively in youth justice interventions. This has resulted in practitioners and managers tailoring and sequencing interventions more effectively, according to the development and mental health needs of the individual young person.

This change in practice is in its early stage, however, what is evident is that good practice examples are already evident whereby young people with significant histories of non-compliance are starting to engage on a meaningful basis. Alongside this approach, practitioners have recognised that parents and carers, whilst now adults, may also have experienced trauma as children. Their struggles have also been identified and worked upon regarding diversity and equality through assessment and sequenced planning, adopting a joined-up approach with the Early Help Team, where whole family working is the model.

## **Development of Prevention Interventions**

With the initiation of the Early Help Service (EHS), Gateshead YOT Prevention Team was dissolved and the work was transferred to the newly created service. If a young person is at risk of entering the Criminal Justice System a referral can be made to the EHS. However, there is a gap regarding young people already identified as Looked After, Child in Need, Complex Child in Need or Child Protection whereby they do not fit the criteria for the EHS. We are in the process of developing youth justice preventative work specifically aimed at more complex and chaotic young people within Children's Social Care services with the aim to reduce first time entrants and re-offending even further to build upon a multi-agency approach that already exists within Gateshead statutory YOT.

## **Civil Injunctions – Preventative Strategy**

The development of Prevention within YOT is also aimed to support attempts by police to reduce anti-social behaviour through early intervention referrals. This will provide assessments and interventions to divert young people from being at risk of being made subject to Civil Injunctions. This is specifically aimed at young people who are Looked After, Child in Need, Complex Child in Need or Child Protection, as they do not fit the criteria for the EHS and therefore are not supported to reduce the likelihood of them being involved in anti-social behaviour.

## **Additional Developments to support Performance Management:**

### **Case Weighting and Audit Tool**

To manage caseloads across the YOT a case weighting tool has been developed that is in line with the Early Help Teams. This has contributed to fairer distribution of cases and has supported responsivity across the team.

### **Case Audit**

The audit tool, which is in its early stages, has been updated to be in line with the EH audit tool.





# Partnership Arrangements

## Parenting

A parenting offer is embedded into the Early Help Service of which the YOT is integral. Building strong relationships are a key area of support when working with families who have been identified as needing support through the YOT service. The Early Help Service offers a wide range of group parenting programmes that intends to provide parents/carers with tools and strategies that can be used to enhance existing parenting techniques or to give new ideas and practical tips to support the everyday tasks of bringing up children. As part of the overall council's policy of employee continuous professional development, all staff are encouraged and supported to undertake training in line with their role, responsibility and practice.

Programme	Child age	Programme summary
Incredible Years (Babies)	0-6 months	Build a positive relationship with your baby through listening, observing, bonding, demonstrating warm and tactile behaviours. Delivered over ten, two and a half hour sessions.
Incredible Years (Pre/Early School)	3-8 years	Learn to reinforce behaviour and set clear routines and boundaries through setting goals. Using rewards and communicating consequences. Delivered over fourteen, two and a half hour sessions.
123 Magic	2-12 years	Simple, precise and effective way of managing behaviour of young children. Delivered over two three -hour sessions.
Family Nurture	2-12 years	Understand the feelings behind behaviours Delivered over nine three -hour sessions.
Parenting Factor in ADHD	5-18 years	Increase knowledge and understanding of ADHD and learn strategies to manage the core ADHD behaviours. Child must have a ADHD diagnosis. Delivered over nine two and a half hour sessions.
Strengthening Families	10-16 years	Increase parenting confidence and build positive relationships with your child. Initial part of each session uses a separate 'Youth' and 'Parent' group, followed by facilitated whole-group discussion afterwards. Delivered over nine two hour sessions.
Keeping up with your teens	13-18 years	Distinguishing normal and risk-taking behaviours when to 'let go' of problems and specific guidance on teen topics Delivered over one half day session.

## **Parents as partners**

Gateshead Early Help Service runs Parents as partners, it is a free groupwork programme for parents who want to work together to address relationship issues affecting their parenting. This innovative approach brings couples and co-parents together in a safe place for 16 weekly sessions co-facilitated by trained group workers. By working with both parents, the group fosters long lasting change, benefitting children`s cognitive, emotional and social development.

## **Accommodation**

New services for Young People with varying levels of need have been commissioned by Gateshead Council over the next 5 years and are due to commence from 2nd July 2018.

Changing Lives have been commissioned to provide a new Direct Access/Needs Assessment service; Home Group will be providing the new Shared Living and Semi-Independent Living services; the new Supported Lodgings service will be provided by Barnardo`s and new Floating Support services provided by the Gateshead Housing Company. These services are for single young people aged 16 to 25, requiring emergency accommodation and/or support to live independently.

The new services will offer a needs-led, person centred approach for the support of vulnerable young people in Gateshead with a focus on wellness, promoting positive independent living skills, engagement, employment and training, emotional stability, psychological informed environments and encouraging peer mentoring.

The Shared Living, Semi-Independent Living, Supported Lodgings and Floating Support services will offer varying levels of support for young people dependent upon need. Young people will be referred into these services via a multi-disciplinary panel following the completion of a robust needs assessment assembled by the initial Needs Assessment Service.

Young people with complex, high or medium level needs will be referred to the Shared Living service where on-site psychological interventions such as therapy and counselling will be available. Young people with lower needs and greater independent living skills will be referred to either the Semi-Independent Living or Floating Support services where a mixture of either office hours supported housing or regular, weekly home visits will be provided. The Supported Lodgings service is provided by host families in Gateshead and is available for care leavers or looked after children. Floating Support provided by the Gateshead Housing Company will be available for those Young People who have low level need and require a minimum of intervention to live independently.

Emergency provision, including out of hours, is provided by the initial Needs Assessment Service and two extra flats can be accessed by the Emergency Duty Team.

## **Anti-Social Behaviour**

Gateshead Community Safety and Northumbria Police have developed a new standardised process to record individual details of those stopped for ASB and a central recording system to ensure that there is a staged process for interventions (Clasper).

When a young person is stopped by an officer their details are taken and logged on a Clasper form. These forms are collated and logged centrally. All neighbourhood policing team and 24/7 response officers have been updated about Clasper and have started to use the forms.

When a young person requires a home visit this will be undertaken jointly with a police officer and housing officer. During the discussion at the home the officers will be aware of the Early Help Service and Families Gateshead and if appropriate an assessment will be completed and this will be sent through to the relevant service for support.

Early Help is a voluntary for families and works under the Common assessment and Team Around the Family framework (CAF and TAF), if a family refuse support, there is the potential for an increase in more serious sanctions later, the possible criminalisation of some young people and an increase in ASB, which could in turn lead to increased demand for the statutory YOT service.

### **NHS Newcastle Gateshead Clinical Commissioning Group**

Newcastle Gateshead Clinical Commissioning Group (NGCCG) makes a health contribution towards improving outcomes for young people know to the criminal justice system. The underpinning rationale for the embedding arrangement came out of the key policy documents such as “Healthy Children Safer Communities” and then influenced by “Same old”.

Healthy Children, Safer Communities is a cross-government strategy to improve the health and well-being of children and young people at risk of offending and re-offending. Led by the Department of Health, the strategy is a joint document with the Department for Children, Schools and Families, the Home Office and the Ministry of Justice. Because of the high levels of physical and mental health problems among children and young people in contact with the Youth Justice System (YJS), the legislation that underpins the YJS places duties on Clinical Commissioning Groups (CCG) to:

- **co-operate with local authorities in establishing YOTs**
- **contribute to their budget, and**
- **provide or nominate a member of the YOT team**

The Executive Director of Nursing, Patient Safety and Quality and or the Clinical Director for Children Young People and Families (NGCCG) attends the YOT board meetings, the purpose is to have a multi-agency approach when working with children and young people accessing the Youth Justice System focusing on areas such as emotional and mental health wellbeing, Communication and Language, School Health / Dental Health Eye Health and Joint Strategic Needs Assessment.

### **Children and Youth People’s Service (CYPS)**

From 29th May 2018 there has been an increase in the resource allocated to Gateshead YOT as follows: The team working into YOT will consist of three-part time workers as follows:

- **Band 7 Specialist YOT Clinical Lead (P/T)**
- **Band 6 Specialist YOT Practitioner (P/T)**
- **Band 3 Specialist YOT Support Worker (P/T)**

### **Early Help**

Gateshead Youth Offending Team is based within the Early Help Service. Our Early Help Service is made of up staff who specialise in supporting children, young people and their parents and carers. The team gives practical help, advice and advocacy to Gateshead families who need extra support with:

- **Family relationships**
- **Children’s behaviour**
- **Home conditions**
- **Parenting and introducing routines/boundaries**
- **Health and wellbeing**
- **Household budgets**
- **Leisure and learning**
- **Help from other professionals**

The Early Help Service work with families where they feel comfortable and safe which could be in their homes, schools or community settings. The team are committed to working with the whole family to provide a tailored package of support which leads to lasting change. Early Help can also support families with emergency provisions, including foodbank vouchers, where there is clear and specific evidence of hardship. Strong relationships are at the heart of all stable families. Early Help offer a wide range of group parenting programmes to help parents and carers build effective relationships with children of all ages and with a variety of needs. These FREE programmes include refreshments, take-away resources and certificates for completion. A FREE monthly drop-in service providing a safe, comfortable space in which to receive parenting advice is also available.

### **Education**

Education in Gateshead has a strong working relationship with the Youth Offending Team; this includes among other education providers our secondary schools/academies, PRU and primary schools. YOT continue to be active participants in the fair access process with regular attendance at the secondary Pupil Placement and primary Fair Access panels; supporting the educational placements of some of our more difficult children and young people. The process seeks to reduce exclusions and support some of our most vulnerable children and young people including the needs of refugees and asylum seekers. More recently there has been representation on the Education Inclusion Panel; where the education for children and young people who have been permanently excluded or who are medically unfit to attend mainstream school is agreed.

## **National Probation Service**

The National Probation Service (NPS) resource into the YOT is determined using a national formula, a review of which was completed this year, whilst some YOT's experienced a reduction, Gateshead's resource remained the same – 1 full-time Probation Officer and an administrative payment of £5k.

In March 2018, in line with the secondment protocol the incumbent NPS secondee transferred back to NPS Gateshead and a replacement Probation Officer from NPS Gateshead was appointed to the post. A plan for transition for the incoming and outgoing staff member was put in place by YOT/NPS to ensure cases were handed over effectively and there was no break in service provision.

Regular reviews have been conducted locally throughout the year to ensure key stakeholders (NPS, YOT and CRC) are working in line with the Joint National Protocol for Transitions in England. This document outlines roles and responsibilities for NPS, YOT and the Community Rehabilitation Company (CRC). Changes have been implemented within the YOT to ensure the role and responsibilities of the NPS Secondee comply with the Protocol. The Probation Officer now manages all transitional cases of 16 years and above, either within YOT or Probation arrangements until transfer is completed.

Case example: the NPS Secondee co-worked a Looked After Child along with a YOT Case Manager for three months prior to the young person's release from custody and three months post release until the young person was more stable in the community. This flexible approach supported the individual to successfully complete their order.

New technology in NPS enables the NPS Secondee to access Probation systems from the YOT, in addition an external probation case record has been created which allows transitional cases to be registered and recorded by the NPS secondee. This will enhance case transfers and enable management information regarding transitions to be gathered. There is a positive working relationship with Gateshead YOT, which is appreciated.

## Northumbria Police

Gateshead YOT has a good and long-established working relationship with Northumbria Police. This relationship has gone from strength to strength in the past 12 months, with the appointment of a new YOT PC in October 2016 and the appointment of a Chief Inspector who now chairs the Board, adding a degree of independent scrutiny to the process.

There have been dialogue at the YOT Board regarding changes to the IOM process which includes Youths and a referral pathway has been developed. This enable young people to be dealt with in a timely fashion by the police and the courts to reduce re-offending, The YOT PC attends weekly meetings where information is shared regarding young people who are in the top 100 cohort and young people who can be referred in to IOM if greater police intervention or management is required.

The YOT continue to offer assessments and interventions for young people at all stages of the Criminal Justice System including Community Resolution, Triage and Cautions where an individual plan is agreed. This is a joint discussion between YOT and Police and a decision is made that takes into consideration all aspects of offending and risk and it is tailored for the young person in order to address re offending and offer support.

The YOT PC ensures understanding of the implications of receiving an Out of Court Disposal (OOC) by explanation and use of a Speech Language Communication Needs (SLCN) pictorial guide, if the young person has difficulty understanding. This is prior to the Caution being administered.

Operation Clasper was launched in January 2018 and is a joint operation to address ASB in the local community and involves Neighbourhood Police, Housing – both private and public sector and Community Safety; it will highlight any reported issues with a young person around ASB and is aligned to the local Troubled Families Programme (Families Gateshead). This operation also allows the Police to share the information they hold with partners, to ensure that we can affect timely and proportionate interventions to prevent young people entering the criminal justice system.

A weekly operational group meeting is held which is attended by all relevant partner agencies, including the YOT PC, to determine what interventions (if any) should be employed for the young person.



# Resources and Value for Money



The table below shows how funding for the core YOT functions have changed between the financial years 2017/18 and 2018/19 and how the current years funding allocation will be spent. Regular revenue monitoring meetings take place with the budget holder alongside audit regulations and checks which remain in place in order to ensure that the Council has a system for monitoring YJB Grant Conditions.

## Core YOT

	2017/18 Budget			2018/19 Budget			
	Cash	In-Kind	Total	Cash	In-Kind	Total	Difference
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>Income</b>							
YJB Grant	383	0	383	383	0	383	0
Police	25	51	76	0	54	54	-22
Probation	5	45	50	5	44	49	-1
Health	62	26	88	62	27	89	1
Gateshead MBC	615	32	647	616	0	616	-31
	<b>1,090</b>	<b>154</b>	<b>1,244</b>	<b>1,066</b>	<b>125</b>	<b>1,191</b>	<b>-53</b>
<b>Expenditure</b>							
Salaries	1,034	154	1,188	1,010	125	1,135	-53
Activity	42	0	42	42	0	42	0
Overheads	13	0	13	12	0	12	-1
Equipment	1	0	1	1	0	1	0
	<b>1,090</b>	<b>154</b>	<b>1,244</b>	<b>1,065</b>	<b>125</b>	<b>1,190</b>	<b>-53</b>

## Remand

	2017/18 Budget			2018/19 Budget			Difference £'000
	Cash	In-Kind	Total	Cash	In-Kind	Total	
	£'000	£'000	£'000	£'000	£'000	£'000	
<b>Income</b>							
YJB Grant	8	0	8	36	0	36	28
	<b>8</b>	<b>0</b>	<b>8</b>	<b>36</b>	<b>0</b>	<b>36</b>	<b>28</b>
<b>Expenditure</b>							
YOI Recharge	8	0	8	36	0	36	28
	<b>8</b>	<b>0</b>	<b>8</b>	<b>36</b>	<b>0</b>	<b>36</b>	<b>28</b>



The YJB grant is unchanged and specific grants for Restorative Justice and Unpaid Work have not been received for some time.

The Police and Crime Commissioner YOT grant is no longer received as a matter of course, although bids may be accepted for specific project work. Whilst 2017/18 had a successful bid of £25k in relation to Putting Families First there is nothing currently included in respect of 2018/19.

The YOT receives the services of a full-time seconded Police Officer.

The National Probation Service contribution is unchanged at £5k in addition to which the services of a full-time seconded Probation Officer is received and unchanged from previous years.

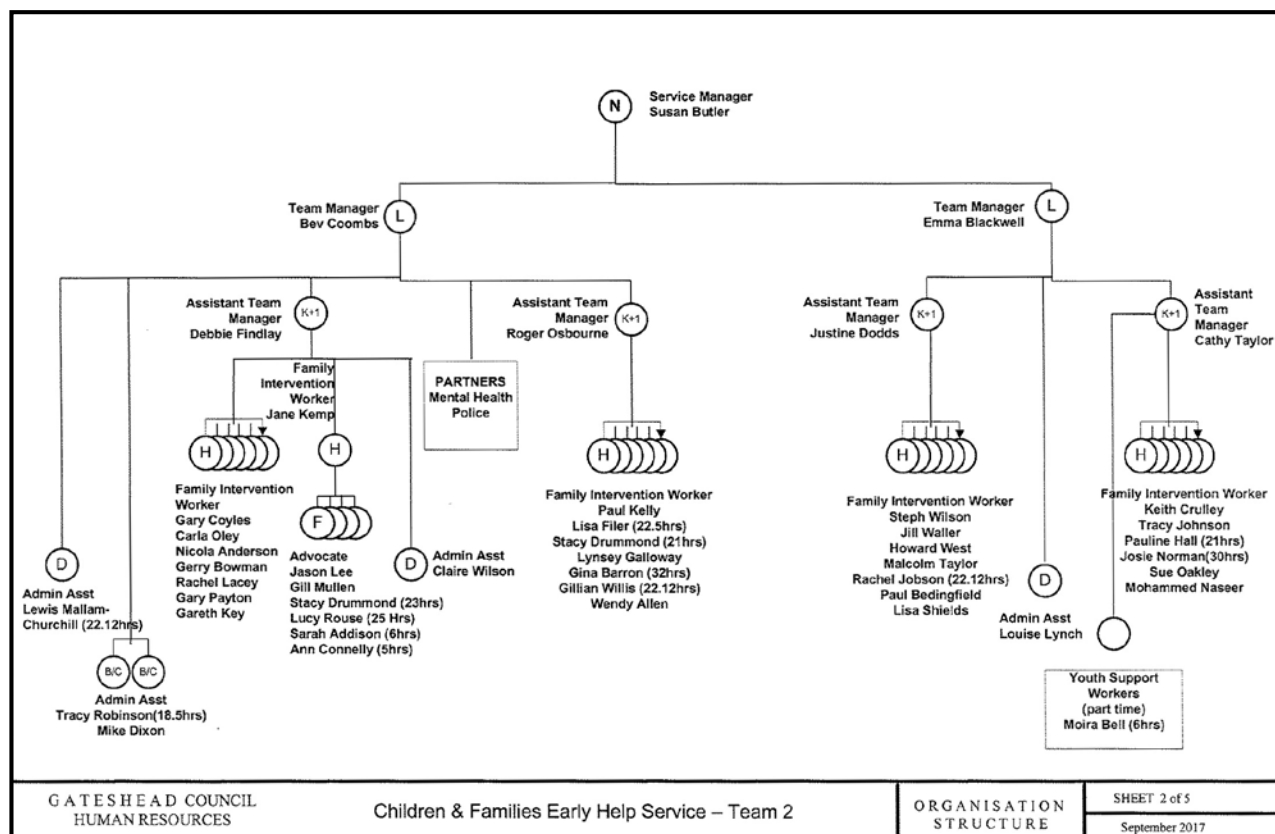
The cash contribution Gateshead YOT receives from Health has been maintained at the same level, along with an increase of 0.5FTE staff provision.

A service restructure effective September 2017 accounts for the removal of the 2017/18 in-kind Council staffing figure.

## Remand

The increase in Remand Grant is due to the time lag in it reflecting remand bed usage in recent years. It is worthy of note that the amount allocated would fund 187 Youth Offender Institute nights at £191 or 66 Secure Training Centre nights at £536. It is too early in the financial year, however, to have a view on likely spend on remand beds as this is a very reactive area of the budget.

## Staffing Structure





## Key Priorities 2018/19

### Gateshead Youth Offending Team Priorities for 2018/19

1. Improve the access to general health assessments for young people who enter the Criminal Justice System - carried forward from 17/18 plan.

#### New priorities

2. Explore with the Newcastle/Gateshead CCG to identify potential funding to introduce the Liaison and Diversion scheme within Gateshead.
3. Review Restorative Justice approaches within Gateshead and apply for renewal of the Restorative Justice Quality Mark (RJQM.)
4. Explore alternative methods of funding with regional colleagues to deliver on Attachment Based Parenting Interventions for young people known to Youth Justice Services.
5. To embed the Enhanced Case Management (ECM) model and Adverse Childhood Experiences (ACEs) research into every day practice which will aim to acknowledge and consider young peoples' diverse needs in relation to trauma.
6. Ensure that relevant staff attend the 3 days - Trauma Recovery Training arranged for March 2019.
7. To develop preventative approaches to work with young people in the LAC, CIN, CCIN and CP arenas and those at risk of Civil Injunctions.

I HAVE A  
DREAM



## Risks to future delivery

The restructure in Gateshead, that has included the Youth Offending Team has meant a significant change in management roles and responsibilities which could, if not managed effectively, result in less experienced managers taking on the Youth Justice agenda that could impact on staff morale, staff development and the destabilising of the team.

First time entrants have reduced in the quarter from January 2018 to March 2018 and whilst this is a positive ongoing trend, given the recent restructure and the dissolution of the Prevention Team into new roles within Early Help Services from September 2018 could impact on FTEs.

Potential budget efficiencies, and changes within the Youth Justice Board could impact on overall performance.

Maintaining and improving performance in a changing political landscape could dilute the Youth Justice services provided to young people and families.



# 9

## What do people say about us?

This feedback from young people was taken from exit interviews.

*'Did you find staff at Gateshead YOT helpful towards you?'*

*"Yes. Helped with transport, and bus fare to get to civic centre for appointments."*

*"The YOT helped me to stay out of more trouble. I had meetings with them to discuss different things."*

*"They took me out to do fun things that helped me not get angry or stressed"*

*All the staff at the YOT were helpful. Being at the YOT taught me right from wrong, and showed me that I can make the correct decisions or not."*

## Reparation

The young people will spend their two-hour session in the allotment learning about what vegetables to plant (the conditions they like) and the care needed to help them grow. They help with weeding, watering, planting and general maintenance of the site. Produce is either sold to raise funds for charity or given to local community groups and food banks. Our named charity for 18/19 is the 'Chloe and Liam Together Forever Trust'. Chloe and Liam were victims of the Manchester bombing and the charity supports young people to explore passions in music and sport.





The work young people completed in the Bede Centre was cosmetic decorating of hallways to brighten the building for use by a variety of community groups. The young people use the centre for the storage of repair items and can use the hall for constructive activities, the kitchen for cooking programmes and the storeroom for making our Christmas wreaths.



**Judith Wilson, Facilities Management said**

*'Just a few words of thanks for the work that the young people have done at Bede Community Centre. The building is certainly looking tidier since they painted the corridor and tidied up the outside. I must also say that I've received very positive comments from the Headteacher of Bede Primary School that is just next door. He says that there's never any trouble and everyone is very helpful'. Thanks*

**Quote from a victim of a sexual assault who participated in a face to face meeting.**

*"The whole process was very satisfactory and it was seen through from the beginning to end and I was updated throughout the whole process. I felt listened to and made to feel that my views mattered."*

**Alderman Brian Coates, Older People's Assembly said:**

*'Without the £500 donation from the Reparation Team, the centre would not have been able to produce a defibrillator machine which is such a valuable items of the centre. Just brilliant.'*







## Our Work with Victims

Gateshead Youth Offending Team endeavours to contact all victims of offences resulting in disposals of Community Resolution, Triage, Youth Caution, Court Orders, Custody and for Pre-Sentence Reports. We are working with Northumbria Police piloting the involvement of the YOT in the delivery of Community Resolution plans which focus on the needs and wishes of the victim.

At the initial point of contact with any victim it will be emphasised that any involvement in the process is voluntary. The designated victim worker will ensure that all victims are given accurate, balanced and realistic information which will allow them to make decisions as to whether they wish to be involved in the process or not. To ensure that all victims of crime are given an opportunity to participate in the Restorative Justice process and to facilitate all victims' requirements and requests they are given the following RJ interventions as options:

- **Restorative meeting;**
- **Mediation (Direct or Shuttle);**
- **Reparation (both for the benefit of the community and/or specifically requested by the victim);**
- **Letter from the young person (apology or explanation);**
- **Be kept updated about the progress the young person is making on their intervention;**
- **Other forms of multimedia can also be used to record indirect mediation between parties.**

If a victim indicates that they do not want to be involved in the process after they are given the information. Gateshead Youth Offending Team will respect their decision and the information will be passed on to the relevant case manager. However, if someone decides later that they would like to take part in the process; the Gateshead Youth Offending Team will endeavour to accommodate their request. Also, with the agreement of the victim at the initial contact, Gateshead Youth Offending Team will contact victims by phone at different times during the young person's intervention to update them on the progress.



# Case Study

C is placed in foster care and whilst on holiday with his carer at a caravan in Amble he sexually assaulted his carer, physically assaulted another foster child and sexually assaulted the victim (another foster carer). C was intoxicated at the time. He received a Youth Conditional Caution for the common assault and the second sexual assault. His carer did not wish action taken for the sexual assault against her. The victim of the common assault did not wish to participate in RJ. However, both C and the victim of the other sexual assault both wished to engage in a face to face meeting and I met with both to prepare them for this.

At the conference the victim spoke about what happened and how C had presented (short of breath and stating he had chest pains). She explained that she had rang for an ambulance as she was concerned about his wellbeing. The victim asked C what he had drank/taken and he told her he had been drinking cider with peers at the beach but had not knowingly taken any other substances. The victim described C's bizarre presentation which ranged from being sexually aggressive and then very babylike. She explained how they were in the caravan for 2 hrs waiting for the Police and ambulance. She spoke about how he had hit her in the face and grabbed her breast. She said how strong he had been and how she was frightened about being injured as she had recently had an operation for breast cancer (she is ok now).

The victim told C that she had no anger about the assault and how she had wanted to keep him safe throughout. C told her that he was sorry for his actions and that he hoped by apologising that he could move on. She said she would accept his apology on one condition - that he did good with his life and learnt from this experience. C said he would and told her about his apprenticeship at Ford and that he was doing his exams. He spoke about attending the NSPCC which the victim supported. He explained about sessions he had done with a case manager from YOT. The victim told C that her husband felt the same as her and wished him well. At the end of the meeting they hugged.

C said that the meeting was good because he felt he could move on and that he is not thinking about the offence all the time now. He said that it was good and everything was explained to him.

The victim feedback was that she had felt emotional afterwards (in a positive way) because she had been able to let go of all her feelings about the incident. She said that she hoped the meeting had helped C to reflect on his actions and move on and make a better life for himself. She said the whole restorative process had been very satisfactory and she was updated throughout the whole process. She said she felt listened to and made to feel that her views mattered.

## Contact Us

Early Help Service  
 Youth Offending Team  
 Civic Centre, Ground Floor  
 Regent Street  
 Gateshead Council NE8 1HH

### Our opening hours are:

Monday to Thursday	8.30am – 5.30pm
Friday	8.30am – 4.30pm
Saturday Reparation/Constructive Activity and on call Court	8.30am - 4.30pm
Sunday ISS/Constructive Activity – as required	

Tel: 0191 433 3000 • Fax: 0191 433 4548

### Service Manager

Susan Butler, Service Manager for Early Help Team 2 which includes the Youth Offending Team and Co-ordinator of the Families Gateshead Programme

Tel: 0191 433 4596

Email: [susanbutler@gateshead.gov.uk](mailto:susanbutler@gateshead.gov.uk)

### How to find Gateshead Youth Offending Team











Gateshead  
youth  
offending  
team



© Produced by Youth Offending Team, July 2018

All images in this publication are taken from artwork created by young people known to Gateshead Youth Offending Team.



**TITLE OF REPORT: Post 16 Special Educational Needs and Disabilities (SEND)  
Provision in Gateshead Special Schools**

**REPORT OF: Caroline O'Neill, Strategic Director, Care, Wellbeing and  
Learning**

---

### **Purpose of the Report**

1. The purpose of this report is to update Cabinet with regard to the review and revised funding levels for Sixth Forms attached to Gateshead Special Schools.

### **Background**

2. It has been necessary to review and revise commissioning levels for Post 16 provision in Special School Sixth Forms in the Borough. As the High Needs Block of the Dedicated Schools Grant (DSG) continues to be under severe pressure (overspent by £1.4m for 2017/18 and estimated overspend of £1.7m 2018/19) all areas of expenditure are under review, including post 16 provision. If at the end of a financial year there is an overall negative balance on the DSG the Department for Education (DfE) intend to tighten the regulations under which local authorities have to explain their plans for bringing the overall DSG back into a balanced position to themselves and Schools Forum.
3. Previously, it was normal practice for children in Special Schools to continue to Year 13 or Year 14. Year 14 places in Special Schools are not recognised by the Department of Education, and can only be funded from the DSG in specific circumstances.
4. There has been a substantial increase in the number of Post 16 pupils remaining in Gateshead Special Schools over recent years. The commissioned number is 41 but in the 2017/18 academic year, 69 places were being used.

### **Proposal**

5. Going forward children in Post 16 provision funded from the High Needs Block will need to demonstrate that they are making educational progress in order to continue at school and it is no longer viewed as the norm for them to continue to Year 13 or 14 at schools.
6. Discussions have also taken place with the Head Teachers of Cedars Academy and Hill Top Schools regarding the need to reduce the number of Sixth Form places back to the commissioned number with effect from the academic year commencing in September 2019. This will mean that Cedars and Hill Top will generally only provide one-year Post 16 places, other than for those with severe autism attending Hill Top who may remain for two years in Post 16 education.
7. It is proposed to discontinue the offer of Year 14 provision in Gateshead Special Schools, other than in exceptional circumstances and that Year 13 provision will only be offered at

Dryden and at Hill Top Schools for those with severe/profound and multiple learning difficulties or severe autism. Post 16 provision at Hill Top and Cedars Academy would only be commissioned for Year 12.

## **Recommendations**

8. It is recommended that Cabinet:
- (i) Note the contents of the Report.
  - (ii) Agree that for the 2018 Sixth Form intake at Dryden and for those in the Autism Provision at Hill Top, pupils are guaranteed 2 years funding.
  - (ii) Agree that for the Sixth Form intake at Cedars and those in the main school at Hill Top, pupils are guaranteed one year of funding to support those pupils who are not ready to access College at the end of Year 11.
  - (iii) Agree to undertake a statutory consultation process to reflect the change in age range for Dryden School from 11-19 to 11 to 18 and the outcome of the consultation to be reported back to Cabinet.

For the following reasons:

- (i) To meet the Council's statutory duty to promote high educational standards and to make effective use of resources.
- (ii) To comply with School Organisation legislation.

---

**CONTACT:** Val Hall

Extension: 2782

## APPENDIX 1

### Policy Context

1. The Council has statutory duties to promote high educational standards; ensure fair access; promote diversity and ensure education is appropriate to meet the different age aptitudes and abilities of pupils in its area and make efficient use of its resources.
2. The proposals in this report are consistent with statutory duties set out in Part 3 of the Children and Families Act 2014, the SEND Code of Practice, the vision for children and young people as set out in Vision 2030 and the outcomes set out in Making a Gateshead Place Where Everyone Thrives.

### Background

3. It has been necessary to review and revise commissioning levels for Post 16 provision in Special School Sixth Forms in the Borough.
4. This report presents summary information relating to:
  - The factors which have led to the need to review the commissioning arrangements
  - The funding model and mechanism for Post 16 SEND Education provision
  - The Local Authority's responsibility for the provision of SEND Post 16 education and training
  - The implications for schools
  - The need to initiate a statutory consultation process

### Factors compelling a review of the commissioning arrangements and funding

5. A number of factors, beyond the Local Authority's control, have made a review of Post 16 funding in Special Schools essential. These factors are:
  - Rising demand
  - Growth in Post 16 numbers in Special Schools above commissioned numbers
  - Increased pressure on the High Needs Block Fund
  - The national funding model and mechanism
  - National expectations relating to Post 16 programmes of study

### The Policy and Funding Context

6. Local Authorities have a Dedicated Schools Grant (DSG) allocation referred to as the High Needs Block [HNB] Funding which includes funding for Special Schools. In Special Schools, local authorities commission a specific number of places. In recognition of the high needs of the pupils, each place is automatically funded at £10,000 with the expectation that most children will require additional "top up" funding to meet their needs. The pupils' needs are defined in the Education, Health and Care Plan with different elements being met through Education [HNB] or through Social Care or Health Services.
7. In preparation for the new funding arrangements implemented from April 2013 the DSG was split into 3 blocks, the Early Years Block for funding 3 and 4 year old nursery provision, based on the take up of 3 and 4 year olds of their free provision, the Schools Block, based on the number of children in mainstream schools using the October pupil

count, and the High Needs Block which was the balance of funding compared to previous year's total DSG.

8. A new funding mechanism for SEND was introduced in April 2013 at that point a snapshot was taken of the Post 16 SEND provision that was being delivered in each area, and LA's were required to estimate the number of places they would require from each provider. LA's were told at the time that numbers would be reviewed at least every 2 years, to date there has not been an overall review and the DfE have introduced a mechanism for LA's to work with providers (e.g. academies) to increase their commissioned places, but the mechanism to reduce them is very restricted and relies on the provider agreeing to any reduction in commissioned places. The DfE expected LA's to manage movements between maintained settings within their overall commissioned places.
9. Places are not ring-fenced to young people in that area and may be accessed by young people from other Local Authority areas. Places are effectively allocated on a "first come, first served" basis and prior to 2018/19 only place funding above commissioned numbers could be charged for out of borough children together with applicable top up funding.
10. Funding for high needs pupils is comprises of 3 elements:  
Element 1 – Basic entitlement £4,000  
Element 2 – Additional support £6,000  
Element 3 – Top up – dependant on pupil need
11. From 2018/19 the DfE have again introduced an inter authority reconciliation for high needs pupils and Gateshead is a net exporter due to the inclusion of non-maintained special schools and specialist post 16 providers in the calculation. The reconciliation moves the additional support element of £6,000 between LA's.
12. In the current funding system, we are allocated £4,000 under the new High Needs National funding formula for children in special schools as at October schools census, with a further update from individual learner records when the data becomes available. For none Gateshead pupils the £6,000 is received from the pupil's home LA, for Gateshead pupils the £6,000 is funded from the high needs block.
13. A further aspect of the funding system is that it is only possible to increase from these originally commissioned numbers. There is no mechanism to transfer places between providers where patterns of demand may alter. It is, therefore, possible for funding to be tied up in unused places. In the situation that all commissioned places are full, or if the only available places are unsuitable, the Local Authority's only option is to buy additional places.

## Commissioned Places – Post 16

Provision	Commissioned	Number used 13-14	Number used 14-15	Number used 15-16	Number used 16-17	Number Used 17-18	Predicted Sept 2018
Dryden School	11	12	12	19	22	21	11
Hill Top School	17	21	20	19	21	22	24
The Cedars	13	4	14	17	24	27	22
Totals	41	37	46	55	67	69	57

### The Local Authority Responsibility

14. The Local Authority has responsibilities for aspects of the education and welfare of young people who have SEND up to the age of 25. One of these responsibilities is the provision of education and training as part of the preparation for adulthood. We are reviewing the format of Education, Health and Care Plans for pupils from Year 9 to ensure there is a greater focus on the child's preparation for life which should result in them being better prepared to leave school at an earlier point.
15. The basic responsibility is to ensure young people with SEND have access to education or training opportunities for a period of 2 years after the statutory school age. This is dependent on there being evidence that the young person is able to continue making progress in their learning through access to the provision. Traditionally, the Local Authority has made provision beyond this and would seek to continue to do so to the extent that resources permit it.
16. Provision has been made through Schools Sixth Forms with some young people electing to stay at school for 3 years following the end of Year 11, or through attendance at a Further Education or Independent Specialist providers, or through participation in a work-related scheme such as a supported internship. Provision in Special School Sixth Forms has historically been five-day provision [c1000 hours p.a.] and the Local Authority has funded Special Schools at this level. In Further Education settings, a full-time programme is typically the equivalent of 3 days each week [c 600 hours p.a.].
17. Rising demands on the High Needs Block Funding, including from the growth of Special School Sixth Forms, coupled with the high level of funding allocated to Special Schools necessitates a review of the management of the Funding in its entirety. There has been an immediate need for Special Schools Sixth Form commissioning and funding to be reviewed to enable schools and the LA to work together to manage the unavoidable reduction in funding.

### Historical Position

18. Historically Dryden children have accessed post 16 provision which has included year 14. Hill Top historically did not have a post 16 provision, but it was found that some children with Autism were not ready to leave school and access college at year 12 and the school entered into a collaborative arrangement with Gateshead College for children with an autism diagnosis for approximately 6 children. This relationship broke down and the LA

worked with the school to create a post 16 provision to coincide with the building of the new school.

19. The Post 16 provision was to help children transfer to college and for non-autistic children it was envisaged this would be a one-year provision. Children with an autism diagnosis could access up to 3 years post 16 provision at Hill Top. The number of children accessing post 16 at Hill Top and staying past year 12 has grown over the years.
20. Historically Cedars did not have Sixth Form provision but again entered into an arrangement with Joseph Swan School to offer Post 16 provision for children they considered not yet ready to attend college. This relationship broke down and the LA worked with both schools and the DfE to transfer commissioned places from Joseph Swan to Cedars Academy. Again, this was initially one-year provision but more recently, the school have been offering two-year provision which has resulted in an increase in numbers remaining in school.
21. As the High Needs Block of the Dedicated Schools Grant (DSG) continues to be under severe pressure (overspent by £1.4m for 2017/18 and anticipated to be at least £1.3m 2018/19) all areas of expenditure are under review, including Post 16 provision. Going forward children in Post 16 provision funded from the High Needs Block will need to demonstrate that they are making educational progress in order to continue at school and it is no longer viewed as the norm for them to continue to years 13 or 14 at schools.

## **Consultation**

22. Following discussion with the Head Teachers of Gateshead Special Schools via the Special School Funding Review Group, it has been proposed not to continue to offer Year 14 provision beyond the end of this academic year, other than in exceptional circumstances. Consequently, the placement of current Year 13 pupils at Dryden School have been reviewed. Of the 9 pupils currently in Year 13, one belongs to Northumberland and is moving to Adult Social Care Provision and another to Sunderland who is likely to be moving to an Independent College. Five of the Gateshead children are moving to Gateshead College, one to Adult Social Care provision and one to a supported internship.

There are no Year 14 pupils currently at either Hill Top or Cedars Schools but it is recommended that no further Year 14 places are offered other than in very exceptional cases.

23. Consultation will be arranged with parents/carers of children of the existing pupils in Gateshead special schools and with staff and Trade Unions and alternative local Post 16 providers to discuss the proposed new arrangements.
24. The Cabinet Members for Children and Young People have been consulted.

## **Alternative Options**

25. Do nothing and continue with the current level of provision. However, this would not provide the opportunity to improve outcomes for young people preparing for adulthood and transition to the next stage of their life. It would also result in a very significant pressure on the Council's High Needs Budget, which is already significantly overspent.



## Implications of Recommended Option

### 26. Resources:

- a) **Financial Implications** – The Strategic Director, Corporate Resources confirms the immediate financial saving to the Council of not continuing to offer Year 14 provision at Dryden School is approximately £10,000 per annum but alongside this is the need to consider the improved outcomes for young people who have moved on to either employment or to live in supported accommodation once they have left school. This has led to a reduced strain on the Adult Social Care budget for these youngsters and consequent longer-term savings. Some youngsters have successfully transferred from Hill Top and Dryden Schools to vocational courses and then in to employment. A brief case study is attached for information (see Appendix 2).
- b) **Human Resources Implications** – This proposal has had implications for Dryden Special School with the reduced overall budget for 2018/19 creating a redundancy situation. It may have implications in future for Hill Top and Cedars Schools in terms of reduced budgets leading to potential redundancy situations.
- c) **Property Implications** - There are no implications from this report.

27. **Risk Management Implication** - There are no implications from this report.

28. **Equality and Diversity Implications** - There are some Equality and Diversity Implications arising from this report as the children attending Gateshead Special Schools have a disability. A stage 1 Equality Impact Needs Assessment has been completed which highlights that the proposal will have a positive impact for secondary school aged children with a disability.

29. **Crime and Disorder Implications** – no implications from this report.

30. **Health Implications** - There are no implications from this report.

31. **Sustainability Implications** - There are no implications from this report.

32. **Human Rights Implications** - There are no implications from this report.

33. **Area and Ward Implications** - no specific implications. Children attending the ARMS provision are resident across Gateshead

## **Appendix 2**

### **Pen Portraits**

#### **P's Story**

P is a young woman with Downs Syndrome. She attended Dryden School for pupils with complex needs and disabilities then progressed onto specialist college provision at Tyne Met College and Gateshead College. P had received home to school and college transport throughout her life. Gateshead Council developed a Supported Internship in 2015, a one-year work based study programme for young people and adults with an Education, Health and Care Plan who have additional needs with the aim of achieving paid employment. P was offered a place on this programme and after her year of being an Intern was offered two days per week paid employment. P does not receive Adult Social Care support as her needs are met by her mum, employment and social opportunities this has brought. Her mum's story follows.

#### **Margaret's Story (P's mum)**

'P and I were asked to attend an event in 2015 to discuss the opportunity for P to participate in an Internship and Independent Travel Training Programme. I was very uncertain about how this would work for P and came home feeling very concerned about it all. It's easy to pass on the negative vibe and after speaking to the family about my concerns they all agreed that it seemed a huge undertaking for P, the main concern being the travel training aspect.

However, after meeting a Supported Employment Worker and a Travel Trainer and hearing how the travel training programme worked and that P would be closely monitored throughout, we decided to give it a try.

The day that P came home with her uniform to start work at Shopmobility in the Metro Centre was just amazing. She was so proud of herself and embarked on this new chapter with great enthusiasm. The first few weeks travelling on the bus were a bit nerve racking but this process was monitored closely and P was shadowed until the Supported Employment Worker and Travel Trainer were confident that she was able to cope on her own. They were great at following up any concerns – on one occasion P told me about David, a man she chatted to at the bus station. After some undercover detective work by staff they discovered that David was actually an Inspector at the Interchange! She has made friends with people at the bus stop at home where she travels on the No.1 bus to the Interchange and then gets the X66 to the Metro Centre bus station. A situation that seemed so unlikely for P to cope with has now become her normal routine which could easily have not happened had I let my worries stand in the way.

P loves her job and this was made permanent last summer. We are all so proud of her but the best bit of all as when she told us that 'she loved her life. There has been some teething troubles as P tried to fit into an adult world with all of her new-found freedom and independence. The staff at the Metro Centre have been a great support for her and she is still making progress with what is and is not acceptable to say – P is very strong willed and at times can be challenging to say the least if she thinks she is right. This experience has been invaluable to her and she continues to learn from day to day situations she comes across in her job. I picked her up from work one day and whilst I was waiting a customer came in and asked me about my recent holiday, she recognised me from the photos P had shown her!

Over the summer P broke her foot and was most upset that she was unable to go to work. She is now back at work and settled into her routine although she was most unimpressed

when she found someone had taken her regular seat on the No.1 bus. P described her as 'a naughty lady who pinched my seat!'

P has been so fortunate to have been welcomed into a great team of staff who include her in their social events and keep in touch with her by text. She has attended meals out for leaving parties and other celebrations and has been involved in the training of new staff. It is a huge bonus that in addition to a wonderful job P has also made lots of great friends.

I am so pleased we did not dismiss this opportunity for P which I very nearly did. I can only say that if anyone else is in the position we were in to really think about taking this chance. By breaking down the process into manageable chunks rather than looking at the big picture anything is possible. P has proven that to us and I would like to thank all those people who have supported her on this journey as she continues to make progress and learn new things from each new day.'

### **JB – aged 20**

J attended Hilltop School. He left in Year 12 and moved to Interface Project at South Tyneside College for two years. J wanted to stay behind for a sports course one night per week but the Council could not provide a separate taxi so J agreed to undertake Independent Travel Training. He successfully completed this from South Shields to Birtley.

He was offered a Care Act assessment at 18 but declined, feeling that his needs were being met at college.

He progressed onto the Supported Internship which he successfully completed in July 2016 and in November 2016 he was offered 15 hours paid employment at Opportunity Café at Newburn.

J receives ongoing support from Gateshead Access to Employment Service (GATES) who support J and the employer. Every couple of months an issue arises around J's behaviour, timekeeping etc. Generally, he is doing really well and is using the tills and all other tasks within the café.

### **AM – 26**

A remained at Dryden school until Year 14 then progressed onto the then pilot of Gateshead/Dilston College provision for two years. This gave him group work experience and a taste of accessing his local community. A progressed onto the Supported Internship for one year. He had a placement at the Sage where he was so popular they offered him paid employment.

A has also secured paid work at Covent House in Birtley, he is an independent traveller and is about to move into his own tenancy with low level social care support in Whickham, with his friend.

This page is intentionally left blank

**TITLE OF REPORT:**           **Nomination of Local Authority School Governors**

**REPORT OF:**                 **Caroline O'Neill, Strategic Director Care, Wellbeing and Learning**

---

---

### **Purpose of the Report**

1. Cabinet is asked to nominate Local Authority Governors to schools seeking to retain their Local Authority governor in accordance with The School Governance (Constitution) (England) Regulations.

### **Background**

2. Schools - The School Governance (Constitution) (England) Regulations require all governing bodies to adopt a model for their size and membership. The regulations prescribe which categories of governor must be represented and what the level of representation is for each. The Local Authority's nomination is subject to the approval of the governing body. If approved, the nominee is appointed by the governing body.

### **Proposal**

3. It is proposed that Cabinet approves the nominations to schools as shown in appendix 1.

### **Recommendations**

4. It is recommended that Cabinet:
  - (i) approves the nominations of Local Authority Governors as set out in appendix 1; and
  - (ii) notes the term of office as determined by the schools' Instrument of Government.

The above decisions have been made to ensure the School Governing Bodies have full membership.

---

**CONTACT:** Leone Buchanan

extension: 8534

## Policy Context

### 1. Schools

In accordance with The School Governance (Constitution) (England) Regulations, local authorities can nominate any eligible person as a Local Authority governor. Statutory guidance encourages local authorities to appoint high calibre governors with skills appropriate to the school's governance needs, who will uphold the school's ethos, and to nominate candidates irrespective of political affiliation or preferences. A person is disqualified as a Local Authority governor if they are eligible to be a Staff governor at the same school.

## Consultation

2. The Cabinet Members for Children and Young People have been consulted.

## Alternative Options

3. The alternative option would be to make no nomination/appointment to the vacancies, leaving governing bodies under strength and less likely to demonstrate the correct configuration.

## Implications of Recommended Option

### 4. Resources:

a) **Financial Implications** - The Strategic Director, Corporate Resources confirms there are no financial implications arising from this report.

b) **Human Resources Implications** - None

c) **Property Implications** - None

5. **Risk Management Implication** - None

6. **Equality and Diversity Implications** - None

7. **Crime and Disorder Implications** - None

8. **Health Implications** - None

9. **Sustainability Implications** - None

10. **Human Rights Implications** - None

11. **Area and Ward Implications** - None

### 12. Background Information

The School Governance (Constitution) (England) Regulations.

### 13. Local Authority Governor Nominations

#### Schools

In accordance with the School Governance (Constitution) (England) Regulations 2012, the following Local Authority governors are nominated for a period of four years (as stipulated in the individual Instruments of Government) with effect from the dates stated below:

<b>School</b>	<b>Nomination</b>	<b>Date from</b>
Barley Mow Primary	Cllr Paul Foy	18 September 2018
Blaydon West Primary	Cllr Kathryn Ferdinand	6 September 2018

This page is intentionally left blank



**TITLE OF REPORT:** Responses to Consultation

**REPORT OF:** Sheena Ramsey, Chief Executive

---

### **Purpose of the Report**

1. To endorse the responses to the following consultations:
  - Preferred Options Local Plan Document – Durham County Council – Appendix 1
  - Draft Local Plan – Northumberland County Council – Appendix 2
  - Airport Masterplan 2035 – Newcastle International Airport – Appendix 3

### **Background**

2. The background to the consultations and proposed responses are set out in the attached appendices.

### **Proposal**

3. To endorse the responses set out in the attached appendices.

### **Recommendation**

4. It is recommended that Cabinet endorses the consultation responses set out in the attached appendices.

For the following reason:

To enable the Council to contribute responses to the consultation.

---

**CONTACT:** Kevin Ingledew extension: 2142

This page is intentionally left blank

**Durham County Council - Preferred Options Local Plan Document (CDLLPO)**

**Policy Context**

1. Durham County Council is consulting on its Preferred Options Local Plan Document (CDLLPO). The document sets out the preferred spatial vision and strategic policies that will shape development within Durham County Council up to 2035.
2. The Council shares borders with Durham to the south and south west, and is therefore being consulted on the Plan. Gateshead's comments regarding the potential implications of the Local Plan document on development and growth across Gateshead, particularly in the context of Gateshead's adopted Core Strategy and Urban Core Plan and emerging MSGP.
3. Consultees are being asked to comment on whether the Local Plan complies with the legal requirements; national policy; and the 'soundness' of the plan. The plan seeks to:
  - *Proposed 305 Hectares of strategic and general employment land for office, industrial and warehousing. 13.5ha land during the plan period and safeguard 17.7 hectares for Research and Development at NetPark, North of Bishop Auckland.*
  - *Focus of new housing development on the county's main towns and villages but with opportunities identified that allow all settlements to have a sustainable future.*
  - *Make sure there is an accessible, integrated and sustainable transport system*
  - *Enable Durham City to fulfil its potential. Development focus on the City on residential, Office space and the University.*
  - *Proposes to allocate two strategic urban extension sites: one at Sniperley Park and Sherburn Road. These are detailed in Policy 6.*

- *Make sure there is access to a range and choice of housing, services and community facilities*
  - *Protect and enhance the natural, built and historic environment*
  - *Increase the numbers of visitors and the amount of time and money they spend in the County.*
  - *No longer considering extensions to Green belt North of Consett and Stanley.*
4. Our draft response to this consultation is consistent with responses we have provided to earlier stages of consultation on the emerging CDLLPO, the few minor issues affecting Gateshead Council have been addressed within this response to Durham County Council.
  5. Part of the housing allocated includes areas to the North of County Durham, it is likely that this will result in further trips into Tyne and Wear via Gateshead's transport infrastructure. Our draft response has expressed the desire for evidence of the impact that housing development in this area will have on Gateshead's transport network. Gateshead council hopes for co-operative working between the councils to prevent and mitigate against potential impacts Gateshead's transport infrastructure.
  6. CDLPPO has removed the greenbelt extension of the Tyne and Wear Greenbelt in the area North of Stanley and Consett that was proposed within previous iterations of the emerging plan. Gateshead Council had previously supported the extension and still believe it would be considered 'exceptional circumstances' however recognises the merit in DCC's view that the 'exceptional circumstances' required are not clear in all elements.
  7. An invitation has been extended to DCC to join the River Team Catchment partnership. Inclusions of references to the Team Flood Masterplan and the Water Framework Directive within the supporting text to DCC flood risk and water quality policy have been suggested.
  8. The approach to minerals and brick clay specifically is addressed in the context of Birtley Quarry (located in County Durham) which supplies material to the Union Brickworks (located in Gateshead). The need for a coordinated and positive approach to ensure the longer-term supply of material for the brickworks is acknowledged.

9. The Preferred Options stage of a Local Plan is the last stage where an informal response to strategic issues can be lodged, the subsequent pre-submission draft stage will trigger regulation 19 and any response will require a formal submission. According to County Durham's Local Development Framework, Regulation 19 consultation is scheduled to take place in winter 2019 with a submission planned to be made to the inspector in Summer 2019.
10. The deadline for consultation responses is 3 August 2018. In order to meet this deadline, our comments have been forwarded to Durham County Council for information, with an accompanying covering letter stating that our formal consultation response is subject to Cabinet approval in September 2018.

### **Implications of Recommended Option**

11. **Resources:**
  - a) **Financial Implications** – No direct implications. Potential contribution from development in North Durham to improve Gateshead's transport infrastructure.
  - b) **Human Resources Implications** – No human resources implications.
  - c) **Property Implications** - No property implications.
12. **Risk Management Implication** - No risks associated with the consultation.
13. **Equality and Diversity Implications** – A spatial objective of the plan is to reduce inequality.
14. **Crime and Disorder Implications** – No crime implications.
15. **Health Implications** – No health implications.
16. **Sustainability Implications** - A Sustainability Statement has been produced as part of the Local Plan Preferred Options Document.
17. **Human Rights Implications** - No human rights implications.
18. **Area and Ward Implications** – Durham County Council's Preferred Options Document could potentially have transport implications across the Borough, although adhering to the duty to co-operate should resolve any issues.

## Annex



[www.gateshead.gov.uk](http://www.gateshead.gov.uk)

Stuart Timmiss  
Head of Planning and Assets  
Durham County Council  
County Hall  
Durham  
DH1 5UL

3<sup>rd</sup> August 2018

Dear Sir/Madam,

### **RE: Durham County Council's Preferred Options Draft Local Plan Document Consultation 2018**

Thank you for providing us with the opportunity to comment on the full draft of the County Durham Local Plan. As neighbouring local authorities, cooperation on strategic cross-boundary issues can positively influence sustainable patterns of development in Gateshead and County Durham.

Our representation is mainly in support of the Draft Local Plan Document, comments have arisen regarding policies which are relevant to Gateshead Council. We are willing to consult further with Durham County Council to incorporate the content of this response into the Local Plan document as it progresses.

#### **Question 29 - Green Belt**

Durham County Council previously considered the designation of an extension of the Tyne and Wear Green Belt immediately across from the Gateshead boundary in the area north of Consett and Stanley: Gateshead Council supported this proposal to correct the existing anomaly. We recognise that exceptional circumstances aren't clearly demonstrable and accept Durham County Council's decision to no longer pursue the creation of this additional greenbelt.

#### **Question 31 and 34 - Sustainable Transport**

Housing development has been allocated within North Durham, will likely create a reasonable level of cross boundary impacts. The draw of Tyne and

Wear for employment, leisure and retail could generate more trips to Tyne and Wear through Gateshead's road network. Concerns particularly arise for already established areas of high congestion located near the border.

We are not aware of additional evidence on the cumulative impacts of the North Durham housing allocations on trip generation between County Durham and Gateshead, provision of this evidence would be welcomed. Gateshead Council is keen to work with Durham County Council to reduce and mitigate the potential impacts on Gateshead's Transport infrastructure.

#### **Question 45 - Flood Risk and Water Quality**

Gateshead Council is working with the Environment Agency, Tyne Rivers Trust and other stakeholders to form a River Team catchment partnership to support flood management, environmental enhancement and water quality improvement. We welcome Durham County Council's involvement in the partnership, and in our view the plan would benefit from including specific reference to the partnership's objectives.

#### **Question 59 – Brickmaking Raw Materials**

Gateshead Council supports the approach to clay provision in respect of the Union Brickworks (located in Birtley, Gateshead), noting the current permission at Birtley Quarry (located in County Durham) will enable the needs of the Union Brickworks for glacial clay to be met until 2044. The Council will continue to work positively with County Durham in addressing the longer-term needs of the brickworks.

Yours Faithfully,



Neil Wilkinson

Spatial Development  
Development & Public Protection  
Development & Enterprise  
Gateshead Council

This page is intentionally left blank



## **Gateshead Council response to the Northumberland Draft Local Plan Consultation**

### **Background**

1. Northumberland County Council is consulting on its Draft Local Plan and supporting documents. The Local Plan provides a set of policies, proposals and allocations that outline how and where land is to be developed within Northumberland. The document considers how factors, such as, economic and housing growth can be accommodated.
2. The draft Local Plan replaces the Northumberland Local Plan Core Strategy that was withdrawn from examination in July 2017. Minimum targets for residential development in the emerging Plan are now much lower than the previous version of the Plan, and the Plan now makes clear that housing need does not provide justification for any revisions to Green Belt boundaries in Northumberland.
3. Gateshead Council shares a border with Northumberland to the North West and as a result is being consulted on the Plan. Comments have regard to the potential implications of the Local Plan document on development growth across Gateshead. This is particularly in the context of Gateshead's established Core Strategy and Urban Core Plan and the next phase of its Local Plan (Making Spaces for Growing Places), which is set out in the attached annex.
4. The deadline for the consultation response was 15<sup>th</sup> August 2018 and therefore our draft comments have been forwarded to Northumberland County Council subject to approval by Cabinet.

### **Implications of Recommended Option**

#### **5. Resources:**

- a) **Financial Implications** – No financial implications directly arise from this report
- b) **Human Resources Implications** – No human resources implications
- c) **Property Implications** – No property implications

6. **Risk Management Implication** – No risks associated with the consultation
7. **Equality and Diversity Implications** – No equality or diversity implications
8. **Crime and Disorder Implications** – No crime and disorder implications
9. **Health Implications** – A strategic objective of the plan is to further improve health and wellbeing
10. **Sustainability Implications** – Sustainability is a key underpinning principle across all strategic objectives
11. **Human Rights Implications** – No human rights implications
12. **Area and Ward Implications** – Northumberland County Council's Draft Local Plan could potentially have implications across the Borough, although adhering to the duty to co-operate should resolve any issues.



[www.gateshead.gov.uk](http://www.gateshead.gov.uk)

**Spatial Policy and Delivery**

Local Services  
Northumberland County Council  
County Hall  
Morpeth  
Northumberland  
NE61 2EF

15 August 2018

Dear Sir/Madam,

**RE: Northumberland Local Draft Plan – Draft Plan for Regulation 18 Consultation (July 2018)**

Thank you for providing us with the opportunity to comment on the full draft of the Northumberland Local Plan, it is important to note that this response should be considered as a draft, and is subject to approval by cabinet on 18<sup>th</sup> September 2018. In recognition of the cross-boundary implications of the strategic priorities identified in Northumberland's emerging Draft Plan, Gateshead Council wishes to submit this response to consultation on your draft plan.

Our representation, mainly in support, relates to the duty to co-operate imposed by the Localism Act 2012. We are willing to discuss this further with you and would be more than happy to host further discussion to incorporate this into your plans.

**Legal Compliance**

We feel that the Draft Local Plan Document has been prepared in accordance with the legal and procedural requirements.

**Duty to Cooperate**

Without regional strategies, the delivery of infrastructure, homes and economic growth will require strong cooperation between our authorities. The 'duty to co-operate' is a legal requirement of the plan preparation process. It is

the first thing that the Planning Inspectorate (PINS) will look at in examining an authority's plan.

We are content with the way in which cross-boundary working has developed and continues with Northumberland County Council; we feel that working together can only further strengthen the policies of the two councils.

### **Transport**

The overall approach of the Plan towards transport, promotion of sustainable connections and support other more sustainable modes of travel (TRA 1) is supported and considered sound.

Northumberland has previously produced detailed work on traffic impacts of their development proposals, but there's no indication as to whether that has been updated in the light of changes to housing numbers. We would suggest that this information is updated and shared to gauge the impact of proposals on Gateshead.

### **Green Belt**

The overall approach to Green Belt is supported, as it involves only minor changes to either the general extent or the detailed boundaries, including in those locations where significant change could have an effect on Gateshead

### **Summary**

It is increasingly important that local authorities cooperate in preparing Local Plans in order to coordinate strategic issues that cross administrative boundaries. Gateshead Council hopes that through constructive dialogue, the issues highlighted above can be resolved in a positive manner.

Yours Faithfully,



Neil Wilkinson

Spatial Development  
Development & Public Protection  
Development & Enterprise  
Gateshead

**Airport Masterplan 2035**

**Policy Context**

1. Newcastle International Airport published a Masterplan 2035 on the 10<sup>th</sup> May 2018. The Masterplan sets out the Airports vision, objectives and goals up to 2035.

**Background**

2. Airports are required to produce a masterplan by the Aviation Policy Framework (2013) to set out their strategic growth plans. The Masterplan will be used for –
  - Guidance for land use and investment priorities for the Airport, as well as assurances to airlines that the Airport will continue to invest in the infrastructure they use.
  - A clear statement of intent for future development needs, to be given due weight in the local planning process.
  - On-site land and airside infrastructure the Airport will likely need to develop to accommodate the type and quantum of growth indicated in the growth forecast.
  - Forecasting the economic and social benefits of this growth, both for the individuals and businesses associated directly with the Airport, and the wider economy.
  - Planning how the transport system serving the Airport can be improved and how travel choices can change to provide for forecast growth. The Surface Access Strategy seeks to get passengers and staff to the Airport efficiently and sustainably.
  - Informing how growth can be accommodated sustainably and with sensitivity to the community. The plan details how growth can be sustainable in terms of noise levels, environmental impact, and energy consumption.
3. This is the fourth Masterplan to be produced by Newcastle Airport. The last Masterplan was released in 2013. It is recommended in the Aviation Policy Framework (2013) that they should be reviewed every 5 years. The Masterplan will help safeguard the future growth and development of the Airport, particularly in respect of the increasing number of housing proposals in the local area and their potential impact on existing and future runway operations.

4. The last Masterplan was informed by growth forecasts based by what airlines, aircraft, and route network. Since then the airports operations have shifted: different airlines are driving growth, offering new route possibilities, and changing aircraft fleets will likely alter the range of destinations, as well as the capacity on existing and new routes. Therefore long range growth forecasts have been updated looking at the network, passenger numbers and aircraft movements (including aircraft type) could change up to 2035.
5. Alongside this, the macro-economic environment has improved significantly. The post-recession growth uncertainty and prolonged lull in consumer spending has gradually subsided, with largely consistent growth in GDP and GVA in the North East since 2012. Consequently the growth rate of the Airport has notably improved.
6. There are a number of opportunities for the growth of the Airport –
  - The Airport’s catchment overlaps with that of other airports but also some passengers from within the core catchment travel to other airports for a variety of reasons. There is therefore a great deal of opportunity for clawback of passengers through a broader choice of airlines and destinations.
  - The above can be aided significantly by major investment in the national and regional transport infrastructure. Major schemes are in progress or planned which would augment passenger surface access. We will need to work closely with relevant external partners to ensure delivery of such improvements.
  - Current operations indicate capacity to grow in terms of both non-peak hours during each day, and extension of our season outside of the summer peak. The popularity of city breaks and other non-sun destinations offers potential for this.
  - The Airport is currently well connected to global hubs. However there are notable omissions. New connections would add capacity and choice, whilst current routes have the potential to add additional capacity.
  - There is opportunity and drive from the business community and transport plans, notably from Transport for the North, to expand long haul offer, both for business and leisure routes.
  - A trend of low cost long haul carriers has emerged in recent years, which are operating more point to point services from regional airports.
7. The Airport sees inbound tourism as a particularly important driver of future growth. We are committed to the Airport’s role in promoting the region and providing the international links to allow for the region’s tourism offer to fulfil its potential.

8. Over 37m international tourists visited the UK in 2016, which is over 4% growth from the previous year. The North East welcomed 560,000 international visitors in the same year, with a further 288,000 visiting Cumbria. Although this was a slight fall from the previous year, growth in 2015 and 2014 was 22% and 11% respectively, which was higher than any other region. The North East's tourism sector is still comparably underdeveloped, so there is significant potential for growth. This has begun to be realised over the past 3 years, with the region growing faster than the rest of the UK in nearly every measure of tourism industry performance. It has seen more people visiting, staying longer, and spending more.
9. The Airport's catchment area has internationally renowned attractions including 3 World Heritage Sites, 4 National Parks, the richest concentration of castles in the country, and numerous historic towns. Research by Visit Britain indicates that aside from visiting London, historic towns and remote parts of Britain are strong tourist draws. The region's sporting events and nightlife are also big attractors.
10. Route development at the Airport has significant potential to further increase visitor numbers from the region's established international inbound markets, predominantly Europe and North America. However, as indicated by Transport for the North's International Connectivity Report, to deliver transformational economic growth for the North, new transcontinental direct air links will be needed to key destinations like India and China. Combined with our existing routes, particularly our Dubai connection, there is perhaps even greater potential for a step change in the number of international visitors to the region from emerging and fast growing outbound tourism markets.
11. Over the Masterplan period we will strive to deliver improved onward ground connections and tourist assistance facilities at the Airport to welcome visitors and ensure their first impression of our region is positive. In addition we will utilise our marketing function and digital communication platforms, and work with our airlines, to promote the region and our connections to our destination markets.
12. In addition to commercial opportunities for growth, the Airport will also be serving a larger population base. Government projections indicate that the population of the North East could grow by about 5%7 from 2017-2035, as result of natural population change and in-migration. However, some local development plans in our catchment are supporting development levels based on projected population growth in excess of this, aimed at increasing projected levels of in-migration. As a result, sizeable housing allocations are planned within the Airport's core catchment area, including Gateshead.

13. **The following objectives frame the Masterplan and will be pursued to deliver the strategy.**

Enable the provision of facilities and infrastructure to –

1. Ensure the demand for air travel and the growth aspirations of the Airport can be met;
2. Be the number one choice for air travel for the region to and from an exceptional range of destinations;
3. Be the most welcoming airport and embrace innovative new technology to deliver a memorable experience to our customers;
4. Become a greater contributor to the regional economy through added jobs, gross value added (GVA), and a facilitator of inbound tourism;

And ensure that: -

5. The Airport can grow sustainably and will appropriately mitigate our impact on the environment and our neighbours;
6. We work closely with partners to deliver improved surface access infrastructure to support growth.

14. The Council's draft response to the consultation proposals is generally in support of the Masterplan with some specific comments relating to transport and is set out in the attached annex.
15. The Airports deadline for consultation responses is 13 September 2018.
16. Following the outcome of this consultation, the Airport aim to publish an updated Masterplan.

**Consultation**

17. The Leader and Cabinet Members for Environment and Transport have been consulted.

**Alternative Options**

18. The options have been considered as part of preparing the proposed response. Alternatively Gateshead Council could make no response to this consultation.



## **Implications of Recommended Option**

19. **Resources:**
  - a) **Financial Implications** – No financial implications directly arise from this report
  - b) **Human Resources Implications** – No human resources implications.
  - c) **Property Implications** - No property implications.
20. **Risk Management Implication** - No risks associated with the consultation.
21. **Equality and Diversity Implications** – No implications for equality and diversity
22. **Crime and Disorder Implications** – No crime implications.
23. **Health Implications** – No health implications.
24. **Sustainability Implications** – No sustainability implications
25. **Human Rights Implications** - No human rights implications.
26. **Area and Ward Implications** – No area or ward implications

## **Annex**

In response to the consultation of the Airport Masterplan 2035, Gateshead Council have the following observations;

Gateshead Council is in general support for the growth of the Airport and in particular how this will have a positive impact on the development of the Quays and the Conference Centre and Arena. Future plans for the airport, including a potential runway extension, employment uses and hotels may require development to occur on the Green Belt. Any such development would need to be in accordance with the Core Strategy and Urban Core Plan for Gateshead and Newcastle and the National Planning Policy Framework.

Gateshead Council would like to see reference to any potential impact of Heathrow Airports 3<sup>rd</sup> runway to be included in the Masterplan including any potential impact this might have for the North East more generally.

### Transport

The Masterplan forecasts a significant increase in passengers (c5.4 to 9.4 million), however it is unclear where these passengers will come from. Assuming that a proportion of the additional passengers will be abstraction from other airports, these relatively long distance trips need to be considered in relation to car trips and particularly rail trips. There is anecdotal evidence of regular rail traffic from destinations such as Northallerton to/from the Airport and these types of links need to be examined and strengthened.

The Development Plan section of the Masterplan makes reference to managing car parking for the Airport, however there is no further clarification on how this will be achieved, which need to be included.

It should be noted that Gateshead Council has plans to develop a station in East Gateshead serving the Quays area and will seek to investigate potential rail links with the Airport as this progresses.

### Surface Access Strategy

The modal split section of the Masterplan omits taxi's from the public transport sector, however, arguably taxis form part of the public transport offer, and should be referenced as such.

### *Metro*

The goal of earlier Metro services is welcomed by Gateshead Council, however there is no mention of the potential value of later services, which should be explored.

s9.27 of the Masterplan mentioned the 'upgrading of the electric rating of the Metro system infrastructure'. This isn't part of fleet replacement, it relates to a concept

solution in terms of allowing heavy rail to access the Metro line to the Airport and is more correctly included at s9.39.

Gateshead Council support the notion of signage highlighting Metro's onward links to the national rail network and is welcomed.

### *Rail*

Gateshead Council support continued working with NECA and the North East Rail Management Unit to investigate the potential to strengthen existing metro/rail links and the provision of a direct heavy rail link. The concept of through ticketing from Metro to the national rail network is also welcome.

### *Bus & Coach*

Gateshead Council would like to see a broader commitment to the improvement of bus services to/from the airport, including direct links to areas of Tyne & wear that are distant from Metro, particularly Western Gateshead. This could potentially come through contribution from development at the airport as well as through the highlighted housing developments.

### *Traffic Forecasts*

The Strategic Road Improvements section is need to be re-worded. The second bullet point of s9.67 indicates that there is no widening proposed for Allerdene Bridge, however this is part of the A1 Birtley to Coalhouse scheme mentioned in s9.66 (item 1).

### *Mode split*

Within this section, table 4 is unclear. It could be read as suggesting that 30% of passengers will be arriving by bike in 2035 with only 20% by car, therefore amendments to provide more clarity are needed.

This page is intentionally left blank

**TITLE OF REPORT:**       **West Gateshead Bus Alliance**

**REPORT OF:**               **Paul Dowling, Strategic Director, Communities and Environment**

---

### **Purpose of the Report**

1. This report seeks approval for the extension of joint working with Nexus and bus operators to the west of Gateshead with the establishment of the West Gateshead Bus Alliance.

### **Background**

2. The Sustainable Communities Place Overview and Scrutiny Committee undertook a review of public transport services in the borough during the autumn of 2005. During the evidence gathering sessions for the review, Go North East put forward a proposal to establish a voluntary quality partnership agreement between Go North East, Nexus and the Council, which would cover all aspects of the delivery of local bus services.
3. A two-year pilot East Gateshead Quality Bus Partnership was approved by Cabinet on 29<sup>th</sup> January 2008. That agreement expired on 30<sup>th</sup> May 2010 and a five-year extension of the Partnership was approved by Cabinet on 20<sup>th</sup> July 2010.
4. A further five-year extension of the joint working arrangements in East Gateshead was approved by Cabinet in on 17<sup>th</sup> September 2017. The new agreement widened the geographical coverage of the re-branded East Gateshead Bus Alliance as well as updating and expanding the terms of the agreement.
5. The September 2017 Cabinet report also approved the establishment of an equivalent Alliance for western Gateshead.

### **The Proposal**

6. The experience of joint working has generally been positive.
  - The level of consultation on service changes has been improved. Where changes have proved unpopular, even after consultation, the Stakeholder Board has provided a forum for concerns to be raised directly with Go North East and Nexus at a senior level.
  - While fare increases are never popular, the commercial information shared with Stakeholder Board members has allowed a much greater level of understanding about the cost pressures faced by the operator
  - This level of understanding across a range of issues has led to a position of greater trust between the Council and Go North East that has proved to be

more productive than what has often been a more adversarial relationship in the past.

7. Following the adoption of the new agreement for East Gateshead, drafting of an equivalent agreement for a West Gateshead Bus Alliance commenced. A draft has been agreed between all three parties and is presented here for approval (as Appendix 2). Other operators were invited to join the Alliance but declined, although they have indicated a willingness to discuss issues with the alliance on an ad-hoc basis.
8. The West Gateshead agreement covers the five years to 30<sup>th</sup> September 2023 and while it retains the successful features of the East Gateshead agreement it is also enhanced through commitments to reviews of both the bus network and bus stop infrastructure within the Alliance area.

### **Recommendations**

9. It is recommended that Cabinet:
  - (i) approves the Voluntary Agreement for the West Gateshead Bus Alliance through to 30<sup>th</sup> September 2023, as set out in Appendix 2; and
  - (ii) authorises the Service Director, Development Transport and Public Protection to make any necessary minor changes to this Agreement, following consultation with the Cabinet Member for Environment and Transport before formal signing.

For the following reason:

To support a sustainable transport system capable of supporting the borough's environmental, social and economic objectives.

### **Policy Context**

1. Bus Alliances in principle, and the West Gateshead Bus Alliance specifically, are in line with the Sustainable Community Strategy, Vision 2030, supporting goals for: The proposal is also consistent with the Council's strategic approach of making Gateshead a place where everyone thrives.

### **Background**

2. The Sustainable Communities Place Overview and Scrutiny Committee undertook a review of public transport services in the borough during the autumn of 2005. During the evidence gathering sessions for the review, Go North East put forward a proposal to establish a voluntary quality partnership agreement between Go North East, Nexus and the Council, which would cover all aspects of the delivery of local bus services.
3. A two-year pilot East Gateshead Quality Bus Partnership was approved by Cabinet on 29<sup>th</sup> January 2008. That agreement expired on 30<sup>th</sup> May 2010 and a five-year extension of the Partnership was approved by Cabinet on 20<sup>th</sup> July 2010.
4. A further five-year extension of the joint working arrangements in East Gateshead was approved by Cabinet in on 17<sup>th</sup> September 2017. The new agreement widened the geographical coverage of the re-branded East Gateshead Bus Alliance as well as updating and expanding the terms of the agreement.
5. The September 2017 Cabinet report also approved the establishment of an equivalent Alliance for western Gateshead

### **The Proposal**

6. In looking to extend the joint working to western Gateshead, experience suggested that one single body covering the whole of the borough would be too unwieldy to have the local focus that has served eastern Gateshead well. The best solution would therefore be offered by splitting the borough in two to give an extended East Gateshead agreement and an entirely new West Gateshead agreement. A Members Briefing outlining that proposal was sent to all Councillors on 2<sup>nd</sup> December 2016.
7. Following the adoption of the new agreement for East Gateshead, drafting of an equivalent agreement for a West Gateshead Bus Alliance commenced. A draft has been agreed between all three parties and is presented here for approval (as Appendix 2). Other operators were invited to join the Alliance but declined, although they have indicated a willingness to discuss issues with the Alliance on an ad-hoc basis.
8. The West Gateshead agreement covers the five years to 30<sup>th</sup> September 2023 and while it retains the successful features of the East Gateshead agreement it is also enhanced in some areas. The main features of the agreement are:

- A Stakeholder Board will oversee the delivery of the Alliance and monitor performance. The revised composition of the Board is three Gateshead Council representatives (reflecting the extended geographical area of the Partnership), one NECA Transport North East Committee (TNEC) Member, one Nexus officer and five Go North East Representatives.
- The basic concept of the agreement is to maintain as stable a network as possible, but a network review focussing on improving accessibility will be undertaken within six months of the start of the Alliance.
- Service changes will be made on agreed dates and subject to agreed consultation procedures (involving the community and local Councillors), although
- Changes to fare levels will be limited to only reflect direct increases in costs and the Stakeholder Board would be consulted on any proposals. Go North East and Nexus will continue to look at innovative fares and ticketing options.
- The fleet operating services will be modern, low emission, floor easy access buses with on bus CCTV, audio visual next stop announcements and wi-fi.
- Punctuality and reliability targets will be monitored against a penalty regime for failure to perform. The penalty payments contribute towards the Service Improvement Fund, which is used to provide benefits to passengers. The Stakeholder Board will continue to oversee the monitoring of performance.
- A marketing sub-group of the Stakeholder Board will develop and oversee an annual marketing plan for the Alliance.
- Gateshead Council will, within budget constraints, implement a programme of bus priority, infrastructure works, clearway enforcement and bus lane enforcement.
- Nexus will maintain and improve shelters, interchanges and information. The Alliance will also undertake a review of existing shelter infrastructure.

## **Discussion**

9. The July 2010 Cabinet report outlined the potential to extend the partnership approach to the whole of Gateshead at that time, but that opportunity was not followed through at the time due to the development of the now abandoned Quality Contract Scheme (QCS) for Tyne & Wear. Proposals for a QCS were formally dropped by NECA in 2016. New legislation for bus franchising (providing similar powers to a QCS) came forward in 2017 through the Bus Services Act. All authorities may pursue franchising, although the process is simplified for areas with an elected mayor and may still prove to be a long drawn-out process for those without. NECA is in the process of considering the most appropriate way forward.
10. Although the Voluntary Agreement approach does not offer the control over the bus network, fares etc that franchising would, it should be noted that this route offers the best chance for continued improvement in bus services within the Borough in the short/medium term.

## **Consultation**

11. The Cabinet Members for Environment and Transport, Economy and Housing have been consulted.

## **Alternative Options**

12. There are no alternatives available that offer the potential benefits of the proposed arrangement in the short to medium term.



## Implications of Recommended Options

### 13. Resources:

- a) **Financial Implications** – The Strategic Director, Corporate Resources confirms that as part of the proposed extension of joint working, the Council will continue to endeavour to improve highway conditions for bus operations and these infrastructure works will be included in the Council's capital programme as part of the LTP allocation.
- b) **Human Resources Implications** – There are no human resources implications.
- c) **Property Implications** – There are no property implications.

14. **Risk Management Implications** – There are no risk management implications.

15. **Equality and Diversity Implications** – The proposals will assist in reducing social exclusion by improving access for the young, elderly, unemployed/low waged and people with disabilities.

16. **Crime and Disorder Implications** – There are no crime and disorder implications.

17. **Health Implications** – The Alliances aim to enhance bus services which in turn facilitate access to services and facilities that enhance people's health and wellbeing.

18. **Sustainability Implications** – The proposals are an important element in providing the basis for a sustainable transport system capable of supporting the Borough's environmental, social and economic objectives in a sustainable fashion. They seek to reduce car dependence, thereby contributing to important sustainability aims, such as the reduction of greenhouse gas emissions.

19. **Human Rights Implications** – There are no human rights implications.

20. **Area/Ward Implications** – Blaydon, Chopwell and Rowlands Gill, Crawcrook and Greenside, Dunston and Teams, Dunston Hill and Whickham East, Ryton, Crookhill and Stella, Whickham North, Whickham South and Sunniside and Winlaton and High Spen wards will be affected.

### Background Information

21. Further background information is contained in:

- report to Cabinet on 29<sup>th</sup> January 2008 on East Gateshead Quality Bus Partnership
- report to Cabinet on 20<sup>th</sup> July 2010 on East Gateshead Quality Bus Partnership
- report to Cabinet on 17<sup>th</sup> September 2017 on Gateshead Bus Alliances

This page is intentionally left blank

---

# West Gateshead Bus Alliance Voluntary Agreement

---

---

## October 2018

---





## Table of Contents

This Agreement in Summary .....	4
1. Introduction .....	7
2. Commencement and Termination .....	7
3. Aim and Objectives of the Agreement .....	8
4. Agreement Area and Scope .....	8
5. Management Arrangements .....	9
6. Bus Network in the West Gateshead Bus Alliance Area.....	10
7. Fares and Ticketing.....	13
8. Fleet and Drivers.....	14
9. Quality Standards and Service Improvement Fund .....	16
10. Consultation and Communication.....	17
11. Measures to Deliver Effective Bus Priority .....	17
12. On-Street Passenger Information and Infrastructure .....	19
13. Real-Time Information .....	20
14. Parking and Bus Lane Enforcement .....	20
15. Network Support from Nexus.....	21
16. General .....	22

## Appendices

Appendix 1: Alliance Area .....	24
Appendix 2: Schedule of Bus Services included in the Agreement .....	25
Appendix 3: Remit of the Bus Alliance Board.....	29
Appendix 4: Performance Targets and Service Improvement Fund Payments .....	33
Appendix 5: Bus Punctuality Partnership.....	36
Appendix 6: Promotion Plan.....	39
Appendix 7: Consultation Plan.....	40
Appendix 8: Schedule of Highways Measures for Consideration .....	42
Appendix 9: Bus Shelter Installation and Bus Stop Standards.....	43
Appendix 10: Gateshead Town Centre Air Quality Management Area.....	45

## This Agreement in Summary

---

The West Gateshead Bus Alliance is the first agreement to be put in place in West Gateshead between the Council, the bus operator and Nexus. It represents an important new commitment for the Parties to this agreement, building on the achievements of partnership working elsewhere in Gateshead.

This Bus Alliance is focussed on steps to encourage more people to use buses in West Gateshead as they go about their business – we want to encourage existing bus users to use the bus more often, and entice people out of their cars and onto the bus for at least some of their journeys. Achieving this outcome will require a concerted effort by all Parties.

Existing and potential bus passengers will need good quality information about their journey choices, online and at their local bus stop. GNE and Nexus will work together to ensure that good quality printed, online and real-time information about bus services is available through a variety of media, and that bus stops are maintained to a high standard.

Passengers will need a bus service that arrives punctually at the stop, offering simple and understandable bus fares that are dispensed by a helpful and friendly driver. GNE is committed to simplifying bus fares where possible and limiting any fare increases as far as commercially practical. GNE is also committed to setting high standards of training and delivery from its drivers.

The journey on the bus should be comfortable, offering a good on-board environment and a smooth and safe ride. GNE is committed to providing new and comfortable vehicles (whose emissions will progressively reduce), wi-fi and charging points, on-board next stop announcements and other comforts for passengers.

Problems with traffic congestion that affect bus services on the route should be progressively tackled so that journey times can be reduced and punctuality enhanced. This Agreement includes commitment to a Bus Punctuality Partnership that will commence with a review of the existing bus network, then build a programme of improvements that will speed up bus journey times and reduce the impact of delays on buses.

Customer care is an important aspect of encouraging people to use the bus more, GNE is committed to regular reviews of customer complaints and actions in order to ensure customer needs are continually identified and met, where that is reasonable and feasible.

Existing and new bus passengers need a bus service that they can rely on a trust in the long term, so they can plan their lives around the bus rather than the motor car. This Agreement includes commitments to bus network stability and comprehensive consultation when services occasionally need to change. That includes a

commitment to Nexus' secured bus services, which provide a vital lifeline to places and communities that would otherwise be left unserved.

The partners are committed to all of these actions, and will establish a Service Improvement Fund to help tackle problems as they arise. We think this Agreement will make a difference to bus use in West Gateshead, for today's a tomorrow's bus passengers.

# West Gateshead Bus Alliance Voluntary Agreement

---

This Voluntary Agreement ("the Agreement") dated the 1<sup>st</sup> day of October 2018

Between:

1. **The Borough Council of Gateshead** of Civic Centre, Regent Street, Gateshead, NE8 1HH ("the Council");
2. **Go North East Limited**, a private limited company registered in England under company number 02057284 whose registered office is at 3rd Floor, 41-51 Grey Street, Newcastle upon Tyne, NE1 6EE ("GNE"); and
3. **Tyne and Wear Passenger Transport Executive t/a Nexus** of Nexus House, St James" Boulevard, Newcastle upon Tyne, NE1 4AX ("Nexus").

which together comprise the "Parties" to this Agreement.

## Definitions

---

Agreement	This voluntary agreement, as defined above.
Annual Change Date	As defined at clause 6.4.
Area	As defined at clause 4.1.
Board	As defined at clause 5.1.
Council	The Borough Council of Gateshead, as defined above.
GNE	Go North East Limited, as defined above.
Nexus	Tyne and Wear Passenger Transport Executive, as defined above.
Parties	As defined above.
Bus Punctuality Partnership	As defined at clause 9.2.
Guidance	The Department for Transport, "Local Transport Act 2008, Improving Local Bus Services: Guidance on Voluntary Partnership Agreements", February 2009
Service Improvement Fund	As defined at clause 9.1.
Significant Network Changes	As defined at clause 6.5.
Working Groups	As defined at clause 5.4.



## 1. Introduction

---

- 1.1. The aim of this Agreement is to deliver improved bus services in West Gateshead and contribute to the delivery of the objectives of the North East Combined Authority's Bus Strategy for Tyne and Wear.
- 1.2. This Agreement is a voluntary agreement between the local highway authority (the Council), the local bus operator (GNE) and the local transport authority (Nexus) as defined in the Guidance.
- 1.3. The Parties consider that this Agreement does not have as its object or effect the prevention, restriction or distortion of competition because:
  - the Agreement contributes to the achievement of established bus improvement objectives;
  - the Agreement does not affect GNE's freedoms of the commercial deregulated market; and
  - the Agreement does not afford GNE the possibility of eliminating competition within the Area and permits any other bus operator to join the arrangement.
- 1.4. For these reasons, the Parties consider that competition law is not engaged as a result of this Agreement, and it can be considered a voluntary agreement as defined in the Guidance.

## 2. Commencement and Termination

---

- 2.1. This Agreement will commence on the 1st day of October 2018 and will end on the 30th day of September 2023, unless terminated early in accordance with clause 2.2 below.
- 2.2. Any of the Parties may terminate this Agreement by giving six months' notice in writing to the other Parties.
- 2.3. On or around the fourth anniversary of this Agreement, the Parties will commence a review and determine whether this Agreement should be extended or a revised Agreement entered into.

### 3. Aim and Objectives of the Agreement

---

- 3.1. The objective of this Agreement is that the Parties will deliver improved bus services in West Gateshead.
- 3.2. By working together, the Parties will adopt a comprehensive approach to improving bus travel for existing and new passengers by seeking to deliver the following objectives:
- **Providing a stable and integrated bus network** that best meets passenger needs and ensures commercial sustainability, in accordance with Sections 6 and 15 of this Agreement;
  - **Providing a range of ticket products** that meet passenger needs and charging fares that are affordable, in accordance with Section 7 of this Agreement;
  - **Providing a reliable and punctual bus service** benefitting from effective bus priority and traffic management measures to overcome congestion delay to buses, in accordance with Sections 9, 11 and 14 of this Agreement;
  - **Seeking integration of bus services into land use planning decisions**, as set out in paragraph 6.10 within Section 6 of this Agreement;
  - **Operating services with modern, low emission and comfortable buses** that contribute to improving local air quality, in accordance with Section 8 of this Agreement;
  - **Improving passenger waiting facilities and maintaining such facilities to a good standard**, in accordance with Section 12 of this Agreement; and
  - **Providing comprehensive information and raising the image of bus services through effective marketing**, in accordance with Sections 10 and 13 of this Agreement.

### 4. Agreement Area and Scope

---

- 4.1. The area covered by this Agreement ("the Area") is shown in Appendix 1, and comprises the Council wards of:
- Blaydon;
  - Chopwell and Rowlands Gill;
  - Crawcrook and Greenside;
  - Dunston and Teams;
  - Dunston Hill and Whickham East;
  - Ryton, Crookhill and Stella;

- Whickham North;
- Whickham South and Sunnyside; and
- Winlaton and High Spen.

- 4.2. The Area may be reviewed during the period of this Agreement, in particular in the light of any ward boundary or name changes implemented by the Council.
- 4.3. The local bus services covered by this Agreement are shown in Appendix 2.

## 5. Management Arrangements

---

- 5.1. The Parties will establish a Bus Alliance Stakeholder Board ("the Board"), which will comprise representatives from each of the Parties. The role of the Board is to oversee delivery of the Agreement and to monitor its performance by meeting on a regular basis, sharing information, and, where appropriate, consulting each other on proposed changes to services.
- 5.2. The remit of the Board is set out in Appendix 3.
- 5.3. The Board will hold four meetings per year. The Chair of the Board will be appointed annually by the Board in accordance with Appendix 3. The Board will receive reports from the Council's officers, Nexus officers and GNE officers on various matters of interest to the Board. An annual report will be prepared for consideration by the Board that reviews achievements over the last 12 months and updates commitments in this Agreement for the coming 12 months.
- 5.4. The Board will from time to time appoint "Working Groups" in accordance with Appendix 3 to consider particular issues in detail and report back to future meetings of the Board. These Working Groups can consider a range of issues, including marketing proposals, network design issues and initiatives to promote travel to particular destinations.
- 5.5. The Parties will keep under review the membership of the Board to ensure active delivery of this Agreement and can, from time to time and where agreed between the Parties in accordance with Appendix 3, invite other interested parties to attend meetings of the Board.

5.6. Another bus operator providing bus services in the Area may request to join the Bus Alliance. In these circumstances the following actions will be taken:

- The Parties will assess the Transport Act 2000 competition tests, in the light of the request for a new operator to join the Bus Alliance;
- The Parties and the new operator will commence discussions to jointly agree the content and form of a new agreement; and
- This Agreement will remain in place until that new agreement is agreed and signed, at which point this Agreement will be terminated by mutual consent, subject to the notice period set out in Section 2.

## 6. Bus Network in the West Gateshead Bus Alliance Area

---

6.1. Building on the overall objectives for this Agreement set out in Section 3, the Parties will take a joint approach with the aim of providing a bus network for the Area to meet the following objectives:

- **Bus Network Stability** –the Parties recognise the benefits that a stable bus network will bring in terms of user and non-user confidence, the provision of quality information and the cost savings that accrue from no change;
- **Commercial Viability** –the Parties recognise that the network provided by commercial operators must be capable of delivering a commercial return;
- **Accessibility** – the Parties recognise the importance of maintaining good access by bus to West Gateshead's communities, and will endeavour to maintain and improve accessibility for the residents of West Gateshead; and
- **Simple and Integrated** – the Parties recognise the importance of a simple and frequent bus network and will deliver a network that provides, wherever possible, direct links from communities to important destinations. The network will be integrated with other transport modes, providing connections and through ticketing that enable opportunities for bus to bus interchange, bus to rail interchange and bus to Metro interchange.

6.2. The Parties commit that the overall level of commercial services (bus miles) in the Area will remain constant or improve. If a commercial bus

service is altered such that the number of bus miles timetabled is reduced, those bus miles will be “banked” and the Board will consider proposals from the Operator to deploy those bus miles on an alternative bus service within the Area, on a kickstart basis. Any kickstart project initiated in this way will be operated for at least 12 months in order to provide time for patronage to grow, unless an unforeseen external influence (for instance the closure of a major trip generator) affects patronage adversely.

- 6.3. Changes to commercial services will be considered by the Parties when it is demonstrated that commercial viability is not being achieved. Subject to the availability of funding and its adopted policies for Secured Bus Services, Nexus will seek to provide revenue support for socially necessary services and journeys when such changes occur.
- 6.4. GNE (and Nexus, for its secured bus services) will endeavour to limit Significant Network Changes such that they occur only once a year, on the “Annual Change Date” for the Area published by Nexus. At commencement of this Agreement the Annual Change Date is the last Sunday in July of every year. GNE or Nexus will be required to present a detailed justification to the Board should it wish to make Significant Network Changes at a time that is not an Annual Change Date. Changes to services that also operate in adjacent districts and counties, where different fixed changes dates may apply, will be considered by the Board on a case by case basis.
- 6.5. “Significant Network Changes” are defined as either:
  - a service withdrawal;
  - the removal of a section of route served by a service;
  - a change to service frequency; or
  - a change to the days or hours during which a service operates.
- 6.6. Changes to service timings in order to maintain timely operations and small changes (less than 15 minutes) to the time of first and/or last buses on a service will not normally be considered as Significant Network Changes. However where a series of small incremental changes made over a two year period in combination amount to a Significant Network Change, the final change will be considered a Significant Network Change and treated as such by all Parties. Changes made in order to react to temporary traffic conditions, changes arising from school term-

times and changes to cater for Bank Holidays will also not be considered as Significant Network Changes.

- 6.7. Improvements to services, such as an increased frequency or the extension of a route, are also regarded as Significant Network Changes and should be made on Annual Change Dates wherever possible. Such changes made outside of the Annual Change Dates should be kept to a minimum and reported to the next meeting of the Board.
- 6.8. All Significant Network Changes will only be undertaken following consultation with and approval from the Board, in accordance with provisions in Section 9 and Appendix 7. Changes required by **urgent operational need** and/or changes that provide **significant improvements to service**, are exempted from this requirement.
- 6.9. Within six months of commencing this Agreement the Parties will undertake a review of the current bus network offered by GNE and Nexus. The scope of this review will be to:
  - Identify ways in which commercial services can be adjusted to achieve improved accessibility for communities, in a way that is commercially viable for the bus operator;
  - Identify ways in which commercial services can be adjusted to deliver the accessibility for communities currently provided by Nexus secured bus services, in a way that is commercially viable for the bus operator;
  - Undertake a Corridor Review of the main highway corridors served by buses in the Area, identifying the locations and causes of regular delay to bus services and proposing traffic management measures that would alleviate these delays. Measures could range from low-cost adjustments to kerb lines, parking restrictions and traffic signal settings – to higher cost proposals for bus priority measures and dedicated bus facilities. Following this review the Council will, for the duration of this Agreement, seek to obtain funding for the measures identified through a variety of sources. The Board will consider using the Service Improvement Fund to pay for lower cost measures;
  - Identify locations where bus-bus interchange can be made, and provide suitable information, signage and pedestrian links to facilitate this interchange;
  - Identify ways in which GNE and Nexus service timetables can be adjusted to better facilitate bus-bus interchange at key interchange points, and bus-rail interchange at rail stations;

- Assess whether there are opportunities to introduce demand responsive bus services that can improve accessibility in a cost effective way; and
  - Anticipate medium and long term land use changes and develop a plan for the future development of the bus network that can serve those new developments.
- 6.10. The Council will, subject to confidentiality and commercial sensitivity, make available to the Board information about forthcoming planning applications that would benefit from being served by bus services. This information will also be shared with other bus operators providing public bus services in the Area. The Board may make recommendations to the Council regarding how these developments could be served by bus, and share this information with the developer seeking planning approval.
- 6.11. This Agreement does not prevent Nexus procuring other bus operators to secure links in the Area that meet bus passenger needs.
- 6.12. For the sake of clarity, this Agreement does not give exclusivity to GNE to operate bus services in West Gateshead.

## 7. Fares and Ticketing

---

- 7.1. GNE will limit increases to any of its fares only to reflect direct increases in costs, and will endeavour to inform and consult with the Board before implementing any changes to fare levels or ticketing arrangements. GNE will provide the Board with relevant evidence in support of any fares increase. GNE may revise fares to offer special fare offers by notification to the Board where full consideration by the Board is not possible due to timescales in implementing special offers. The Council and Nexus agree that any information they receive from GNE by Board Members in relation to proposed fare increases, will only be used in their role as parties to this Agreement and for purposes directly connected to this Agreement.
- 7.2. GNE will endeavour to increase fares only once a year.
- 7.3. GNE will keep under review its fares policy for West Gateshead with the objective of offering a reduced price network ticket and moving to a simpler flat fare system.

- 7.4. GNE and Nexus will review the opportunities to provide bus-to-bus through ticketing for journeys that involve a GNE commercial service and a Nexus secured bus service operated by another operator. Through ticketing will be offered where a commercial agreement can be struck, and where there is a significant demand for such through ticketing from existing and future passengers.
- 7.5. Bus operators and Nexus (as well as Transport for the North) continue to invest in new smart ticketing products – smartcards, mobile apps and contactless payments with fare capping. The Parties to this Agreement will work together to ensure uptake of smart ticketing is as high as possible within the Area.

## 8. Fleet and Drivers

---

- 8.1. GNE will ensure that all bus services within the Area are operated by a fleet of buses that complies with the following vehicle standards:
- CCTV: all vehicles will be equipped with CCTV to aid passengers' safety and security;
  - Vehicle Age: no vehicle will be older than fifteen years old following its first registration, unless it has been subject to a full mid-life refurbishment within the preceding five years;
  - Emissions: vehicles operated in the Area will comply with the following standards:
    - All vehicles will comply with Euro IV emissions standards or better from the commencement of the Agreement;
    - All new vehicles introduced to the fleet will comply with Euro VI emissions or better throughout the term of the Agreement;
    - GNE and Nexus will work together to explore the feasibility of introducing zero emission buses in the West Gateshead area, focussing their operation on services that pass through areas of poor NOx and particulates air quality;
    - 90% of all vehicles will comply with Euro V emission standards by the first anniversary of the Agreement, rising by 2.5 percentage points on each subsequent anniversary such that all vehicles will comply with Euro V emissions standards or better by the end of the Agreement;
    - All vehicles operating on frequent services (services providing three or more weekday daytime buses per hour, as indicated



in Appendix 2) within the Gateshead Town Centre Air Quality Management Area (see Appendix 10) or serving the Metrocentre Bus Station will comply with Euro V emission standards or better throughout the term of the Agreement.

- **Wi-Fi:** 60% of vehicles operating in the Area will offer free-of-charge on-board Wi-Fi connectivity at commencement of this Agreement. By the first anniversary of the Agreement this will rise to 70% of all vehicles operating in the Area, then subsequently rise by a further 5 percentage points on each anniversary such that 90% of vehicles operating in the Area will offer free-of-charge on-board Wi-Fi connectivity by the end of the Agreement. Services catering for journeys where on-board Wi-Fi will be of use to passengers will be given priority, as indicated in Appendix 2;
- **Audio Visual Next Stop Announcements:** 50% of vehicles operating in the Area will offer on-board audio and visual next stop announcements at commencement of this Agreement. By the first anniversary of the Agreement this will rise to 60% of vehicles operating in the Area, then subsequently rise by a further 10 percentage points on each anniversary such that 90% of vehicles operating in the Area will offer on-board audio and visual next stop announcements by the fourth anniversary of the Agreement. Should legislation require the introduction of this equipment to be accelerated, GNE will comply with that legislation in full. More frequent services will be given priority when introducing audio and visual next stop announcements, as indicated in Appendix 2; and
- **Branding:** all vehicles will be equipped with West Gateshead Bus Alliance branding, with that branding agreed by the Board no later than March 2019.

8.2. The Board will accept that from time to time, operational constraints mean some of these vehicle standards may not be met for short periods of time. GNE should report any incidences of the vehicle standards not being met to the next Board meeting.

8.3. The Parties are mindful of the potential for the declaration of a Clean Air Zone in Gateshead under the Government's UK Air Quality Plan and will review the emissions standards set out above in the light of feasibility work being undertaken by the Council.

8.4. These vehicle standards will be reviewed annually by the Board to ensure that they continue to deliver a high quality fleet that meets passenger expectations.

8.5. GNE will ensure that all drivers of buses operating in the West Gateshead area will achieve a level of training that is an enhancement of required Driver CPC training standard.

## 9. Quality Standards and Service Improvement Fund

---

9.1. The Parties will endeavour to deliver bus services that meet punctuality and reliability targets set out at Appendix 4. The Parties have established a robust methodology for determining baseline bus quality performance standards and monitoring performance against these standards. Should targets not be met, GNE will make a contribution to the “Service Improvement Fund”, using the calculation outlined in Appendix 4.

The provisions in this Agreement include the components of a “Bus Punctuality Partnership” or “BPP”. A BPP is a scheme where operators and highway authorities work together to alleviate congestion that affects bus services. The BPP will deliver improvements to the reliability and punctuality of bus services, which as a consequence will enhance the attractiveness of bus services. The components of the BPP are referenced in

- 9.2. Appendix 5.
- 9.3. The Parties agree that GNE will not be obliged to take steps to compensate passengers for poor performance in relation to punctuality and reliability, where that poor performance was a result of circumstances outside of their control, such as delays due to ad-hoc traffic congestion.
- 9.4. Nexus will also make a contribution to the Service Improvement Fund, based on the attainment of information and maintenance standards, as set out in Section 12 of this Agreement and Appendix 4.
- 9.5. The overall perception of the bus network in the Area will be measured by Customer Satisfaction surveys, procured and funded by Nexus and designed in conjunction with GNE.
- 9.6. The Service Improvement Fund will be used for measures to compensate passengers for poor bus operation, help the promotion of services to passengers, or other investments to improve the service for passengers, as agreed by the Board.
- 9.7. The Parties will provide the Board with updates on their performance against quality standards at each Board meeting.

## 10. Consultation and Communication

---

- 10.1. A joint promotional plan will be developed to promote this Agreement and help achieve its objective and purpose. This plan will include the planning and provision of local events to promote bus services. Details are contained in Appendix 6.
- 10.2. GNE will consult with the Board, bus users, ward members and/or their representatives in advance of all Significant Network Changes to commercial services operated by GNE within the Area, in accordance with the consultation plan set out in Appendix 7. This consultation will be conducted and completed prior to any required 28 day notification period for bus service change proposals<sup>1</sup>.
- 10.3. If, as a result of a Significant Network Change, direct bus links are lost or services are withdrawn, GNE will provide the Board with a case report to explain the reasoning behind the decision. This report will include

---

<sup>1</sup> As required by The Public Service Vehicles (Registration of Local Services) (Amendment) Regulations 2018, SI 2018 No.439.

data about patronage and revenue trends over the preceding twelve month period, along with other information that relates to contributing issues such as factors driving costs upwards, reliability/punctuality underperformance or any other material issue.

- 10.4. Any Significant Network Changes to secured bus services that are proposed by Nexus will be subject to the same consultation process outlined in this section and in Appendix 7, alongside any policies adopted by Nexus to consult on service changes. Further details can be found at Section 15 of this Agreement.
- 10.5. The Council will consult the Board on any forthcoming planned highway works that are likely to have an impact on bus services in West Gateshead. When such highway works are planned, the Council will endeavour to mitigate the impact on bus services following this consultation.

## 11. Measures to Deliver Effective Bus Priority

---

- 11.1. The Council will endeavour to implement bus priority infrastructure, traffic management measures and traffic signal priority measures in the Area, in order to overcome delays to buses arising from regular highway congestion and improve air quality emissions from road traffic. Implementation of these measures will be subject to:
  - financial resources being available to deliver planned schemes (primarily through the Local Transport Plan process);
  - the necessary legal consultation enabling the proposals to be delivered;
  - a balance being achieved between the resources and commitment to effective bus priority in the Area and the need to ensure that this does not have a negative impact on other areas and other road users in Gateshead; and
  - road safety remaining the primary consideration.
- 11.2. The Parties recognise that some measures that can assist bus operations are relatively minor, such as changes to signal timings, and their impact on other road users may be negligible.
- 11.3. An outline programme of works is provided at Appendix 8. A Corridor Review will be undertaken within the first six months of the Agreement, as set out in paragraph 6.9 of this Agreement. A more detailed

programme will be presented annually by the Council and reported to the Board, following consultation with GNE, Nexus and other affected bus operators.

- 11.4. The programme will be developed using information on delay points provided by GNE, Nexus and other operators, and any added value provided by assisting multiple modes will be considered as part of the process.
- 11.5. In addition to Local Transport Plan funding, the Council will endeavour to obtain external financial support from Government and its agencies and, where appropriate, other organisations (including developers), to fund and implement bus priority and traffic management measures that will assist the reliable operation of buses within the Area.
- 11.6. The Council will produce a schedule of opportunities to establish bus based Park and Ride sites in the Area that will provide onward connections to Gateshead Town Centre and/or Newcastle City Centre and/or other significant destinations. GNE will take reasonable steps to serve those Park and Ride sites either by diverting existing commercial services (where that is practical and does not significantly affect existing passengers) and establishing new bus services (which may require pump priming funding from the Parties before they become commercially viable services).

## 12. On-Street Passenger Information and Infrastructure

---

- 12.1. Bus shelters and bus interchanges will be provided within the Area in order to provide a clean and attractive environment for waiting passengers with protection from the elements, and provide passengers with access to well-presented and up-to-date timetable and travel information.
- 12.2. The Council will endeavour to ensure that bus stops in the Area have shelter provision, subject to the practicalities of locating a shelter, proximity to terminal locations (where stops may currently be set down only), budget and consultation (council member and local public), and in accordance with the standards in Appendix 9. The Partners will undertake a review of on-street bus infrastructure provision within twelve months of the commencement of this Agreement, in order to identify improvements that the partners will work towards delivering.

Where new bus shelters are proposed, the review will identify how the cost of maintaining and cleaning them will be met.

- 12.3. The Parties will establish locations where bus-bus interchange can be facilitated and suitable information, signage and pedestrian links can be provided. The identification of suitable locations will be facilitated by the network review process, set out in paragraph 6.9.
- 12.4. Appendix 4 sets out Nexus' targets for the provision and maintenance of bus stop infrastructure and information.
- 12.5. Within the Area, Nexus will maintain and clean bus shelters on a regular basis. The current arrangements provide for shelter damage to be made safe within 24 hours and repaired within 5 working days, with cleaning on a six weekly cycle. Nexus will endeavour to refurbish bus shelters when necessary and as resources allow. The Parties agree that the current arrangements falls within the definition of "regular basis" for the purpose of this clause.
- 12.6. Within the Area, Nexus and GNE will maintain, clean and manage all bus stations and interchanges. All bus stations and interchanges will be equipped with real-time displays that inform passengers of the arrival time for their bus. Service level agreements for interchange and bus station provision have been agreed.
- 12.7. Nexus will maintain accurate and up-to-date timetable and travel information to passengers at bus stops within the Area, subject to sufficient notification of timetable changes. Information regarding departure stands, index to places served and timetable/travel information will be provided at bus interchanges. Nexus will endeavour to rectify errors in the information provided to passengers within 7 working days of the error being notified to Nexus.
- 12.8. Where practical and within budget constraints, Nexus will provide electronic departure information, including real-time departure estimates where available.
- 12.9. Bus stop infrastructure in the Area will be delivered according to the template in Appendix 9.
- 12.10. Should Nexus fail to meet its targets for information and infrastructure, it will make payments to the Service Improvement Fund in accordance with Appendix 4.

## 13. Real-Time Information

---

13.1. All buses operating in the area will be fitted with the necessary equipment to provide real time information data. Working in partnership, this data will be provided for use in "apps", allowing access to the data from tablets and smartphones, as well as online and through signs at bus stops. With the constant improvements in technology and the advent of legislation regarding the provision of open data in the bus industry, this data will become more widely available throughout the period of the Agreement.

## 14. Parking and Bus Lane Enforcement

---

14.1. The Council and GNE endeavour to liaise closely with each other to ensure issues of illegal and inconsiderate parking that hinder bus operations are dealt with effectively. The Council will:

- Continue to monitor bus stops to ensure that waiting restriction are both appropriate and fit for purpose;
- Within the context of the Council's overall enforcement priorities and the availability of resources, ensure that bus routes are patrolled to discourage improper parking;
- If appropriate and subject to the Council's own enforcement priorities, take robust enforcement action against unauthorised vehicles which stop in bus clearways; and
- Liaise with Nexus and bus operators as appropriate to discuss the need for improved enforcement within the Area.

14.2. The Council has been granted power to enforce bus lanes under the Transport Act 2000. Enforcement ensures bus lanes are properly used, and that their benefits are maximised. These include:

- Increased bus service reliability;
- Improved bus passenger journey times;
- Encouraging the use of sustainable public transport, further reducing congestion and pollution on and near our roads.

14.3. Enforcement will commence with the location within the Area listed below, but may change or expand over time:

- A694 Bus Lane

## 15. Network Support from Nexus

---

15.1. Nexus will retain socially necessary services operated within the Area until 31<sup>st</sup> March 2020 (and as detailed in Appendix 2). These services includes individual services contracted by Nexus as set out in the second table in Appendix 2, and additions to GNE commercial services that are negotiated from time to time. From 1st April 2020 retention of socially necessary journeys operated within the Area will be subject to (and keeping under review):

- the cost to the public purse of providing secured bus services, with a view to ensure that good value for money is obtained;
- the delivery and performance of bus services in West Gateshead as detailed in Section 9;
- Nexus' procurement policy; and
- The availability of funding.

15.2. Should there be a need to vary any secured bus service operated within the Area, the Board will be consulted in advance of any decisions made by Nexus and presented with evidence of the need for change, or the funding position that has precipitated that change. The information provided to the Board will meet the requirements set out in Appendix 7.

## 16. General

---

16.1. The Parties to this Agreement recognise their obligations under the Competition Act 1998 and nothing in this Agreement intends to breach that Act.

16.2. The Parties to this Agreement shall keep confidential any information not in the public domain that is obtained under or in connection with this Agreement and shall not divulge the same to any third party other than in compliance with their obligations as required by law, including under the Freedom of Information Act 2000.



# West Gateshead Bus Alliance Voluntary Agreement

---

Signed on behalf of:  
The Borough Council of Gateshead  
by



---

Name:  
Title:  
Date:

---

Signed on behalf of:  
Go North East Limited by



---

Name: Martijn Gilbert  
Title: Managing Director  
Date:

---

Signed on behalf of:  
Tyne and Wear Passenger Transport  
Executive (t/a Nexus) by

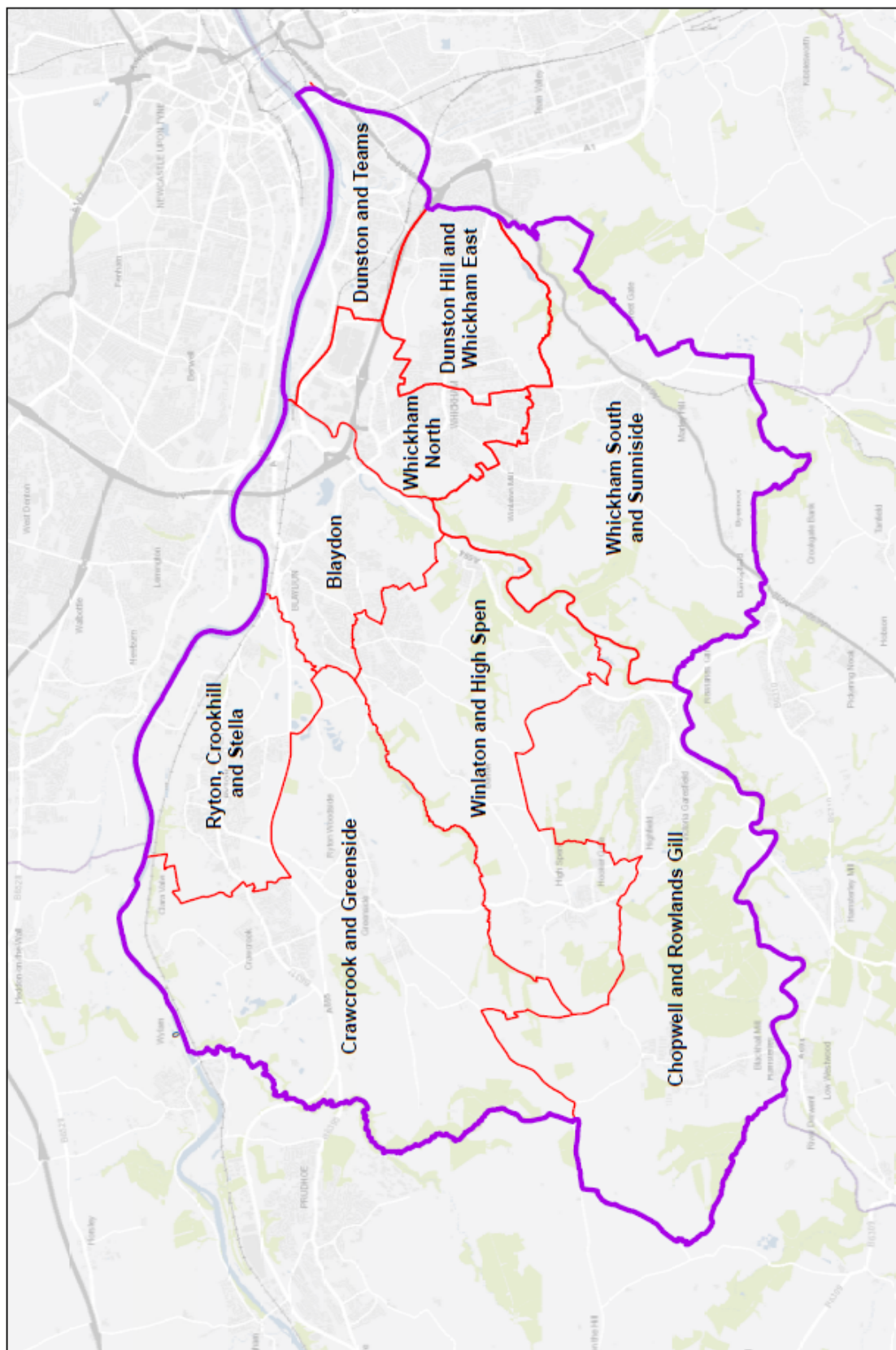


---

Name: Mike Scott  
Title: Head of Bus Services  
Date:

---

West Gateshead Bus Alliance (October 2018)



Contains Ordnance Survey data © Crown copyright and database right 2016 Gateshead Council 100019132

## Appendix 2: Schedule of Bus Services included in the Agreement

### GNE Services

Service Number	Route Description	Frequency (minutes)			AV Priority <sup>2</sup>	Wifi Priority <sup>3</sup>	Serve AQMA <sup>4</sup> ?
		Mon-Fri daytime	Sat daytime	Sun daytime			
6/6A "Toonlink"	Newcastle – Metrocentre – Whickham – Sunniside – Marley Hill – Byermoor – Stanley	30	30	60	N/P	Y	Y Low freq
10/10A/10B/ 10X "Tyne Valley TEN"	Newcastle – Metrocentre – Blaydon – Ryton – Crawcrook – Blackhall Mill/Prudhoe / Hexham	10	10	20	Y	Y	Y
11/11A "Blue Arrow"	Metrocentre – Dunston – Lobley Hill – Gateshead – Newcastle – Whitley Bay	30	30	30 <sup>4</sup>	N/P	Y	Y Low freq
12/12A "Blaydon Racer"	Newcastle – Newcastle Business Park – Blaydon – Winlaton	15	15	30	Y	Y	N
45/46/47 "Toonlink"	Newcastle – Metrocentre – Swalwell – Rowlands Gill – Consett/ Blackhall Mill	10	10	15/30	Y	Y	Y
49/49A "The 49"	Gateshead – Teams – Dunston – Metrocentre – Swalwell – Blaydon – Winlaton	10	10	15	Y	Y	Y
64	Gateshead – Teams circular	60	60	-	N	N	Y Low freq
65	Gateshead – Lobley Hill	60	60	30	N	N	Y Low freq
67/67A/67B/ 67C/67D/67E/ 67F/67G/67H/ 67I/67J/67K/ 67L/67M/67N/ 67O/67P/67Q/ 67R/67S/67T/ 67U/67V/67W/ 67X/67Y/67Z/ Green	Newcastle – Gateshead	10	10	30	P	P	Y

<sup>2</sup> Priority services for provision of on-board audio-visual next stop and service announcements, as described at clause 8.1 – Y=installed, P=priority for installation.

<sup>3</sup> Priority services for provision of free of charge on-board wifi, as described at clause 8.1 – Y=installed, P=priority for installation.

<sup>4</sup> Metrocentre to Lobley Hill only.

Arrow"	Lobley Hill – Whickham – Metrocentre						
X30 "Toonlink"	Newcastle – Dunston – Whickham – Sunniside – Stanley	30	30	60	N/P	Y	Y Low freq
X31 "Toonlink"	Newcastle – Gateshead – Sunniside – Stanley	30	30	-	N/P	Y	Y Low freq
X66 "Metrocentre "	Gateshead – Teams – Metrocentre	10	8	10	Y	N/P	Y
X70/X71 "Toonlink"	Newcastle – Gateshead – Marley Hill – Byermoor – Burnopfield – Consett	30	30	60	N/P	Y	Y Low freq
X88	Concord – Washington – Metrocentre	-	60	60	N	N	Y Low freq
M6 "Metrocentre Mini"	Metrocentre – Swalwell – Fellside Road – Stanley – South Stanley	60	60	60 <sup>5</sup>	N/P	N/P	Y Low freq
M7 "Metrocentre Mini"	Metrocentre – Swalwell – Fellside Road – Stanley – East Stanley	60	60	-	N/P	N/P	Y Low freq
M8 "Metrocentre Mini"	Metrocentre – Swalwell – Fellside Road – Stanley – Annfield Plain	60	60	-	N/P	N/P	Y Low Freq
V9 "Venture"	Consett – Blackhall Mill – Chopwell	60	60	-	N/P	Y	N

<sup>5</sup> Metrocentre – Stanley only

## Nexus Secured Services not operated by GNE

Service Number	Route Description	Frequency (minutes)			AV	Wifi	Serves AQMA?	Operator
		Mon-Fri daytime	Sat daytime	Sun daytime				
84	Metrocentre – Newcastle	60	60	-	N	N	N	Stanley Travel
643	Metrocentre – Sunniside	60	60	-	N	N	Y	Central Taxis of Gateshead
R3/R4	Clara Vale – Rowlands Gill	60	60	60	N	N	N	Central Taxis of Gateshead
R5	Rowlands Gill local	60	60	-	N	N	N	Compass Community Transport
R6	Rowlands Gill – Ryton	60	60	60 <sup>6</sup>	N	N	N	Central Taxis of Gateshead
TB15	Blaydon – Garden House Estate	60	60	-	N	N	N	Central Taxis of Gateshead

## GNE Services operating in West Gateshead but monitored in East Gateshead Voluntary Agreement

Service Number	Route Description	Frequency (minutes)			AV Priority <sup>7</sup>	Wifi Priority <sup>8</sup>	Serve AQMA?
		Mon-Fri daytime	Sat daytime	Sun daytime			
67	Wardley - Q E Hospital - Low Fell – Bensham - Metrocentre	60	60	60	-	-	Y Low freq
69	Wardley – Felling - Q E Hospital - Low Fell - Saltwell Road – Bensham - Lobley Hill - Winlaton	60	60	60	-	-	N
X22	Durham - Chester le Street – Birtley - Metrocentre	60	60	120	-	-	Y Low freq

<sup>6</sup> Rowlands Gill to Winlaton only.

<sup>7</sup> Priority services for provision of on-board audio-visual next stop and service announcements, as described at clause 8.1 – Y=installed, P=priority for installation.

<sup>8</sup> Priority services for provision of free of charge on-board wifi, as described at clause 8.1 – Y=installed, P=priority for installation.



### **The Board**

The Board's role is to oversee delivery of this Agreement and the monitoring of the Parties' performance.

The composition of the Board is:

- 3 Gateshead Council elected members;
- 1 Transport North East Committee (or successor Joint Committee) member, or a suitable nominee;
- 1 Nexus Head of Service, or a suitable nominee; and
- 5 GNE Officers, of whom 1 is a Director.

The Board will hold four meetings per year. The Chair of the Board will be selected annually by the Board.

The membership of the Board will be kept under review to ensure active delivery of this Agreement.

### **Decision Taking**

The Board will make decisions as follows:

- Appointment of Chair (paragraph 5.3): appointment of the Chair shall be for one year duration on the basis of a majority vote of members of the Board.
- Appointment of Working Groups (paragraph 5.4): the appointment, composition and remit of Working Groups shall be determined on the basis of a majority vote of members of the Board.
- Inviting Interested Parties (paragraph 5.5): approval of invitations to interested parties to make presentations to the Board shall be on the basis of and subject to a majority vote of the Board.
- Membership of the Alliance (paragraph 5.6): approval to act on a request for a new bus operator to become a member of the Alliance shall be on the basis of and subject to a unanimous vote of the Board.

### **Duties of the Board**

The Board shall oversee the delivery of this Agreement by providing the mechanism through which:

- GNE explains and advises on any changes proposed to the bus network in West Gateshead, the implications of any change and the consultation planned or undertaken in relation to the changes;
- GNE explains and advises on any changes proposed to fare levels or ticketing arrangements on bus services in West Gateshead;
- Nexus explains and advises on any changes proposed to secured services in West Gateshead, the implications of any change and the consultation planned or undertaken in relation to the changes;
- Gateshead Council reports on traffic management measures that are planned or under construction, that will assist the efficient movement of buses in the Area. The Council will also report on forthcoming planning applications in the Area that would benefit from being served by buses;
- Reports are received on the performance of bus services in the Agreement Area relating to:
  - Bus journey times, punctuality and reliability;
  - Bus patronage;
  - The overall perception of the bus journey experience through customer satisfaction surveys;
  - The delivery of the bus priority programme; and
  - The status of passenger waiting facilities.
- Information can be received about Service Improvement Fund payments made by Nexus, where Nexus fails to meet its standards for maintaining on-street bus infrastructure and bus stop information;
- Information can be received about Service Improvement Fund payments made by GNE, where GNE punctuality and reliability fails to meet agreed targets due to factors within the control of GNE; and
- Agreement can be sought about how penalty payments will be used.

All agreements made with regard to these duties of the Board will be on the basis of and subject to a majority vote of the Board.

## **Responsibilities**

The Board members will be in receipt of confidential information from GNE that relates to the operation of bus services and planned changes to bus services in the Area. This information should not be disclosed to any other party without the specific written approval of the Managing Director of GNE.



## Annual Report

The Parties will prepare an annual report for consideration and approval by the Board. The annual report will be prepared during October and November of each year and presented to the February Board meeting.

The annual report will review the key achievements of the Alliance over the preceding twelve months ending 30 September of each year, and review the commitments made by each Party over the coming twelve months starting 1 October of each year. Specifically the annual report will provide the Board with an update on activities over the last twelve months with regard to:

- The changes made to the bus network in the Area, in line with the provisions of Section 6 and 10 and updating the information set out in Appendix 2. Changes to the bus network made to cater for new developments in the Area will be highlighted;
- The changes made to bus fares in the Area, in line with the provisions of Section 7;
- The changes made to the bus fleet operating in the Area, in line with the commitments in Section 8;
- Compliance with quality standards by all Parties and the use of the Service Improvement Fund, in line with the requirements in Section 9;
- Changes made to the highway network to support the bus network, in line with the proposals in Section 11 and Appendix 8;
- The provision of on-street infrastructure and information, in line with the requirements in Section 12;
- Activities in relation to real-time information, in line with Section 13;
- Activities by the Council in relation to parking and traffic offence enforcement, in line with Section 14;
- The provision of secured bus services, in line with Section 15;
- A review of the effectiveness of the Bus Punctuality Partnership, as set out in

- Appendix 5; and
- Marketing activities, in line with the provisions of Appendix 6.

The annual report will also review the improvements planned for the coming twelve months with regard to:

- Planned changes to the bus network, updating the information set out in Appendix 2;
- The highway network changes proposed to support the bus network, updating the schedule in Appendix 8;
- The bus lane enforcement proposals, updating the list at paragraph 14.3;
- The funding available for the secured bus network, and any proposals to amend that network, in accordance with Section 15;
- The proposed marketing activities, in line with the provisions in Appendix 6; and
- The potential for new operators to join the Alliance in the next twelve months.

## Appendix 4: Performance Targets and Service Improvement Fund Payments

---

### Reliability and Punctuality

Reliability will be recorded and reported to the Board as operated mileage in percentage and mileage terms in relation to scheduled mileage.

**The target for reliability is a minimum of 99.8% of scheduled mileage to be operated.**

Punctuality will be recorded for all GNE bus services operated in the Area, as set out in Appendix 2, and reported to the Board as a percentage of journeys on-time<sup>9</sup> at registered timing points. The analysis will use data recorded by GNE's automatic vehicle location (AVL) data collected in its Operations Centre.

**The target is for punctuality is for 95% of journeys to be on-time.**

Should the targets set out in this Agreement not be met due to factors within the control of GNE, a contribution to the Service Improvement Fund will be made each quarter based on the following formulae:

- The reliability contribution will be calculated based on the total amount of lost mileage below the reliability target during the quarter that is attributable to GNE, multiplied by a representative average cost per mile within the Area of £0.78 per mile. The cost per mile used in this calculation will be reviewed annually by the Board.
- The punctuality contribution will be calculated quarterly based on service performance (services 'operating on-time') falling within particular bandwidths during the preceding quarter:

➤ On or above target	£0
➤ 0.1 to 5.0% below target	£500
➤ 5.1 to 10.0% below target	£1,000
➤ 10.1 to 15.0% below target	£2,000
➤ 15.1 to 25.0% below target	£3,000
➤ More than 25.0% below target	£5,000
- In the event of extreme conditions, for example an extended period of snow and ice, the punctuality contribution will be reduced by one

---

<sup>9</sup> "On-time" will be measured as between one minute 59 seconds early and five minutes fifty nine seconds late, when comparing actual departure time to scheduled departure time at registered timing points.

thirteenth for each week of extremes. The Board will have the final decision if there is dispute over the definition of extreme conditions.

## Bus Journey Speeds

A baseline measure of bus journey speeds, taking account of normal traffic conditions and time required for boarding and alighting by passengers, will be provided by GNE for each service identified in Appendix 2 that has a daytime frequency of three or more buses per hour. This baseline information will be presented to the first meeting of the Board, with a view to agreeing that baseline. Once agreed, targets will be established for each service to maintain or improve bus speeds in line with local network characteristics, conditions and restrictions. Those targets will be based upon the measures identified in the Corridor Review (see paragraph 6.9) and the availability of funding to deliver the measures identified in that review.

## Bus Patronage

A baseline measure of bus patronage will be provided by GNE and Nexus for each service identified in Appendix 2. This baseline information will be presented to the first meeting of the Board, with a view to agreeing that baseline. Once agreed, targets will be established for each service to improve bus patronage. The patronage information provided to the Board must be treated as confidential by all Parties.

## On-Street Infrastructure

Nexus will endeavour to meet the target standards set out below and will report performance against these standards to the Board on a quarterly basis. Should the standards not be met during the last quarter, Nexus will make contributions to the Service Improvement Fund based on the payment schedule included below.

Item	Target Standard	Payments
Missing Information	99% of stops display a liner and flag	£10 for each stop missing a liner and/or flag below 99%
Incorrect Information	95% of stops show no errors on their liner and flag	£10 for each stop below 95% whose liner and/or flag contains an error
Bus Information Display System	99% availability	£10 per screen per day, below 99% of total availability

Cleaning	100% of stops cleaned 2 times every reporting period	£10 for each stop not cleaned 2 times
Maintenance	100% of damage made safe in 24 hours and repaired within 5 working days	£10 for each stop not repaired in accordance to standards

## Appendix 5: Bus Punctuality Partnership

---

A Bus Punctuality Partnership (BPP) has the aim of achieving punctual and reliable bus services in an area of bus operations. Guidance on the development of BPPs was produced by the Government in 2011<sup>10</sup>.

The development of a successful BPP relies on strong partnership working. There is therefore a clear link between the requirements of a BPP, and the objective, purpose and provisions within this Agreement. Indeed this Agreement is considered to provide all aspects of a successful BPP, working in partnership from problem identification through to development and implementation of punctuality improvement schemes.

This appendix sets out the key aspects of this Agreement that together comply with the requirements for a BPP.

The Guidance (at paragraph 2.6) sets out six principles that should form the basis of a BPP. These principles are:

1. Recognition of the importance of punctuality and reliability to delivering a good service to the passenger.
2. All parties recognise their contribution to the provision of punctual services and jointly identify and agree actions that can be taken.
3. A shared commitment to achieving a high standard of service punctuality to benefit the passenger.
4. A commitment to constructive partnership working between the operator, the local traffic authority and the local transport authority that is clear to all.
5. A working level commitment to regular and timely constructive dialogue on operational issues.
6. Mutual sharing of information on operational issues so that areas for action can be identified, on the understanding that the information will only be shared with a third party in accordance with any data sharing agreement.

These principles are fully reflected in this Agreement:

- Section 9 sets out clear targets for punctuality and reliability that the Parties will endeavour to deliver, and how progress against these targets will be monitored by the Board;

---

<sup>10</sup> Department for Transport, "Bus Punctuality Partnerships, Guidance for local authorities and operators", July 2011

- Section 11 sets out how the Parties will work together to share data on punctuality and reliability in order to identify congestion hotspots, develop an annual programme of works to alleviate those hotspots and review progress at regular Board meetings. Section 6 sets out how a Corridor Review will be conducted within the first six months of the Agreement in order to investigate ways to alleviate delays to bus services;
- Section 11 also explains the approach to delivering traffic management measures that give buses priority in congested situations, subject to caveats in relation to the availability of funding; and
- Section 12 sets out how bus stop and bus interchange arrangements will be planned and delivered in order to improve the efficient operation of buses at boarding and alighting points.

The relevant officers and senior staff members from each of the Parties attend all meetings of the Board and associated Working Groups, which ensures that the appropriate people are available to discuss and resolve punctuality issues through the provisions of this Agreement.

Within this Agreement the role of the Parties in delivering a BPP will be:

- GNE
  - Provision of additional bus resources where commercially feasible or where financial support can be sourced, in order to maintain operation in accordance with registered bus timetables;
  - Supervision and management of departures at timing points and other key boarding points;
  - Development of plans to alter schedules, layovers and route;
  - Consider financial contributions towards highway measures that address identified issues with congestion that affects bus operations;
  - Updating ticketing systems and products in order to improve boarding times; and
  - Undertake timetable reviews for consideration of the Board when all other actions fail to address punctuality issues.
- The Council
  - Consider the implementation of junction alterations to facilitate improved passage of buses through congested junctions;

- Work with the Tyne and Wear UTMC team to implement changes to traffic signal timings and phasing such that the passage of buses through signalised junctions is enhanced;
  - Consider a full range of other traffic management measures that could assist bus movements in particular circumstances – including signing and lining alterations; bus only turns; bus gates; bus lanes; and bus only streets;
  - Seek funding from a variety of local and national sources that can be deployed to alleviate congestion hotspots in the Area;
  - Provide support to wider measures that encourage greater bus use and modal shift to public transport; and
  - Provide all Parties with consistent and timely notifications of all planned and emergency roadworks that will affect bus services operating in the Area, or through traffic re-routing could have secondary effect on bus services.
- Nexus
    - Continue to work with operators to develop and implement AVL and real-time information systems, including the provision of consistent information from all bus operators in the Area;
    - Undertake reviews of Nexus infrastructure at bus stops and bus interchanges in order to improve punctuality and reliability; and
    - Work with partners across the NECA and the North of England to develop smart ticketing initiatives.

Based on the above analysis, the Parties collectively endorse this Agreement as fulfilling the requirements of a Bus Punctuality Partnership in the West Gateshead area.



### **Marketing the Alliance**

A Marketing Working Group will be formed, which will consist of at least one appropriate representative from each Party.

The Marketing Working Group will meet within one month of the Agreement commencing, and annually thereafter, to produce an Annual Marketing Plan for the Alliance. This plan will include actions on all Parties to promote bus services and provide information about bus service options, with the intention of furthering the objective and purpose of the Alliance as set out in Appendix 3.

The Marketing Working Group will also meet two weeks prior to each Board meeting to discuss progress in enacting the Annual Marketing Plan, discuss issues to be raised at the Board meeting and agree actions. A report from the Marketing Working Group will be presented to each Board meeting.

### **Community and Partner Communication**

A dedicated West Gateshead Bus Alliance page will be provided on the Nexus website within one month of the Agreement commencing, and used as a channel for wider communication. Links to this webpage will be displayed on the corporate website of the Council and GNE. The information available on the webpage will include:

- main points from the Board meetings;
- quarterly performance results;
- satisfaction survey results; and
- a summary of the number and nature of complaints received by the Parties in relation to bus services in the Area.

### **Planned Service Changes**

Section 6 of this Agreement describes the requirements on all Parties for making Significant Network Changes to bus services in the Area.

When Significant Network Changes are to be introduced, either by GNE or Nexus, consultation with three important groups will take place:

- Bus users and other stakeholders within the Area;
- Gateshead Council members; and
- The Board.

Consultation will follow the standard format adopted by GNE (or Nexus, for secured services) of a written outline of proposals, proposed implementation date and a brief summary of the effects of the changes. Consultees will have the opportunity to respond via pro forma questionnaires, via the GNE website and via other recognised methods. The results of bus user consultations will be reported to the Board. The Board will have the additional opportunity for consultation and involvement via the Board meetings. Council members will have the additional opportunity of meetings with company representatives where appropriate.

The consultation will be timed to take place such that responses can be gathered, assessed and reported to the Board before final proposals are formally notified to Nexus (and other relevant local transport authorities). Where necessary, ad hoc Board meetings will be convened for this purpose or a Working Group (consisting of one officer from each of the Parties) will convene to determine the most appropriate consultation process, or to advise the Board. Typically this will see consultation commence approximately twelve to fourteen weeks in advance of the registration date.

It should be noted that provisions within this Agreement recognise that some routes principally serve other areas. The timing and notice for changes to these routes will be driven by the decisions made for those other networks, but the communities in West Gateshead affected by such changes will still be consulted prior to formal notification of those changes where the impact on West Gateshead is material.

### **Extraordinary Service Changes**

Service changes may be deemed necessary outside of the timescales set out in Section 6 of this Agreement, as referred in in Clause 6.5 – these are termed

extraordinary service changes. Should such extraordinary service changes require to be made, either by GNE or Nexus, a Working Group (consisting of one officer from each of the Parties) will advise the Board on the most appropriate consultation process in the circumstances. As a minimum, proposals will be publicised in advance of registration with the Traffic Commissioners, other than in emergency situations such as emergency route diversions or curtailments due to unforeseen exogenous factors. In such circumstances, the change and reasons for change will be publicised to the community within West Gateshead as soon as is practically possible.

## Appendix 8: Schedule of Highways Measures for Consideration

---

As set out in section 10 of this Agreement, the Council will continue to seek to improve conditions for bus operations in West Gateshead throughout the life of this strategy. Although the current funding climate makes it difficult to set out a comprehensive and concrete programme of works, it is our intention that the investment programme over the coming years will include:

- Individual schemes aimed at improving conditions for buses
  - A694 Bus Lane Extension
  - Metrocentre Egress
- The provision of bus improvements through schemes with a wider purpose
  - A695 Blaydon Roundabout
  - A695/B6317 Junction Improvement
  - A695/Greenside Road Junction Improvement
  - Stargate Lane Improvements
  - A694/Mill Road Junction Improvement
  - A694/B6310 Junction Improvement
  - A694/B6315 Junction Improvement
  - A694/B6314 Junction Improvement
  - A694/Thornley Lane

As part of its Local Plan, the Council is developing an Area Action Plan for the area around the Metrocentre (known as 'Metrogreen'). This work encompasses the development of a transport strategy for the area, which is likely to bring forward further schemes that will improve conditions for buses; any such schemes will feed into this programme.

As noted at paragraph 11.4, Go North East will supply the Council with a list of network delay points on an annual basis, which will continue to feed into this programme. As set out in Section 6, a Corridor Review will be undertaken at the commencement of the Agreement in order to further develop the schedule of highway works that could help to alleviate delays to bus services.

While many of these schemes will be the subject of significant investment, it should not be forgotten that small-scale interventions can also offer substantial benefits and the Council will also continue to take every opportunity to make these improvements.

### **Bus Shelter Installation**

When considering requests for installing a new bus shelter the Parties will follow the process below:

- All requests for new (as opposed to replacement of existing) bus shelters across Gateshead are scored against a series of agreed criteria and then ranked;
- Potential funding sources are identified by the Parties on an annual basis;
- The annual installation programme is then formulated by taking as many schemes as affordable under the budget from the top of the priority list; and
- The annual installation programme will be reported to the Board each year.

It should be noted that the current funding situation has made this process exceedingly challenging over a number of years with no funding being available. This position will potentially extend across the life of this Agreement.

New or upgraded shelters may be provided on an ad-hoc basis in relation to specific planning approvals, through the Council's Development Management process.

### **Bus Stop Standards**

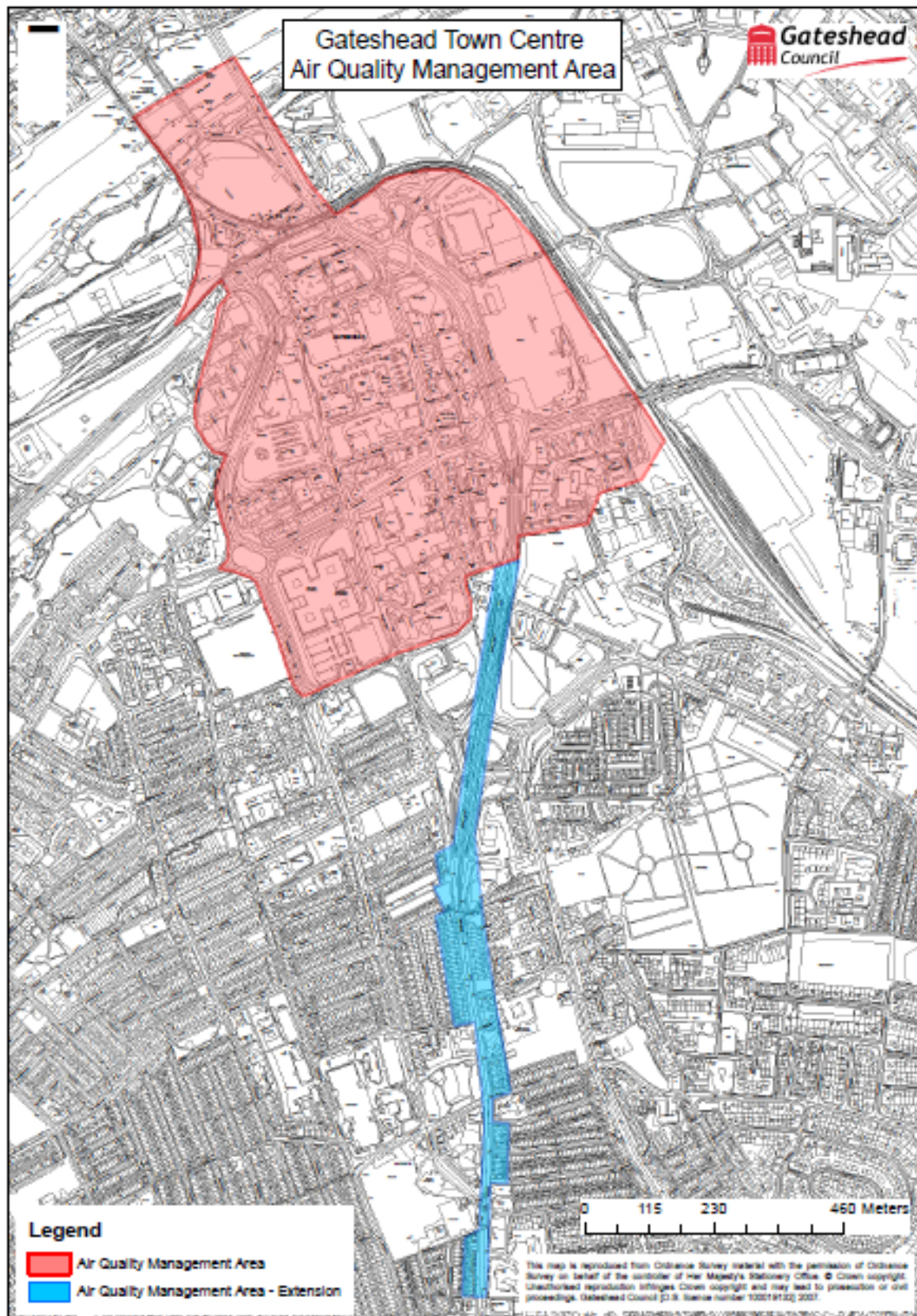
A template has been formulated to define bus stop infrastructure standards within Tyne and Wear (assuming that articulated buses and buses with more than one set of doors will not usually be using these stops) which all bus stop infrastructure should adhere to, taking into account conditions at each individual location.

The template includes:

- Kerb height and associated footway inclines;
- Bus stop markings, including clearways and signage;
- Bus boarders and laybys;
- Bus stop pole or shelter and flag and information;
- Layout of waiting area;
- Footway widths and pedestrian flows; and
- Pedestrian access to bus stops.



# Appendix 10: Gateshead Town Centre Air Quality Management Area



This page is intentionally left blank





**TITLE OF REPORT:**            **Petitions Schedule**

**REPORT OF:**                 **Mike Barker, Strategic Director, Corporate Services and Governance**

**Purpose of the Report**

1.        To provide an update on petitions submitted to the Council and the action taken on them.

**Background**

2.        Council Procedure Role 10.1 provides that any member of the Council or resident of the borough may submit a petition to the Leader of the Council, to another member of the Council nominated by the Leader, to the Chief Executive or a Strategic Director.

**Proposal**

3.        The Cabinet is asked to note the petitions received and actions taken on them.

**Recommendations**

4.        It is recommended that Cabinet notes the petitions received and action taken on them.

For the following reason:

To inform the Cabinet of the progress of the petitions.

**CONTACT:** Mike Aynsley    extension: 2128

## APPENDIX 1

### Policy Context

1. The information is provided in accordance Council Procedure Rule 10.2 whereby progress of petitions is to be reported regularly to meetings of the Cabinet.

### Background

2. Council Procedure Rule 10.1 provides that any member of the Council or resident of the borough may submit a petition to the Leader of the Council, to another member of the Council nominated by the Leader, to the Chief Executive or a Strategic Director.

### Consultation

3. This report has been prepared following consultation as set out in the schedule.

### Alternative Options

4. There are no alternative options.

### Implications of Recommended Option

#### 5. Resources:

a) **Financial Implications** – The Strategic Director, Corporate Resources confirms that there are no financial implications arising from this report.

b) **Human Resources Implications** – Nil

c) **Property Implications** - Nil

6. **Risk Management Implication** - Nil

7. **Equality and Diversity Implications** - Nil

8. **Crime and Disorder Implications** – Nil

9. **Health Implications** - Nil

10. **Sustainability Implications** - Nil

11. **Human Rights Implications** - Nil

12. **Area and Ward Implications** - Borough wide

### Background Information

13. Petitions schedule attached.

**APPENDIX 2**

**PETITIONS SUBMITTED TO GATESHEAD METROPOLITAN BOROUGH COUNCIL**

<b>DATE RECEIVED</b>	<b>REF</b>	<b>FROM</b>	<b>ISSUE</b>	<b>FORWARDED TO</b>	<b>ACTION TO DATE</b>
22.06.17 Submitted to the Deputy Leader of the Council	07/17	Petition from Keser Girls School	Petition requesting a crossing on Whitehall Road	Strategic Director, Communities and Environment	Surveys have been received and an analysis of the results is ongoing. The report will form the basis of the response to the petitioners.
23.11.17 Submitted to Councillor Twist	10/17	Petition from residents of Whickham	Petition requesting the installation of 2 pedestrian crossings at Parkway, Whickham	Strategic Director, Communities and Environment	Assessments have been undertaken and the report will form the basis of the response to the petitioners.
<del>16</del> 02.18 Submitted to Strategic Director, Corporate Services and Governance	01/18	Petition from GMB	Petition against the propose parking restrictions on Shearlegs Road, Albany Road and Park Road	Strategic Director, Communities and Environment	The petition has been received in response to the Council's transport consultation on proposed waiting restrictions in the Shearlegs Road area. The petition is being considered together with other representations received.
16.03.18 Submitted to Councillor Turnbull	02/18	Petition from Residents of Crossfield Park	Petition requesting the closure of the cut through on Crossfield Park	Strategic Director, Communities and Environment	A site visit with local councillors has been completed and options are being considered.
24.05.18 Submitted to Councillor Haley	04/18	Petition from residents of Wolseley Close, Teams	Petition regarding lack of a footpath, street signage and car parking for Teams Centre	Strategic Director, Communities and Environment	The petition is currently being considered by officers.
19.07.18 Submitted to	05/18	Petition from residents of Victoria	Petition requesting the enforcement of traffic calming	Strategic Director,	The petition is currently being considered by officers.

Councillor  
McNally

Avenue, Felling

on Victoria Avenue

Communities  
and  
Environment