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All Members of the Council

My Ref: LCS-DLDS-DS-C-022
Your Ref:

Contact Roz Patterson
Tel: 0191 4332088

Date: Wednesday,
19 May 2021

NOTICE OF COUNCIL MEETING

You are summoned to attend a meeting of Gateshead Metropolitan Borough Council to be held in the Sports Hall, Gateshead Leisure Centre, at **2.30 pm** on **Thursday, 27 May 2021** to transact the following business:-

1 To confirm the Minutes of the meetings held on 25 March and 21 May 2021
(Pages 3 - 32)

2 Official Announcements

(announcements may be made by the Mayor, Leader of the Council or the Chief Executive)

3 Petitions (Pages 33 - 34)

(to receive petitions submitted under Council Procedure Rule 10)

Council are in receipt of a qualifying petition requiring a debate

4 Questions from Members of the Public

(to consider any questions submitted under Council Procedure Rule 7)

RECOMMENDATIONS FROM CABINET

- 5 Performance Management and Improvement Framework (Pages 35 - 58)**
- 6 Charging and Financial Assessment for Adult Care and Support Services
(Pages 59 - 74)**
- 7 Proposals for Corporate Parenting Arrangements (Pages 75 - 86)**
- 8 Care Leavers Covenant (Pages 87 - 100)**
- 9 Code of Conduct (Pages 101 - 134)**

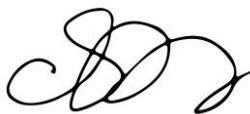
MOTIONS AND QUESTIONS

- 10 Notice of Motion**

(to consider any notices of motion submitted in accordance with Council Procedure Rule 9.1)

- 11 Questions**

(to deal with any questions submitted in accordance with Council Procedure Rule 8.1)



Sheena Ramsey
Chief Executive

GATESHEAD METROPOLITAN BOROUGH COUNCIL

COUNCIL MEETING

Thursday, 25 March 2021

PRESENT: THE MAYOR COUNCILLOR M HOOD (CHAIR)

Councillors: J Adams, Anderson, R Beadle, D Bradford, M Brain, C Buckley, D Burnett, L Caffrey, M Charlton, B Clelland, P Craig, S Craig, C Davison, W Dick, S Dickie, Diston, K Dodds, C Donovan, A Douglas, D Duggan, John Eagle, K Ferdinand, P Foy, S Gallagher, M Gannon, A Geddes, F Geddes, J Gibson, B Goldsworthy, M Goldsworthy, T Graham, L Green, S Green, G Haley, M Hall, H Haran, H Kelly, L Kirton, J Lee, P Maughan, K McCartney, J McClurey, K McClurey, J McElroy, E McMaster, M McNestry, R Mullen, B Oliphant, M Ord, I Patterson, J Raine, Reay, S Ronchetti, J Simpson, J Turnbull, J Wallace, R Waugh, A Wheeler and K Wood

APOLOGIES: Councillors: S Hawkins, P McNally, C Ord and R Oxberry

CL55 TO CONFIRM THE MINUTES OF THE MEETINGS HELD ON 21 JANUARY 2021 AND 25 FEBRUARY 2021

COUNCIL RESOLVED - That the minutes of the meetings held on 21 January and 25 February 2021 be approved as a correct record.

CL56 OFFICIAL ANNOUNCEMENTS

There were no official announcements.

CL57 DIRECTOR OF PUBLIC HEALTH ANNUAL REPORT - PRESENTATION

Alice Wiseman, Director of Public Health, attended the meeting and presented her annual report, the focus of which is inequalities in Gateshead.

CL58 PETITIONS

There were no petitions submitted.

CL59 QUESTIONS FROM MEMBERS OF THE PUBLIC

Mr Paul Watson submitted the following question:

“In light of the Council’s Pay Policy as scheduled to be discussed at this meeting, and the wider Labour Party condemnation of the proposed 1% NHS pay rise:

Please can the Council Members offer their opinion on the Council Officers decision that in light of there being a historic error meaning that certain care workers employed via direct payments have not received any pay uplift since at least 2017 does not require action to address that historic detriment; and

Please can the Council Members offer their opinion on the Council Officers decision that the action to correct that error going forward means that in all likelihood those same care workers will also continue to not have any cost of living uplift this year either.”

Councillor G Haley responded to the question.

Mr Watson submitted a supplementary question which was agreed to be discussed outside of the meeting.

CL60 GOVERNANCE OF HOUSING SERVICES

Consideration was given to a report seeking approval of the proposed arrangements for the governance of the Council’s housing function and responsibilities.

- COUNCIL RESOLVED -
- (i) That the establishment of a new formal advisory committee, to be called the Strategic Housing Board, which will advise the Council or Cabinet on any matter relating to the discharge of their respective housing functions be approved.
 - (ii) That the membership of the Strategic Housing Board comprising of 15 elected members, plus the respective Chairs of the Health and Wellbeing Board and Community Safety Partnership, 3 tenant representatives and 3 partner representatives be approved.
 - (iii) That a change in title of the Communities and Place Overview and Scrutiny Committee to the Housing, Environment and Healthy Communities Overview and Scrutiny Committee be approved.
 - (iv) That a change in the scope of responsibility of the Communities and Place Overview and Scrutiny Committee particularly to enable the inclusion of tenant observers and their scrutiny of services and buildings compliance be approved.

CL61 GATESHEAD CLIMATE CHANGE EMERGENCY AND ENVIRONMENTAL AUDIT

Consideration was given to a report seeking approval of an environmental policy for Gateshead Council.

COUNCIL RESOLVED - That the Environmental Policy, at Appendix 5 of the report, be approved.

CL62 APPRENTICESHIP LEVY

Consideration was given to a report seeking approval of an amendment to the Council's Constitution to grant the Strategic Director, Resources and Digital, delegated authority to award funds from the Council's apprenticeship levy pot to individual businesses in Gateshead.

COUNCIL RESOLVED - That Part 3, Schedule 5, of the Council's Constitution (Delegations to the Strategic Director, Resources and Digital) be amended accordingly.

CL63 GATESHEAD LOCAL PLAN - PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT (SPD) - SECOND REVIEW

Consideration was given to a report seeking approval of the Planning Obligations Supplementary Planning Document, second review.

COUNCIL RESOLVED - That the Planning Obligations Supplementary Planning Document Second Review be adopted.

CL64 TREASURY POLICY STATEMENT AND TREASURY STRATEGY 2021/22 TO 2025/26

Consideration was given to a report seeking approval of the Treasury Policy Statement and Treasury Strategy for 2021/22 to 2025/26.

COUNCIL RESOLVED - That the Treasury Policy Statement and the Treasury Strategy, attached at Appendices 2 and 3, be approved.

CL65 LOCALISM ACT 2011 - PAY ACCOUNTABILITY PAY POLICY STATEMENT 2021-22

Consideration was given to a report seeking approval of a revised pay policy statement.

COUNCIL RESOLVED - That the draft Pay Policy Statement 2021/22 be approved.

CL66 CALENDAR OF MEETINGS 2021/22

Consideration was given to a report seeking approval of the proposed calendar of meetings for 2021/22.

- COUNCIL RESOLVED -
- (i) That the calendar of meetings 2021/22 be approved.
 - (ii) That as far as possible, meetings should not be held during school holidays.
 - (iii) That the Strategic Director, Corporate Services and Governance, following consultation with the appropriate Chairs, be authorised to make any necessary amendments to the calendar of meetings.

CL67 IN SUPPORT OF 2021 PAY CAMPAIGN

Councillor C Davison moved the following motion:

"MOTION ON LOCAL GOVERNMENT PAY TO COUNCIL: A FULLY FUNDED, PROPER PAY RISE FOR COUNCIL AND SCHOOL WORKERS

This Council notes:

Local government has endured central government funding cuts of more than 50% since 2010.

Between 2010 and 2020, councils lost 60p out of every £1 they have received from central government.

Over the last year, councils have led the way in efforts against the Covid-19 pandemic, providing a huge range of services and support for our communities. Local government has shown more than ever how indispensable it is. But the pandemic has led to a massive increase in expenditure and loss of income, and the Government has failed to provide the full amount of promised support.

Local government workers have kept our communities safe through the pandemic, often putting themselves at considerable risk as they work to protect public health, provide quality housing, ensure our children continue to be educated, and look after older and vulnerable people.

Since 2010, the local government workforce has endured years of pay restraint with the majority of pay points losing at least 23 per cent of their value since 2009/10.

At the same time, workers have experienced ever-increasing workloads and persistent job insecurity. Across the UK, 900,000 jobs have been lost in local government since June 2010 – a reduction of more than 30 per cent. Local

government has arguably been hit by more severe job losses than any other part of the public sector. The funding gap caused by Covid-19 will make local government employment even more precarious.

There has been a disproportionate impact on women, with women making up more than three-quarters of the local government workforce.

Recent research shows that if the Government were to fully fund the unions' 2021 pay claim, around half of the money would be recouped thanks to increased tax revenue, reduced expenditure on benefits, and increased consumer spending in the local economy.

This Council believes:

Our workers are public service super-heroes. They keep our communities clean and safe, look after those in need and keep our towns and cities running.

Without the professionalism and dedication of our staff, the council services our residents rely on would not be deliverable.

Local government workers deserve a proper real-terms pay increase. The Government needs to take responsibility and fully fund this increase; it should not put the burden on local authorities whose funding has been cut to the bone and who have not been offered adequate support through the Covid-19 pandemic.

This Council resolves to:

Support the pay claim submitted by UNISON, GMB and Unite on behalf of council and school workers, for a substantial increase with a minimum 10 per cent uplift in April 2021.

Call on the Local Government Association to make urgent representations to central government to fund the NJC pay claim.

Write to the Chancellor and Secretary of State to call for a pay increase for local government workers to be funded with new money from central government.

Meet with local NJC union representatives to convey support for the pay claim and consider practical ways in which the council can support the campaign.

Encourage all local government workers to join a union."

On the motion being put it was declared to be carried.

CL68 CLIMATE AND ECOLOGICAL EMERGENCY

Councillor Kelly moved the following motion:

“Humans have already caused irreversible climate change, the impacts of which are being felt in the UK and around the world. Global temperatures have increased by 1^o Celsius from pre-industrial levels. Atmospheric CO₂ levels are above 400 parts per million (ppm) and continue to rise. This far exceeds the 350 ppm deemed to be a safe level for humanity.

Without more significant and sustained action, the world is set to exceed the Paris Agreement’s 1.5°C limit between 2030 and 2040. Therefore, the current UK target of net zero by 2050 is not satisfactory. It is too little too late.

The increase in harm caused by a rise of 2°C rather than 1.5°C is significant. This is described by the Intergovernmental Panel on Climate Change’s Special Report on Global Warming of 1.5°C published in October 2018. According to the IPCC, limiting heating to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society, the private sector and local communities. The costs of failing to address this crisis will far outstrip the investments required to prevent it. Investing now will bring many benefits in the form of good jobs, breathable cities and thriving communities.

Council notes that:

- (i) this Council declared a climate emergency on 23 May 2019;
- (ii) in the last 10 years, this council has reduced its own emissions by 50%, created low carbon heat and power via the district heating networks installed 2MW of solar panels across 35 buildings and schools and seen major new investment in boilers, windows and solid wall insulation to improve energy efficiency;
- (iii) this Council is committed to make its activities carbon neutral by 2030 and achieve 100% clean energy across all our functions by 2030; and
- (iv) there is a Bill before Parliament - the Climate and Ecological Emergency Bill (published as the “Climate and Ecology Bill”) - according to which the Government must develop an emergency strategy that requires that the UK plays its fair and proper role in reducing greenhouse gas emissions consistent with limiting global temperature increase to 1.5 degrees C above pre-industrial temperatures.

Council therefore resolves to:

- (i) welcome the publication of the Climate and Ecological Emergency Bill as an important contribution to the campaign to reduce carbon emissions and restore biodiversity, although we note the Conservative government is unlikely to allow it to pass into legislation;
- (ii) increase the development of solar energy and heat from ground and mine water heat pumps; expand the use of digital technology to reduce the need for staff to travel and to minimise paper use; increase in the use of electric and other low-carbon vehicles within the Council's fleet; and

- (iii) promote understanding of Climate Emergency issues with local residents, and work with groups like the Gateshead Community Climate Alliance and North East England Climate Coalition to pursue radical action in support of this common agenda.”

Councillor J Wallace moved the following amendment:

“At the end add:

- iv) calls on the Gateshead Energy Company to bring forward a plan to end the use of fossil fuel so that there is a switch to renewable fuel sources before 2025.”

On the amendment being put, it was defeated.

The original motion was put as the substantive motion and duly carried.

COUNCIL RESOLVED -

Humans have already caused irreversible climate change, the impacts of which are being felt in the UK and around the world. Global temperatures have increased by 1° Celsius from pre-industrial levels. Atmospheric CO₂ levels are above 400 parts per million (ppm) and continue to rise. This far exceeds the 350 ppm deemed to be a safe level for humanity.

Without more significant and sustained action, the world is set to exceed the Paris Agreement’s 1.5°C limit between 2030 and 2040. Therefore, the current UK target of net zero by 2050 is not satisfactory. It is too little too late.

The increase in harm caused by a rise of 2°C rather than 1.5°C is significant. This is described by the Intergovernmental Panel on Climate Change’s Special Report on Global Warming of 1.5°C published in October 2018. According to the IPCC, limiting heating to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society, the private sector and local communities. The costs of failing to address this crisis will far outstrip the investments required to prevent it. Investing now will bring many benefits in the form of good jobs, breathable cities and thriving communities.

Council notes that:

- (i) this Council declared a climate emergency on 23 May 2019
- (ii) in the last 10 years, this council has reduced its own emissions by 50%, created low carbon heat and power via the district heating networks, installed 2MW of solar panels across 35 buildings and schools and seen major new investment in boilers, windows and solid wall insulation to improve energy efficiency;

- (iii) this Council is committed to make its activities carbon neutral by 2030 and achieve 100% clean energy across all our functions by 2030; and
- (iv) there is a Bill before Parliament – the Climate and Ecological Emergency Bill (published as the “Climate and Ecology Bill”) – according to which the Government must develop an emergency strategy that requires that the UK plays its fair and proper role in reducing greenhouse gas emissions consistent with limiting global temperature increase to 1.5 degrees C above pre-industrial temperatures.

Council therefore resolves to:

- (i) welcome the publication of the Climate and Ecological Emergency Bill as an important contribution to the campaign to reduce carbon emissions and restore biodiversity, although we note the Conservative government is unlikely to allow it to pass into legislation;
- (ii) increase the development of solar energy and heat from ground and mine water heat pumps; expand the use of digital technology to reduce the need for staff to travel and to minimise paper use; increase in the use of electric and other low-carbon vehicles within the Council's fleet; and
- (iii) promote understanding of Climate Emergency issues with local residents, and work with groups like the Gateshead Community Climate Alliance and North East England Climate Coalition to pursue radical action in support of this common agenda.

CL69 DIVESTMENT FROM FOSSIL FUELS

The Mayor advised that discussions have taken place with South Tyneside Council, the lead authority for the Pensions Committee, about the responsibilities of that Committee and its members.

Members of the Committee cannot be ‘mandated’ by their appointing authority because that would be inconsistent with their fiduciary duties to all scheme members and employers. Therefore, any such instruction would not be valid or lawful.

The Mayor therefore ruled the motion out of order.

CL70 QUESTIONS

No questions were received.

Mayor.....

GATESHEAD METROPOLITAN BOROUGH COUNCIL

ANNUAL COUNCIL MEETING

Friday, 21 May 2021

PRESENT: THE MAYOR COUNCILLOR M HOOD

Councillors: J Adams, Anderson, R Beadle, D Bradford, M Brain, C Buckley, D Burnett, L Caffrey, M Charlton, B Clelland, P Craig, S Craig, C Davison, W Dick, S Dickie, Diston, K Dodds, C Donovan, A Douglas, D Duggan, John Eagle, S Gallagher, M Gannon, A Geddes, F Geddes, J Gibson, B Goldsworthy, M Goldsworthy, T Graham, S Green, M Hall, S Hawkins, H Haran, H Kelly, L Kirton, K McCartney, K McClurey, J McElroy, E McMaster, M McNestry, R Mullen, B Oliphant, M Ord, R Oxberry, I Patterson, Reay, S Ronchetti, J Simpson, J Wallace, R Waugh, A Wheeler, K Wood, Robson, McCoid, Mohammed, J Green, Turner and Weatherley

APOLOGIES: Councillors: L Green, G Haley, P Maughan, P McNally, C Ord and J Turnbull

CL1 ELECTION OF MAYOR

As required by Section 3 of the Local Government Act 1972, the Council proceeded to the election of the Mayor of the Metropolitan Borough of Gateshead for the ensuing municipal year.

Councillor B Clelland seconded by Councillor M Hall, moved that Councillor D Burnett be elected Mayor of the Metropolitan Borough of Gateshead for the ensuing municipal year.

COUNCIL RESOLVED - That Councillor D Burnett be elected Mayor of the Metropolitan Borough of Gateshead for the ensuing municipal year until acceptance of office by her successor.

Councillor D Burnett accepted the office of Mayor by making and subscribing the declaration required by law and expressed her thanks for the high honour accorded to her.

CL2 ELECTION OF DEPUTY MAYOR

The Mayor invited nominations for the office of Deputy Mayor as required by Section 5 of the Local Government Act 1972.

On the motion of Councillor J Reay, seconded by Councillor K Dodds:-

COUNCIL RESOLVED - That Councillor R Waugh be elected Deputy Mayor of the Metropolitan Borough of Gateshead

for the ensuing municipal year until acceptance of office by his successor.

Councillor R Waugh accepted the office of Deputy Mayor by making and subscribing the declaration required by law and expressed his thanks for the high honour accorded to him.

CL3 VOTE OF THANKS

On the motion of Councillor M Gannon, seconded by Councillor C Donovan:-

COUNCIL RESOLVED - That the Council conveys its appreciation for the work of Councillor M Hood, Mrs J Hood and Councillor D Burnett for the performance of the many duties expected of them as Mayor, Mayoress and Deputy Mayor respectively.

CL4 ELECTION OF COUNCILLORS

The Chief Executive reported that the following Councillors were elected on 6 May 2021 to represent the wards indicated.

Ward	Elected	
No 1	Crawcrook and Greenside	Kathleen McCartney Labour
No 2	Ryton, Crookhill and Stella	Christopher Buckley Labour
No 3	Chopwell and Rowlands Gill	Dave Bradford Labour
No 4	Winlaton and High Spen	Julie Simpson Labour
No 5	Blaydon	Stephen Ronchetti Labour
No 6	Whickham North	Sonya Hawkins Liberal Democrat
No 7	Whickham South and Sunniside	Jonathan Mohammed Liberal Democrat
No 8	Dunston Hill and Whickham East	Peter Maughan Liberal Democrat
No 9	Dunston and Teams	Brenda Clelland Labour
No 11	Saltwell	Denise Robson Labour
No 12	Low Fell	Daniel Duggan Liberal Democrat
No 13	Chowdene	John McElroy Labour
No 14	Bridges	John Eagle Labour
No 15	Deckham	Leigh Kirton Labour
No 16	High Fell	Jill Green Labour
No 17	Felling	Sonya Dickie Labour
No 18	Windy Nook and Whitehills	Rachel Mullen Labour
No 19	Pelaw and Heworth	Ian Patterson Liberal Democrat
No 20	Wardley and Leam Lane	Linda Green Labour
No 21	Lamesley	Jane McCoid Labour Judith Turner Labour
No 22	Birtley	Catherine Davison Labour Hazel Weatherley Labour

COUNCIL RESOLVED - That the information be noted.

CL5 ALLOCATION OF SEATS

On the motion of Councillor M Gannon, duly seconded:

COUNCIL RESOLVED - That in accordance with Sections 15 and 16 of the Local Government and Housing Act 1989, the allocation of seats on those bodies to which the Act applies, to the various political groups represented on the Council, as set out in the attached schedule (Appendix 1b(i)) be approved.

CL6 APPOINTMENTS TO COMMITTEES OF THE COUNCIL AND OTHER BODIES EXERCISING NON EXECUTIVE FUNCTIONS

(i) Labour Group Nominations

Councillor M Gannon, duly seconded, moved that the members listed at Appendix CL6(i) to these minutes be appointed to the Planning and Development , Licensing, Regulatory, Appeals, Rights of Way, Personnel Appeals, Special Appointments, Contracts, Audit and Standards and Accounts Committees, Pensions and Pay Discretions Sub-Committee; the Health and Wellbeing Board; the Overview and Scrutiny Committees; the Northumbria Police and Crime Panel; Northumberland, Tyne and Wear and North Durham STP Joint Health Scrutiny Committee; the Honours Advisory Group and outside bodies dealing with functions that are not wholly an executive responsibility for the municipal year 2021/22.

COUNCIL RESOLVED - That the nominations of the Labour Group listed at Appendix 1b(ii) to these minutes be agreed.

(ii) Liberal Democrat Nominations

On the motion of Councillor J Wallace, duly seconded:

COUNCIL RESOLVED - That the members listed at Appendix 1b(iii) to these minutes be appointed to the Planning and Development, Licensing, Regulatory, Appeals, Rights of Way, Personnel Appeals, Special Appointments, Contracts, Audit and Standards, and Accounts Committees; Pensions and Pay Discretions Sub-Committee; the Health and Wellbeing Board; the Overview and Scrutiny Committees; the Northumbria Police and Crime Panel; Northumberland, Tyne and Wear and North Durham STP Joint Health Scrutiny Committee; the Honours Advisory Group and outside bodies

dealing with functions that are not wholly an executive responsibility for the municipal year 2021/22.

(iii) Independent Nominations

On the motion of Councillor K McClurey, duly seconded:

COUNCIL RESOLVED - That the member listed at Appendix 1b(iv) to these minutes be appointed to the Appeals Committee and the Overview and Scrutiny Committees.

CL7 APPOINTMENT OF CHAIRS AND VICE CHAIRS

On the motion of Councillor M Gannon, duly seconded:

COUNCIL RESOLVED - That the chairs and vice-chairs of the bodies listed in Annex A to Part 3 of the Constitution and of the Overview and Scrutiny Committees for the municipal year 2021/22 as listed at Appendix 1b(v) to these minutes be approved.

Mayor.....

GATESHEAD METROPOLITAN BOROUGH COUNCIL

ANNUAL COUNCIL MEETING

21 MAY 2021

Proposed Allocation of Seats on Bodies to which Political Balance Requirements Apply.**1. Bodies dealing with non-executive functions (Annex 1A of the Constitution)**

	Labour Group Cabinet	Non- Cabinet	Liberal Democrat Group	Independent Member	Total
Planning and Development Committee	-	18	5	-	23
Licensing and Regulatory Committees	-	12	3	-	15
Appeals Committee	-	17	4	1	22
Rights of Way Committee	-	6	1	-	7
Personnel Appeals Committee	3	5	2	-	10
Special Appointments Committee	6	6	3	-	15
Contracts Committee	3	1	1	-	5
Audit and Standards Committee	2	4	1	-	7
Accounts Committee	2	-	1	-	3
Pensions and Pay Discretions Sub-Committee	2	2	1	-	5

2. Overview and Scrutiny Committees

	Labour Group Cabinet	Non- Cabinet	Liberal Democrat Group	Independent Member	Total
Families	-	14	4	-	18
Care, Health and Wellbeing	-	14	3	1	18
Housing, Environment and Healthy Communities	-	14	3	1	18
Corporate Resources	-	14	4	-	18
Corporate Parenting Sub	-	12	3	-	15

COUNCIL APPOINTMENTS 2021/22

LABOUR GROUP APPOINTMENTS

ANNUAL COUNCIL MEETING

21 MAY 2021

The Labour Group's nominations to Council and other bodies for the municipal year 2021/22

DECISION MAKING BODIES OF THE COUNCIL

Planning and Development Committee

Councillors D Burnett
 L Caffrey
 S Dickie
 K Ferdinand
 A Geddes
 B Goldsworthy
 J Green
 M Hall
 L Kirton
 K McCartney
 E McMaster
 R Oxberry
 J Turnbull
 J Turner
 R Waugh
 H Weatherley
 A Wheeler
 K Wood

Licensing and Regulatory Committees (same membership for both Committees)

Councillors D Bradford
 M Charlton
 W Dick
 K Dodds
 S Gallagher
 J Gibson
 B Goldsworthy
 H Kelly
 L Kirton
 R Mullen
 D Robson
 1 vacancy

Rights of Way Committee

Councillors D Bradford
 S Dickie
 A Geddes
 J Simpson
 A Wheeler
 K Wood

Appeals Committee

Councillors C Buckley
 B Clelland
 C Davison
 S Dickie
 F Geddes
 B Goldsworthy
 M Goldsworthy
 T Graham
 S Green
 H Haran
 J McCoid
 E McMaster
 P McNally
 R Oxberry
 J Reay
 S Ronchetti
 J Simpson

Personnel Appeals Committee

Councillors D Burnett
 M Charlton
 C Donovan
 M Gannon
 M Hall
 B Oliphant
 J Turnbull
 1 vacancy

Pensions and Pay Discretions Sub Committee

Councillor M Charlton
 C Donovan
 M Gannon
 M Hall

Special Appointments Committee

Councillors M Brain
 L Caffrey

K Dodds
C Donovan
A Douglas
M Gannon
L Green
M Hall
M McNestry
B Oliphant
K Wood
1 vacancy

Contracts Committee

Councillors C Donovan
J Eagle
M Gannon
L Green

Audit and Standards Committee

Councillors D Burnett
M Charlton
L Green
S Green
J McElroy
1 vacancy

Accounts Committee

Councillors C Donovan
M Gannon

Substitute B Oliphant

Health and Wellbeing Board

Councillor L Caffrey
P Foy
L Kirton
The Leader of the Council
Cabinet Member for Health and Wellbeing
Cabinet Member for Adult Social Care
Cabinet Member for Children and Young People

OVERVIEW AND SCRUTINY COMMITTEES

Families OSC

Councillors D Bradford
C Buckley
L Caffrey
B Clelland

C Davison
S Gallagher
M Hall
K McCartney
E McMaster
R Oxberry
J Reay
3 vacancies

Corporate Parenting Sub

Councillors D Bradford
C Buckley
B Clelland
C Davison
S Gallagher
M Hall
K McCartney
E McMaster
R Oxberry
J Reay
2 vacancies

Care, Health and Wellbeing OSC

Councillors M Charlton
W Dick
K Ferdinand
J Gibson
B Goldsworthy
M Goldsworthy
S Green
M Hall
H Haran
J McCoid
P McNally
R Mullen
D Robson
A Wheeler

Housing, Environment and Healthy Communities OSC

Councillors D Burnett
B Clelland
S Dickie
K Dodds
A Geddes
F Geddes
T Graham
J Green
H Kelly
J Reay

J Turnbull
R Waugh
H Weatherley
A Wheeler

Corporate Resources OSC

Councillors D Bradford
L Caffrey
J Eagle
P Foy
T Graham
S Green
M Hall
R Mullen
S Ronchetti
J Simpson
J Turner
K Wood
2 vacancies

OTHER BODIES OF THE COUNCIL

Honours Advisory Group

Councillors J Adams
M Brain
K Dodds
C Donovan (Vice Chair)
M Gannon (Chair)
B Goldsworthy
L Kirton
B Oliphant
J Simpson

Strategic Housing Board

Chairs of the Health and Wellbeing Board and the Community Safety Board

Councillors: J Adams
D Burnett
C Buckley
B Clelland
P Foy
T Graham
L Kirton
J Turnbull
R Waugh
H Weatherley
2 vacancies

JOINT COMMITTEES AND JOINT AUTHORITIES

Northumbria Police and Crime Panel

Councillors A Douglas

Substitute: M Gannon

Northumberland, Tyne and Wear and North Durham STP Joint Health Scrutiny Committee

Councillors: L Caffrey
 M Hall

Substitutes: M Charlton
 P Foy

OUTSIDE BODIES

Local Government Association General Assembly

Councillors K Dodds
 C Donovan
 M Gannon
 B Goldsworthy

SIGOMA

Councillor G Haley

Executive Committee

Councillor G Haley

MAJOR REGIONAL AND LOCAL BODIES

North East Combined Authority Leadership Board

Councillor M Gannon

Substitute C Donovan

NECA Overview and Scrutiny Committee

Councillor J Eagle

Substitute Vacancy

NECA Economic Development and Regeneration Advisory Board

Councillor J Adams

Substitute M Brain

North East Joint Transport Committee

Councillor M Gannon

Substitute C Donovan

North East Joint Transport Committee Tyne and Wear Sub Committee

Councillor J McElroy

Substitute M Brain

North East Joint Transport Committee Overview and Scrutiny Committee

Councillor J Eagle

Substitute Vacancy

North East Joint Transport Committee Audit Committee

Councillor M Charlton

Substitute D Burnett

Regional Leaders' and Elected Mayors Group

Councillor M Gannon

Substitute C Donovan

Collaborative Procurement Sub Committee

Councillor J Eagle

Resources Task and Finish Group

Councillor M Gannon

Culture Partnership Board

Councillor A Douglas

Pensions Committee – South Tyneside MBC

Councillor B Goldsworthy

Substitute G Haley

Regional Employers' Organisation

Councillors M Brain
 L Caffrey
 M Hall

COUNCIL APPOINTMENTS 2021/22
LIBERAL DEMOCRAT GROUP'S APPOINTMENTS
ANNUAL COUNCIL MEETING
21 MAY 2021

The Liberal Democrat Group's nominations to Council and other bodies for the municipal year 2021/22

DECISION MAKING BODIES OF THE COUNCIL

Planning and Development Committee

Councillors V Anderson
R Beadle
J Mohammed
C Ord
I Patterson

Licensing and Regulatory Committees (same membership for both Committees)

Councillors D Duggan
M Ord
I Patterson

Rights of Way Committee

Councillor M Ord

Appeals Committee

Councillors R Beadle
P Maughan
C Ord
M Ord

Personnel Appeals Committee

Councillors R Beadle
M Ord

Pensions and Pay Discretions Sub Committee

Councillor R Beadle

Special Appointments Committee

Councillors R Beadle

P Craig
J Wallace

Contracts Committee

Councillor J Wallace

Audit and Standards Committee

Councillor R Beadle

Accounts Committee

Councillor J Wallace

Substitute: R Beadle

Health and Wellbeing Board

Councillor S Craig

OVERVIEW AND SCRUTINY COMMITTEES

Families

Councillors P Craig
S Craig
M Ord
J Mohammed

Corporate Parenting Sub

Councillors P Craig
S Craig
M Ord

Care, Health and Wellbeing

Councillors P Diston
I Patterson
J Wallace

Housing, Environment and Healthy Communities

Councillors V Anderson
S Hawkins
P Maughan

Corporate Resources

Councillors R Beadle
D Duggan

I Patterson
J Wallace (Vice Chair)

OTHER BODIES OF THE COUNCIL

Honours Advisory Group

Councillors C Ord
J Wallace

Strategic Housing Board

Councillors S Hawkins
C Ord
I Patterson

JOINT COMMITTEES AND JOINT AUTHORITIES

Northumbria Police and Crime Panel

Councillor P Maughan

Substitute: P Craig

Northumberland, Tyne and Wear and North Durham STP Joint Health Scrutiny Committee

Councillors R Beadle

Substitutes: J Wallace

MAJOR REGIONAL AND LOCAL BODIES

NECA Audit and Standards Committee

Councillor R Beadle

Substitute J Wallace

NECA Overview and Scrutiny Committee

Councillor J Wallace

Substitute R Beadle

North East Joint Transport Committee Overview and Scrutiny Committee

Councillor I Patterson

Substitute C Ord

COUNCIL APPOINTMENTS 2021/22
INDEPENDENT COUNCILLOR'S APPOINTMENTS
ANNUAL COUNCIL MEETING
21 MAY 2021

The Independent Councillor's nominations to Council and other bodies for the municipal year 2021/22

DECISION MAKING BODIES OF THE COUNCIL

Appeals Committee

Councillor K McClurey

OVERVIEW AND SCRUTINY COMMITTEES

Care, Health and Wellbeing

Councillor K McClurey

Housing, Environment and Healthy Communities

Councillor K McClurey

GATESHEAD METROPOLITAN BOROUGH COUNCIL

ANNUAL COUNCIL MEETING

21 MAY 2021

**Nominations for the chairs and vice-chairs of the bodies listed
in Annex 1A to Part 3 of the Constitution and of the Overview and
Scrutiny Committees**

Planning and Development Committee

Chair	Councillor B Goldsworthy
Vice-Chair	Vacancy

Licensing and Regulatory Committees

Chair	Councillor K Dodds
Vice-Chair	Councillor W Dick

Appeals Committee

Chair	Councillor M Goldsworthy
Vice-Chair	Councillor B Clelland

Personnel Appeals Committee

Chair	Councillor M Gannon
Vice-Chair	Councillor C Donovan

Audit and Standards Committee

Chair	Councillor M Charlton
Vice Chair	Councillor D Burnett

Special Appointments Committee

Chair	Councillor M Gannon
Vice-Chair	Councillor C Donovan

Contracts Committee

Chair	Councillor M Gannon
Vice-Chair	Councillor C Donovan

Accounts Committee

Chair	Councillor M Gannon
Vice-Chair	Councillor C Donovan

Rights of Way Committee

Chair	Councillor K Wood
Vice-Chair	Councillor S Dickie

Health and Wellbeing Board

Chair	Councillor L Caffrey
Vice Chair	Councillor L Kirton

Pensions and Discretions Sub Committee

Chair	Councillor M Gannon
Vice-Chair	Councillor C Donovan

Overview and Scrutiny Committees

Families

Chair	Vacancy
Vice-Chair	Councillor M Hall

Care, Health and Wellbeing

Chair	Councillor S Green
Vice-Chair	Councillor R Mullen

Communities and Place

Chair	Vacancy
Vice-Chair	Councillor T Graham

Corporate Resources

Chair	Councillor J Eagle
Vice-Chairs	Councillor S Ronchetti
	Councillor J Wallace

Corporate Parenting Sub Committee

Chair	Vacancy
Vice-Chair	Councillor M Hall

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COUNCIL MEETING

27 May 2021

PETITION – REQUEST TO RECONSIDER THE PROPOSAL TO RESTRUCTURE GATESHEAD’S MUSIC SERVICE

Mike Barker, Strategic Director, Corporate Services and Governance

EXECUTIVE SUMMARY

1. The Council has received a petition requesting the Council to reconsider the proposal to restructure Gateshead’s Music Service.
2. In accordance with Council Procedure Rule 10.6 petitions with 2,000 or more signatures will be debated by the full Council. The petition organiser will be given five minutes to present the petition at the Council meeting and then the petition will be discussed by councillors for a maximum of fifteen minutes.
3. The Council will decide how to respond to the petition at the meeting.

RECOMMENDATIONS

4. The Council is asked to debate the petition and decide whether to make recommendations to the Cabinet on the petitioners’ request.

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COUNCIL MEETING

27 May 2021

PERFORMANCE MANAGEMENT AND IMPROVEMENT FRAMEWORK

Sheena Ramsey, Chief Executive

EXECUTIVE SUMMARY

1. The purpose of this report is to seek approval of the proposed new Performance Management and Improvement Framework (PMIF) for the Council.
2. A new framework is needed that better reflects the priorities of the Council and the delivery of the Council's Thrive policy and Health and Wellbeing Strategy and which also considers the impact of the Covid-19 pandemic.
3. Development will continue throughout the year to confirm measures and develop a baseline in recognition that a flexible approach is needed to take account of the impact of the Covid-19 pandemic and the developing strategies to help to address inequalities in Gateshead.
4. The Cabinet has considered the facts and issues arising from the report including alternative options and took all relevant advice before formulating their recommendation.

RECOMMENDATION

5. It is recommended that Council approves the Performance Management and Improvement Framework at Appendix 2 of the attached report.

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TITLE OF REPORT: **Performance Management and Improvement Framework**

REPORT OF: **Darren Collins, Strategic Director, Resources and Digital**

Purpose of the report

1. This report sets out the proposed new Performance Management and Improvement Framework (PMIF) for the Council. Cabinet is asked to approve the proposed framework and recommend it to Council for approval.

Background

2. Performance Management is used by local authorities to identify how well they are delivering outcomes for local people. It aims to help services get from where they are to where they need to be and inform decision in an efficient and effective way. The Council's current performance framework has been in place for several years and has evolved over time.
3. A new framework is needed that better reflects the priorities of the Council – the delivery of the Council's Thrive policy and Health and Wellbeing Strategy and which also considers the impact of the Covid-19 pandemic in Gateshead.

Proposal

4. A review of the Council's framework for performance has been undertaken. The development was based on agreed principles, set out in Appendix 1, which were used to shape the new approach.
5. The proposed revised PMIF (Appendix 2) has a clear focus on priorities, delivery and measurement and analysis of impact. It is based on Thrive, tackling inequalities and is framed within the six policy objectives of the Health and Wellbeing Strategy. It comprises a Corporate Framework that sets out performance against Health and Wellbeing Strategy outcomes and a Balanced Scorecard that sets out performance against 'organisational health'.
6. The purpose the new proposed PMIF is to:
 - Enable the Council to know whether it is achieving its priorities. (Thrive Policy and Health and Wellbeing Strategy).
 - Ensure that the Council's resources are being deployed effectively.
 - Make both short and long-term effective decisions.
 - A whole systems approach – embedded in our partnership working to deliver the Health & Wellbeing Strategy

7. The development has included extensive engagement, drawing on the views of councillors, employees, trade unions and partners to understand and inform an approach to enable the Council to effectively manage corporate performance and improvement. A summary of the themes emerging from the engagement is at Appendix 1 and it has been important in shaping the PMIF.
8. This engagement will continue through further refinement of the PMIF to test the approach, embed this with greater ownership and facilitate a more collaborative approach.
9. Implementation will begin after Council approval with development throughout the year to confirm measures and develop a baseline in recognition that a flexible approach is needed to take account of the impact of the Covid-19 pandemic and the developing strategies to help to address inequalities in Gateshead.
10. The new approach requires, through the implementation plan, culture change, include greater ownership of corporate performance across the organisation and empowerment of employees to drive improvement and deliver better outcomes. This came out strongly in the engagement and will form part of the planning going forward.
11. A roadmap for implementation with an iterative approach has been developed with continuous development taking into account developing strategies and plans to inform the further development of Outcomes, Interventions, Resource and Performance Measures. There will be further employee and partner engagement and the Baseline and target setting will also progress along with an approach to a community conversation.
12. Importantly, performance will be a continued conversation and tool for councillors and officers throughout the year to understand and manage performance and improvement. It is proposed that a report is brought back to Cabinet in October to set out outcomes, interventions and performance measures. It is further proposed that Overview and Scrutiny Committees receive quarterly reporting on the PMIF and that reporting to Cabinet is on a 6 monthly basis to ensure effective reporting and management of corporate performance across the Council.

Recommendation

13. Cabinet is asked to:

- (i) Recommend the Council to approve the Performance Management and Improvement Framework at Appendix 2.
- (ii) Agree to receive 6 monthly performance reports identifying the impact of Council actions and intervention and delivery of Thrive and the Health and Wellbeing Strategy.

For the following reasons:

- To ensure there is an effective framework in place to enable the Council to manage performance across its priorities and understand the impact of decisions.

- To enable the Council to focus resources on the delivery of services that make Gateshead a place where everyone can Thrive

CONTACT: Lindsay Murray - Extension 2794

Policy Context

1. The proposal supports the Council's priorities for Thrive by setting out a framework to manage performance against its key priorities for thrive, tackle inequalities and the impact being made on delivery of the Health and Wellbeing Strategy. The PMIF will support and inform corporate policy decisions in the future as well as resource allocation to ensure these are focused on the Council's priorities as part of a broader evidence based approach.
2. The Council's Medium-Term Financial Strategy sets out the financial context for the Council's resource allocation process and budget setting. The proposals support the aims within the Strategy by aligning performance with the overall approach to the budget to support the financial sustainability for the Council ensuring that resources are deployed on the outcomes for making Gateshead a place where everyone Thrives.

Background

3. Performance Management is used by local authorities to identify how well they are delivering outcomes for local people. The Council's current performance framework has been in place for several years and has evolved over time.
4. A new framework is needed that better reflects the priorities of the Council – the delivery of the Council's Thrive policy and Health and Wellbeing Strategy and which also considers the impact of the Covid-19 pandemic in Gateshead.

Review and Principles

5. A review of the Council's framework for performance has been undertaken. The development was based on agreed principles which were used to shape the new approach to ensure it:
 - Is shaped around the characteristics needed to enable people to thrive
 - Is simple, responsive, timely and meaningful indicators
 - Empowers employees to drive improvement
 - Incorporates qualitative and quantitative approaches
 - Recognises locality-based approaches, population and community level interventions to improve
 - Considers partnerships, communities and aligned to key policies and strategies such as the Health and Well-being Strategy, housing and schools
 - Is intelligence led, using evidence to learn and improve
 - Considers how to incorporate a wider range of data, for example linking to a 'Data hub' approach
 - Measures the health of the organisation (balanced scorecard approach)
 - Enables members to scrutinise performance and see the impact of decision making
6. The review also used desktop research to identify best practice from other local authorities as well as organisations such as the Local Government Association, and APSE etc.

7. Engagement has also played a significant role in the review and development of the framework being proposed. The development has included extensive engagement, drawing on the views of councillors, employees, the Trade Unions and partners to understand and inform an approach to enable the Council to effectively manage corporate performance and see the impact of policy and resource decisions.
8. Key themes from the engagement included:
 - Very positive about the approach focusing on priorities, tackling inequalities through Thrive and HWB Strategy
 - Resources link being important – inform budget decisions, employees and assets
 - Corporate Analysis – assessing, review, interpreting performance
 - Move from measurement to management – a tool for improvement
 - Data – corporate ownership management – a usable asset to inform decision making
 - Clearer presentation - exception reporting, focus on improvements needed - 3D approach for different audiences
 - Mechanism to improve ways of working – break down silos, greater collaboration
 - Locality approaches – understanding issues in different geographies
9. This engagement will continue through further refinement of the PMIF to test the approach, embed this with greater ownership and facilitate more collaborative and integrated working.

A New Performance Management and Improvement Framework

10. The proposed revised PMIF is set out at Appendix 2. This is based on Thrive and is framed within the six policy objectives of the Health and Wellbeing Strategy. The key features are:
 - Outcomes (Health and Wellbeing Strategy)
 - Interventions/Actions
 - Resources
 - Strategic Risk
 - Performance measures (strategic & operational)
 - Impact analysis ('story telling', qualitative and geographic/locality)
 - Balanced Scorecard to check the organisational health of the Council
11. A roadmap for implementation has been developed with key milestones being:
 - Gradual Implementation from Council approval - iterative with continuous development taking into account developing strategies and plans:
 - Strategy development (e.g. Economic Strategy; Climate Change Action Plan; Community Wealth Building)
 - Connect and co-ordinate with LA7 Economic Recovery Plan
 - To inform further development of Outcomes, Interventions, Resources & Performance Measures
 - Employee engagement
 - Partner Engagement – through HWB Board

- Baseline and targets to be developed - July 21 Establish baseline data for the current state (Public Health & Wellbeing)
- Development of Community Conversations approach
- Data Management & IT Solutions including presentation for different audiences – Sept 21
- Developing a 'Community Conversation' approach
- 'Test drive' the framework to inform quarterly reviews July, Oct; Jan, April (2022)
- Quarterly report to OSCs and 6 month report to Cabinet

Alternative Options

12. An alternative option would be to continue with the existing Performance Management Framework. This option is not recommended as the Council required a framework that is focused on delivery of priorities, measuring impact, makes better links to use of resources and has a greater analytical element that focuses on what matters. The recommended option will better enable the Council to manage corporate performance and use this to inform decision making.

Consultation

13. All members have been consulted through the following mechanisms:
- Two Corporate Advisory Group meetings
 - All Overview and Scrutiny Committees
 - Meeting with Chairs and Vice Chairs of Overview and Scrutiny Committees
 - Portfolio meetings
 - The Leader and Deputy Leader have also been consulted
14. Three focus groups for employees have also taken place as well as officer workshops. Further employee engagement is planned as part of the implementation of the new PMIF. One informal engagement session was held with Trade Unions.
15. Partner engagement has included the Health and Wellbeing Board and the Gateshead Health and Care Systems Board. Engagement with these is developing further throughout implementation. Additional engagement is also taking place others such as with the VCS to establish a more joined up and integrated approach to performance management across shared priorities.

Implications of Recommended Option

16. Resources

- a) **Financial Implications** – The Strategic Director, Resources and Digital confirms that the proposal will have no direct financial implications as a result of this report. The proposal aims to align performance with resources and enable better informed decision making.

- b) Human Resource Implications** – There are no Human Resource implications arising directly from this report. The further development and implementation of the framework however will seek to engage employees.
- c) Property Implications** – There are no property implications arising directly from this report.
17. **Risk Management Implication** - The proposals will reduce the risk of the Council not achieving its priorities by enabling effective performance management across strategy corporate priorities.
18. **Equality and Diversity Implications** –There are no direct equalities and diversity implications arising from this report, however the framework has a focus on addressing inequalities.
19. **Crime and Disorder Implications** –There are no crime and disorder implications arising directly from this report.
20. **Health Implications** – While there are no direct health implications arising from this report, the PMIF is based on the 6 policy objectives within the Health and Well-being Strategy so will help to manage performance at a strategic level across a range of wider determinants of health.
21. **Climate Emergency** – There are no climate emergency implications arising directly from this report, though the PMIF will seek to manage performance across a range of strategic priorities including the climate emergency.
22. **Sustainability Implications** – There are no sustainability implications arising directly from this report
23. **Human Rights Implications** – There are no human rights implications arising directly from this report
24. **Ward Implications** –There are no implications for a specific ward, though the framework will include a geographical focus on performance where appropriate.

CONTACT: **Lindsay Murray - Extension 2794**

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GIVE EVERY CHILD THE BEST START TO LIFE
WHAT DO WE WANT TO ACHIEVE? – OUR OUTCOMES

- The circumstances which result in adverse childhood experiences are prevented
 - Parents can access support proportionate to meet their needs, to be the best parents they can
- All children start school ready to learn
 - All permanent school exclusions are prevented

HOW WILL WE ACHIEVE THIS? INTERVENTIONS AND RESOURCES					OUR PERFORMANCE AND IMPACT																				
Outcome	Intervention	On track	DoT	£	Strategic Performance	Baseline	Latest	Target	DoT	Operational Performance	Baseline	Latest	Target	DoT											
The circumstances which result in adverse childhood experiences are prevented	Develop a framework to support Gateshead as a child friendly place (HWB)				% of children eligible for free school meals	To be agreed by July 2021				% of take up of free school meals	To be agreed by July 2021														
	Economic Strategy				Good development by age 5 (%) (Marmot)					The number of families with children living in an HMO (aim to reduce to zero)															
	Support our schools to deliver an effective curriculum that addresses the skills required for later life and supports emotional well-being (HWB) Link to LA7 Recovery Plan interventions including summer catch-up programmes				Inequality in life expectancy at birth for Males / Females (PHOU AO2a) (Marmot)					Economic indicators to be determined															
					No of children living in poverty (PHOF BO5)					% of Gateshead schools graded good or outstanding in relevant categories															
Parents can access support proportionate to meet their needs, to be the best parents they can	Support our schools to deliver an effective curriculum that addresses the skills required for later life and supports emotional well-being (HWB) Link to LA7 Recovery Plan interventions including summer catch-up programmes				% of all schools and academies in Gateshead graded good or outstanding in relevant categories					Baseline on lost learning development					No of children subject to a child protection plan	Reduction in referrals to specialist services such as Children Social Care	Reduction in the number of children becoming looked after	Baseline for early help – families needing support	6-8 week breastfeeding rate (PHOF 2.02ii)	Smoking at time of delivery (PHOF CO6)	Support around school attendance				
	Focus our efforts on supporting confident, positive and resilient parenting, to those who most need our support (HWB)				Development of baseline linked to LA7 Recovery Plan					Baseline for Early Help												Good development by age 5 with free school meal status (%) (Marmot)	School readiness % of children with free school meals achieving a good standard of development at the end of reception (PHOF BO2a)	No of permanent exclusions and DoT	Baseline – lost learning
	C&F Early Help Strategy - providing support to families when a need is identified or as soon as a problem emerges, at any point in a child's life.																								
	Looked After Children Strategy Interventions - Where children need to be cared for by the Council, we will make the duration of care as short as possible. Support families in making the changes required to enable their children's safe return home.																								
	Development of baseline linked to LA7 Recovery Plan																								
	Increase the focus of existing expenditure on early years to reduce inequalities in early development (HWB) Make sure maternity services, parenting programmes, childcare and early year's education are of high quality and meet needs of all groups (HWB)																								
All children start school ready to learn	Build resilience and well-being of all children and young people (HWB)				No of permanent exclusions and DoT					Baseline – lost learning															
All permanent school exclusions are prevented																									

Investment Strategy & Resources

Revenue 21/22		Capital
Gross £000	Net £000	£000
134,067	36,871	-

Commissioned Spend: tbc
Assets: Asset Strategy Review
Employees – 464.47 FTE (1730.46 FTE in schools)

Risks to Achievement rated after mitigation

- Failure to safeguard vulnerable children & adults **Amber**
- Non-compliance with statutory requirements resulting in prosecution & subsequent penalties **Amber**
- The Council is hit by a Cyber-attack that compromises confidentiality, integrity & availability of information **Amber**
- Failure to address financial gap in the Council's budget & systems **Amber**
- Failure to address workforce planning & resource requirements impacting on service delivery **Green**

Qualitative Impact

Evidence of impact (customers, customer profile, residents, employees others) Assessments, reviews, project findings, progress checks

- Consider baseline for Early help (including rising number of families needing support; children's emotional health and wellbeing; lost learning)

Geographic Impact (Localities impact, LLoN data etc)

ANALYSIS – WHAT IS THIS TELLING US?

AREAS FOR IMPROVEMENT

Strategic

Operational

Resources

AREAS OF EXCELLENCE

Strategic

Operational

Resources

ACTIONS

Strategic

Operational

Resources

SUMMARY ANALYSIS OF CORPORATE POSITION

What is this telling us about how we are performing across Gateshead?

What will we be doing in response?

Future Direction of Travel and Expectations over next 6 months

Summary Statement

ENABLE ALL YOUNG PEOPLE AND ADULTS TO MAXIMISE THEIR CAPABILITIES AND HAVE CONTROL OVER THEIR LIVES
WHAT DO WE WANT TO ACHIEVE? – OUR OUTCOMES

- All young people are resilient, with good physical and mental health and wellbeing
 - All young people are ready and appropriately skilled for the workplace
 - Gateshead is a positive place in which everyone’s mental health and wellbeing can flourish
- Everyone is able to be an active part of their community
 - All domestic abuse is prevented

HOW WILL WE ACHIEVE THIS? - INTERVENTIONS & RESOURCES					OUR PERFORMANCE AND IMPACT									
Outcome	Intervention	On track	DoT	£	Strategic Performance	Baseline	Latest	Target	DoT	Operational Performance	Baseline	Latest	Target	DoT
All young people are resilient, with good physical and mental health and wellbeing	Focus efforts on creating the conditions for people to enjoy positive emotional health & well-being. Consider measures across whole population alongside specific action in various settings				Prevalence of children in year 6 of excess weight (PHOF CO9a)	To be agreed by July 2021				Baseline measures around good physical and mental health	To be agreed by July 2021			
					Early help baseline to be developed including children’s emotional and mental health & wellbeing									
All young people are ready and appropriately skilled for the workplace	Support our schools to deliver an effective curriculum that addresses the skills required for later life and supports emotional well-being (HWB) LA7 Recovery Plan implementation including the mitigation of increases in educational inequalities, including catch up programmes and NEET support				16-17 Year olds not in education, employment or training					Pupils missing 10% school sessions or more during academic year				
					19-24 year olds NEET % (Marmot)									
					Employment related measure from Economic Strategy									
					Inequality gap in educational attainment narrows									
					GCSE achieved 5 9-5including English and Maths (%) / GCSE achieved 5 9-5 including English and Maths with free school meals status (%) (Marmot)									
					Inequality in attainment between children eligible for and not eligible for free schools GCSE									
					Inequality in attainment between children eligible for and not eligible for free schools KS2									
Gateshead is a positive place in which everyone’s mental health & wellbeing can flourish	Commission research into wellbeing of children and young people April 2021 Implementation of LA7 Recovery Plan including addressing issues such as Anti-social behaviour				Resident Survey- Satisfaction with Gateshead as a place to live					Inequality in attainment between children looked after by the local authority and those not (KS1 / KS2)				
					People reporting low life satisfaction % (Marmot)									
					Healthy Life expectancy at birth Female / Male (Years) (Marmot)									
					Baseline development on Mental health (low level anxiety to crisis services & complex individuals									
					Resident survey- Confidence in the Council / Voice is heard / General satisfaction									
					Proportion of adults with a learning disability who live in their own home or with their family (ASCOF 1G)									
					Those with learning disabilities in suitable accommodation & supported into paid employment (ASCOF 1E) (also included in Create Conditions for Fair Employment)									
Everyone is able to be an active part of their community	Ensure that views & opinions of local people are represented in all aspects of our work through democratic process & asset-based community development Social Care interventions				Rate of domestic violence reports / convictions					Baseline measures around good physical and mental health				
					Baseline development around domestic abuse									
All domestic abuse is prevented	Prioritise preventing &reducing the scale & impact of violence & domestic abuse giving everyone control of their lives (HWB) Baseline to be developed									Consultation respondents				

Investment Strategy & Resources

Revenue 21/22		5 Yr Capital
Gross £000	Net £000	£000
146,166	77,755	47,111

Commissioned spend: tbc
Assets: Asset Strategy Review
Employees 1041.16 FTE

Risks to Achievement rated after mitigation

- Failure to safeguard vulnerable children & adults **Amber**
- Non-compliance with statutory requirements resulting in prosecution & subsequent penalties **Amber**
- The Council is hit by a Cyber-attack that compromises confidentiality, integrity & availability of information **Amber**
- Failure to manage demand and expectations could result in the Council not achieving its Thrive agenda **Amber**
- Failure to address financial gap in the Council’s budget & systems **Amber**
- Failure to address workforce planning & resourcing requirements impacting on service delivery **Green**

Qualitative Impact

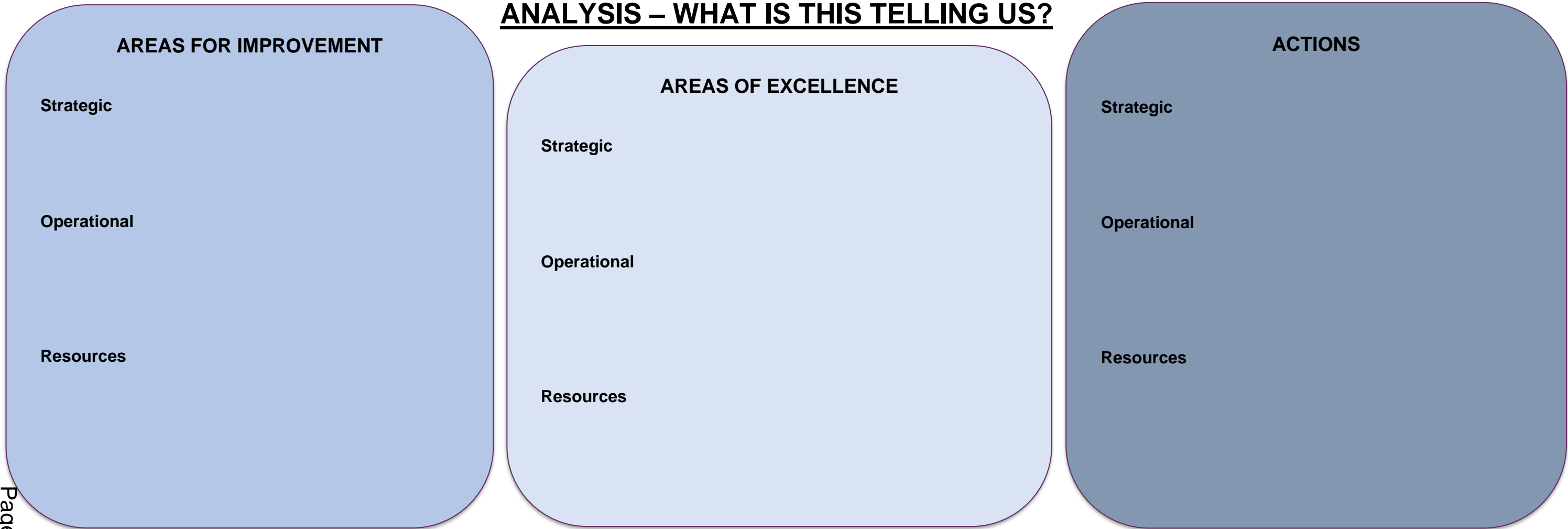
Evidence of impact (customers, customer profile, residents, employees others) Assessments, reviews, project findings, progress checks

- Early help (including rising number of families needing support; domestic abuse; children’s emotional health and wellbeing; lost learning)
- Mental health (from low level anxiety to crisis services, and complex individuals)

Geographic Impact

(Localities impact, LIoN data etc)

ANALYSIS – WHAT IS THIS TELLING US?



SUMMARY ANALYSIS OF CORPORATE POSITION

What is this telling us about how we are performing across Gateshead?

What will we be doing in response?

Future Direction of Travel and Expectations over next 6 months

Summary Statement

CREATE THE CONDITIONS FOR FAIR EMPLOYMENT AND GOOD WORK FOR ALL

WHAT DO WE WANT TO ACHIEVE? – OUR OUTCOMES –

All working age residents have access to good quality, sustainable work with decent pay and conditions

All people in low paid, low skilled jobs have opportunities to improve their skills base so they can more easily achieve personal progression and attain an improved standard of living

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HOW WILL WE ACHIEVE THIS? INTERVENTIONS & RESOURCES					OUR PERFORMANCE AND IMPACT									
Outcome	Intervention	On track	DoT	£	Strategic Performance	Baseline	Latest	Target	DoT	Operational Performance	Baseline	Latest	Target	DoT
All working age residents have access to good quality, sustainable work with decent pay and conditions	Intervention from Economic Strategy <ul style="list-style-type: none">• Visitor Economy• Green Economy• Digital Economy• Local Economy (Community Wealth Building) e.g. Delivery of Gateshead Quays development including Conference and Exhibition Centre Gateshead Town Centre Regeneration Masterplan Baseline to be developed including impact on the economy following Covid-19 pandemic LA7 Recovery Framework delivery including promotion of apprenticeships; Maximise potential of existing assets to build the future economy; support for SMEs; skills for the green economy	To be determined July 2021			Unemployment rate (consider break down e.g. youth; ethnicity; Long Term ill health etc) / Unemployment % (ONS Model Based Method) (Marmot)	To be agreed July 2021				People with learning disabilities in suitable accommodation and supported into paid employment (ASCOF 1E) <small>(Also in Ensure all maximise capabilities and control over lives)</small>	To be agreed July 2021			
					Individuals helped into work									
					Business Rates generated / safeguarded									
					Businesses supported									
					Jobs created / safeguarded									
					Inward investment success									
					Business expansion projects completed									
					Individuals moved closer to work									
					Start ups commenced trading									
					Additional measures to be identified from Economic Strategy development									
					Apprenticeships starts / completion									
					Apprenticeships at Gateshead Council / through apprenticeship levy transfer									
					Individuals supported (enterprise / employment)									
					No residents supported to take training or education (Housing indicator)									
					All people in low paid, low skilled jobs have opportunities to improve their skills base so they can more easily achieve personal progression and attain an improved standard of living									
Residents in higher skilled occupations (SOC 1-3)														
Inequality in life expectancy at birth for Males / Females (PHOU AO2a) (Marmot)														

Investment Strategy & Resources

21/22 Revenue		5 Yr Capital
Gross £000	Net £000	£000
3,655	1,241	99,322

Commissioned Spend: tbc
Assets: Asset Strategy Review
Employees 62.28 FTE tbc

Risks to Achievement rated after mitigation

- Failure to attract inward investment and deliver sustainable economic growth **Amber**
- The Council is hit by a Cyber-attack that compromises confidentiality, integrity & availability of information **Amber**
- Failure to address financial gap in the Council's budget & systems **Amber**
- Failure to address workforce planning and resourcing requirements impacting on service delivery **Green**

Qualitative Impact

Evidence of impact (customers, customer profile, residents, employees, others) Assessments, reviews, project findings, progress checks

- Poverty including: the impact on the economy following the Covid-19 pandemic

Geographic Impact (Localities impact, LloN data etc)

ANALYSIS – WHAT IS THIS TELLING US?

AREAS FOR IMPROVEMENT

Strategic

Operational

Resources

AREAS OF EXCELLENCE

Strategic

Operational

Resources

ACTIONS

Strategic

Operational

Resources

SUMMARY ANALYSIS OF CORPORATE POSITION

What is this telling us about how we are performing across Gateshead?

What will we be doing in response?

Future Direction of Travel and Expectations over next 6 months

Summary Statement

ENSURE A HEALTHY STANDARD OF LIVING FOR ALL, IN ACCORDANCE WITH INTERNATIONAL LAW ON ECONOMIC AND SOCIAL RIGHTS

WHAT DO WE WANT TO ACHIEVE? – OUR OUTCOMES –

All working age residents receive a living wage that considers the true cost of healthy living

Individuals & families are supported to have the best possible financial well-being to access debt and social welfare advice to maximise household income and improve financial management skills

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HOW WILL WE ACHIEVE THIS? INTERVENTIONS & RESOURCES					OUR PERFORMANCE AND IMPACT											
Outcome	Intervention	On track	DoT	£	Strategic Performance	Baseline	Latest	Target	DoT	Operational Performance	Baseline	Latest	Target	DoT		
All working age residents receive a living wage that considers the true cost of healthy living	Intervention from Economic Strategy				Households not reaching minimum income standards (%) (Marmot)	To be agreed July 2021				Measures to be developed through Economic Strategy	To be agreed July 2021					
	LA7 Recovery Framework - including job security and quality of employment				Proportion of residents suggested by Lion data to be vulnerable										Proportion of residents suggested by Lion data to be just coping	Residents supported through Local Council Tax Support scheme
Individuals and families are supported to have the best possible financial well-being to access debt and social welfare advice to maximise household income and improve financial management skills	Locality working development				% of population living in income inequality (measure from JSNA/ Lion)					Residents supported through Local Council Tax Support scheme						
	Delivery of LA7 Recovery Framework including enabling equitable access to services				Fuel poverty (Marmot)										No receiving Housing Benefit support	
					Households not reaching minimum income standards (%) (Marmot)										Overall homes Energy SAP rating	
					Gap in annual household income between highest and lowest										No of domestic properties supplied by District Energy Scheme	
					Proportion of population living below the national poverty line (SDG)										% tenants satisfied with the advice given on rent / debt	
					Measures around in work poverty e.g. Households in poverty where at least one member is in employment										% of current Council housing tenants in arrears (Customer profile tbc)	
					Baseline development – Poverty including impact on economy, role of hubs and need for advice and support										Council support to maximise household income tbc	
		Baseline development including rising number of families needing support	Local Hardship Grant Awards													
		Healthy Life expectancy at birth Female / Male (Years) (Marmot)	Households in Council Tax arrears													
	Affordable childcare is accessible to those who need it	Identification of issues to determine action required	Childcare places and costs	£ in debt managed by the Council												
			To be determined													

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Investment Strategy & Resources (tbc)

21/22 Revenue		5 Yr Capital
Gross £000	Net £000	£000
53,454	728	-

Commissioned spend: tbc
Assets: Asset Strategy Review
Employees: 58.93 FTE (tbc)

Risks to Achievement rated after mitigation

- Failure to attract inward investment and deliver sustainable economic growth **Amber**
- The Council is hit by a Cyber-attack that compromises confidentiality, integrity & availability of information **Amber**
- Failure to address financial gap in the Council's budget & systems **Amber**
- Failure to address workforce planning and resourcing requirements impacting on service delivery **Green**
- The implications of EU Exit potentially affecting the availability of Council's resources to deliver services which may impact on communities **Amber**
- Failure to manage demand and expectations could result in the Council not achieving its Thrive agenda **Amber**

Qualitative Impact

Evidence of impact (customers, customer profile, residents, employees, others) Assessments, reviews, project findings, progress checks

- Poverty (including: the impact on the economy, the role of hubs, the need for advice and support)
- Early help (including rising number of families needing support;

Geographic Impact (Localities impact, LIoN data etc)

ANALYSIS – WHAT IS THIS TELLING US?

AREAS FOR IMPROVEMENT

Strategic

Operational

Resources

AREAS OF EXCELLENCE

Strategic

Operational

Resources

ACTIONS

Strategic

Operational

Resources

SUMMARY ANALYSIS OF CORPORATE POSITION

What is this telling us about how we are performing across Gateshead?

What will we be doing in response?

Future Direction of Travel and Expectations over next 6 months

Summary Statement

CREATE AND DEVELOP HEALTHY AND SUSTAINABLE COMMUNITIES AND PLACES

- Local communities and social networks are strong
- Social connections are improved for groups in need
- All residents have access to a high quality, affordable, warm & energy efficient home

WHAT DO WE WANT TO ACHIEVE? – OUR OUTCOMES

- All communities have access to good quality natural environment
- Gateshead has low levels of crime & anti-social behaviour
- Gateshead has clean air with low levels of pollution
- Gateshead is carbon neutral by 2030

HOW WILL WE ACHIEVE THIS? - INTERVENTIONS AND RESOURCES					OUR PERFORMANCE AND IMPACT									
Outcome	Intervention	On track	Do	£	Strategic Performance	Baseline	Latest	Target	Do	Operational Performance	Baseline	Latest	Target	Do
Local communities and social networks are strong	Support development of quality community activities, prioritising neighbourhoods with greatest need, remove barriers to community participation & support people to be involved locally. Community Wealth building actions. Completion of workstream on locality working. LA7 Recovery Framework including social prescribing				% satisfaction with neighbourhood as a place to live	To be agreed July 2021				No Volunteers / volunteer hours	To be agreed July 2021			
Social connections are improved for groups in need					To be determined					No. supported through hubs Community asset development (to be determined)				
All residents have access to a high quality, affordable, warm and energy efficient home	Ensure provision of homes at the right number, type, quality and affordability, & choice of tenure, to meet current and future needs of all residents				No more than 3% of the Borough's total stock is void	To be agreed July 2021				% of vacant Council properties to let				
	Intervention through the Housing Strategy				No of new homes built against annual housing requirement					% of homes empty longer than 6 months				
	LA7 Recovery Framework including investing in sustainable housing				Proportion of new homes built that are affordable					% of households living in statutorily overcrowded accommodation				
	Promote low carbon housing development				% new homes and commercial properties that are zero carbon					Council tenant satisfaction with neighbourhood as a place to live				
	Improve insulation to Council owned properties and install low carbon heat and energy where feasible				% of Council homes that meet the Decent Homes Standard					Total number of empty properties				
All communities have access to good quality natural environment	Improve and invest in the local environment				Standard to be determined					% of inspections of sub-standard privately rented homes				
	Ensure communities are able to benefit from environment				Use of outdoor space for exercise tbc					Planning targets met				
	Increase woodland coverage by 250ha by 2050				To be determined					Overall SAP energy rating for Council homes				
Gateshead has clean air with low levels of pollution	Make Gateshead accessible to all, achieving a shift to sustainable forms of travel including LA7 Recovery Framework e.g. Active travel, rebuild public transport; evidence decarbonisation in local transport projects				Air quality in Gateshead Further measures to be determined					No of homes connected to District Energy Scheme				
	Increase Council use of low carbon vehicles				Healthy Life expectancy at birth Female / Male (Years) (Marmot)					Complaints about environment				
	Support agile working by expanding use of digital technology, minimise paper use and reduce the need for staff to travel									To be determined				
Gateshead has low levels of crime & anti-social behaviour	Promote community cohesion and the prevention of crime and anti-social behaviour.				Reduction in crime					Tree planting				
					Incidents of ASB reported					% increase No of electric rapid charge points				
Gateshead is carbon neutral by 2030	Actively support measures that deliver clean air and environmental improvements, including energy efficiency				Gateshead is carbon neutral by 2030					Council Fleet emissions				
	Implementation of Policy on Climate Change Emergency				Further measures to be developed					Reduce No of journeys made by employees by car				
	Continue to deliver low carbon heat and power via district heating networks									To be determined				
	Work with businesses to help take green economy opportunities and reduce carbon/environmental footprint									(% increase in household waste recycled - Measures from Government Waste Strategy TBC)				
	Ensure goods and services procured by the Council are compatible with our Climate Emergency commitments				Reduce emissions associated with council activities to net zero by 2030					Achieve 100% clean energy across the Council's full range of functions by 2030				

Investment Strategy & Resources

21/22 Revenue		5 Yr Capital
Gross £000	Net £000	£000
147,547	24,090	148,840

Commissioned Spend: tbc
Assets: Asset Strategy Review
Employees 1256.8FTE (tbc)

Risks to Achievement rated after mitigation

- Failure to address financial gap in the Council's budget & systems **Amber**
- Failure to address workforce planning and resourcing requirements impacting on service delivery **Green**
- Failure to provide a response during major incident impact on ability to deliver critical services or impact on a community. **Green**
- The implications of EU Exit potentially affecting availability of Council resources to deliver services which may impact on communities **Amber**
- Failure to manage demand and expectations could result in the Council not achieving its Thrive agenda **Amber**
- Failure to comply with the housing regulatory standards applicable to local authorities. **Red**

Qualitative Impact

Evidence of impact (customers, customer profile, residents, employees, others) Assessments, reviews, project findings, progress checks

Geographic Impact

(Localities impact, LIoN data etc)

ANALYSIS – WHAT IS THIS TELLING US?

AREAS FOR IMPROVEMENT

Strategic

Operational

Resources

AREAS OF EXCELLENCE

Strategic

Operational

Resources

ACTIONS

Strategic

Operational

Resources

SUMMARY ANALYSIS OF CORPORATE POSITION

What is this telling us about how we are performing across Gateshead?

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Future Direction of Travel and Expectations over next 6 months

Summary Statement

STRENGTHEN THE ROLE AND IMPACT OF ILL HEALTH PREVENTION

WHAT DO WE WANT TO ACHIEVE? – OUR OUTCOMES –

All preventable ill health in Gateshead is reduced, to end the gap in inequalities within the borough

No-one will be homeless or living in accommodation that does not provide a safe and healthy environment

HOW WILL WE ACHIEVE THIS? INTERVENTIONS AND RESOURCES					OUR PERFORMANCE AND IMPACT										
Outcome	Intervention	On track	DoT	£	Strategic Performance	Baseline	Latest	Target	DoT	Operational Performance	Baseline	Latest	Target	DoT	
All preventable ill health in Gateshead is reduced, to end the gap in inequalities within the borough	Health and Wellbeing Review (Leisure, Libraries, Culture Budget Implementation) Baseline development including Covid impact; LA 7 Recovery Framework including a focus on social determinants of health; Accelerate preventative programmes; Deliver Community Asset-Based approaches as a core principle; Learn lessons from the pandemic; Embed health inequalities within, wider public services & recovery plans				Inequality in life expectancy at birth for Males / Females (PHOU AO2a) (Marmot)	To be agreed July 2021				Baseline will inform future measures				To be agreed July 2021	
					Healthy Life expectancy at birth Female / Male (Years) (Marmot)										
					Life Expectancy at birth – Male / Female (Years) (Marmot)										
					Baseline indicators Mental Health (from low level anxiety to MH crisis services & complex individuals)										
					Baseline indicators on Health behaviours (smoking, alcohol, substance misuse, physical activity/diet; long-term impact on NHS of delayed treatment)										
No-one will be homeless or living in accommodation that does not provide a safe and healthy environment	Housing Strategy interventions				Total households owed a duty who were sleeping rough at time of application					Homelessness: Number of families with children placed in bed & breakfasts/hotels					
					Total households assessed as owed a duty (Matches H-CLIC Statutory Return terminology)										
	Social Care interventions				Homelessness: Number of households placed in bed & breakfasts/hotels										Homes having a category 1 hazard from which, as a direct result of Council intervention, Category 1 Hazards have been removed
	% of homes in the Borough with a category 1 hazard				% of council dwellings with a valid gas safety certificate										
	All residents will be able to access flexible health & care support when & where they need it				Adult Social Care interventions Adult Social Care Budget implementation Baseline development										
Baseline indicators on Frailty and end of life (caring responsibilities, loss of independence for vulnerable people, shielding; grieving)		No of people accessing Supporting Independence Service, helping them to be independent for longer													

Investment Strategy & Resources

21/22 Revenue		5 Yr Capital
Gross £000	Net £000	£000
26,578	19,762	37,229

Commissioned Spend: tbc
Assets: Asset Strategy Review
Employees: 248.1 FTE (tbc)

Risks to Achievement rated after mitigation

- Failure to safeguard vulnerable children & adults **Amber**
- Non-compliance with statutory requirements resulting in prosecution & penalties **Amber**
- Council suffers Cyber-attack that compromises confidentiality, integrity & availability of information **Amber**
- Failure to manage demand & expectations could result in the Council not achieving Thrive agenda **Amber**
- Failure to address financial gap in the Council's budget & systems **Amber**
- Failure to address workforce planning & resourcing requirements impacting on service delivery **Green**
- Failure to provide a response during a major incident impacting on ability to deliver critical services or an impact on a community. **Green**
- Failure to comply with the housing regulatory standards applicable to local authorities. **Red**

Qualitative Impact

Evidence of impact (customers, customer profile, residents, employees others) Assessments, reviews, project findings, progress checks

- Mental health (from low level anxiety to MH crisis services, and complex individuals)
- Health behaviours (smoking, alcohol, substance misuse, physical activity/diet; the long-term impact on the NHS of delayed treatment)
- Frailty and end of life (caring responsibilities, loss of independence for vulnerable people, shielding; grieving)

Geographic Impact (Localities impact, LIoN data etc)

ANALYSIS – WHAT IS THIS TELLING US?

AREAS FOR IMPROVEMENT

Strategic

Operational

Resources

AREAS OF EXCELLENCE

Strategic

Operational

Resources

ACTIONS

Strategic

Operational

Resources

SUMMARY ANALYSIS OF CORPORATE POSITION

What is this telling us about how we are performing across Gateshead?

What will we be doing in response?

Future Direction of Travel and Expectations over next 6 months

Summary Statement

EMPLOYEES

- Employee satisfaction – Gateshead Council a great place to work
- Diverse & inclusive workforce & Council's Equalities Framework (being revised 2022)
- Maximising Employee Potential – opportunities to learn, develop and aid succession planning

	Previous	Latest	Tolerance	DoT
Employees resigning				
Employee Absence FTE days	11.4	11.9		
Reasons breakdown				
Agency costs				
Employee survey – Gateshead Council a good place to work	64%	73%		
No of Apprenticeships / Apprenticeship levy % spend (including transfer)				
% employees with access to an agile working device				
% of employees working away from council buildings (or in an agile manner)				
% employees completed GDPR training				
Equalities Profile	Consider protected characteristics		-	

CUSTOMER EXPERIENCE

- Thrive – reduce the number of residents vulnerable or just coping
- Residents satisfaction with Gateshead and Gateshead Council
- Improved customer experience through better contact with the Council (right first time)

	Previous	Latest	Tolerance	DoT
Thrive - Just coping LloN data (tbc)				
Thrive – Vulnerable LloN data (tbc)				
% residents satisfied with Gateshead as a place to live (gap between localities - tbc)	75%	64%		
% satisfied with the Council				
Commission Happiness Survey e.g. UN happiness survey				
No of stage 3 corporate complaints upheld				
No of complaints upheld by the Local Government Ombudsman				
% Increase in online transactions (breakdown)				
% births registered within 5 days				
£ Increase in online payments	£18.48m	£21.26m		
Hubs – Requests for support		7,500		
Telephony contact				

Ensuring the organisation is in the best position to deliver Council Priorities

FINANCE, GOVERNANCE & RISK

- Capital Budget, Revenue Budget, HRA; Levels of and use of Reserves; Income receive
- Council's approach to Risk; Trading Companies

	Previous	Latest	Tolerance	DoT
Revenue Budget position				
Budget Savings delivered				
CIPFA measures LA sustainability (tbc)				
Asset Review on track – milestones met				
% of Council spend with local organisations				
% Invoices paid on time				
% of Council Tax collected	95.7%	95.9%		
% Business Rates collected	98%	97.5%		
Council Tax Support - Claimants (Applications)		23.6%		
% of social housing rent collected				
Business (Total Grant Relief) - % of Value Paid				
Services for schools business levels				
No of data breaches reported				
Health and Safety near miss / hazard reports				
Strategic/ Operational Risk Register red risks after mitigation				
Audit High Risk recommendations still outstanding				

EXTERNAL ASSESSMENT

External Audit; Regulators Assessment (Ofsted, CQC, Housing); Compliance; Partners

	Previous	Latest	Tolerance	DoT
CQC Domiciliary Care & Prime	Good	Good		
Ofsted NE Adoption	Good	Good		
Ofsted Learning Skills	Good	Good		
Ofsted Children's Social Care Services	Good	Good		
Osted SEND (Narrative assessment)	Significant strengths, No areas for priority action	Strong & effective support provided		
External Audit (Mazars)				
Regulator of Social Housing Consumer Standards (domains to be identified)				
Housing Health & Safety Compliance (New White Paper)				
ISO50 Environmental Standard met	Comply	Comply		
HSE Enforcement Actions				
Council working in partnership (Survey VCS; Private and Public sector partners)				

Key Tolerance Key

Achieving or exceeding target

Underachieving within 5%

Underachieving over 5%



EMPLOYEES

Areas of Excellence

Areas of Identified Improvement

CUSTOMER EXPERIENCE

Areas of Excellence

Areas of Identified Improvement

FINANCE, AUDIT & RISK

Areas of Excellence

Areas of Identified Improvement

EXTERNAL ASSESSMENT

Areas of Excellence

Areas of Identified Improvement

WHAT IS THIS TELLING US? ANALYSIS OF CORPORATE POSITION AND ABILITY TO DELIVER PRIORITIES



COUNCIL MEETING

27 May 2021

CHARGING AND FINANCIAL ASSESSMENT FOR ADULT CARE AND SUPPORT SERVICES

Sheena Ramsey, Chief Executive

EXECUTIVE SUMMARY

1. The purpose of this report is to seek approval of the changes to policy on Charging and Financial Assessment for Adult Care and Support Services.
2. In January 2021 Cabinet approved to consult on a policy change and the outcome of that consultation has informed the proposed policy. It is proposed that the change for Charging and Financial Assessment for Adult Care and Support Services be implemented with effect from 1 June 2021.
3. The Cabinet has considered the facts and issues arising from the report including alternative options and took all relevant advice before formulating their recommendation.

RECOMMENDATION

4. It is recommended that Council approves the proposed policy change for Charging and Financial Assessment for Adult Care and Support Services.

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TITLE OF REPORT: Charging and Financial Assessment for Adult Care and Support Services

REPORT OF: Caroline O'Neill, Strategic Director, Children's, Adult's and Families

Purpose of the Report

1. Cabinet is requested to recommend to Council that the changes to policy on Charging and Financial Assessment for Adult Care and Support Services be implemented following consultation.

Background

2. The Care Act 2014 and the regulations made under it provide a legal framework for charging for care and support. It enables the Council to decide whether or not to charge an adult when it is arranging to meet an adult's care and support needs or a carer's support needs.
3. The charging policy provides a transparent, consistent and fair framework for the Council to use when assessing an individual's ability to pay towards any social care services they are assessed to receive. The actual charges for Adult Social Care Services are reviewed annually and are defined in the Council's Fees and Charges Report. The Policy was last updated in 2018, when the Disability Related Expenditure allowance was reduced from £15 to £10, and a range of other measures were enacted (charging for two carers, and removal of the overall cap on charges for community care packages).

4. This policy included a key change to the current charging policy:

To replace the automatic Disability Related Expenditure (DRE) allowance, which is to cover additional expenditure an adult may have due to their disability, and is currently set at £10, with the offer of an individual assessment of disability related expenditure. This change is in keeping with the Thrive agenda, as this will allow the service to ensure that those people who need an allowance the most (either through financial hardship or as a result of costs associated with their disability) are given one, as opposed to a blanket approach which saw some people receiving an allowance that they did not require.

5. Cabinet received a report on 19 January 2021 requesting approval to consult on a policy change in respect of Charging and Financial Assessment for Adult Care and Support Services. The outcome of this consultation has informed the proposed policy.

Proposal

6. The proposed policy change for Charging and Financial Assessment for Adult Care and Support Services is implemented with effect 1 June 2021.

7. It is proposed that we manage the change in a measured way so that in 2021/22 the automatic DRE will be £5 and in 2022/23 it will change to £0 but this change will happen automatically and will not be subject to a new consultation exercise. This will give an opportunity to understand the wider financial implications of the removal of £5 of the £10 allowance and balance additional costs with anticipated savings. Should it be evidenced that reducing the allowance has an adverse impact on either residents or costs more in terms of processing than it will raise, the option would be available to reverse this decision.

Recommendations

8. Cabinet is requested to recommend that Council approves the proposed policy change for Charging and Financial Assessment for Adult Care and Support Services.

For the following reasons:

- (i) To meet the statutory requirements of the Care Act 2014 and the regulations made under it.
- (ii) To provide a transparent, consistent and fair framework for the provision for charging and financial assessment for all adults receiving care and support services and is in line with the Thrive agenda and ethos.

Policy Context

1. The Care Act 2014, which provides a legal framework for charging for Adult Social Care:
 - Section 14 of the Care Act provides Local Authorities with the power to ask adults to make a contribution for the cost of their social care.
 - Section 17 of the Care Act allows Local Authorities to carry out a financial assessment to determine the amount a customer can afford to contribute towards the care services they receive.
2. The policy has been designed in line with Care and Support Regulation (Statutory Instruments) and Care and Support Guidance and Annexes issued under the Care Act 2014.
3. This update on the charging regime will support the aspirations set out in Thrive agenda, allowing the service to ensure that those people who need an allowance the most (either through financial hardship or as a result of costs associated with their disability) are given one, as opposed to a blanket approach which saw some people receiving an allowance that they did not require.

Background

4. The Council's, Adult Social Care provides a range of services for vulnerable people but is reliant on income from charges to help pay for them. Without this income, service levels could not be maintained.
5. The Council charges for services as, any authority, which recovers less revenue than its discretionary powers allow, is placing an extra burden on its population or is foregoing resources, which could be used to the benefit of the service.
6. This policy aims to be a transparent, consistent and fair framework for charging and financial assessment for all adults that receive care and support services, following an assessment of their needs and taking account of their individual financial circumstances.
7. Charges for care services are reviewed annually and are defined in the Adult Social Care Fees and Charges Schedule.
8. This proposal includes some key changes to the current charging policy:

To replace the automatic Disability Related Expenditure (DRE) allowance, which is to cover additional expenditure an adult may have due to their disability, and is currently set at £10, with the offer of an individual assessment of disability related expenditure.
9. There are circa 1500 clients who have a DRE allowance in their financial assessment.
10. Of these circa 200 full cost clients are unlikely to be impacted, leaving 1300 clients who may be impacted (including some who are currently nil charge).
11. The amount an adult is required to contribute towards the cost of their care is based on an assessment of ability to pay and therefore any increases in contributions will be limited to their assessable amount.

12. These changes can be implemented at the same time as the annual financial assessment uplift. There are concerns regarding the ongoing costs and wider financial impacts of the proposal (due to increased Financial Assessment officer time) should many clients request an individual assessment of their Disability Related Expenditure, and therefore how these costs will impact on the overall saving that can be achieved.
13. It is proposed that we mitigate the change so that in 2021/22 the automatic DRE will be £5 and in 2022/23 it will change to £0 but will not require a new consultation exercise. This will give an opportunity to understand the wider financial implications of the removal of £5 of the £10 allowance and balance additional costs with anticipated savings. Should it be evidenced that reducing the allowance has an adverse impact on either residents or costs more in terms of processing than it will raise, the option would be available to reverse this decision.
14. By removing the £10 DRE, there could be an increase of income of circa £8.5k per week (circa £440k per annum), without taking into consideration the costs of additional assessments, and the cost of the individual DRE's that would be allowed. A change to £5 per week would raise circa £200k per annum, with the same caveats.
15. Analysis has been undertaken with the following LA's:
 - Durham – do not have an automatic DRE allowance
 - Newcastle – currently have an automatic DRE of £5 which will be removed from 1 April 2021 as part of Budget proposals
 - North Tyneside – do not have an automatic DRE allowance
 - Northumberland – have a tiered structure for DRE allowance
 - South Tyneside – have a tiered structure for DRE allowance
 - Sunderland – do not have an automatic DRE allowance

Consultation

16. Consultation on the policy and the proposed changes took place between 20 January 2021 and 18 March 2021.
17. As would be anticipated, there were a range of responses to this proposal. Some people vehemently oppose it, citing that it is an attack on the most vulnerable in society, and that the Council should lobby the Government to receive more money and 'fight budget cuts'.
18. Some responses indicated that people were more comfortable with the proposal, if it was made clear to people that they can request an individual assessment.
19. Some comments made reference to means testing, which is already a key component of the financial assessment, and the principle that nobody is asked to pay more than they can afford to.
20. Some people agreed with the removal of the automatic disregard, (including some who attended the sessions for people who are going to be directly affected), with some commenting that clients should be charged more for PPE and that the Council should make sure benefit fraud is ceased.

21. Acknowledging that this is quite a technical area of legislation and policy, some comments reflected that people hadn't fully appreciated the proposal or its implications. However, of those people who attended the Teams Lives sessions, no concerns were raised regarding the clarity of the information shared, and comments were received thanking the presenters.
22. Nobody put forward a realistic alternative as to how the proposed saving (£250k) could be achieved elsewhere.
23. Overall, there was a strong sense that fairness should be intrinsic within the policy.
24. A range of consultation exercises have been undertaken in respect of this proposal:
 - Gateshead Council Budget Consultation
 - 2 x VCS leaders ASC Budget Consultation sessions
 - Gateshead Health and Care System Consultation session
 - 2 x Public Teams Live sessions with people affected/their representatives
 - Email/paper form/phone line consultation with people affected/their representatives
25. The Cabinet Members for Adult Social Care have been consulted.
26. A summary of responses can be found in appendix 2.

Alternative Options

27. The alternative option would be to continue with the current charging policy and not introduce any of the proposed changes but this not bring us in line with the position applied by most other local councils to assist in the ability to continue to provide services to those that need them most, and would be contrary to the Thrive Agenda.

Implications of Recommended Option

28. Resources:

- a) **Financial Implications** – The Strategic Director, Resources and Digital confirms that the financial implications are as follows:
 - (i) By removing the £10 DRE, there could be an increase of income of circa £8.5k per week (circa £440k per annum), without taking into consideration the costs of additional assessments, and the cost of the individual DRE's that would be allowed. A change to £5 per week would raise circa £200k per annum, with the same caveats.
 - (ii) There are concerns regarding the ongoing costs and wider financial impacts of the proposal due to increased Financial Assessment officer time should many clients request an individual assessment of their Disability Related Expenditure, and therefore how these costs will impact on the overall saving that can be achieved. It is proposed that we mitigate the change so that in 2021/22 the automatic DRE will be £5 and in 2022/23 it will change to £0 but will not require a new consultation exercise. This will give an opportunity to understand the wider financial implications of the removal of £5 of the £10 allowance and balance additional costs with anticipated savings. Should it be evidenced that reducing the allowance has an adverse impact on either residents or costs more in terms of processing than it will raise, the option would be available to reverse this decision

b) **Human Resources Implications** - There are no human resource implications directly arising from this report

c) **Property Implications** - There are no property implications directly arising from this report

29. **Risk Management Implication** – Consultation has mitigated the risk of legal challenge and the ability to change the policy as proposed. However, we would like to raise an associated further issue regarding the implications of a recent Court Case with respect to social care charges. The case (R (SH) v Norfolk County Council & Anor [2020] EWHC 3436 (Admin)) raised issues with respect to Norfolk County Council's decision to take into account the full enhanced rate of Personal Independence Payment (PIP) benefit as income available from which social care charges can be paid, leaving the service user with only a protected amount (the Minimum Income Guarantee or MIG) free from charges. This approach was found to be discriminatory in that it had a disproportionate impact on severely disabled people. Gateshead Council is currently considering the implications of this judgement. However, Gateshead Council considers that it is in a different position to Norfolk County Council in that its Charging Policy enables a Review to be undertaken where a service user considers it is not 'reasonably practical' for them to pay the assessed charges. Thus, where concerns such as those identified in the Norfolk case are raised, a mechanism already exists (via the Review process) which allows for the person's charging decision to be re-visited with a view to ensuring that the person in question is charged fairly and lawfully.
30. **Equality and Diversity Implications** – As this proposal impacts on people with a protected characteristic, disabilities, an integrated impact assessment has been developed by the service and revised following the consultation and engagement with public and service users. This is attached as appendix. 3.
31. **Crime and Disorder Implications** - None
32. **Health Implications** – contributions would be based on a person's ability to pay and are only levied following a full financial assessment. As such, charging has a limited negative effect on people's health and well-being
33. **Climate Emergency and Sustainability Implications** - None
34. **Human Rights Implications** - None
35. **Ward Implications** - the report relates to a policy which has a borough wide impact.
36. **Background Information**

Care Act 2014
Equalities Impact Assessment

Consultation:

1. Consultation on the proposed changes to the policy took place between 19th January 2021 and 18th March 2021. A range of consultation exercises have been undertaken in respect of this proposal:
 - Gateshead Council Budget Consultation
 - 2 x VCS leaders ASC Budget Consultation sessions
 - Gateshead Health and Care System Consultation session
 - 2 x Public Teams Live sessions with people affected/their representatives
 - Email/paper form/phone line consultation with people affected/their representatives
2. There were 19 respondents to the Council wide budget consultation exercise in relation to the Client Income Review proposal.
3. A range of views were expressed. Some respondents were supportive of this proposal and the potential to reduce costs, with 2 agreeing and a further 5 supportive of a means tested approach which is already a key component of the financial assessment, and the principle that nobody is asked to pay more than they can afford.
4. Some expressed concerns that it may impact on the level of care provided and needs may not be fully met.
5. One detailed response raised a question of whether the policy is discriminatory for severely disabled adults who are unable to work and reference the recent Norfolk County Council case which is referred to in the Cabinet paper.
6. Two written responses were received from VCS partners, recognising that whilst no one will be asked to pay more than they can afford, concerns were raised that this could cause hardship for some and suggested that the right to have individual assessments should be widely publicised.
7. 70 responses were received in total from those clients/representatives who may be directly affected by the proposals, this includes people who attended the live consultation sessions, and written responses. Not all respondents commented, and some of these were queries around how this would affect them personally and some did not understand the letter.

Disagreed	45	64%
Agreed	13	19%
Not Applicable	12	17%

8. The majority of the comments received were in disagreement of the proposed changes, the most frequent being concerns around the most 'disadvantaged' and 'vulnerable' members of Gateshead being penalised to 'balance the Councils budget'.
9. Others disputed that offering individual assessments would likely cost the Council more in the long term.

10. There were concerns that removing the Disability Related Expenditure was going to put people into financial difficulty especially due to other costs of living increases including Council tax.
11. Of the people who agreed with the proposal there was a consensus that the allowance should be based on 'individual circumstances' however the Council should be 'open' and 'clear' that an individual assessment can be requested.



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INTEGRATED IMPACT ASSESSMENT TEMPLATE

Title of proposal: Review Client Income (Charging, Remove Disability Related Expenditure (DRE) to zero. This proposal is to review the way in which Adult Social Care client charges are calculated, removing the automatic Disability Related Expenditure allowance. This is currently set at £10. Increases in meal and care call charges are not subject to an impact assessment as they will be in line with expected inflation rises. This will be agreed as part of the 2021-22 Fees and Charges report into Cabinet	Age	Race	Sex	Gender reassignment	Disability	Religion or Belief	Pregnancy and Maternity	Sexual Orientation	Marriage and Civil Partnership	Description of potential mitigation
Equality impact: (✓ all that apply. The assessment should also consider impact on council employees and carers where applicable) As care services are provided for people who have care and support needs, arising from a disability and/or age related frailty, then it is specifically	x				x					People will still be able to request an individual consideration of their Disability Related Expenditure. Under the National charging framework,



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INTEGRATED IMPACT ASSESSMENT TEMPLATE

people with these protected characteristics who will be impacted by this proposal.										nobody is asked to pay more than they can afford to pay. Most other LA's in the NE have already removed any automatic DRE allowance.
Health impact: (eg physical, mental health, wellbeing, substance misuse) From a health and wellbeing perspective, adults with social care needs will still receive support. Some people may choose to terminate their service if they feel the increase in contribution is too high. We will work with individuals to understand their specific circumstances.										
Socio Economic impact: (eg neighbourhood, ward, area of deprivation, household group, income, wealth) There will be a socio-economic impact on costs to service users as payment towards care costs would increase through removal of the £10 allowance for Disability Related Expenditure.										This increase of £10 would be kept within the Minimum Income Guarantee so services users would not be paying more than they can afford.
Environmental impact: (does the proposal impact on climate change and the Council's commitment to be carbon neutral by 2030?) None										



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INTEGRATED IMPACT ASSESSMENT TEMPLATE

<p>Cumulative impact: (consider impact based on successive budgetary decisions relating to the proposal or is the proposal part of wider budgetary considerations that may collectively have an impact on service users, and is potentially at odds with the Thrive agenda)</p> <p>Adult social care services have previously been subject to budget decisions which have altered, removed or reduced service provision. We need to be mindful of the cumulative impact on our service users when consulting and engaging on this proposal.</p> <p>The automatically applied standard allowance for Disability Related Expenditure was previously reduced by Gateshead Council in 2019-20 budget proposals. At this time it reduced from £15 to the current amount of £10.</p>	
<p>Summary of consultation/data/research undertaken to inform the assessment: (eg feedback and engagement with service users, trade unions, employees, partners, public, benchmarking, case studies)</p> <p>High level consultation plan:</p> <ul style="list-style-type: none"> • Gateshead Council Budget Consultation (Jan – Feb) • 2 x VCS leaders ASC Budget Consultation sessions (Feb) • Gateshead Health and Care System Consultation session • 2 x Public Teams Live sessions with people affected/their representatives (March) 	



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INTEGRATED IMPACT ASSESSMENT TEMPLATE

- Email/paper form/phone line consultation with people affected/their representatives (March)

Consultation Feedback:

There were 19 respondents to the Council wide budget consultation exercise in relation to the Client Income Review proposal. A range of views were expressed. Some respondents were supportive of this proposal and the potential to reduce costs, with 2 agreeing and a further 5 supportive of a means tested which is already a key component of the financial assessment, and the principle that nobody is asked to pay more than they can afford. Some comments were around the implications on individuals 'Consider the implications on service users and whether personal income would cope with increases. Perhaps means tested approach as well as bespoke assessments', 'Consider the implications on service users and whether personal income would cope with increases. Perhaps means tested approach as well as bespoke assessments.' Some expressed concerns that it may impact on the level of care provided and needs may not be fully met.

One detailed response raised a question of whether the policy is discriminatory for severely disabled adults who are unable to work and reference the recent Norfolk County Council case which is referred to in the Cabinet paper.

Two written responses were received from VCS partners, recognising that whilst no one will be asked to pay more than they can afford, concerns were raised that this could cause hardship for some and suggested that the right to have individual assessments should be widely publicised. Some questions were received in relation to unpaid carers, inequalities and supporting transitions at the online session on 5th February, attendees were happy with assurances given.

70 responses were received in total from those clients/representatives who may be directly affected by the proposals, this includes people who attended the live consultation sessions, and written responses. Not all respondents commented, and some of these were queries around how this would affect them personally and some did not understand the letter.

Disagreed	45	64%
Agreed	13	19%
Not Applicable	12	17%

The majority of the comments received were in disagreement of the proposed changes, the most frequent being concerns around the most 'disadvantaged' and 'vulnerable' members of Gateshead being penalised to 'balance the Councils budget'. Others disputed that offering individual assessments would likely cost the Council more in the long term. There were concerns that removing the Disability Related Expenditure was going



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INTEGRATED IMPACT ASSESSMENT TEMPLATE

to put people into financial difficulty especially due to other costs of living increases including Council tax.

Of the people who agreed with the proposal there was a consensus that the allowance should be based on 'individual circumstances' however the Council should be 'open' and 'clear' that an individual assessment can be requested.

Signed: (completing officer) Karen Buckham – Development and Improvement Manager

Date: 11/05/2021

Service Director: (approved) Steph Downey

Date: 11/05/2021

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COUNCIL MEETING

27 May 2021

PROPOSALS FOR CORPORATE PARENTING ARRANGEMENTS

Sheena Ramsey, Chief Executive

EXECUTIVE SUMMARY

1. The purpose of this report is to seek approval to implement a Corporate Parenting Board.
2. It is proposed that a new collaborative body is established of a similar nature to the Corporate Parenting Boards seen in other high-performing authorities.
3. The Cabinet has considered the facts and issues arising from the report including alternative options and took all relevant advice before formulating their recommendation.

RECOMMENDATION

4. It is recommended that Council:
 - (i) Agree to dissolve the Corporate Parenting OSC Sub-Committee and for scrutiny of the Council's Corporate Parenting role to be placed specifically within the remit of the Families OSC, with agenda items relating to the Corporate Parenting role prioritised within specific meetings in its work programme.
 - (ii) Endorse the proposal to develop a robust relationship between the Board, Overview and Scrutiny and the Corporate Partnership group to pursue continual improvement in the delivery of the Council's Corporate Parenting Strategy, including applying the learning from other local authorities.
 - (iii) Endorse the proposal that there should be regular mandatory training for all elected members in relation to the Council's Corporate Parenting role.

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TITLE OF REPORT: **Proposals for Corporate Parenting Arrangements**

REPORT OF: **Caroline O'Neill, Strategic Director, Children, Adults and Families**

Purpose of the Report

1. To seek Cabinet approval for the proposal to implement a Corporate Parenting Board.

Background

2. This report provides an overview of the current corporate parenting approach in Gateshead and highlights some options for consideration to strengthen arrangements, referencing best practice from other high performing authorities.
3. For the purposes of this report the local authorities considered have Corporate Parenting Boards/Panels which is the comparator to Gateshead's Overview and Scrutiny (OSC) Corporate Parenting Sub Committee as Gateshead do not currently have a Corporate Parenting Board/Panel of a similar nature.

Proposal

4. Gateshead does not currently have a stand-alone Corporate Parenting Board. While both the Corporate Parenting OSC Sub-Committee and the Corporate Parenting Partnership Group fulfil some of these responsibilities to a degree, they do not provide the same focus and breadth of engagement of senior representatives at a strategic level, with some important partners absent.
5. Therefore, going forward it is considered that a new collaborative body is established of a similar nature to the Corporate Parenting Boards seen in other high-performing authorities. Representation at such a Board needs to be reflective of the wider council as well as other relevant agencies: Elected Members, Strategic Leads, Operational Leads and representatives from Care Leavers Council should be nominated and consideration needs to be given to the inclusion of and attendance by children and young people.
6. This model will allow for the Corporate Parenting agenda to remain 'live' and be dynamic: most importantly it provides a mechanism to ensure the views of children looked after and young people are acted on. An improved synchronicity of the Corporate Parenting Board and Corporate Parenting Partnership Group would also allow the OSC to hold the partnership group to account via scrutiny of relevant partnership plans / work to deliver each of the seven key corporate parenting principles.

7. Given all of the above, consideration also needs to be given as to whether there is a need to continue with a separate Corporate Parenting Overview and Scrutiny Sub Committee or whether scrutiny of the Council's role as Corporate Parent can be effectively performed by the main scrutiny Committee the Families OSC.
8. Cabinet will be aware that as a result of the Covid -19 pandemic and resource / capacity issues for Council services, meetings of Overview and Scrutiny Committees have had to be significantly reduced. As such the Corporate Parenting Overview and Scrutiny Sub Committee has not met for the past twelve months and scrutiny of work relating to Looked After Children and Care Leavers has therefore, of necessity, been carried out by the Families OSC (of which Corporate Parenting OSC is a Sub Committee) from which its councillor membership is drawn.
9. Should the option of establishing a separate Corporate Parenting Board be considered the most appropriate way forward, the intention would be to build on the arrangements put in place over the last year with Families OSC with a view to establishing within its remit clear terms of reference for scrutinising the Board, Partnership Group and delivery of the Corporate Parenting Strategy/ Delivery Plan, instead of this role being carried out via the current Sub-Committee. Agenda setting could also prioritise work in relation to scrutiny of the Corporate Parenting role at specific meetings to ensure it retains the high level of profile required by the Council and there would be scope to expand the membership / co-opt additional external members as deemed appropriate.

Recommendations

10. Cabinet is asked to:

- (i) Endorse the proposal to redesign the current corporate parenting governance structure and introduce a Corporate Parenting Panel/Board with an internal and external partnership membership (details of membership of the Board to be agreed by Cabinet at a future meeting).

and recommend Council to:

- (ii) Agree to dissolve the Corporate Parenting OSC Sub-Committee and for scrutiny of the Council's Corporate Parenting role to be placed specifically within the remit of the Families OSC, with agenda items relating to the Corporate Parenting role prioritised within specific meetings in its work programme.
- (iii) Endorse the proposal to develop a robust relationship between the Board, Overview and Scrutiny and the Corporate Partnership group to pursue continual improvement in the delivery of the Council's Corporate Parenting Strategy, including applying the learning from other local authorities.
- (iv) Endorse the proposal that there should be regular mandatory training for all elected members in relation to the Council's Corporate Parenting role.

For the following reasons:

- (i) To ensure that the Council meets its statutory responsibilities.
- (ii) To ensure that the Council has a robust and strong governance arrangement to scrutinise their corporate responsibilities for Looked After Children.

CONTACT: Andrea Houlahan

extension: 2782

Policy Context

1. This proposal supports the Council's strategic approach of Making Gateshead a Place Where Everyone Thrives.

Background

What is Corporate Parenting?

2. Corporate parenting operates at strategic, operational and individual levels. It has three key elements:
 - A statutory duty, detailed in the Children Act 1989 and the Children and Social Work Act 2017, on all parts of a local authority to co-operate in promoting the welfare of children and young people looked after, and a duty on other partners and agencies to co-operate in fulfilling that duty.
 - Co-ordinating the activities of the many different professionals and carers who are involved in a child or young person's life and taking a strategic, child centred approach to the delivery of services.
 - Shifting the emphasis from "corporate" to "parenting", making sure our moral and statutory responsibilities towards children looked after and care leavers are being fulfilled.

Legislative Framework

3. Local authorities must have regard to the seven needs identified in the Children and Social Work Act when exercising their functions in relation to children looked-after and care leavers as set out in the statutory guidance.

What are the Corporate Parenting Principles?

4. The guidance is designed to help consider the kinds of services that may be offered when having regard to the corporate parenting principles. It is not intended to be prescriptive about what must be offered. It is expected, however, that services respond to the individual needs of looked after children and care leavers when they exercise their functions in relation to these children and young people.
5. In order to thrive, children and young people have certain key needs that good parents generally meet. The corporate parenting principles set out seven principles that local authorities must have regard to when exercising their functions in relation to looked after children and young people, as follows:
 - To act in the best interests, and promote the physical and mental health and well-being, of those children and young people.
 - To encourage those children and young people to express their views, wishes and feelings.
 - To take into account the views, wishes and feelings of those children and young people.

- To help those children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners.
- To promote high aspirations, and seek to secure the best outcomes, for those children and young people.
- For those children and young people to be safe, and for stability in their home lives, relationships and education or work.
- To prepare those children and young people for adulthood and independent living.

(Applying corporate parenting principles to looked-after children and care leavers. Statutory guidance for local authorities (February 2018))

<https://www.gov.uk/government/publications/applying-corporate-parenting-principles-to-looked-after-children-and-care-leavers>

Local Offer for Care Leavers (February 2018)

6. The Children and Social Work Act 2017 requires each local authority to consult on and publish a local offer for its care leavers. The local offer should provide information about all the services and support that is available to care leavers from the local authority), including information about both their statutory entitlements as well as any discretionary support that a local authority chooses to provide.

Local offer guidance: Guidance for local authorities (February 2017)

<https://www.gov.uk/government/publications/local-offer-guidance>

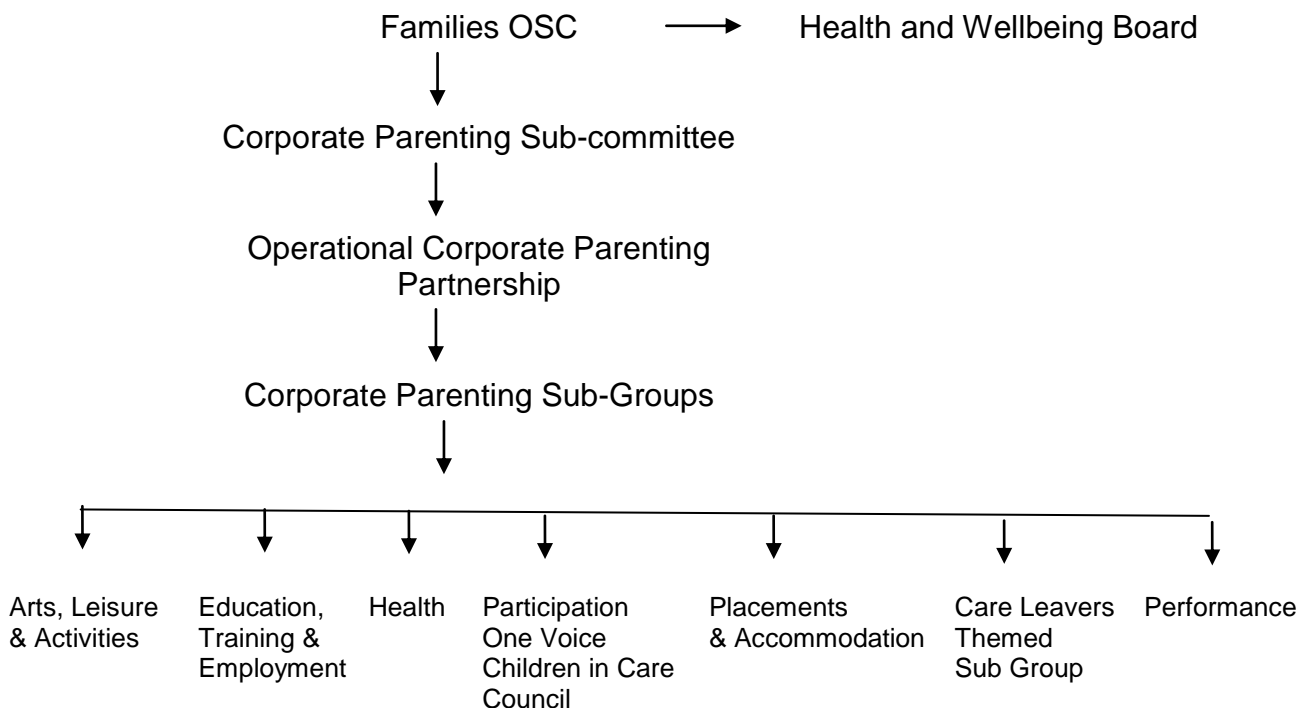
Gateshead's local offer is promoted with all care leavers by their Personal Advisors

[Gateshead's Local Offer for care leavers - Gateshead Council](#)

Current Corporate Parenting Arrangements

7. Practice in Gateshead is driven by our aspirant vision that “Children and families are at the **heart of everything** we do, ensuring all children can **thrive** and reach their **full potential**”. Our children have a right to be healthy, happy, safe and secure and feel loved, valued and respected and our corporate parenting arrangements are a key component to achieving this ambition.

The following is an outline of our current Corporate Parenting structure to meet our priorities and monitor our progress as corporate parents:



Corporate Parenting Overview and Scrutiny Sub Committee

8. As with all other executive functions, the Council must make appropriate arrangements for its performance and decision-making in this area to be scrutinised by non-Cabinet members in an overview and scrutiny committee. The Council established a sub-committee of the Families OSC to provide specific focus on the delivery of our corporate parenting role. The Corporate Parenting OSC Sub-Committee is chaired by the Families OSC Chair and has responsibility for scrutiny and oversight of the delivery of the Corporate Parenting Strategy and its delivery plan. The current membership includes elected members, a foster carer, care leaver, school governor, Gateshead Housing Company and representatives from the Voluntary Sector.
9. The role and remit of this Sub-Committee is to receive and consider monitoring reports on children in the Council's care and to keep under review the Council's arrangements for ensuring that the Council fulfils its role as corporate parent.
10. The Council's principles, as set out in our Corporate Parenting Pledge, are to:
 - Safeguard the welfare, health and happiness of all children in care, listen and respond to children and young people's views and wishes.
 - Provide a stable and supportive home with caring consistent relationships.
 - Have high aspirations for each child and young person.
 - Respect and value diversity.
 - Place children and young people within families whenever possible and as close to the local community as possible.
 - Promote contact with family and friends.
 - Respect and promote children and young people's rights.

- Make decisions based on assessments of need.
- Celebrate children and young people's achievements.

Informed by what our looked after children and young people say is important to them, we have identified seven key priorities in the Gateshead's Children and Young People in Care and Care Leavers Strategy 2018-2023 which are at the heart of everything we do and how we can be good corporate parents:

- Our Children and Young People are respected and involved
- Our placements are safe and meet the needs of our Children and Young People
- Positive relationships and identity
- Our Children and Young People will be supported to improve their physical and emotional health and wellbeing
- Our Children and Young People are encouraged to reach their educational, employment and training potential
- Our Young People moving into adulthood will be supported to achieve their full potential in life
- Improve our role as the Corporate Parent

Corporate Parenting Partnership Group

11. The Corporate Parenting Partnership Group (MALAP) is an officer group chaired by the Deputy Strategic Director, Children's Social Care. This group oversees all aspects of our work in relation to our statutory and aspirational work with children in care and care leavers.
12. Membership includes Head of Service for Youth Justice, Children's Rights Officer, Safeguarding leads for Health, Virtual School Head, Service Manager for Looked After Children, data performance lead, commissioning service representative and lead officer for culture and leisure.

The group are responsible for progressing the corporate parenting operational plan.

Roles and Responsibilities

13. All councillors and council officers share corporate parenting responsibility and cannot abdicate this responsibility, but this does not mean that everyone has the same role. Clearly the elected members who attend Corporate Parenting Sub-Committee, or who are involved with thematic scrutiny of children's services, will have a greater role day-to-day than those who, for example, are responsible for environmental or planning decisions. Even the Planning Committee, however, will be making decisions that affect children looked after and care leavers.
14. A key principle for corporate parents is to ensure that children looked after, and care leavers are considered within decision making across the Council.
15. Similarly, officers will have differing roles, for example, to ensure that there is a range of high quality housing options available for young people when they leave care, ensure there are employment opportunities and make sure children looked after and young people are supported to live a healthy lifestyle.

16. Responsibility extends beyond local authority services: in reality, the range of potential partners in meeting the needs of looked after children is as wide as the number of agencies and organisations within the area. Elected members and Council staff may have multiple roles within the borough, such as school governors; the duty to be an effective corporate parent is paramount and must consider and promote the welfare of children looked after and care-leavers throughout these various activities. This is what a reasonable parent would do.

How Corporate Parenting Works in other Local Authorities

17. For the purpose of this report several local authority Corporate Parenting Board arrangements have been considered and learning captured which it is considered would be beneficial to children and young people in Gateshead. The local authorities are of varying geographical sizes, rated either good or outstanding by Ofsted and with different level of deprivation and social care need.

The identified learning is as follows:

Membership of the Corporate Parenting Board

18. Whilst the membership of Corporate Parenting Boards in all Local Authorities considered, was variable, there was consistency in the representation of strategic officers from a cross section of the wider partnership including police, health, education and public health, and the children in care councils.
19. What was apparent was the strength of working relationships between the local authority corporate parenting board members and the Chief Executive. It was deemed essential to local mechanisms working proactively and recognised as a risk if they were to operate in parallel rather than collaboratively.
20. The membership and representation at the Boards was facilitated by the status given to them in the wider council context and the mechanism for delegating and sharing recommendations and actions with other relevant Council and partnership bodies: e.g. Overview and Scrutiny committee groups and Health and Wellbeing Boards.

Agenda setting, roles and responsibilities of the Corporate Parenting Board

21. The identification of activities, proposals and work undertaken, which needs to be sighted by those who have corporate parenting responsibilities is also critical to ensuring that corporate parents are well informed and held to account.
22. In all authorities reviewed, those at Assistant and/or Director level for Children Social Care were fully integrated into the Corporate Parenting Boards and often had lead responsibility for agenda setting and forward planning. Agenda flexibility was evident in most local authorities, allowing for additional topics to be heard in a timely way and the Board to influence activity and planning.
23. Furthermore, the relationship between the Board and the corporate parenting partnership groups (MALAPs) were strong, these models were maintained through formalised links and routine updates into the Corporate Parenting Board.

24. As part of the agenda setting activity, local authorities encouraged members of the Corporate Parenting Board to be given the lead for certain areas in relation to Looked After Children and Care leavers, for example, improving educational outcomes, strengthening support for care leavers etc.
25. As part of the forward planning, authorities also incorporated opportunities for young people and care leavers to taking responsibility for chairing the Board, and setting the agenda, subject to the approval of the corporate parenting elected member chair. All Corporate Parenting Boards included young people sitting on the board and had strong links with their Children in Care Councils, in Gateshead our Children in Care Council equivalent is the One Voice Group.
26. All members of the Corporate Parenting Boards were routinely offered training and information about their corporate responsibility as parents. The training was often mandatory and a requirement as part of the board membership enlisting.

Consultation

27. The Cabinet Member for Children and Young People has been consulted.

Alternative Options

28. The alternative option would be to remain with the current OSC arrangements for the governance of corporate parenting arrangements.

Implications of Recommended Option

29. Resources:

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

30. **Risk Management Implication** - There are no risk management implications.

31. **Equality and Diversity Implications** - The local authority had a duty as Corporate Parent to treat all looked after children, including care leavers, equally and to commit to give looked after children and care leavers the best opportunities they can have in life.

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

33. **Health Implications** – This proposal will strengthen the corporate parenting governance arrangements and oversight of the health offer to all looked after children and care leavers

34. **Climate Emergency and Sustainability Implications** - There are no climate emergency and sustainability implications.

- 35. **Human Rights Implications** - There are no human rights implications.
- 36. **Ward Implications** - There are no area and ward implications.



COUNCIL MEETING

27 May 2021

CARE LEAVERS COVENANT

Sheena Ramsey, Chief Executive

EXECUTIVE SUMMARY

1. This report is to seek approval for the Care Leavers Covenant and to further develop work with Spectra First, to benefit Gateshead's Care Leavers by becoming a trailblazer Local Authority.
2. The Care Leavers Covenant is funded by the Department for Education and delivered by Spectra First, aimed to support young people leaving care to become independent and improve their outcomes.
3. The Cabinet has considered the facts and issues arising from the report including alternative options and took all relevant advice before formulating their recommendation.

RECOMMENDATION

4. It is recommended that Council:
 - (i) Endorses the Care Leavers Covenant
 - (ii) Agrees that the Council signs up to be a trailblazer organisation.

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TITLE OF REPORT: Care Leavers Covenant

REPORT OF: Caroline O'Neill, Strategic Director, Children, Adults and Families

Purpose of the Report

1. To seek agreement from Cabinet and Council for the Care Leavers Covenant and to further develop our work with Spectra First, to benefit Gateshead's Care Leavers by becoming a trailblazer Local Authority.

Background

2. The Care Leavers Covenant (CLC) is funded by the Department for Education and delivered by Spectra First. It is part of the Government's Keep on Caring Strategy, to support young people leaving care to become independent and improve their outcomes, so they go on to lead happy and successful lives.
3. CLC is a national government scheme that complements the offers that local authorities make to care leavers.

Proposal

4. We have an opportunity to join the fifty other local authorities who are already working with CLC and are trailblazers. To be a trailblazer organisation, we will need to show a whole council approach and commitment to:

#1 Awareness raising of the covenant – ensuring staff and young people know what is available.

#2 Council tax exemption – care leaver proofing policy and governance (we already offer this)

#3 Ring fenced training and employment opportunities – Opportunities within the Council – leading by example.

#4 Social value policy – Transforming our social value action plan, to improve the outcomes for care leavers.

#5 Economic development – Taking advantage of the Council's local partnerships and connections.

Recommendations

5. Cabinet is asked to recommend Council to:

- (i) Endorse the Care Leavers Covenant.
- (ii) Agree that the Council signs up to be a trailblazer organisation.

For the following reasons:

- (i) To strengthen our offer to Care Leavers.
- (ii) Improve our local offer by promoting the Covenant.

CONTACT: Chris Hulme

extension: 2647

Policy Context

1. This proposal supports the Council's strategic approach of Making Gateshead a Place Where Everyone Thrives as well as the Gateshead Children and Young People in Care and Care Leavers Strategy (2018-2023) and the Gateshead Health and Wellbeing Strategy.

Background

2. The Care Leavers Covenant allows public, private and voluntary sector organisations to pledge support, including, apprenticeships, work experience and free or discounted goods and services. So far over 250 signatories have created offers, including Amazon, ITV and Dunelm.
3. CLC has five core outcomes:
 1. Independent Living - Care leavers are better prepared to live independently.
 2. EET – Care leavers have improved access to employment, education and training.
 3. Safety and Security – Care leavers feel safe, secure and stable in their living situation.
 4. Health – Care leavers have improved access to health and emotional health support.
 5. Finance – Care Leavers are financially capable and independent.
4. The CLC complements the local Care Leaver offers that local authorities make to care leavers. In Gateshead this offer is "Gateshead has Your Back".
5. All local authorities can 'buy in' to the Care Leavers Covenant as a mechanism for enhancing their 'local offer'. Local authorities are strongly encouraged to engage with the Covenant. Currently, only a few have done so. Unlike the 'local offer', buying in to the Covenant is not a statutory requirement. Rather, it is a voluntary indication of a desire to do their utmost to fulfil their role as a corporate parent to care leavers. The Covenant encourages local authorities to follow good practice in offering additional discretionary services in line with the recommendations of the National Implementation Adviser for Care Leavers.
6. We have made good progress implementing schemes to improve the outcome of care leavers in Gateshead, such as our Council tax exemption and access to leisure facilities. Working with the CLC will strengthen our existing local offer to young people.
7. CLC have worked with Local Authorities to identify what areas they want to develop for care leavers. Examples from other local authorities have included: -
 - Prescription Charges - CLC worked with a Clinical Commissioning Group to exempt Care Leavers from prescription charges.
 - Transport Costs – working with local transport operators, to offer care leavers a discount.

- Discounts and Freebies – working to identify local businesses who may offer discounted services or free tickets in the boundaries of the authority.
- Apprenticeships – working with all council departments to create a guaranteed offer of ringfenced apprenticeships in each directorate.

8. This will help us meet our duties under the following national legislation and government strategies:

- Children (Leaving Care) Act, 2000
- Children and Young Person's Act, 2008
- Care Leaver Strategy – A cross-departmental strategy for children leaving care, 2013
- Children and Families Act, 2014
- Keep On Caring, Supporting Young People from Care to Independence, July 2016

Consultation

9. Consultation has taken place with the Cabinet Member for Children and Young People.

Alternative Options

10. We can continue to develop our offer to Care Leavers in isolation, without the benefits of attracting offers from larger and national organisations.

Implications of Recommended Option

11. **Resources:**

a) **Financial Implications** – The Strategic Director, Resources and Digital confirms that as the government fund Spectra First to deliver the CLC, there is no cost to the Council to become a trailblazer organisation. However, we would need to fund any specific pieces of work that the authority wanted to develop, as we did when the authority started to offer a council tax exemption and offering free leisure membership.

b) **Human Resources Implications** – One of the main commitments we have to make as an organisation is to create ring fenced opportunities for our children and young people. We have already committed to a limited number of ringfenced opportunities; however these have not been new posts.

c) **Property Implications** - there are no implications.

12. **Risk Management Implication** – there are no implications.

13. **Equality and Diversity Implications** - an Integrated impact assessment has been completed so that we understand the impact for our care leavers and is attached.

14. **Crime and Disorder Implications** – there are no implications.

15. **Health Implications** – Any offers made from relevant departments or partner organisation may have a positive impact on the health and wellbeing of Gateshead's Care Leavers.
16. **Climate Emergency and Sustainability Implications** - there are no implications.
17. **Human Rights Implications** - there are no implications.
18. **Ward Implications** - there are no implications.

Background Information

[Care Leavers Local Offer Cabinet Report - March 2019](#)

[Children and Young People in Care and Care Leavers Strategy 2018 -2023](#)

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INTEGRATED IMPACT ASSESSMENT TEMPLATE

Title of proposal:										Description of potential mitigation
<p>The Care leavers Covenant</p>	Age	Race	Sex	Gender reassignment	Disability	Religion or Belief	Pregnancy and Maternity	Sexual Orientation	Marriage and Civil Partnership	
<p>Equality impact: (✓ all that apply. The assessment should also consider impact on council employees and carers where applicable)</p> <p>Description of impact:</p> <p>Care Leavers are all young people age 16-25 so share a protected characteristic relating to age.</p> <p>We do not anticipate any identifiable negative impact on equalities for Council employees or care leavers and there are no factors surrounding equalities with regard to this proposal.</p>	Y									<p>Care leavers care history can impact on their education giving them an unequal starting point which in turn can impact on their employment opportunities, leaving them disadvantaged.</p> <p>Signing up to The Care leavers Covenant as a whole Council approach will potentially offer a positive impact for care leavers by increasing opportunities for work experience and employment hence improving outcomes.</p>



Tackle inequality so people have a fair chance

INTEGRATED IMPACT ASSESSMENT TEMPLATE

Health impact: (eg physical, mental health, wellbeing, substance misuse) We do not anticipate any identifiable negative impact on Gateshead Council employees, members of the public or service users.										The proposal could potentially increase employability and employment opportunities to care leavers enabling them to achieve which could have a positive impact on their mental health and well being in terms of prospects, structure and purpose. This in turn could improve outcomes enabling them to go on to lead happy and successful lives.
Socio Economic impact: (eg neighbourhood, ward, area of deprivation, household group, income, wealth) This proposal will have no bearing on the socio economic impact for Gateshead Council but has the potential to positively impact on care leavers financially										The proposal has the potential to bring about ring fenced employment opportunities and apprenticeships within the Council for care leavers as their Corporate parents increasing aspirations and improving longer term outcomes.



Tackle inequality so people have a fair chance

INTEGRATED IMPACT ASSESSMENT TEMPLATE

<p>Environmental impact: (does the proposal impact on climate change and the Council's commitment to be carbon neutral by 2030?)</p> <p>This proposal is not applicable to affecting environmental impact.</p>	
<p>Cumulative impact: (consider impact based on successive budgetary decisions relating to the proposal or is the proposal part of wider budgetary considerations that may collectively have an impact on service users, and is potentially at odds with the Thrive agenda)</p> <p>This proposal supports the Council's strategic approach of Making Gateshead a Place Where Everyone Thrives as well as the Gateshead Children and Young People in Care and Care Leavers Strategy (2018-2023) and the Gateshead Health and Wellbeing Strategy.</p> <p>The proposal compliments the local care leaver offer "Gateshead has your back"</p> <p>The Care leaver Covenants 5 core outcomes support the dimensions of pathway planning for care leavers in aspiring to improve outcomes for care leavers and will enhance our ability to manage our statutory duties.</p>	



Tackle inequality so people have a fair chance

INTEGRATED IMPACT ASSESSMENT TEMPLATE

The Care Leavers Covenant allows public, private and voluntary sector organisations to pledge support, including, apprenticeships, work experience and free or discounted goods and services. Whilst there are no budget implications to signing up to The Care leaver Covenant as it is government funded any developments taken forward such as employment opportunities or subsidising transport costs may incur further costs as previously with Council tax exemption and the leisure offer for care leavers.

Signing up to the Care leavers Covenant will allow Gateshead Council to join 50 other local authorities and become a trailblazer authority.

It is not anticipated that there will be any disruption to support provided to service users or delivery of services.

Summary of consultation/data/research undertaken to inform the assessment:

(eg feedback and engagement with service users, trade unions, employees, partners, public, benchmarking, case studies)

Initial consultation with Service manager, Jill Little.

There will be partnership working with The Care Leavers Covenant and Spectra first to gain an understanding of the benefits of signing up.

Consultation with the Corporate Parenting Partnership, Childrens Services Portfolio holders, Corporate Management Team and Council Leaders has taken place.

Consultation with service users will take place when Councillors have made a decision whether to proceed with the proposal to sign up to the Care leavers Covenant.



Tackle inequality so people have a fair chance

INTEGRATED IMPACT ASSESSMENT TEMPLATE

Signed: (completing officer) B Hunter-Smith
Date: 10th May 2021

Service Manager: (approved) Jill Little
Date: 10th May 2021

Service Director; Andrea Houlahan
Date: 10TH May 2021

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COUNCIL MEETING

27 May 2021

GATESHEAD CODE OF CONDUCT FOR COUNCILLORS

Sheena Ramsey, Chief Executive

EXECUTIVE SUMMARY

1. This report recommends to Council a new Code of Conduct to comply with the standards provisions in the Localism Act 2011 (the Act) and to reflect recommendations made by the Committee on Standards in Public Life.

NEW CODE OF CONDUCT

2. The Localism Act 2011 requires local authorities to have a local Member Code of Conduct. On 30 January 2019, the Committee on Standards in Public Life (CSPL) published its report, Local Government Ethical Standards: A review by the Committee on Standards on Public Life. The report made a number of recommendations to improve ethical standards in local government, including the introduction of an updated model code of conduct that should be voluntary and one local authorities can adapt.
3. The Local Government Association (LGA) led on the development of a model code recommended by CSPL and on 23 December 2020, LGA published a Model Member Code of Conduct, following its June 2020 consultation on a draft version of the code. The Council's Audit and Standards Committee inputted into the LGA consultation. The LGA has stated that its Model Code of Conduct can act as a template for councils to adopt or adapt.
4. The Code of Conduct sets out the conduct that is expected of local authority members and specific obligations that establish instances where action will be taken. It has been designed to protect local authorities' democratic role, encourage good conduct and safeguard the public's trust in local government.
5. The Council must maintain a committee to advise on standards issues, decide on alleged breaches and sanctions or a combination of these. In Gateshead this is the responsibility of the Audit and Standards Committee. Part of the committee's role is to advise and make recommendations to Council on the Code of Conduct.
6. The Audit and Standards Committee have over a number of meetings and in members working group reviewed the LGA model code and have produced an adapted version of the model code with the Gateshead specific amendments including a preamble and introductory paragraphs. These additions are very much there to set the scene and articulate that councillors in Gateshead aspire to meet the highest possible standards of ethical behaviour and conduct. The preamble now includes a statement that members not only comply with the letter of the code but also the spirit of the code.

7. It is obviously important that councillors understand the implications of the new code and the other standards arrangements. A training package for the code is being developed which will provide members with not only an overview of the rules but also practical examples of how the code should work in practice.

RECOMMENDATION

8. Council is asked to approve the following;
 - (i) the new code of conduct at Appendix 1.

TITLE OF REPORT: Gateshead Code of Conduct for Councillors

REPORT OF: Mike Barker, Strategic Director, Corporate
Services and Governance

Purpose of the Report

1. This report sets out an updated Code of Conduct for the Council and updates members following a member led working group on amendments to the draft previously considered by the committee to better reflect the aspiration that members adhere to the highest standards of conduct. The report makes proposals in respect of the full Council adopting the updated code.
-

Background

1. As members will recall, the Localism Act 2011 places a duty on the Council to promote and maintain high standards of conduct by Councillors and co-opted Members. It requires the Council to adopt a Code of Conduct in relation to the conduct of its elected members.
2. The committee have considered the model code on a number of occasions over the last year, both through its development by the Local Government Association (LGA) as a consultee and more recently consideration of adopting the model code in Gateshead

The Gateshead Approach

3. Through the work of this committee, it has become clear that the aspiration of members of Gateshead Council is not just to adopt a code that meet basic legal compliance but instead to aspire to the highest possible standards of conduct. Consequently, members have explored the options of not only adopting the code but enhancing it and promoting those high standards of conduct.
4. Following a review of the code at the last meeting of the committee, a member led working group was established to review in detail the approach to the code and make further recommendations for consideration by the committee. The work of the working group has resulted in important new drafting to support and underpin the rules. A preamble and introduction to the code is now included as part of the draft. This is very much there to set the scene and articulate that councillors in Gateshead aspire to meet the highest possible standards of ethical behaviour and conduct. The preamble now includes a statement that members not only comply with the letter of the code but also the spirit of the code.
5. The updated code is set out at Appendix 1.

Promoting Compliance with the Code

6. The code and the set of rules contained within it are not the only part of ensuring that the highest possible standards are maintained. The committee itself has an important role in this and as part of the review of the code going forward the committee will at least annually have the opportunity to review and make recommendations as to changes that may be required.

Assessment of Complaint Procedures

7. The council has a published complaints procedure and assessment process for complaints brought under the code. Similarly, to the code, the procedure for complaints has not changed significantly since then 2012. As members have indicated they wish to bring the code itself up-to-date and in line with best practice it would seem a sensible step to take to also review the assessment process for the complaints themselves. Included at the appendixes are the current assessment processes (Appendix 2).
8. The use of a working group to go through on a line by line basis the code (which is not particularly practicable within a full committee meeting) with a view to then making recommendations back to the committee worked well. It is suggested that members consider that a similar approach to reviewing the assessment process would also be a sensible way of working through the detail in order to come up with some clear recommendations to members of this committee.

Training and Development

9. Another essential element of ensuring high standards is making available to elected members and officers training in respect of the code. Following the local elections and subject to full council agreeing to adopt the new code in May (should that be the recommendation of this committee) then officers will prepare a training package for the code which will provide members with not only an overview of the rules but also practical examples of how the code should work in practice. The training should be designed in such a way to facilitate a discussion of the code and its application. Members views are sought on whether a recommendation should be made that the training be part of the mandatory training for members.

Recommendation

10. Audit and Standards Committee are recommended to
 - a. make a recommendation to the full Council to adopt the model code with the Gateshead specific amendments including the preamble and introductory paragraphs
 - b. consider the existing arrangements for assessment of complaints received under the code and agree to a member led working group to reviewing these arrangements and making recommendations to the committee.
 - c. note that officers will prepare a training package to support the awareness of the code for both new code and existing members.

Contact: Ged Morton

Ext: 2110

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CODE OF CONDUCT FOR MEMBERS OF GATESHEAD COUNCIL

Preamble

The Council is responsible for a wide and varied range of important services. The proximity of the Council's services to local people means that decisions can directly affect the quality of life of our residents. High standards of conduct within the Council are therefore necessary at all times to protect the integrity of decision-making, maintain public confidence, and safeguard local democracy.

Gateshead residents have a high expectation of councillors and the way in which they should conduct themselves. The Council expects all councillors to meet those expectations by ensuring that councillor conduct is above reproach. This Code of Conduct plays a vital role in setting out, openly and clearly, the standards councillors must apply when undertaking their Council duties (and to an extent in their private life). It is vital that the Code gives assurance to local people that their elected members are acting in accordance with the highest ethical standards.

Statement of Councillors

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

The Principles of Public Life

The Seven Principles of Public Life (also known as the Nolan Principles) apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work

in the Civil Service, local government, the police, courts and probation services, non-departmental public bodies (NDPBs), and in the health, education, social and care services. All public office-holders are both servants of the public and stewards of public resources. The principles also apply to all those in other sectors delivering public services.

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Approach to Compliance with the Code of Conduct

The Council expects councillors to comply with the spirit and not just the letter of the Code of Conduct.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or coopted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when:

- you are acting in your capacity as a councillor and/or as a representative of your council
- you are claiming to act as a councillor and/or as a representative of your council
- you are giving the impression that you are acting as a councillor and/or as a representative of your council
- you refer publicly to your role as a councillor or use knowledge you could only obtain in your role as a councillor.

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. *Respect*

As a councillor:

1.1 I treat other councillors and members of the public with respect. I can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. I will not, however, subject individuals, groups of people or organisations to personal attack.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. ~~As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.~~

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. *Bullying, harassment and discrimination* As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. *Impartiality of officers of the council* As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. *Confidentiality and access to information*

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**

- i. I have received the consent of a person authorised to give it;
- ii. I am required by law to do so;
- iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
- iv. the disclosure is:
 - 1. reasonable and in the public interest; and
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and
 - 3. I have consulted the Monitoring Officer prior to its release.

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. *Disrepute*

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. *Use of position* As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local or authorising their use by others:

- a. act in accordance with the local authority's requirements; and
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct As a councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and declare my interests.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should declare an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be declared by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or declare a disclosable pecuniary (i.e. financial) interest is a criminal offence under the Localism Act 2011.

The Appendix sets out the detailed provisions on registering and declaring interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality As a councillor:

10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.

10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.

10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendix

~~Appendix A – The Seven Principles of Public Life~~

~~principles are:~~

~~Selflessness~~

~~Holders of public office should act solely in terms of the public interest.~~

~~Integrity~~

~~Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.~~

~~Objectivity~~

~~Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.~~

~~Accountability~~

~~Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.~~

~~Openness~~

~~Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.~~

~~Honesty~~

~~Holders of public office should be truthful.~~

~~Leadership~~

~~Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.~~

Registering interests

1. Within 28 days of this Code of Conduct being adopted by the local authority or your election or appointment to office (where that is later) you must register with the Monitoring Officer the interests which fall within the categories set out in Table 1 (Disclosable Pecuniary Interests) and Table 2 (Other Registerable Interests). Disclosable Pecuniary Interests means issues relating to money and finances.
2. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
3. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor/member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.
4. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Declaring interests

5. Where a matter arises at a meeting which directly relates one of your Disclosable Pecuniary Interests, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest, just that you have an interest.
6. Where a matter arises at a meeting which directly relates to one of your Other Registerable Interests, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', again you do not have to declare the nature of the interest.
7. Where a matter arises at a meeting which *directly relates* to your financial interest or well-being (and is not a Disclosable Pecuniary Interest) or a financial interest or well-being of a relative or close associate, you must declare the interest. You may speak on the matter only if members of the

public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.

8. Where a matter arises at a meeting which *affects* –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a friend, relative, close associate; or
 - c. a body included in those you need to declare under Disclosable Pecuniary Interests you must disclose the interest.

9. Where the matter affects the financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the
	councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.

Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were
	spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registerable Interests

Any Body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the council;	
Any Body -	(a) exercising functions of a public nature;
	(b) directed to charitable purposes; or
	(c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
of which you are a member or in a position of general control or management.	

~~Appendix C – the Committee on Standards in Public Life~~

~~The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their~~

~~report on Local Government Ethical Standards. If the Government chooses to implement any of the recommendations, this could require a change to this Code.~~

~~The recommendations cover:~~

- ~~• Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies~~
- ~~• The introduction of sanctions~~
- ~~• An appeals process through the Local Government Ombudsman~~
- ~~• Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012~~
- ~~• Updates to the Local Government Transparency Code~~
- ~~• Changes to the role and responsibilities of the Independent Person~~
- ~~• That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished~~

~~The Local Government Ethical Standards report also includes Best Practice recommendations. These are:~~

~~Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.~~

~~Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.~~

~~Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.~~

~~Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.~~

~~Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.~~

~~Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.~~

~~Best practice 7: Local authorities should have access to at least two Independent Persons.~~

~~Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.~~

~~Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.~~

~~Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.~~

~~Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council as a whole, rather than the clerk in all but exceptional circumstances.~~

~~Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.~~

~~Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.~~

~~Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.~~

~~Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.~~

~~The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.~~

GATESHEAD COUNCIL

Arrangements for Dealing with Allegations of Breaches of the Code of Conduct for Members and Co-opted Members

1. Introduction

These arrangements set out how the Gateshead Council ('the Council') will deal with a complaint that an elected or co-opted Member of the Council has failed to comply with the Council's Code of Conduct.

Under Section 28 of the Localism Act 2011, the Council must have in place "arrangements" under which allegations that a Member or Co-opted Member of the Council or a Committee or Sub-committee of the Council, has failed to comply with the Code of Conduct can be investigated and decisions made on such allegations. Such arrangements must provide for the Council to appoint at least one Independent Person, whose views must be sought by the Council before it takes a decision on an allegation which it has decided shall be investigated, and whose views can be sought by the Council at any other stage.

The Council has appointed one Independent Person.

2. Receipt of a complaint

A complaint against a Member or Co-opted Member should be sent by the Complainant in writing or by email to:

The Monitoring Officer
Gateshead Council
Civic Centre
Regent Street
Gateshead
NE8 1HH

Or email: mikebarker@gateshead.gov.uk

The Monitoring Officer has statutory responsibility for maintaining the register of members' interests and is responsible for administering the system in respect of complaints of member misconduct.

The Monitoring Officer will acknowledge receipt of the complaint to the Complainant and provide the subject member of the complaint, with a copy of the complaint within 5 working days of receiving it, and will keep all parties informed of the progress of the complaint. The Monitoring Officer will also seek comments from the subject member of the complaint to assist in the initial assessment of the complaint.

3. Request for confidentiality

If a Complainant wants to keep their name and address confidential, they are required to indicate this when they submit their complaint. The Council will not normally investigate anonymous complaints, unless there is a clear public interest in doing so.

To ensure openness and transparency confidentiality will only be granted in exceptional circumstances and in many instances it would not be practical or possible to investigate a complaint without the identity of the complainant being revealed. If, however, confidentiality is granted and the complaint proceeds the Monitoring Officer will determine whether or when the subject member will be advised of the complaint and the identity of the Complainant. The procedure set out below will be adjusted as appropriate to accommodate the decision of the Monitoring Officer.

Where a request for confidentiality is refused by the Monitoring Officer, the Complainant will be advised of that refusal and will be given the option to withdraw the complaint within 7 working days. If the complaint is withdrawn the matter will be then closed and the subject member will not be informed of the complaint. If the Complainant refuses to withdraw the complaint or does not respond within the specified timescale, then the subject member will be sent a copy of the complaint and the complaint will proceed as set out below.

4. Will the complaint be investigated?

The Monitoring Officer will review every complaint received and decide whether the complaint will be investigated. The decision will be based on whether the allegation, if proved, would constitute a failure to observe the Code of Conduct and the application of the Council's adopted assessment criteria (attached at Annex 1). This decision will normally be taken within 28 days of receipt of the complaint. The parties will be advised of the Monitoring Officer's decision together with the reasons for that decision – subject to any decision on confidentiality arising as referred to above.

Where the Monitoring Officer requires additional information in order to come to a decision, he/she may go back to the Complainant for such information, and may request information from the subject member of the complaint.

If the complaint identifies criminal conduct or breach of other regulation by any person, the Monitoring Officer may refer the complaint to the Police or other regulatory agencies irrespective of a request for confidentiality by the Complainant.

5. Informal Resolution

The Monitoring Officer may consider that a complaint can be reasonably resolved informally. In such a case, the Monitoring Officer will consult with the subject member and the Complainant (along with the Independent Person if the Monitoring Officer thinks it is appropriate) to seek to agree a fair resolution of the complaint which also helps to ensure high standards of conduct for the future. If the subject member complies with the suggested resolution, the Monitoring Officer will report the matter to the Audit and Standards Committee ('the Committee') for information, but will take no further action.

6. How is the investigation conducted?

If the Monitoring Officer decides that a complaint merits formal investigation, he/she will appoint an Investigating Officer. The Investigating Officer may be another officer of the Council or an external investigator.

The Investigating Officer will write to the subject member and will ask them to provide their explanation of events, and to identify what documents or other materials they believe the Investigating Officer needs to see and who to interview.

The Investigating Officer will decide whether he/she needs to meet or speak to the Complainant to understand the nature of the complaint and so that the Complainant can explain their understanding of events and suggest what documents or other materials the Investigating Officer needs to see, and who the Investigating Officer needs to interview.

At the end of his/her investigation, the Investigating Officer will produce a draft report and will send copies of that draft report, in confidence, to the subject member and to the Complainant, to give both an opportunity to identify any matter in that draft report which they disagree with or which they consider requires more consideration. A copy of the draft report will also be sent to the Monitoring Officer.

Having received and taken account of any comments which the Complainant or subject member may make on the draft report, the Investigating Officer will send his/her final report to the Monitoring Officer.

7. What happens if the Investigating Officer concludes that there is no evidence of a failure to comply with the Code of Conduct?

An Audit and Standards (Investigations and Hearings) Sub-Committee ('the Sub-Committee') will be convened.

The Sub-Committee will review the Investigating Officer's report and, if they are satisfied that the Investigating Officer's report is sufficient and they agree that there is no evidence of a failure to comply with the Code of Conduct, they will instruct the Monitoring Officer to write to the subject member and to the Complainant, notifying both that they are satisfied that no further action is required, and give both a copy of the Investigating Officer's final report.

If the Sub-Committee do not agree with the conclusion that there is no evidence of a failure to comply with the Code of Conduct they will refer the matter for a hearing before the Sub-Committee.

In considering the report, the Sub-Committee will consult with the Council's Independent Person.

If the Sub-Committee is not satisfied that the investigation has been conducted properly, they may ask the Investigating Officer to reconsider his/her report. Upon the receipt of the report back from the Investigating Officer, the Committee will consider whether to accept the report or refer it to a hearing.

8. What happens if the Investigating Officer concludes that there is evidence of a failure to comply with the Code of Conduct?

a) Local Resolution

Where the Investigating Officer concludes that there is evidence of a failure to comply with the Code of Conduct, there may still be an opportunity for local resolution,

avoiding the necessity of a hearing. An investigation report may cause a member to recognise that his/her conduct was at least capable of giving offence, and /or identify other appropriate remedial action, and the Complainant may be satisfied for instance, by recognition of fault or an apology. It would only be appropriate for the Monitoring Officer to agree a local resolution at this stage after consultation with the Council's Independent Person and the Chair of the Committee. In addition, this would be conditional on the Complainant being satisfied with the outcome. A summary report on any local resolution of a complaint would be reported to the Committee for information.

b) Referral for Hearing

If local resolution was not possible, the Monitoring Officer will then refer the matter for a hearing before the Sub-Committee.

9. The Hearing

Where the Sub-Committee has referred a matter for a hearing the procedure at Annex 2 will apply.

10. What action can the Audit and Standards Committee take where a member has failed to comply with the Code of Conduct?

Gateshead Council has delegated to the Committee such of its powers to take action in respect of individual members as may be necessary to promote and maintain high standards of conduct. Any action will be taken following a recommendation from the Sub-Committee.

Accordingly the Committee may –

- a) Issue a formal censure;
- b) Refer the determination findings to the Council for information;
- c) Make publication of the determination findings by such means as thought fit;
- d) Request the Council to remove the member from being the Chair or Vice Chair of any Committee or Sub-committee
- e) Request the Council remove them from any or all Committees or Sub-committees for a specified period;
- f) Request the Council to remove the Member for a specified time from all or specified outside appointments to which s/he has been appointed or nominated by the Council.
- g) Offer training to the member; or
- h) Exclude the member from the Council's offices or other premises or facilities, for a specified period and to the extent desirable and so as not to interfere with the democratic process, in particular the member's ability to carry out his or her role as an elected member.

11. What happens at the end of the Hearing?

At the end of the hearing, the Chair will state the decision of the Sub-Committee as to whether a member has failed to comply with the Code of Conduct and as to any actions which the Sub-Committee is recommending that the Committee should

take. A report will then be taken to the Committee setting out the results of the investigation, the findings of the Sub-Committee and recommended action.

As soon as reasonably practicable after the Committee decision, the Monitoring Officer in consultation with the Chair of the Committee, will prepare a formal decision notice, and send a copy to the Member and the Complainant, make that decision notice available for public inspection on the Council's website and, if so directed by the Audit and Standards Committee, report the decision to the next convenient meeting of the Council.

12. Review of decisions

Procedures for the review of decisions are set out in Annex 3.

13. What is the Audit and Standards Committee?

The Committee is made consists of seven councillors and three co-opted members. The Committee is a key component of the Council's corporate governance arrangements and is responsible (amongst other things) for the promotion and maintenance of high standards of conduct by its elected and co-opted members. The full terms of reference for the committee can be found in the Constitution.

14. What is the Audit and Standards (Investigations and Hearings) Sub-Committee?

The Sub-Committee will be convened to deal with the complaints and investigations duties set out in these arrangements. When appropriate, the Monitoring Office, in consultation with the Chair of the Committee, will select from the membership of the Committee, three elected members and one independent member to constitute the Sub-Committee.

15. Who is the Independent Person?

The Independent Person has applied for the post following advertisement of a vacancy for the role, and is appointed by the Council.

The Independent Person is invited to attend meetings of the Committee and their views are sought and taken into consideration before the Committee takes any decision on whether a Member's conduct constitutes a failure to comply with the Code of Conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct.

The Independent Person does not have voting rights on the Committee or Sub-Committee. Their role is an advisory one.

16. Revision of these arrangements

The Committee or Sub-Committee, on the advice of the Monitoring Officer, may depart from these arrangements where it is necessary to do so in order to secure the effective and fair consideration of any matter. The arrangements will also be subject to periodic review by the Council.

Assessment criteria for complaints against councillors

The following criteria will be taken into account in deciding what action, if any, to take:

1. **Has the complainant submitted enough information to satisfy the Monitoring Officer (or the Audit and Standards Committee if appropriate) that the complaint should be referred for investigation or other action?**
If not:
The information provided is insufficient to make a decision. So unless, or until, further information is received, no further action will be taken on the complaint.
2. **Is the complaint about someone who is no longer a member of the Council, but is a member of another authority? If so, should the complaint be referred to the monitoring officer of that other authority?**
If yes:
The complaint will be referred to the monitoring officer of that other authority to consider.
3. **Has the complaint already been the subject of an investigation or other action relating to the Code of Conduct? Similarly, has the complaint been the subject of an investigation by other regulatory authorities?**
If yes:
There may be nothing more to be gained by further action being taken.
4. **Is the complaint about something which happened so long ago that there would be little benefit in taking action now?**
If yes:
Further action may not be warranted.
5. **Does the complaint appear too trivial to justify the cost or inconvenience of further action?**
If yes:
Further action will not be warranted.
6. **Does the complaint appear to be simply malicious, politically motivated or tit-for-tat?**
If yes:
Further action will not normally be warranted.
7. **Is the complaint anonymous?**
If yes:
No action will normally be taken unless there are compelling reasons to suggest otherwise, e.g. if it includes documentary or photographic evidence indicating an exceptionally serious or significant matter.

Procedure for Hearings

1. Introduction

This Annex details the procedure to be adopted for the hearing of complaints by the Sub-Committee where an investigation has been completed.

The person(s) making the complaint will be referred to in this procedure as the Complainant and the person against whom the complaint is made will be referred to as the Member.

The Investigating Officer means the Monitoring Officer or other person appointed by the Monitoring Officer to conduct a local investigation in relation to a matter referred to the Monitoring Officer for local investigation.

References to Monitoring Officer include any other person appointed by the Monitoring Officer to carry out the functions of the Monitoring Officer.

2. Legal Advice to the Governance Committee

Where the Monitoring Officer also takes the role of the Investigating Officer, he/she must arrange for a separate legal adviser for the Sub-Committee in respect of the allegation.

3. Notifying the Subject-Member and Complainant

The Monitoring Officer shall send a copy of the Investigating Officer's final report to the Subject-Member, the Complainant and the Independent Person.

The Monitoring Officer will ask for a written response from the Member within 14 days, stating whether or not s/he:

- disagrees with any of the findings of fact in the report, including the reasons for any disagreements;
- wants to be represented, at his/her own expense, at the hearing by a solicitor, barrister or any other person;
- wants to give evidence to the Sub-Committee, either verbally or in writing;
- wants to call relevant witnesses to give evidence to the Sub-Committee;
- wants any part of the hearing to be held in private; or
- wants any part of the report or other relevant documents to be withheld from the public.

The Monitoring Officer will also inform the Member that if, at the meeting of the Sub-Committee, s/he seeks to dispute any matter contained in the report, without having previously notified his/her intention to do so, the Sub-Committee may either adjourn the meeting to enable the Investigating Officer to provide a response, or refuse to allow the disputed matter to be raised.

The Monitoring Officer will also seek the views of the Independent Person on the report and on any action the Independent Person feels should be taken in respect of it. Upon receipt of the responses, the Monitoring Officer will discuss the responses with the Chair of the Sub-Committee and will complete a pre-hearing summary which will include:

- a) The name of the Member.
- b) The name of the complainant (unless there are good reasons to keep his/her identity confidential).
- c) The case reference number.
- d) The name of the Chair for the hearing.
- e) The name of the Investigating Officer.
- f) The name of the clerk of the hearing or other administrative officer.
- g) The date the pre-hearing summary was produced.
- h) The date, time and place of the hearing.
- i) A summary of the complaint.
- j) The relevant section or sections of the Code of Conduct.
- k) The findings of fact in the investigation report which are agreed and the findings of fact in the investigation report which are not agreed.
- l) Whether the Member or the Investigating Officer will attend or be represented.
- m) The names of any witnesses who will be asked to give evidence.
- n) An outline of the proposed procedure for the hearing.

The Member and the Investigating Officer are entitled to request that any witnesses they want should be called. However, the Chair of the Sub-Committee, following advice from the legal adviser, may limit the number of witnesses, if he/she believes the number requested is unreasonable or that some witnesses will simply be repeating the evidence of earlier witnesses, or else will not provide evidence that will assist the Committee to reach its decision.

Nothing in this procedure shall limit the Chair of the Sub-Committee from requesting the attendance of any additional witnesses whose evidence he/she considers would assist the Sub-Committee to reach its decision.

4. The Sub-Committee

The Sub-Committee shall decide, on the balance of probability, whether the grounds of the complaint are upheld. It shall do so by considering the report and, where appropriate, written or oral representations made by the Member, and any additional relevant information from the Investigating Officer or witnesses.

Each Sub-Committee member shall have one vote, and all matters/issues shall be decided by a simple majority of votes cast.

The meeting of the Sub-Committee will be open to the public and press unless confidential information or exempt information under Schedule 12A of the Local Government Act 1972 is likely to be disclosed.

5. Procedure at the Hearing

The initial order of business at the meeting shall be as follows:

- declarations of interest;
- consideration as to whether to adjourn or to proceed in the absence of the Member, if the Member is not present;
- introductions;
- any representation from the Investigating Officer and/or the Member as to reasons why the Sub-Committee should exclude the press and public and determination as to whether to exclude the press and public. Where the Sub-Committee decides that it will not exclude press and public, the Monitoring Officer shall at this point provide copies of the agenda and reports to any members of the press and public who are present.

The purpose of the hearing is to test the robustness of the report, by examining the reasoning contained within the report and the quality of the evidence relied upon. This calls for an inquisitorial approach by the Sub-Committee based on seeking information in order to identify potential flaws in the report and to clarify issues. The Audit and Standards Committee will control the procedure and evidence presented at the hearing, including the questioning of witnesses.

The Sub-Committee may at any time seek legal advice from its legal adviser. Such advice will on all occasions be given in the presence of the Investigating Officer and the Member.

The procedure at the hearing will be as follows, subject to the Chair of the Sub-Committee being able to make changes as he or she thinks fit in order to ensure a fair and efficient meeting.

a) Examination of report and written representations

The Sub-Committee will consider the report together with any written response from the Member to the report. The Sub-Committee may require the Investigating Officer to answer questions put to him/her by members regarding the contents of the report.

The Sub-Committee must also take account of the views expressed by the Independent Persons in their response to the Monitoring Officer.

b) Oral evidence

If there is any disagreement as to the facts of the case, the Investigating Officer will be invited to make any necessary representations to support the relevant findings of fact in the report, calling supporting witnesses as agreed by the Chair.

Questions may be asked by the Sub-Committee at any point. The Member, will not be permitted to directly question the Investigating Officer or the witnesses he/she calls.

If the Member wishes to challenge any oral evidence being presented, then these questions shall be directed through the Chair.

The Member will then be invited to make any necessary representations to support their version of the facts, calling supporting witnesses as agreed by the Chair.

Questions may be asked by the Sub-Committee at any point. The Investigating Officer will not be permitted to directly question the Member or the witnesses he/she calls. If they wish to challenge any oral evidence being presented, then these questions must be directed through the Chair.

Where the Member seeks to dispute any matter in the report which he/she had not given notice of intention to dispute in his/her written statement in response, the Investigating Officer shall draw this to the attention of the Sub-Committee. The Sub-Committee may then decide:

- not to admit such dispute but to proceed to a decision;
- to admit the dispute, but to invite the Investigating Officer to respond
- to adjourn the meeting to enable the Investigating Officer to investigate and report on the dispute

Where appropriate the Investigating Officer will make representations on behalf of the Complainant to the Sub-Committee.

The Sub-Committee may adjourn the hearing to require the Monitoring Officer to seek further information or undertake further investigation on any point specified by the Committee.

6. Decision by the Sub- Committee

The Sub-Committee will consider in private session which of the following findings to adopt:

- that there is no evidence of any failure to comply with the Code of Conduct;
- that the Member has failed to comply with the Code of Conduct, but that no action needs to be taken;
- that the Member has failed to comply with the Code of Conduct and that a sanction should be imposed.

The available sanctions are:-

- a) Issue a formal censure;
- b) Refer the determination findings to the Council for information;
- c) Make publication of the determination findings by such means as thought fit;
- d) Request the Council to remove the member from being the Chair or Vice Chair of any Committee or Sub-committee
- e) Request the Council to remove them from any or all Committees or Sub-committees for a specified period;
- f) Request the Council to remove the member for a specified time from all or specified outside appointments to which s/he has been appointed or nominated the Council ;.
- g) Offer training to the member; or

- h) Exclude the member from the Council's offices or other premises or facilities, for a specified period and to the extent desirable and so as not to interfere with the democratic process, in particular the member's ability to carry out his or her role as an elected member.

In deciding what sanction (if any) to recommend the Sub-Committee will consider all relevant circumstances including any views expressed by the Independent Person.

The Sub-Committee will then resume the public session and the Chair will announce the decision and the reasons for that decision.

If the matter is a complicated one, where the complaint has a number of aspects, the Sub-Committee can decide to consider the evidence and reach a finding on each aspect separately.

The Sub-Committee will then consider in open session whether there are any recommendations which it wishes to make arising from consideration of the allegation.

7. Notice of findings

The Monitoring Officer will make a short written decision available on the day of the hearing and a full written decision in draft will be prepared as soon as possible, which will form the basis of the recommendation report to the Committee.

Within two weeks of the end of the hearing, the Monitoring Officer will circulate a full written decision, to the Member and the Complainant and convene a Committee to receive the recommendation report.

8. Confidentiality and disclosure of information

Where the Chair of the Committee considers that the report and/or any of the written statements in response are likely to disclose any exempt information and in consequence that it is likely that the Committee will, during consideration of these matters, not be open to the public, he/she shall instruct the legal adviser to not provide copies of these papers to the press or public or permit their inspection by the press or public in advance of the meeting.

The Hearing will be held in public except for those parts of its proceedings which involve exempt information and during the deliberations of the Committee.

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