

Members are reminded that they must declare all relevant pecuniary and non-pecuniary interests relating to any items of business to be discussed at this meeting. If a pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

BIRMINGHAM CITY COUNCIL

CABINET

**Tuesday, 12 December 2017 at 1000
hours in Committee Rooms 3 and 4,
Council House, Birmingham**

PUBLIC AGENDA

1. NOTICE OF RECORDING

The Chairman to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Internet site (www.birminghamnewsroom.com) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2. APOLOGIES

Attached 3. ANNUAL AUDIT LETTER 2016/17

Report of the Interim Chief Finance Officer.

Attached 4. PERFORMANCE MONITORING - APRIL TO SEPTEMBER 2017

Report of the Chief Operating Officer.

Attached 5. BIRMINGHAM HOMELESSNESS PREVENTION STRATEGY

Report of the Corporate Director – Place.

Attached 6. BIRMINGHAM'S STRATEGY FOR SEND AND INCLUSION

Report of the Corporate Director – Children and Young People.

Attached 7. HIGHWAY MAINTENANCE AND MANAGEMENT PFI CONTRACT

Report of the Corporate Director – Economy.

Attached 8. BIRMINGHAM LOCAL DEVELOPMENT SCHEME 2018 TO 2021

Report of the Corporate Director – Economy.

- Attached** 9. **FORMER CURZON STREET STATION REFURBISHMENT AND DISPOSAL TO HS2 LTD**
- Report of the Corporate Director – Economy.
- Attached** 10. **DRIVING HOUSING GROWTH – FULL BUSINESS CASE FOR DEVELOPMENT OF HOUSING AT YARDLEY BROOK**
- Report of the Corporate Director – Economy.
- Attached** 11. **COUNCIL HOUSE COMPLEX WORKS - PHASE 2**
- Report of the Corporate Director – Economy.
- Attached** 12. **REVIEW OF HOUSE IN MULTIPLE OCCUPATION LICENCE FEE AND PROPOSALS FOR SELECTIVE LICENSING FEE STRUCTURE**
- Report of the Corporate Director – Place.
- Attached** 13. **REVIEW OF COUNCIL RUN DAY NURSERIES**
- Report of the Corporate Director – Children and Young People.
- Attached** 14. **WHOLE OF LIFE DISABILITY STRATEGY**
- Report of the Interim Corporate Director – Adult Social Care and Health.
- Attached** 15. **SMALL HEATH SCHOOL CONVERSION FROM FOUNDATION SCHOOL TO ACADEMY STATUS**
- Report of the Corporate Director – Children and Young People.
- Attached** 16. **PLANNED PROCUREMENT ACTIVITIES (FEBRUARY 2018 – APRIL 2018)**
- Report of the Director of Commissioning and Procurement.
- Attached** 17. **APPOINTMENTS TO OUTSIDE BODIES**
- Report of the City Solicitor.
18. **OTHER URGENT BUSINESS**
- To consider any items of business by reason of special circumstances (to be specified) that, in the opinion of the Chairman, are matters of urgency.
19. **EXCLUSION OF THE PUBLIC**
- That in view of the nature of the business to be transacted, which includes exempt information of the category indicated, the public be now excluded from the meeting:-
- (Exempt Paragraph 3)

PRIVATE AGENDA

Attached 20. **HIGHWAY MAINTENANCE AND MANAGEMENT PFI CONTRACT**

Report of the Corporate Director – Economy.

(Exempt Paragraph 3)

Attached 21. **FORMER CURZON STREET STATION REFURBISHMENT AND DISPOSAL TO HS2 LTD**

Report of the Corporate Director – Economy.

(Exempt Paragraph 3)

Attached 22. **PLANNED PROCUREMENT ACTIVITIES (FEBRUARY 2018 - APRIL 2018)**

Report of the Director of Commissioning and Procurement.

(Exempt Paragraph 3)

23. OTHER URGENT BUSINESS (EXEMPT INFORMATION)

To consider any items of business by reason of special circumstances (to be specified) that, in the opinion of the Chairman, are matters of urgency.

BIRMINGHAM CITY COUNCIL**PUBLIC REPORT****Report to: CABINET***Exempt
information
paragraph
number – if
private report:*

Report of: Interim Chief Finance Officer
Date of Decision: 12 December 2017
SUBJECT: ANNUAL AUDIT LETTER 2016/17

Key Decision: No
If not in the Forward Plan: Relevant Forward Plan Ref:
 (please "X" box) Chief Executive approved ☐
 Relevant Cabinet Member(s) or O&S Chair approved ☐
 Relevant Executive Member: Councillor Ian Ward
 Relevant O&S Chair: Councillor Mohammed Aikhlaq, Corporate Resources
 and Governance

Wards affected:**1. Purpose of report:**

1.1 Each year the Council's external auditor, Grant Thornton UK LLP (Grant Thornton), is required to produce an Annual Audit Letter. As in previous years, this letter will be circulated to all members of the Council. The letter summarises the main outcomes of the external audit work undertaken by Grant Thornton for the 2016/17 financial year.

2. Decision(s) recommended:

That Cabinet:-

2.1.Receives the Annual Audit Letter (Appendix 1 to this report)

2.2.Notes that the Annual Audit Letter will be copied to all Members of the Council and agrees that this report is circulated with it.

Lead Contact Officer(s): Martin Stevens
Telephone No: 0121 303 4667
E-mail address: Martin.stevens@birmingham.gov.uk

3. Consultation

Consultation should include those that have an interest in the decisions recommended

3.1 Internal

The draft Annual Audit Letter was circulated to the Leader, Chief Executive, Corporate Directors, senior finance officers and lead officers in areas specifically mentioned in the Letter. The Letter was reported to Audit Committee as “those charged with governance” on 21 November 2017.

3.2 External

The Letter is a statutory report to the Council and external consultation is not necessary prior to its publication.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council’s policies, plans and strategies?

4.1.1 The coverage of the Annual Audit Letter and actions highlighted in this report are consistent with the policy framework and budget. The preparation and approval of the Letter are statutory requirements.

4.2 Financial Implications (How will decisions be carried out within existing finances and Resources?)

4.2.1 The Annual Audit Letter includes the external auditor’s assessment of the financial resilience of the Council. There are no financial commitments arising from this report.

4.3 Legal Implications

4.3.1 The work of the external auditor is governed by the Code of Practice issued by the National Audit Office in accordance with the Local Audit and Accountability Act 2014. The Code identifies the Annual Audit Letter as one of the means by which the external auditor will discharge its responsibilities. The Annual Audit Letter is concerned with the Council’s management of all of its resources. Implications for finance, people, property and IT are set out in the body of the letter.

4.4 Public Sector Equality Duty

4.4.1 The Annual Audit Letter is a statutory requirement. There are no equality issues resulting from this report.

5. Relevant background/chronology of key events:

5.1 The Annual Audit Letter is the statutory report by Grant Thornton on its activities in the Council for the financial year 2016/17. It covers the external audit of the Council’s financial affairs and comments on the financial standing and operational performance of the Council. The External Auditor will be present at the meeting to answer any questions that Members may wish to raise on the contents of the Letter.

5.2 The Annual Audit Letter is similar in content to the Audit Findings Report (AFR) that was presented to Audit Committee, along with the Statement of Accounts, at its meeting on 26 September 2017. The Annual Audit Letter has, however, been updated for events as a result of the passage of time and excludes details on amendments to the financial statements and the recommendations made by the external auditor following their audit of the Statement of Accounts. Management responses to the recommendations were considered by Audit Committee at its meeting on 21 November 2017.

6. Evaluation of alternative option(s):

6.1 The Council is required by statute to receive and circulate the Annual Audit Letter.

7. Reasons for Decision(s):

7.1 To meet statutory requirements and to ensure appropriate action is taken to respond to Grant Thornton's findings.

Signatures	<u>Date</u>
Deputy Deputy Leader
Interim Chief Finance Officer

List of Background Documents used to compile this Report:

List of Appendices accompanying this Report:

1. Annual Audit Letter

The Annual Audit Letter For Birmingham City Council

Year ended 31 March 2017

October 2017

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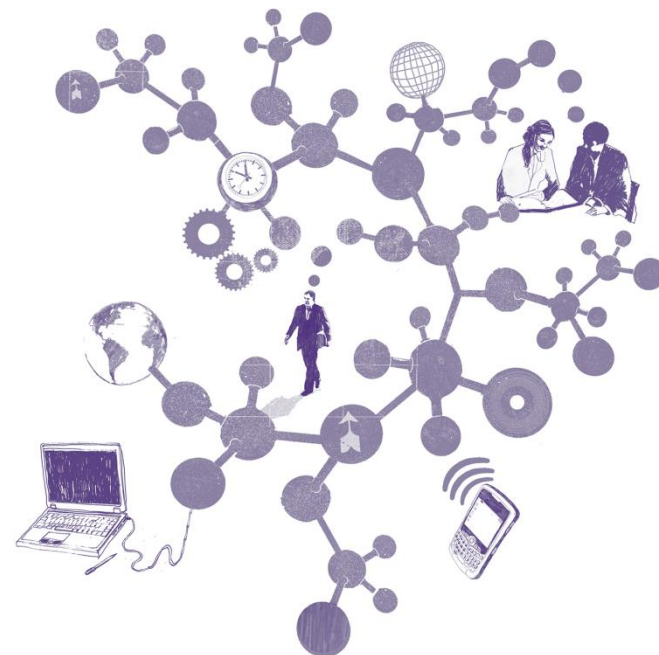
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Executive summary

Purpose of this letter

Our Annual Audit Letter (Letter) summarises the key findings arising from the work we have carried out at Birmingham City Council ('the Council') for the year ended 31 March 2017.

This Letter provides a commentary on the results of our work to the Council and its external stakeholders, and highlights issues we wish to draw to the attention of the public. In preparing this letter, we have followed the National Audit Office (NAO)'s Code of Audit Practice (the Code) and Auditor Guidance Note (AGN) 07 – 'Auditor Reporting'.

We reported the detailed findings from our audit work to the Council's Audit Committee (as those charged with governance) in our Audit Findings Report on 26 September 2017.

Our responsibilities

We have carried out our audit in accordance with the NAO's Code of Audit Practice, which reflects the requirements of the Local Audit and Accountability Act 2014 (the Act). Our key responsibilities are to:

- give an opinion on the Council's financial statements
- assess the Council's arrangements for securing economy, efficiency and effectiveness in its use of resources (the value for money conclusion).

In our audit of the Council's financial statements, we comply with International Standards on Auditing (UK and Ireland) (ISAs) and other guidance issued by the NAO.

Our work

Financial statements opinion

We gave an unqualified opinion on the Council's financial statements on 29 September 2017.

We included an emphasis of matter paragraph in our report on the Council's financial statements to draw attention to the uncertainties surrounding the volume and timing of any future equal pay claims and the determination of any settlements.

This does not affect our opinion that the statements give a true and fair view of the Council's financial position and its income and expenditure for the year.

Value for Money (VfM) conclusion

We were not satisfied that the Council put in place proper arrangements to ensure economy, efficiency and effectiveness in its use of resources during the year ended 31 March 2017. We therefore issued an adverse value for money conclusion in our audit opinion on 29 September 2017.

Certificate

We cannot formally conclude the audit and issue an audit certificate until we have completed our consideration of matters brought to our attention by local authority electors in relation to (a) certain education PFI schemes and (b) the Council's Lender Option Borrower Option (LOBO) loans. We are also in receipt of a whistle-blower reference in relation to the Council, which we will be following up with the Council's assistance. These outstanding issues do not affect (a) our opinion that the statements give a true and fair view of the Council's financial position and its income and expenditure for the year and (b) our value for money conclusion on the 2016/17 accounts.

Whole of government accounts

We completed work on the Council's consolidation return following guidance issued by the NAO and issued an unqualified report on 29 September 2017.

Certification of grants

We also carry out work to certify the Council's Housing Benefit subsidy claim on behalf of the Department for Work and Pensions. Our work on this claim is not yet complete and will be finalised by 30 November 2017. We will report the results of this work to the Audit Committee in our Annual Certification Letter.

Other work completed

We have also undertaken 2016/17 audits of the following Council subsidiaries.

- Acivico Limited (audit still in progress)
- NEC (Developments) PLC
- Innovation Birmingham Limited
- PETPS (Birmingham) Limited
- Finance Birmingham Limited
- Marketing Birmingham Limited

We have completed non-audit services for Innovation Birmingham Limited and Acivico Limited.

We have also certified a number of grant claims for the Council and provided CFO insights software.

Working with the Council

We met regularly with a range of Corporate Directors across the Council to inform our VfM conclusion and we have also been briefed by the Improvement Panel on their work with the Council.

We have continued to work with the Finance Team constructively throughout the year. This has included commenting on and supporting plans for earlier closedown both this financial year and looking ahead. We have also met regularly with the finance team to discuss emerging technical issues such as pension guarantees and Equal Pay.

In 2017, we provided a range of training and other events that council officers have attended. These include technical accounting workshops as well as seminars on pension prepayments

We would like to record our appreciation for the assistance and co-operation provided to us during our audit by the Council's staff.

Grant Thornton UK LLP
October 2017

Statutory recommendation and other matters

Section 24 follow up

We included a statutory recommendation under section 24 of the Local Audit and Accountability Act 2014 ("Section 24") in our 2015/16 Annual Audit Letter relating to the adequacy of budgetary arrangements. The recommendation stated that the Council needed to:

- ensure that there is Council-wide commitment to delivering alternative savings plans to mitigate the impact of the combined savings and budget pressure risks in 2016/17;
- demonstrate that it is implementing achievable actions to deliver its cumulative savings programme in the Council Financial Plan 2017+ by:
 - revising savings programme from 2017/18 onwards to reflect the delayed or non-delivery of savings plans in 2016/17
 - ensuring that all savings plans are assessed for both lead time to implement and delivery risk; and
- re-assess the impact of the combined savings and budget pressure risks on the planned use of reserves for 2016/17 and the impact of this on the reserves position from 2017/18 onwards.

This recommendation and the Council's formal response were considered at the Council meeting on 10 January 2017. Following this, we wrote to the Acting Chief Executive of the Council on 15 March 2017 expressing concern about the Council's ability to deliver its challenging savings programme, particularly given the gaps in senior management capacity at that time and the proposals to further reduce senior management capacity within the finance department.

The Council subsequently responded to the issues of capacity set out in our letter by making a number of key interim appointments, in particular to the vacant positions of Chief Executive and Chief Finance Officer. In addition, a report was presented to the Audit Committee on 20 June 2017 outlining the Council's response to our Letter.

We have continued to monitor progress on delivery of the 2017/18 budget and the associated savings programme as well as following up progress made on the section 24 recommendation.

Our conclusions overall are that progress has been made in developing a more realistic medium-term financial plan, but that key elements of the plan remain at risk.

The Council needs to continue to take action to manage the emerging trend of under-delivery of savings against plan to date, specifically to mitigate current directorate plans which are not achieving anticipated savings targets, but also to ensure that further non-delivery of savings does not occur in other planned areas currently shown as on track. This would have the effect of further increasing the overall forecast revenue overspend.

The events surrounding the waste strike has affected capacity to focus on corporate budget and governance monitoring. The officer and political leadership need to work together to ensure that the Council's financial stability remains a top priority. If the waste strike resumes, the additional expense arising will add to cost pressures.

We will continue to review budget monitoring reports over the coming months to determine whether sufficient progress is being made, and if not, what other formal audit action might be appropriate, whether by the issue of a report in the public interest or some other audit action.

Other matters

Senior Management Exit Packages

The Council made a number of significant commitments during 2016/17 in relation to exit packages for senior officers to facilitate the reshaping of the Council, to enable it to respond to the complex challenges going forward. These have ranged from payments for compensation of loss of office, through to enhanced arrangements to support an early retirement. We received a question from a Councillor regarding one of the exit package arrangements.

Accordingly, we reviewed the arrangements for these exit packages and concluded that each of the exit payments reflected different circumstances. We are satisfied that the Council had, in each instance, taken legal and financial advice before finalising each arrangement. The Council also involved Members appropriately in the decisions, in accordance with its procedures for Member authorisation of such payments, via the Independent Remuneration Panel (IRP).

There may however be scope to improve the governance around these arrangements, specifically by:

- ensuring that all reports to the IRP clearly articulate the legal, financial and operational rationale for each arrangement and in particular the likely cost implications of different options. For instance, dismissal may be an appropriate course of action in some instances, but this may prove costly if the grounds for dismissal have not been adequately evidenced;
- re-emphasising the importance of ensuring that details of emerging exit pay arrangements are maintained in strict confidence to safeguard the Council against the possibility of legal action by individuals who might consider that they have suffered damage by any 'leaks'; and
- strengthening performance management procedures for senior officers through better documentation of such processes to ensure a consistent approach.

Commonwealth Games Bid 2022

The Government and Commonwealth Games England decided that Birmingham should be recommended as a Candidate City to host the 2022 Commonwealth Games following the decision earlier in the year to strip Durban of the event.

Subsequent to Birmingham's proposal submission, the Commonwealth Games Federation announced that they have extended the deadline to receive 'fully compliant proposals' to the end of November 2017.

The Council has pointed to the economic, sporting and other benefits that the Games could yield for the City and the wider midlands region. We have not seen or reviewed any information associated with the projected costings or benefits associated with the bid, but it is clear that the Council will need to carry out a robust options analysis to ensure that the costs of delivering the Games, should the bid be successful, can be adequately supported within the context of its medium-term financial plan.

Other matters (continued)

Waste Dispute

The Council has sought to introduce changes to the organisation of its waste service with the aim of providing a high quality service and improving efficiency. In response, industrial action was commenced by waste staff from 30 June 2017 and continued, with one short break, into September 2017. This has resulted in the disruption of services provided to local citizens but also incurred considerable extra costs, running at some £0.3m per week.

The strike was suspended on 16 August 2017 following discussions under the auspices of ACAS. It was re-instated, following clarification by the Council that it remained committed to delivering the reorganisation in the original form agreed by cabinet on 27 June 2017. Selective details relating to the unfolding of these events appeared in the public media, which has not served to enhance confidence in the Council's systems of governance. Whilst a clear picture is yet to emerge, we will discuss with the Council, in the context of our formal duties, whether any breaches of governance have occurred, particularly as they relate to:

- Lawfulness of decision making
- Conduct
- Member-Officer relations

Members will recall that a key strand of the Kerslake report related to the need to re-set Member-Officer relations. It is of concern that initial improvements in this area may not have been sustained. We note however that robust officer action has ensured that the breach of governance was detected and addressed.

In the wake of these events, the Leader of the Council announced his resignation on 11 September 2017 and Councillor Ian Ward has taken on the role of Interim Leader of the Council.

On 1 September 2017 the strike resumed as 106 workers were handed their redundancy notices but the action was suspended on 20 September 2017 when Unite won an injunction blocking the proposed redundancies. A court hearing is due on 27 November 2017 to decide whether the Council entered into a negotiation deal. The Interim Leader is committed to finding a sustainable solution to the dispute.

Children's Trust

The Children's Trust will be established in 2018 and is currently operating in shadow form. We will monitor developments as the new organisation comes into being. An issue has arisen nationally in relation to the ability of such Trusts, as a private sector entities for tax purposes, to recover VAT for services supplied, which could have considerable financial implications for Local Authorities.

The Council has however received a letter from the Department for Education on 11 July 2017 stating that “in the interim, the Secretary of State has agreed to meet any additional costs arising from the VAT treatment of the Birmingham Children's Trust”. We will continue to monitor this position going forward although we are satisfied this risk has been sufficiently mitigated in the short to medium term.

Audit of the accounts

Our audit approach

Materiality

In our audit of the Council's accounts, we applied the concept of materiality to determine the nature, timing and extent of our work, and to evaluate the results of our work. We define materiality as the size of the misstatement in the financial statements that would lead a reasonably knowledgeable person to change or influence their economic decisions.

We determined materiality for our audit of the Council's accounts to be £43.19 million, which is 1.5% of the Council's gross revenue expenditure. We used this benchmark, as in our view, users of the Council's accounts are most interested in how it has spent the income it has raised from taxation and grants during the year.

We set a lower level of specific materiality for senior officer remuneration of £20,000 and related party transactions of £100,000.

We also set a lower triviality threshold of £2.16m, above which we reported errors to the Audit Committee in our Audit Findings Report.

The scope of our audit

Our audit involves obtaining enough evidence about the amounts and disclosures in the financial statements to give reasonable assurance they are free from material misstatement, whether caused by fraud or error. This includes assessing whether:

- the Council's accounting policies are appropriate, have been consistently applied and adequately disclosed;
- significant accounting estimates made by the Interim Chief Finance Officer are reasonable; and
- the overall presentation of the financial statements gives a true and fair view.

We also read the narrative report and annual governance statement to check they are consistent with our understanding of the Council and with the accounts included in the Statement of Accounts on which we gave our opinion.

We carry out our audit in line with ISAs (UK and Ireland) and the NAO Code of Audit Practice. We believe the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Our audit approach was based on a thorough understanding of the Council's business and is risk based.

We identified key risks and set out overleaf the work we performed in response to these risks and the results of this work.

Audit of the accounts (continued)

These are the risks which had the greatest impact on our overall strategy and where we focused more of our work.

Risks identified in our audit plan	How we responded to the risk	Findings and conclusions
<p>Going Concern The Council faced significant financial challenges and forecasted a significant deficit position for 2016/17. This raised doubts over the completeness and adequacy of the going concern disclosures in the accounts, particularly in relation to material uncertainty.</p>	<ul style="list-style-type: none"> • Review of management's assessment of going concern assumptions and supporting information, e.g. 2017/18 and 2018/19 budgets and cash flow forecasts and associated sensitivity analysis; and • Review of completeness and accuracy of disclosures on material uncertainties in the financial statements. 	<p>We have considered whether there is evidence of material uncertainty that the Council will continue as a going concern for 12 months from the date of our audit report.</p> <p>We are satisfied that the Council's financial statements have been appropriately prepared on a going concern basis.</p>
<p>Valuation of property, plant and equipment The Council revalues its assets on a rolling basis over a five year period. The CIPFA Code requires that the Council ensures that the carrying value at the balance sheet date is not materially different from the current value. This represents a significant estimate by management in the financial statements.</p>	<ul style="list-style-type: none"> • Review of controls in place to ensure that revaluation measurements are correct; • Testing of revaluations including instructions to the valuer and the valuer's report; • Review of management's processes and assumptions for the calculation of the estimate; • Review of the competence, expertise and objectivity of any management experts used; • Discussions with the Council's valuer about the basis on which the valuation was carried out, challenging the key assumptions; • Review and challenge of the information used by the valuer to ensure it was robust and consistent with our understanding; • Testing of revaluation when assets are brought into use; and • Review of the procedures used to ensure that assets not revalued during the year (due to the Council's rolling 5 year revaluation programme) were not materially different to current value. 	<p>The valuation date within the valuer's report for General Fund land and buildings is 1 April 2016, but is accounted for as if the valuation was at 31 March 2017, subject to the adjustment noted below.</p> <p>To ensure the valuation is not materially misstated, the valuer reviewed the potential movement in values for the year. As part of this, the valuer also carried out a desktop review of all DRC (Depreciated Replacement Cost) valued assets not subject to formal revaluation, to assess whether they were materially misstated. He concluded that the carrying values of these assets needed to be adjusted. This resulted in an increase of £10.9m for assets fully revalued in 2016/17, and £94.3m for assets not revalued during 2016/17.</p> <p>We are satisfied that the accounts are consistent with the valuation and assessment and that this demonstrates there is a low risk of material misstatement.</p> <p>Our audit work has not identified any other significant issues in respect of valuation of property, plant and equipment.</p>

Audit of the accounts (continued)

Risks identified in our audit plan	How we responded to the risk	Findings and conclusions
<p>Valuation of pension fund net liability</p> <p>The Council's pension fund asset and liability, as reflected in its balance sheet, represents a significant estimate in the financial statements.</p>	<ul style="list-style-type: none"> Identifying the controls put in place by management to ensure that the pension fund liability is not materially misstated and assessing whether those controls were implemented as expected and whether they were sufficient to mitigate the risk of material misstatement; Review of the competence, expertise and objectivity of the actuary who carried out the Council's pension fund valuation; Gaining an understanding of the basis on which the IAS 19 valuation was carried out, undertaking procedures to confirm the reasonableness of the actuarial assumptions made; and Review of the consistency of the pension fund asset and liability disclosures in notes to the financial statements with the actuarial report from your actuary. 	<p>Our audit work has not identified any issues which we wish to bring to your attention.</p>
<p>Changes to the presentation of local authority financial statements</p> <p>CIPFA has been working on the 'Telling the Story' project, for which the aim was to streamline the financial statements and improve accessibility to the user and this has resulted in changes to the 2016/17 CIPFA Code.</p> <p>The changes affect the presentation of income and expenditure in the financial statements and associated disclosure notes. A prior period adjustment (PPA) to restate the 2015/16 comparative figures is also required.</p>	<ul style="list-style-type: none"> Documentation and evaluation of the process for recording the required financial reporting changes to the 2016/17 financial statements; Review of the re-classification of the Comprehensive Income and Expenditure Statement (CIES) comparatives to ensure that they are in line with the Council's internal reporting structure; Review of the appropriateness of the revised grouping of entries within the Movement In Reserves Statement (MIRS); Tested the classification of income and expenditure for 2016/17 recorded within the Cost of Services section of the CIES; Tested the completeness of income and expenditure by reviewing the reconciliation of the CIES to the general ledger; Tested the classification of income and expenditure reported within the new Expenditure and Funding Analysis (EFA) note to the financial statements; and Review of the new segmental reporting disclosures within the 2016/17 financial statements to ensure compliance with the CIPFA Code. 	<p>We identified that the column 'expenditure reported to cabinet' within the Expenditure and Funding Analysis note had been constructed using budget figures instead of the actual figures as reported to Cabinet. This has been included as a disclosure change to the financial statements and amendments have been agreed by the Council.</p> <p>Our audit work has not identified any further issues which we wish to bring to your attention.</p>

Audit of the accounts (continued)

Risks identified in our audit plan	How we responded to the risk	Findings and conclusions
<p>Operating expenditure Non-pay expenditure represents a significant percentage of the Council's gross expenditure. Management uses judgement to estimate accruals of un-invoiced non-pay costs.</p> <p>We identified the completeness of non-pay expenditure in the financial statements as a risk requiring particular audit attention:</p> <ul style="list-style-type: none"> Creditors understated or not recorded in the correct period (Operating expenses understated) 	<ul style="list-style-type: none"> Documented our understanding of processes and key controls over the transaction cycle; Undertaken walkthrough of the key controls to ensure those controls were in line with our documented understanding and that controls in place ensured operating expenses were not understated and were recorded in the correct period; Reviewed the application of the year-end closedown process for capturing creditor accruals; and Undertaken substantive testing of year end creditors including after date payments. 	<p>We tested a sample of payments made in April and May 2017 to identify whether there were items relating to goods/services received in 2016/17 which had not been appropriately accrued for (whether via system/manual accruals or the forecast accrual process).</p> <p>Two out of the seven school invoice payments selected within our sample related to services received prior to 31/3/17, but processed for payment after year-end, which were not manually accrued by the school on their submission to BCC. The total value of such school invoices paid in April and May amount to £9.8m, and this value is expected to include invoices for goods and services relating to both 2016/17 and 2017/18. Therefore, we are satisfied there cannot be a material risk of under-accrual of school invoices relating to 2016/17.</p> <p>We recommend that the Council review their processes for ensuring schools expenditure includes appropriate accruals.</p> <p>Our audit work did not identify any other issues which we wish to bring to your attention.</p>
<p>Employee remuneration Payroll expenditure represents a significant percentage of the Council's gross expenditure.</p> <p>We identified the completeness of payroll expenditure in the financial statements as a risk requiring particular audit attention:</p> <ul style="list-style-type: none"> Employee remuneration accruals understated (Remuneration expenses not correct) 	<ul style="list-style-type: none"> Documented our understanding of processes and key controls over the transaction cycle; Undertaken walkthrough of the key controls to assess whether those controls were in line with our documented understanding and were in place to ensure payroll expenses were not understated and were included in the correct period; Reconciled the annual payroll to the ledger and to the Expenditure and Funding analysis by nature note in the accounts; Completed a trend analysis of monthly and weekly payroll payments covering 2016/17 and compared these to 2015/16 to determine whether additional substantive testing was required; and Agreement of employee remuneration disclosures in the financial statements to supporting evidence. 	<p>Our audit work did not identify any issues that we wish to bring to your attention.</p>

Audit of the accounts (continued)

Risks identified in our audit plan	How we responded to the risk	Findings and conclusions
<p>Property, plant and equipment Risk that property plant and equipment activity is not valid</p>	<p>We have undertaken the following work in relation to this risk:</p> <ul style="list-style-type: none"> • Documented our understanding of processes and key controls in place to ensure that PPE activity was valid; • Undertaken a walkthrough of the process to ensure controls were in line with our documented understanding; • Tested the agreement of the fixed asset register to the accounts and supporting notes; and • Tested a sample of PPE additions and disposals as well as ensuring compliance with capitalisation requirements. 	<p>Our testing identified two errors which have been adjusted in the Statement of Accounts. These related to incorrect capitalisation of £6.7m spend on the Midland Metro which should be treated as REFCUS and £5.3m spend on one school which came into use in 2016/17 but was not transferred out of Assets Under Construction (AUC).</p> <p>We identified no other issues that we wish to bring to your attention.</p>

Audit of the accounts (continued)

Audit opinion

We gave an unqualified opinion on the Council's accounts on 29 September 2017 in advance of the 30 September 2017 national deadline.

The Council made the accounts available for audit in line with the agreed timetable (four weeks ahead of the national deadline) and provided a good set of supporting working papers. The finance team responded promptly and efficiently to our queries during the audit.

Issues arising from the audit of the accounts

We reported the key issues from our audit of the accounts to the Council Audit Committee on 26 September 2017.

Annual Governance Statement and Narrative Report

We are required to review the Council's Annual Governance Statement and Narrative Report. It published them on its website with the draft accounts in line with the national deadlines.

Minor amendments were made to both the Annual Governance Statement and the Narrative Report to ensure both documents were prepared in line with the relevant guidance and were consistent with supporting evidence provided and with our knowledge of the Council.

Whole of Government Accounts (WGA)

We carried out work on the Council's consolidation schedule in line with instructions provided by the NAO . We issued a group assurance certificate which did not identify any issues for the group auditor to consider.

Other statutory duties

We also have additional powers and duties under the Act, including powers to issue a public interest report, make written recommendations, apply to the Court for a declaration that an item of account is contrary to law, and to give electors the opportunity to raise questions about the Council's accounts and to raise objections received in relation to the accounts.

We have concluded that it is appropriate for us to use our powers to consider two objections made in relation to the councils 2016/17 Financial Statements.

We have also considered the responses made to the Section 24 recommendation made on 2015/16.

Value for Money conclusion

Background

We carried out our review in accordance with the NAO Code of Audit Practice (the Code), following the guidance issued by the NAO in November 2016 which specified the criterion for auditors to evaluate:

In all significant respects, the audited body takes properly informed decisions and deploys resources to achieve planned and sustainable outcomes for taxpayers and local people.

Key findings

Our first step in carrying out our work was to perform a risk assessment and identify the key risks where we concentrated our work.

The key risks we identified and the work we performed are set out in table 2 overleaf.

As part of our Audit Findings report agreed with the Council in September 2017, we agreed recommendations to address our findings:

1. Budget Delivery and Reserves Management

The Council needs to deliver the identified mitigating actions to offset the undeliverable planned savings in 2017/18 and maximise the delivery of the remaining savings plans for 2017/18 to reduce the use of additional reserves to achieve a balanced budget position.

The Council needs to develop realistic savings plans for future years which take full account of any delivery issues that are identified.

2. Future Operating Model

The Council needs to deliver management and support services changes following the redevelopment of the FOM on a timely basis to ensure that it delivers the required financial and operational outcomes.

3. Improvement Panel ('the Panel')

The Council needs to demonstrate that the pace of change and the impact of new political and corporate leadership arrangements are sufficient and sustained to address the concerns previously raised by the Panel.

4. Services for Vulnerable Children

The Council needs to continue to demonstrate measurable improvements in services for vulnerable children through successful implementation of the Children's Trust.

5. Management of Schools

The Council needs to continue to increase the pace of improvement in schools' governance arrangements to ensure that it can demonstrate to Ofsted that it has addressed the issues that it raised.

We issued an addendum to our Audit Findings Report on 26 September 2017 to include a reference to Equal Pay within the adverse VfM conclusion. The settlement of Equal Pay Claims remains an issue for the Council. Uncertainty around the timing and amounts of future claims will have an impact on the Council's reserves management.

Overall VfM conclusion

Because of the significance of the matters we identified in our work, we are not satisfied that the Council has made proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ending 31 March 2017.

Value for Money

Table 2: Value for money risks

Risk identified	Work carried out	Findings and conclusions
<p>Budget Delivery and Reserves Management</p> <p>Information when we completed our initial risk assessment indicated that the Council were facing a significant overspend against budget for 2016/17. There were plans to use £37 million of reserves in order to balance the final outturn for 2016/17.</p> <p>Given the recognised difficulties associated with the Council's 2016/17 savings programme, an independent review of 2017/18 budget setting process and an evaluation of the deliverability of the proposed budget has taken place.</p> <p>Overall the savings plan outlined in the Council's Financial Plan 2017+ needed to deliver 100% recurrent savings (£148 million) by the end of 2018/19 to maintain a workable reserves position.</p> <p>The key risk is that the proposed schemes will not deliver the required recurrent savings, or will take longer to implement than planned.</p>	<p>We have reviewed the project management and risk assurance frameworks established by the Council in respect of the more significant projects, to establish how the Council is identifying, managing and monitoring these risks.</p>	<p>The Council reported a 2016/17 revenue budget overspend of £29.8 million on a net revenue budget of £835.3 million. The outturn overspend is in the context of demanding savings targets of £123.2 million including finding 2016/17 solutions for £35.0 million largely for savings achieved on a non-recurrent basis in 2015/16. The Council has used £30.0 million of corporate funding (made up of use of the Capital Fund and the Organisation Transformation reserve) to address the year end pressure.</p> <p>The Council's Financial Plan 2017+ identifies continuing savings pressures, with a requirement of £171.4 million of savings to be delivered by the end of 2020/21; 2017/18 (£70.9 million) and 2018/19 (£62.7 million) are the two years with the greatest savings demand. The Business Plan includes a detailed analysis of savings schemes across the four year period. We focused our work on the delivery risks for the major savings schemes. In addition, there are a further £14.4 million of savings that were delivered on a non-recurrent basis in 2016/17 which need to be delivered in 2017/18.</p> <p>The Month 4 Corporate Revenue Budget Monitoring report position up to the end of July 2017/18 identifies the following:</p> <ul style="list-style-type: none"> • At the end of July 2017 a net revenue overspend of £15.7 million in 2017/18 is being forecast. This consists of an underspend of £2.3 million in the base budget delivery and £18.0 million of savings delayed or not deliverable in 2017/18 after identified mitigations. • The total forecast overspend of £15.7 million is primarily related to Place Directorate (£4.4 million), Children and Young People (£4.8 million) and the Future Operating Model (£15.7 million), offset by planned mitigations from Budget Planning work of £4.0 million and Corporate mitigations of £5.2m. • In the case of the Place Directorate, this relates largely to savings delivery challenges and base budget pressures on Waste Management services. • CYP relates largely to savings delivery challenges and pressures on the base budget for Travel Assist.

Value for Money (continued)

Risk identified	Work carried out	Findings and conclusions
Budget Delivery and Reserves Management (continued)	We have reviewed the project management and risk assurance frameworks established by the Council in respect of the more significant projects, to establish how the Council is identifying, managing and monitoring these risks.	<p>We identified in our initial risk assessment that the key risk was that the major savings schemes would not deliver the required recurrent savings, or would take longer to implement than planned. The £14.4 million shortfall in recurrent savings brought forward from 2016/17 and the delivery difficulties associated with the largest savings schemes in 2017/18 means that this risk is not sufficiently mitigated. In our view savings planning arrangements did not sufficiently take into account the impact of the level of non-recurrent savings or adequately assess the vulnerability of the largest proposed savings scheme.</p> <p>We have concluded that these weaknesses in the Council's arrangements relate to the adequacy of financial planning VfM criteria as part of informed decision making.</p>

Value for Money (continued)

Risk identified	Work carried out	Findings and conclusions
<p>Future Operating Model</p> <p>The re-structure of the Council to meet its vision for the future will affect all Birmingham City Council Employees and will require a significant amount of detailed planning to deliver. The overarching purpose of the new model is to achieve more for less. Not just to manage on less money but to deliver on new expectations. The key risk is that the planned changes to the Council's operating model do not fully deliver the desired outcomes or take longer than planned to implement.</p>	<p>We have reviewed the project management and risk assurance frameworks established by the Council in respect of the more significant projects, to establish how the Council is identifying, managing and monitoring these risks.</p>	<p>The FOM is planned to prioritise public facing services, consolidate and optimise support services and bring consistency to the spans and layers of management within the Council.</p> <p>In January 2017 a report was presented at Cabinet setting out the proposals to strengthen the leadership capacity of the Council, reshape the strategic leadership and initiate the implementation of the FOM.</p> <p>To ensure that the Council can deliver the FOM, it is imperative that the organisation adjust its structures, spans and layers of management to align with the model. At its centre the organisation requires a streamlined, disciplined operating centre that supports delivery departments to achieve the priorities of the organisation.</p> <p>The implementation of the FOM was expected to deliver savings in 2017/18 of £14.6 million in the Council's Financial Plan 2017+. However, due to significant delays in its implementation the Month 4 Corporate Revenue Budget Monitoring report shows that there will be undelivered savings of £15.4 million in 2017/18, rising to £34.2 million in future years before mitigations of £4 million that are expected to be achieved from the Budget Planning work.</p> <p>The Council is currently redeveloping the FOM to ensure that it includes the appropriate management and support service changes to deliver the required financial and operational outcomes.</p> <p>We identified in our initial risk assessment that the key risk is that the planned changes to the Council's operating model do not fully deliver the desired outcomes or take longer than planned to implement. This has clearly been the case with the FOM and, on that basis, we have concluded that these weaknesses in the Council's arrangements relate to managing risks effectively and maintaining a sound system of internal control, demonstrating and applying the principles and values of sound governance, and planning, organising and developing the workforce effectively to deliver strategic priorities.</p>

Value for Money (continued)

Risk identified	Work carried out	Findings and conclusions
<p>Improvement Panel</p> <p>The Improvement Panel ('the Panel') has been in place since January 2015, following the publication of Lord Kerslake's report on the Council's governance. The Panel has reported to the Secretary of State on the progress made by the Council, but has also noted its concerns.</p> <p>The key risk is that the Panel will conclude that the Council is not making sufficient progress in implementing the changes needed.</p>	<p>We have considered the Panel's reports and discussed the progress made and key issues with the Panel's Vice Chair.</p>	<p>We met with the Vice Chair of the Panel on a frequent basis throughout the year and were briefed on the Panel's view of the progress being made. The Panel has written to the Secretary of State several times since 1 April 2016.</p> <p>The Panel's August 2017 letter stated that its assessment overall is that the Council's direction of travel is positive. The Panel noted that:</p> <p>"In light of the good prospects for improvement and bearing in mind the highly experienced capacity and capability in the current management team and the Leader's strong resolve to continue to make the necessary changes that will promote good governance we suggest that the Panel should suspend its current operation with only the Vice Chair and the Panel's adviser staying in touch with the Council."</p> <p>Subsequent to this, issues arose from the recent waste dispute which led to the resignation of the Leader of the Council on 11 September 2017 and the Secretary of State requested an "urgent update" from the Panel so that he could consider the "next steps" for the Council.</p> <p>We identified in our initial risk assessment that the key risk was that the Panel will conclude that the Council was not making sufficient progress in implementing the changes needed. We considered the latest findings of the Panel including its suggestion to suspend its current operation, but, recent developments have led us to conclude that these weaknesses in the Council's arrangements do not support informed decision making.</p> <p>Subsequent to the issue of our audit report on 29 September 2017, we became aware that the Panel met with Councillor Ward and Stella Manzie, interim Chief Executive, to discuss the situation. It was agreed that the best course of action would be for the Panel to remain in place, providing advice and support to the Council until it can demonstrate that the changes and governance still required are truly embedded.</p>

Value for Money (continued)

Risk identified	Work carried out	Findings and conclusions
<p>Services for Vulnerable Children</p> <p>The Council's services for Vulnerable Children were assessed as inadequate by Ofsted and are subject to an Improvement Notice. Ofsted have continued to rate Children's services as inadequate overall. The Secretary of State has appointed a Children's Commissioner. Plans are in place for a Children's Trust to be run in shadow form from 1 April 2017.</p> <p>The key risk is that the service does not show demonstrable improvement and continues to be subject to external intervention. Until such time as Ofsted has confirmed that adequate arrangements are in place this remains a significant risk to the Council's arrangements.</p>	<p>We reviewed the project management and risk assurance frameworks established by the Council in respect of the more significant projects, to establish how the Council was identifying, managing and monitoring these risks.</p>	<p>The Council was subject to an Ofsted monitoring visit in May 2017 and the inspector wrote to the Council summarising his findings on 13 June 2017. The visit was the first monitoring visit since the Council was judged inadequate in November 2016.</p> <p>The areas covered by the visit were help and protection, with a particular focus on referral and assessment arrangements, the application of thresholds for intervention, and services to children at risk of sexual exploitation and those who go missing from home.</p> <p>The inspector's letter stated that "since the last inspection, leaders and managers have worked hard to make a range of necessary improvements including successfully embedding some well-established strength-based approaches to practice within an overall relationship-based model of social work. Although substantial further progress is required before services are consistently good, in a number of areas Birmingham are receiving better and timelier services. Against a long-standing history of failing to provide good services for children, this represents notable progress."</p> <p>The report of the Improvement Quartet to the Council on 11 July 2017 highlighted the progress made with the establishment of the Children's Trust. In particular, the appointments of the following:</p> <ul style="list-style-type: none"> • Andrew Christie as the Trust Chair; • a Chief Executive who started on 14 August 2017; and • six non-executive directors. <p>These appointments and the Trust's governance arrangements provide the Council with a strong platform to deliver the further improvements required for children's services in the near future.</p> <p>We identified in our initial risk assessment that the key risk was that services for vulnerable children do not show demonstrable improvement and continue to be subject to external intervention. The findings of the Ofsted monitoring report means that this risk is not sufficiently mitigated.</p> <p>We concluded that these weaknesses in the Council's arrangements relate to managing risks effectively and maintaining a sound system of internal control, demonstrating and applying the principles and values of good governance, as part of informed decision making and planning, organising and developing the workforce effectively to deliver strategic priorities as part of strategic resource deployment.</p>

Value for Money (continued)

Risk identified	Work carried out	Findings and conclusions
<p>Management of Schools</p> <p>The Council's management of the governance of schools was found to be weak and an Education Commissioner was appointed by the Secretary of State in 2014. The commissioner post ended in July 2016. However much work is still required and the Birmingham Education Partnership (BEP) has responsibility for implementing an improvement plan in conjunction with the West Midlands designated Regional Schools Commissioner.</p> <p>The key risk is that plan implementation will be slower than envisaged and underlying issues will not be effectively addressed.</p>	<p>We have focused on the BEP's management and reporting of the Single Integrated Plan. We have reviewed the progress made by Internal Audit within their coverage of schools governance.</p>	<p>The Council published its Education Services Delivery & Improvement Plan for 2016/17 in May 2016. The four key actions of the plan are:</p> <ul style="list-style-type: none"> • to work with strategic partners to build a great education offer for all in a challenging landscape; • to improve safeguarding and resilience for all to keep all children safe from harm; • to champion fair opportunities for vulnerable children and young people; and • to ensure exceptional leadership across and beyond the education system. <p>The report of the Improvement Quartet to the Council on 11 July 2017 highlighted the progress made with Education Services. In particular, it noted that:</p> <ul style="list-style-type: none"> • over 90% of the education improvement plan had been delivered on time; • feedback from the Department for Education, Ofsted and local stakeholders was positive; and • in view of the progress and capacity to improve further, the Education Commissioner's tenure was ended by the Secretary of State in July 2016. <p>However, as part of the assessment of schools governance improvement Birmingham Audit (internal audit) have been commissioned to carry out a programme of audits over a two year period. Their findings have continued to show that there are a range of governance issues to address across the schools visited, 17 of the 97 schools audits undertaken by internal audit in 2016/17 were assessed as 'level 3' assurance (specific control weaknesses of a significant nature noted, and/or the number of minor weaknesses noted was considerable).</p> <p>We identified in our initial risk assessment that the key risk was that plan implementation will be slower than envisaged and underlying issues will not be effectively addressed. Although it is clear that progress has been made with the implementation of the improvement plan there is still work to do. The pace of school improvement remains the key issue which is affecting our judgement.</p> <p>We concluded that these weaknesses in the Council's arrangements relate to managing risks effectively and maintaining a sound system of internal control, demonstrating and applying the principles and values of good governance, as part of informed decision making and planning, organising and developing the workforce effectively to deliver strategic priorities as part of strategic resource deployment.</p>

Value for Money (continued)

Risk identified	Work carried out	Findings and conclusions
<p>Working with Health Partners</p> <p>The Council has extensive partnership arrangements with Health bodies. Delivery of service outcomes is dependent on effective partnership working with Clinical Commissioning Groups. Deliverability of the Sustainability and Transformation Plan is now at risk due to budget pressures. The redesign of care commissioning is paramount to the achievement of overall public money budgets.</p> <p>The key risk is that partnership arrangements do not fully deliver service outcomes and improvements.</p>	<p>We have reviewed the project management and risk assurance frameworks established by the Council in respect of the more significant projects, to establish how the Council is identifying, managing and monitoring these risks.</p>	<p>We have considered the governance arrangements for the Better Care Fund (BCF) and other pooling agreements including improved Better Care Fund (iBCF). In particular, the clarity of lines of accountability to the Council. We have also considered the risk sharing arrangements in place and the partnership arrangements.</p> <p>The Birmingham iBCF totals £34 million for 2017/18, £47 million in 2018/19 and £60 million in 2019/20. The published policy framework outlines that the intended use of the iBCF is across three priority areas:</p> <ul style="list-style-type: none"> • to meet adult social care need; • to provide support to the NHS (especially through application of the 8 High Impact Changes); and • to sustain the social care provider market. <p>Whilst the Council is instrumental in the decision making process for how the iBCF money is allocated, ultimately the final decision remains the responsibility of the local Health and Wellbeing Board.</p> <p>The Council is working closely with its NHS partners and social care providers to develop new programmes of care to deliver more efficient and effective services following the deployment of the iBCF. At the Health and Wellbeing Board on 4 July 2017 the proposals for the use of the iBCF and dementia funding as part of the BCF were considered.</p> <p>We identified in our initial risk assessment that the key risk is that partnership arrangements do not fully deliver service outcomes and improvements. We have considered the Council's arrangements for the distribution of the BCF and the iBCF and are satisfied that they are appropriate. On that basis, we have concluded that the risk is sufficiently mitigated and that the Council has appropriate arrangements in place to work with third parties effectively to deliver strategic priorities and commission services effectively to support delivery of strategic priorities.</p>

Appendix A: Reports issued and fees

We confirm below our final fees charged for the audit and provision of non-audit services.

Fees

	Proposed fee £	Final fee £
Council audit	314,168	314,168
Audit of subsidiaries		
Acivico Limited	38,000	38,000
Innovation Birmingham Limited	22,800	22,800
NEC (Developments) PLC	30,000	35,000
PETPS (Birmingham) Limited	7,600	7,600
Finance Birmingham Limited	6,900	7,000
Marketing Birmingham Limited	13,900	13,900
Subsidiaries total	119,200	124,300
Housing Benefit Grant Certification	17,594	23,594*
Total audit fees (excluding VAT)	450,962	462,062

The proposed fees for the year for the Council audit and the Housing Benefit Grant Certification were in line with the scale fee set by Public Sector Audit Appointments Ltd (PSAA). *The final fee for Housing Benefits Grant Certification is pending agreement of a fee variation by PSAA. This variation is expected to be in the region of £6,000.

Reports issued

Report	Date issued
Audit Plan	January / March 2017
Audit Findings Report	September 2017
Annual Audit Letter	October 2017

Fees for other services

Service	Fees £
Audit related services:	
• SFA Grant	4,500
• IMLT Grant	3,500
• Teacher's Pension	TBC
• Pooling Capital Receipts	TBC
• CFO Insights (fee per annum)	10,000
Other services	
• Innovation Birmingham – VAT	1,100
Non-audit services	19,100

Non- audit services

- For the purposes of our audit we have made enquiries of all Grant Thornton UK LLP teams providing services to the Council. The table above summarises all other services which were identified.

Appendix A: Reports issued and fees (continued)

We have considered whether other services might be perceived as a threat to our independence as the Council's auditor and have ensured that appropriate safeguards have been applied to mitigate these risks.

	Service provided to	Fees	Threat identified	Safeguards
Audit of subsidiary companies	Acivico Limited Innovation Birmingham Limited NEC (Developments) PLC PETPS (Birmingham) Limited Finance Birmingham Limited Marketing Birmingham Limited	38,000 22,800 35,000 7,600 7,000 13,900	No	Separate commercial audit teams. As such, we do not consider the audit of Birmingham City Council's subsidiaries to be a threat to our independence.
Grant claims - Housing Benefits - SFA - IMLT	Birmingham City Council	31,594	No	The fee for this work is negligible in comparison to the total fee for the audit and in particular the overall turnover of Grant Thornton UK LLP and the Public Sector Assurance service line. As such, we do not consider this grant assurance work to be a threat to our independence.
VAT	Innovation Birmingham	1,100	No	Separate VAT team. As such, we do not consider this work to be a threat to our independence.
CFO Insights	Birmingham City Council	10,000	No	The fee for this work is negligible in comparison to the total fee for the audit and in particular the overall turnover of Grant Thornton UK LLP and the Public Sector Assurance service line. The annual fee is fixed with no contingent element. As such, we do not consider CFO Insights to be a threat to our independence.

None of the above services were provided on a contingent fee basis.

For the purposes of our audit we have made enquiries of all Grant Thornton teams within the Grant Thornton International Limited network member firms providing services to the Council. No other threats to independence have been identified.

This covers all services provided by us and our network to the Authority, its Members and senior management and its affiliates, and other services provided to other known connected parties that may reasonably be thought to bear on our integrity, objectivity or independence. (ES 1.69)



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PUBLIC REPORT

Report to:

CABINET

*Exempt
information
paragraph number
– if private report:*

Report of:

Chief Operating Officer

Date of Decision:

12th December 2017

SUBJECT:

Performance Monitoring

Quarter Two April to September 2017

Key Decision: Yes

If not in the Forward Plan:
(please "X" box)

Relevant Forward Plan Ref:

Chief Executive approved ☐o&s chairman approved ☐

Relevant Cabinet Member(s):

Councillor Brigid Jones – Deputy Leader

Relevant O&S Chairman:

Corporate Resources and Governance – Councillor

Mohammed Aikhlaq MBE

Wards affected:

All

1. Purpose of report:

The purpose of this report is to:

- 1.1 Highlight progress between April and September 2017 (unless otherwise stated), in meeting our vision and priorities key performance and organisational health targets,
- 1.2 Notify Cabinet of areas of particular success, any issues requiring attention and remedial activity in place to deal with these.
- 1.3 Seek Cabinet approval to the change in target for the measure 'number of accidents/incidents per 1,000 employees'.

2. Decision(s) recommended:

That Cabinet:

- 2.1 Notes the progress against our vision and priorities council plan and organisational health targets for the period 1st April to 30th September 2017. In particular, those areas where we have performed well against our targets and any issues requiring attention.
- 2.2 Approves the change in target for the measure 'number of accidents/incidents per 1,000 employees'.

Lead Contact Officer(s):

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3. Consultation

3.1 Internal

Cabinet members, directors and directorate staff have been involved in discussions around the performance against the targets contained within this report and attached appendices. Otherwise this paper is a factual report on progress and no other consultation has been required.

3.2 External

No external consultation required.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the council's policies, plans and strategies?

This report provides a position statement about how well we are doing against the targets we set in March 2017 towards achieving our outcomes and priorities, as set out in the council's vision and forward plan.

4.2 Financial Implications (How will decisions be carried out within existing finances and Resources?)

•

The vision and forward plan forms a key part of the budgeting and service planning process for the City Council that takes account of existing finances and resources, and sets out the key strategic and operational outcomes that the City Council wish to achieve. Implications on the Council's budgetary position arising from issues highlighted in this report will be reported in the periodic corporate budget monitoring statements received by Cabinet.

4.3 Legal Implications

There are no legal implications arising from this report.

4.4 Public Sector Equality Duty. (see separate guidance note)

Our key vision and priorities council plan and organisational health measures are designed to ensure significant improvement in service quality and outcomes for the people of Birmingham – some have a particular focus on disadvantaged groups. Non-achievement may have a negative impact on external assessments of the City Council and could put relevant funding opportunities at risk.

5. Relevant background/chronology of key events:

5.1 Overall Context

The Council's first quarter's performance monitoring report (April to June 2017, reported to Cabinet in September 2017) reiterated our commitment to keep Cabinet and citizens informed of progress against the Council's key performance and organisational health targets for measuring success against the Council's outcomes and priorities, as set out in the Vision and Forward Plan for 2017/18.

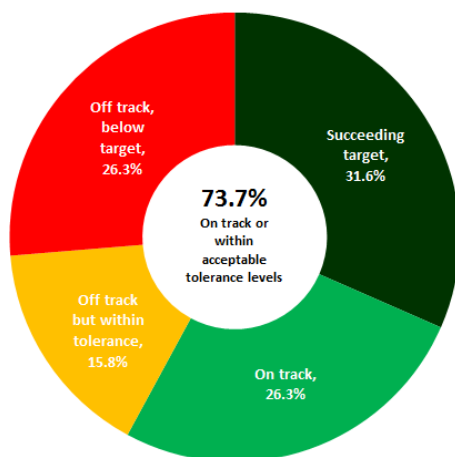
This report summarises progress made against our key targets (for those areas where we have either performed exceptionally well above our targets, or where we still have further progress to make), for the period April to September 2017, with a summary of reasons for performance and, where relevant, any actions being taken to bring performance back on track.

The report is supported by two appendices which provide fuller details of performance against all of our key targets, including actions being taken to ensure any underperformance is being tackled efficiently, and measures are in place to bring performance back on track as soon as is practicably possible. This information will be uploaded on to the council's website to enable citizens to see the progress we are making, and where we need to make more effort.

5.2 Vision and Priorities Council Plan Measures (Appendix 1)

Summary

For our key performance measures, overall strategic performance analysis is made up of 28 performance indicators of which performance results are available for 19. For the other 9 measures, results are not yet due as they are reported on a less frequent basis e.g., annually or half yearly.



Taking the above into account, for the period April to September 2017, 14 of 19 measures (73.7%) exceeded, met or were within acceptable tolerance levels of their target. Overall performance remains good when compared to the outturn result for 2016/17 (45%), and when compared to the same period in 2016 (65%).

For 17 measures, we are able to provide a direction of travel against how we performed at the end of the previous quarter (June 2017). We are not able to provide a direction of travel for the others as performance against these are not comparable to previous results.

Of the 17 comparable measures, performance against:

- 6 improved
- 2 stayed the same as the previous result, and
- 9 deteriorated.

5.3 **Successes**

Listed below some general good news stories and council plan successes for the period i.e., those where we performed better than where we planned to be by the end of September 2017.

a) **Children Priority**

Following a second monitoring visit, the good work being carried out by our **Children's Services** has been recognised - Ofsted found that the council 'is continuing to make progress' and the quality of social work has improved.

In addition, following consultation on a **new and fairer system for providing early years' health and wellbeing services for children and families** in the city, a revised plan for delivery has been published.

Council Plan Success

Overall, 67% (4 out of 6) measures performed well or within acceptable tolerance levels. A particular success was:

- The **number of schools progressing a Mode "STARS" (Sustainable Travel Accreditation and Recognition for Schools) programme**. At this half year stage I the year, performance at 36 is way above where we targeted to be at this stage in the year and positively on the way towards ensuring we meet our end of year target of 50.

b) **Health Priority**

The council received positive **support for Birmingham's 2022 Games Bid** with both BBC Midlands Today and ITV Central News carrying pieces on Team England announcing its athletics squad for the 2018 Commonwealth Games on the Gold Coast.

Public Health Innovation Team, apprentices and graduates, supported by Public Health England, launched a national '**One YouBrisk Walking campaign**' which is designed to get people to take a 10 minute brisk walk daily and monitor their progress using the app – the Active 10 app, individuals have been encouraged to register and take part.

St Georges – Financial Healthy Neighbourhoods - An event in July led by the Financial Inclusion Partnership where at least 1,000 people attended and which received very positive feedback e.g. one tenant said that she "was not expecting this from Birmingham City Council and that it was needed by the community as it brings faiths and cultures together uniting the community to resolve problems as one". The area has a number of challenges including barriers to accessing housing, a poor perception of safety and poor rankings when compared to other areas for income, employment, education, child poverty and health. By working

together with other agencies (incl. Severn Trent, the DWP, West Midlands Fire Service and West Midlands Police, a plan is in place with a vision to create opportunities for citizens to improve their financial wellbeing and digital skills.

Council Plan Success

Overall, 75% (3 out of 4) measures performed well or within acceptable tolerance levels. Of particular success was the following:

- Increase in the number of **our most deprived citizens who have engaged with our wellbeing service, been to an active park or attended at a wellbeing centre**. More than doubling the performance achieved during the first quarter of this year, at 128,743, performance is significantly above the 90,000 target, greatly helped by the successful activities programmes held over the summer period.

c) **Housing Priority**

Birmingham In Bloom Calendar For Charity - Each year, Birmingham City Council, in partnership with the Housing Liaison Boards (HLBs) run the Birmingham in Bloom competition for council tenants and leaseholders. This competition is a chance for them to show us the pride they have in their homes – and, in turn their efforts contribute to cleaner, greener neighbourhoods across the city. Last year, as part of this work, a calendar was put together to showcase the gardens of the winning entries from the 2016-17 competition. This will raise funds for the following charities: Cancer Research UK; Mind Birmingham; Rainbow Trust children's charity; and Alzheimer's UK. This work has been recognised

Council Plan Successes

Overall, 75% (3 out of 4) measures performed well or within acceptable tolerance levels. All 3 of these measures exceeded their target:

- The number of **households whose homelessness is prevented or relieved** where year-to-date, we have achieved 4,949 against a target of 4,500.
- The **number of empty properties brought back into use (cumulative)**. The continued, successful work of the Empty Properties team have again yielded excellent results having now returned 167 long term empty properties back into use against the 150 targeted for September 2017.
- The percentage of **available council housing as a percentage of stock** again sees performance at 99.59%, better than the 98.8% target we set ourselves. Making the best use of our housing stock, these properties include those that are tenanted and those that are void but available to re-let.

d) **Jobs and Skills Priority**

Based on an evaluation of our strategies, key projects and overall readiness in using digital technology to improve crucial civic services from transport infrastructure to healthcare, **Birmingham has been ranked the fourth smartest city in the UK.**

Council Plan Success

Overall, 75% (3 out of 4) measures performed well or within acceptable tolerance levels. Of particular success was the following:

- **Increasing the number of apprenticeships within other organisations through our influence on contract management.** A new measure for this year, the focus of this measure is around increasing skills and employment opportunities, particularly in vulnerable groups, to ensure that our Birmingham residents are trained and up-skilled appropriately to enable them to take advantage of sustainable employment. At the end of September, 67 apprenticeships from newly accredited organisations were in place against a target of 60.

Other general successes

- Birmingham City Council has won a **Gold award and a People's Choice award at the Lovies**, Europe's leading awards organisation honouring excellence in design and user experience on the internet.
- One of the city's privately run homes, **Victoria Lodge Care Home, Acocks Green** and one where we fund residents at, achieved a **Care Quality Care 'outstanding' rating, only the second service to do so in Birmingham.**
- Council offices '**10 Woodcock Street**' has won the '**Test of Time**' Award at the British Council for Offices (BCO) Awards 2017.

5.4 **Council Plan Measures that have not met their Quarter Two Target**

5 council plan measures where we are not yet on track:

a) **Children Priority**

- The **proportion of schools rated as good or outstanding during the term.** Although performance at 67.7% is below target (80%), it is up 7 percentage points when compared to that achieved last quarter (60%). Between July and September there were 10 inspections of schools by Ofsted (3 full and 7 short). 7 of these judgements were judged as good or outstanding.
- A reduction in the **numbers of children in care** with the intention of increasing the percentage of children and young people who are kept safely within their families - this result relates to Birmingham City Council children only and excludes unaccompanied asylum seekers,. At 1,737, whilst off target, numbers have reduced slightly compared to last quarter (1,739) and March when last year's outturn result was reported (less than 1,750 if we exclude the unaccompanied asylum seekers).

b) **Health Priority**

- The **quality of care provided in the city will improve so that more people receive a standard of care that meets or exceeds the quality threshold** - Data for this measure is available 5 to 6 weeks after the quarter end. The

result for the period first quarter April to June is now available and at 61.8% is below our target of 75% and 2.2 percentage points down on the previous survey return.

c) **Housing Priority**

- **Minimising the number of households living in temporary accommodation per 1,000 households** – A trend measure, we have experienced another increase in the number of households living in temporary accommodation. Support is being provided to people living in temporary accommodation, focussing on all temporary accommodation residents joining the housing register and then moving on to explore options for those who do not qualify. Help is also in place to assist those who are on the register to successfully bid for permanent accommodation. This is in addition to the prevention work being done by the Housing Options team to both reduce the numbers going into temporary accommodation and increase the number leaving.

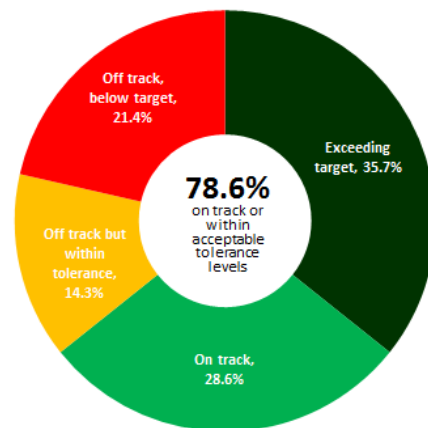
d) **Jobs and Skills Priority**

- **The number of apprenticeships directly within Birmingham City Council** – excluding schools based staff, this measure looks at how many apprenticeship posts we have as well as how many go into employment once they have completed their apprenticeships. Up to the end of September, 65 apprenticeships were in place and whilst below the target of 75, there has been an increase of 51 when compared to last quarter (June 2017). A statutory target, the aim is to employ an average of at least 2.3% of staff as new apprentice starts by the end of this financial year.

5.5 **Organisational Health Measures (Appendix 2)**

For our organisational health measures, overall of the 29 indicators results were available for 18. 4 of these are trend measures and do not have a target. For the purpose of this first report these have been excluded from the overall count of measures deemed as achieving or missing their target.

Results for the other 11 measures are reported annually and will be made available to Cabinet as they become available.



Excluding the 4 trend measures, of the remaining 14 results, 11 (78.6%) exceeded, met or were within acceptable tolerance levels of their target.

Of the 15 comparable measures (against the previous quarter), performance against:

- 5 improved
- 1 stayed the same as the previous result, and
- 9 deteriorated.

5.6 **Successes**

Listed below are the Organisational Health successes at September 2017 – where

we performed better than where we planned to be by the end of September 2017.

a) **Citizens**

2 results have been provided, both of which have exceeded their target:

- **The percentage of complaints we answered within time** – 95% citywide which is above the corporate target of 90%. Performance is monitored rigorously and any areas failing to meet the 90% target are escalated to Heads of Service, Assistant Directors and Corporate Directors for consideration.
- **The percentage of citizens transacting digitally with the Council** - Channel shift performance was 6.3% above target at 28.2% representing a slight reduction on the previous month. This level of performance is consistent with the levels achieved prior to the start of industrial action in Waste Management.

b) **Governance**

Overall, 75% (6 out of 8) measures performed well or within acceptable tolerance levels. The following 3 exceeded their target:

- **The overall percentage of council plan measures achieved** which at 73.7% for the end of September is an improvement of 9.6 percentage points compared to the previous quarter result (June 2017), and 8.7 percentage points better than that achieved in September last year.
- **Ombudsman complaints resulting in reports issued** - There were no Local Government Office reports issued in September.
- **Judicial review challenges** – all judicial reviews were successfully defended.

c) **Workforce**

Overall, 3 (75%) of 4 measures met their September target.

5.7 **Organisational Health Measures that have not met their Quarter One Target**

Listed below are those measures where we are not yet on track:

a) **Governance**

- **Data Protection Act requests in 40 day** - 46 requests were completed within September. 31 were completed within 40 days. For the quarter, 95 requests were completed. 75 were completed in 40 days.
- **Maintaining/improving compliance with ICT and procurement policies and governance** – ICT compliance performance, which has declined slightly from Quarter 1, has been discussed with the Procurement & ICT Operational Group and groups around the Directorates. Corporate Procurement Services are continuing to monitor and liaise with individual representatives to ensure this indicator receives the attention it requires in order to save money and become more efficient in the future.

b) **Workforce**

- **Workforce sickness absence rates** – at 10.22 days per full time equivalent (fte) member of staff (year-to-date), absence levels are 0.05 days per fte (0.5%) higher than in the same month last year, and 0.36 days more than at the end of June this year. It should be noted, however, that historically sickness absence levels have increased in September for seasonal reasons: - Sickness days, absence incidents, and days lost per fte, due to coughs/colds/flu, have all increased this month by around 3%, in line with seasonal norms. - While chest/respiratory absence in terms of absence incidents has only increased by around 1%, the number of days lost, and days per fte lost, for this reason have increased by around 3%, again in line with seasonal norms.

5.8 **Waste management measures**

In line with the request from Cabinet, when the Quarter Two report was presented to the meeting in September 2017, below is the update in relation to progress against the selection of waste management measures, for which, although not formally a part of the council plan set of measures, updates are provided on a quarterly basis on the Council webpage (Birmingham.gov.uk/performance).

- **Percentage of waste sent to landfill** – Our current estimated performance is 18% against our profiled target of 11.5% (the end of year target is 10%). The recent industrial action severely impacted the collection services in July, August and September dramatically reducing the amount of segregated recycling collected and thus increasing the residual proportion of the overall waste handled.
- **Missed bin collections per 100k collections made** – Having achieved a result of 86 per 100k collections (year-to-date), we missed the target by 34 collections. There was a reduction, but still high, in reported missed collections in September, a monthly figure of 87 per 100k collections, compared with the monthly figures of 131 per 100k collections in August and 147 per 100k collections in July. This higher level of missed collections was due to the disruption in collection services caused by the industrial action.
- **Increasing recycling, reuse and green waste** - The estimated profiled year to date result of 23% means that we are not meeting the in-month target of 32.60%. As a reminder the year-end target is 30%. This measure was also negatively impacted by the increase in the overall amount of household waste but there was an increase in the amount of composting compared to the first quarter of last year. However, there was a reduction in post incineration metals due to the scheduled shutdown of the Energy Recovery Plant and a reduction in recycling from on-street banks. The recent industrial action severely impacted the collection services in July, August and September disproportionately affecting recycling services dramatically reducing the amount of segregated recycling collected.

5.9 **Cross-cutting measures**

The cross-cutting measures which we set ourselves in June, set out the more longer term aims of the City Council and Birmingham as a whole, and focus around:

- Reducing households in fuel poverty.

- Reducing workless households overall, and implementing the recommendations from the Child Poverty Commission.
- Improving cleanliness, particularly on our streets and green spaces.
- Increasing total trips by public transport.
- Reducing health inequality.
- Improving air quality.

We agreed to report progress on the above on an annual basis and an update will be brought to Cabinet alongside, the 2017/18 performance outturn results, when they are reported to Cabinet in June 2018.

5.10 **Amended target**

Cabinet approval is sought to change the target status of the following measure from monitoring against a fixed target, to monitoring trend:

- **Number of accidents/incidents per 1,000 employees** - This measure was reported at Quarter 1 to Cabinet as a cumulative year to date result, but, since then the service area has changed this to a 12 month rolling average as this is more meaningful and would provide a more relevant/realistic picture. This means that the agreed target of 3 is no longer applicable and it is proposed that for the remainder of this financial year, performance monitoring should be based on trend, rather than against a fixed target

5.11 The attached appendices provide a more detailed breakdown of performance for all of our key performance and organisational health measures, along with commentary which explains performance, and where relevant, summarises any remedial actions that have been taken or are planned to bring performance on track.

5.12 The four symbol style for monitoring progress reflects the 'as at position' against targets. A 'Star' means performance has significantly exceeded the target, a 'tick' indicates performance was on, or above target (but not significantly above), the 'circle' shows performance was below target, but within an acceptable tolerance level, and the 'triangle' tells us that performance is off target and worse than agreed tolerances. This style of reporting is to enable services to better manage measures at lower risk and members to focus on those areas that require particular attention.

5.13 **General**

Once approved by Cabinet, information of progress against all targets in this report will be published on the Council website: www.birmingham.gov.uk/performance in line with previous practice.

6. Evaluation of alternative option(s):

This report provides progress against the council’s strategic outcomes, and the measures in place to achieve them. If this report was not provided, Cabinet, in its entirety, would not have an overview of progress against the Council’s key performance and organisational health measures, or actions being taken to bring performance back on track.

7. Reasons for Decision(s):

To advise Members of progress against outcomes, including, any actions being taken, or planned, to bring performance on track.

Signatures	<u>Date</u>
Cabinet Member:
Chief Officer.....

List of Background Documents used to compile this Report:

- Performance Monitoring Quarter One April to September 2017
- 2016/17 Council Business Plan Measures – End of Year Performance Monitoring (April 2016 to March 2017)
- Vision and Forward Plan 2017-2020

List of Appendices accompanying this Report (if any):

1. **Appendix A – Council Plan Measures – Quarter 2, 2017/18**
2. **Appendix B – Organisational Health Measures – Quarter 2, 2017/18**

Report Version Dated

PROTOCOL PUBLIC SECTOR EQUALITY DUTY

- 1 The public sector equality duty drives the need for equality assessments (Initial and Full). An initial assessment should, be prepared from the outset based upon available knowledge and information.
- 2 If there is no adverse impact then that fact should be stated within the Report at section 4.4 and the initial assessment document appended to the Report duly signed and dated. A summary of the statutory duty is annexed to this Protocol and should be referred to in the standard section (4.4) of executive reports for decision and then attached in an appendix; the term 'adverse impact' refers to any decision-making by the Council which can be judged as likely to be contrary in whole or in part to the equality duty.
- 3 A full assessment should be prepared where necessary and consultation should then take place.
- 4 Consultation should address any possible adverse impact upon service users, providers and those within the scope of the report; questions need to assist to identify adverse impact which might be contrary to the equality duty and engage all such persons in a dialogue which might identify ways in which any adverse impact might be avoided or, if avoidance is not possible, reduced.
- 5 Responses to the consultation should be analysed in order to identify:
 - (a) whether there is adverse impact upon persons within the protected categories
 - (b) what is the nature of this adverse impact
 - (c) whether the adverse impact can be avoided and at what cost – and if not –
 - (d) what mitigating actions can be taken and at what cost
- 6 The impact assessment carried out at the outset will need to be amended to have due regard to the matters in (4) above.
- 7 Where there is adverse impact the final Report should contain:
 - a summary of the adverse impact and any possible mitigating actions (in section 4.4 or an appendix if necessary)
 - the full equality impact assessment (as an appendix)
 - The equality duty – see page 9 (as an appendix).

Equality Act 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

- 1 The Council must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 2 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - (c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 3 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- 4 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - (a) tackle prejudice, and
 - (b) Promote understanding.
- 5 The relevant protected characteristics are:
 - (a) age
 - (b) disability
 - (c) gender reassignment
 - (d) pregnancy and maternity
 - (e) race
 - (f) religion or belief
 - (g) sex
 - (h) sexual orientation

Appendix 1

Birmingham City Council Corporate Performance Monitoring

Vision and Priorities 2017-2020 Council Plan Measures

Quarter 2 2017/18 Progress report



Contents

Overview **2**

Overall performance against our priorities **3**

Key messages **4**

Progress against our vision and priority measures **6**

A city of growth where every child, citizen and place matters.

- **Children** – a great place to grow
- **Housing** – a great place to live in
- **Jobs and Skills** – a great place to succeed in
- **Health** – a great place to grow old in



Overview

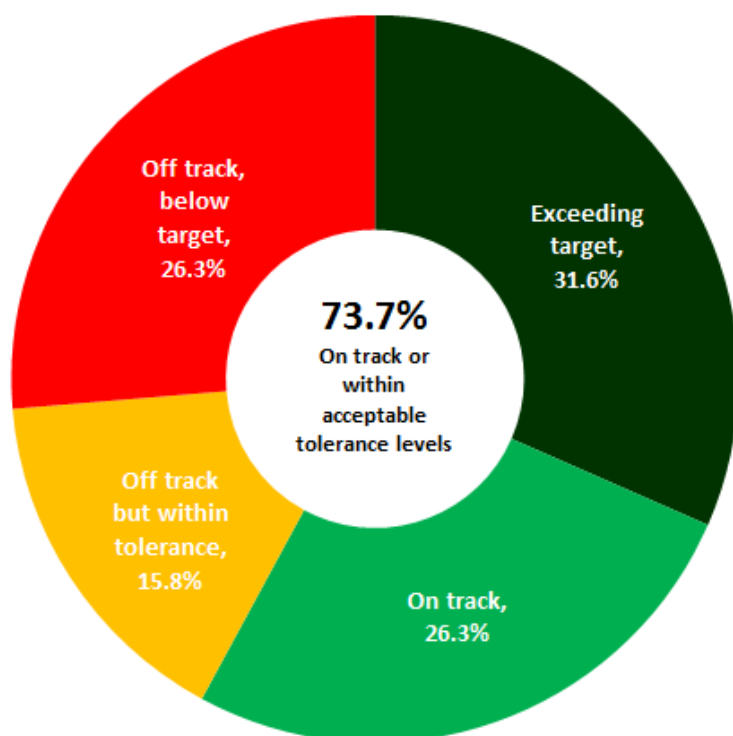
This report provides an update on performance against our Council Plan measures, at September 2017, as set out in our Visions and Forward Plan.

The key below explains the symbols and arrows we have used alongside written information to describe progress.

Key (Symbols and abbreviations used)

★	Exceeding target	DoT	Direction of travel from the previous quarter
✓	On track	↗	Improving performance
●	Off track but within tolerance	↔	No change in performance
▲	Off track, below target	↘	Deteriorating performance
N/A	Not available		

Overall performance against our priorities



19 of the 28 Key Performance Measures report a result being available.

14 (73.7%) have exceeded, met or are within acceptable tolerance levels;

- 6 (31.6%) exceeding target,
- 5 (26.3%) met target,
- 3 (15.8%) within acceptable tolerance levels.

5 (26.3%) measures are off track;

- 2 within the Children's priority,
- 1 in Health,
- 1 in Housing, and,
- 1 in the Jobs and Skills priority.

Performance results for the remaining 9 measures are reported on a less frequent basis and are not yet due.

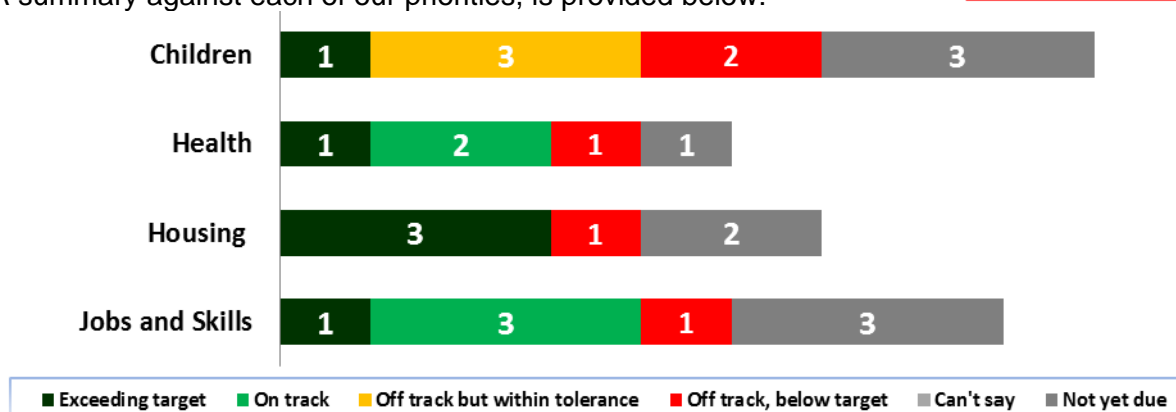
A direction of travel can be provided against the previous quarter for 17 of the 19 measures. A direction of travel is not available for the others as previous results are not comparable.

Of the 17 comparable measures:

- 6 (35%) improved,
- 2 (12%) have remained the same, and,
- 9 (53%) deteriorated.



A summary against each of our priorities, is provided below:



Key messages

Detailed performance summary along with written information to describe progress against each measure is provided from page 6 onwards.

Children - A great place to grow up in

- An environment where our children have the best start in life
- Our children and young people are able to realise their full potential through great education and training
- Our children and young people are confident about their own sense of identity
- Families are more resilient and better able to provide stability, support and nurture through prenatal and early health
- Our children and young people having access to all the city has to offer

36 schools have been **accredited a mode 'STAR'** (Sustainable Travel Accreditation and Recognition for Schools programme).



Overall **80.6% of schools in Birmingham** are currently **good or outstanding**. During July and September, 7 out of 10 schools were rated good/ outstanding.



Key Stage 1 and 2 provisional progress score for **Reading (-0.9), Writing (-0.9)** below the national average grade of 0. **Maths (0)**. In line with national average.

1,737 Children in Care (CiC)
Number of unaccompanied asylum seeking children increased to 131 since April 2015.



79% of children and young people open to Children Social Care are **supported to live with their own family**.



Health - A great city to grow old in

- Creating a healthier environment for Birmingham
- Increased use of public spaces for physical activity; more people walking and cycling; greater choice of healthy places to eat in Birmingham
- Leading real change in individual and community mental wellbeing
- Promoting independence of all our citizens
- Joined up health and social care services so that citizens have the best possible experience of care tailored to their needs
- Preventing, reducing and delaying dependency and maximising the resilience and independence of citizens, their families and the community



128,743 citizens engaged with our wellbeing services on offer - been to a park or attended a wellbeing centre or service



Direct payments at **23.3%**, 0.3% above target



61.8% care providers in the city meet or exceed the quality threshold.



72.1% people receive the care they need in their own home

Housing - A great place to live in

- Making the best use of our existing stock
- Delivering through a range of partnerships to support a strong supply of new high quality homes in a mix of tenures
- Supporting the people of Birmingham to access good quality housing provision
- Working with our partners to reduce homelessness



99.59% of our **council housing** as a percentage of stock was **made available**.

167 empty properties bought back into use.



4,949 prevention activities carried out to help homelessness be prevented or relieved



4.94 (per 1,000 households) are living in temporary accommodation.

Jobs and Skills - A great city to succeed in

- Creating the conditions for inclusive and sustainable growth that delivers and sustains jobs and homes across Birmingham
- Investment in infrastructure and improved connectivity
- Growth of sectors/clusters of activity where Birmingham has competitive strengths
- The development of a modern sustainable transport system that promotes and prioritises sustainable journeys
- Birmingham residents will be trained and up-skilled appropriately to enable them to take advantage of sustainable employment



NEET

3.0% (three month average for Jun, Jul and Aug), of **12 to 13 year olds were not in education, employment or training**. Performance is **better than the national average**.

BCC Official Board Member of the West Midlands Combined Authority Digital Board



Unemployment gap between the 10 best and worst wards for unemployment is 1.0% lower than 5 year average. Down 0.1% on the previous quarter.



67 apprenticeships created with other organisations through our influence on contract management. **We have employed 65 external apprentice** new starts directly within the Council.

Progress against our key performance measures

CHILDREN

A great city to grow up in



Quarter 2 July to September 2017



■ Exceeding target ■ On track ■ Off track but within tolerance ■ Off track, below target ■ Can't say ■ Not yet due

Measure	Result	Target	Status	DoT
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The proportion of schools rated as good or outstanding during the term

70.0%

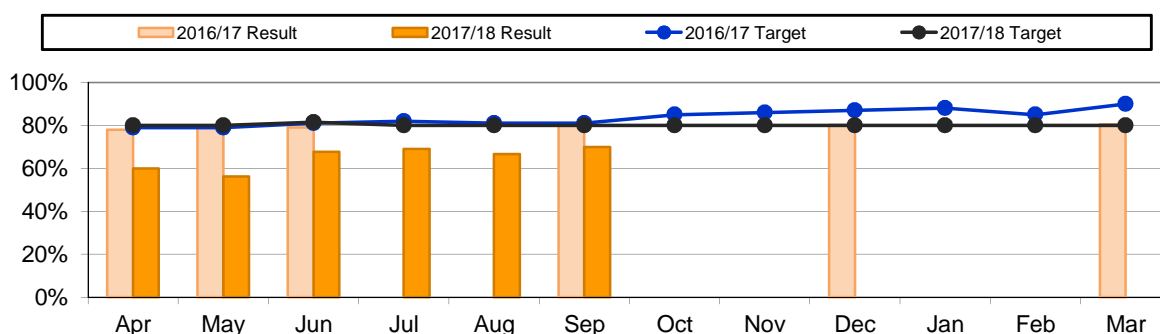
80.0%



Between July and September there were 10 inspections of schools by Ofsted (3 full and 7 short). 7 of these judgements were Good/Outstanding, 3 required improvement.



Measure previously reported on a Termly basis now changed to monthly



Overall Proportion of schools which are good/outstanding

80.6%

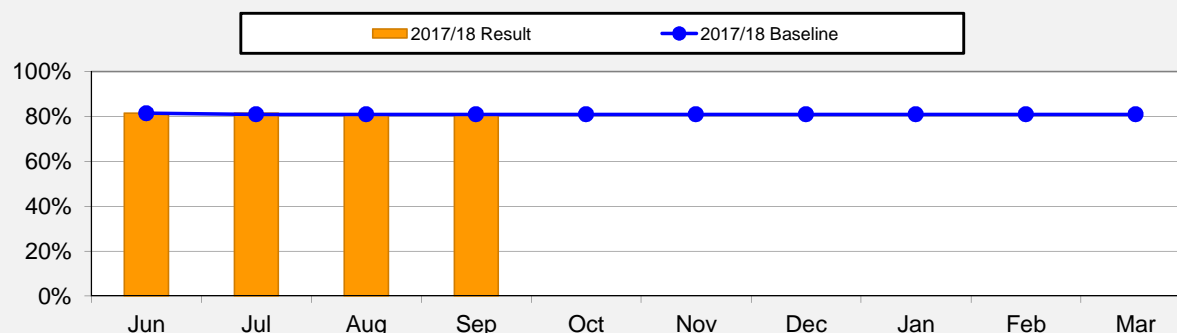
81.0%



Overall 80.6% of schools in Birmingham are currently Good/Outstanding. This has fallen from 81.5% in August and is due to more of the underperforming schools being inspected.



New measure reported from June 2017 with a baseline of 81% established




CHILDREN


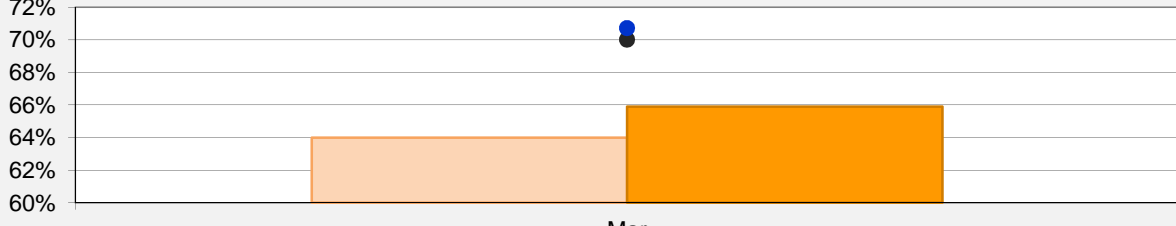
A great city to grow up in



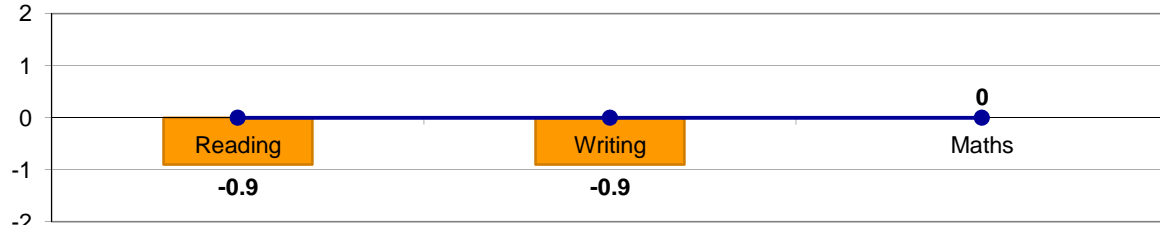


Quarter 2 July to September 2017



Measure	Result	Target	Status	DoT
 The average progress score of Birmingham pupils compared to National pupils between Key Stage 2 and GCSE - Progress 8	Annual Result	0.0	Not yet due	N/A
Awaiting final results to be published by Department for Education in January 2018.				
No graph provided. The 2016/17 result was zero against a target of zero. The target of zero is also in place for 2017/18				

 The percentage of children making at least expected progress across each stage of their education - Early Years Foundation Stage (good level of development)	65.9%	National Average	Not yet due	N/A
The early provisional result of 65.9% is based on the annual collections from Primary Schools. Final results will be published later in the year by Department of Education. Early indications are that the proportion of pupils achieving a Good Level of Development has increased slightly on 2016 levels. While performance looks like it has not met the national levels (currently estimated 70.7%), the gap has narrowed. Early analysis indicates that the rise in Good Level of Development is predominately based on a rise in Literacy and Maths. More in-depth analysis will be undertaken once the final results are out.				
Provisional result. 2017/18 target set as the national average of 70.7%				
				

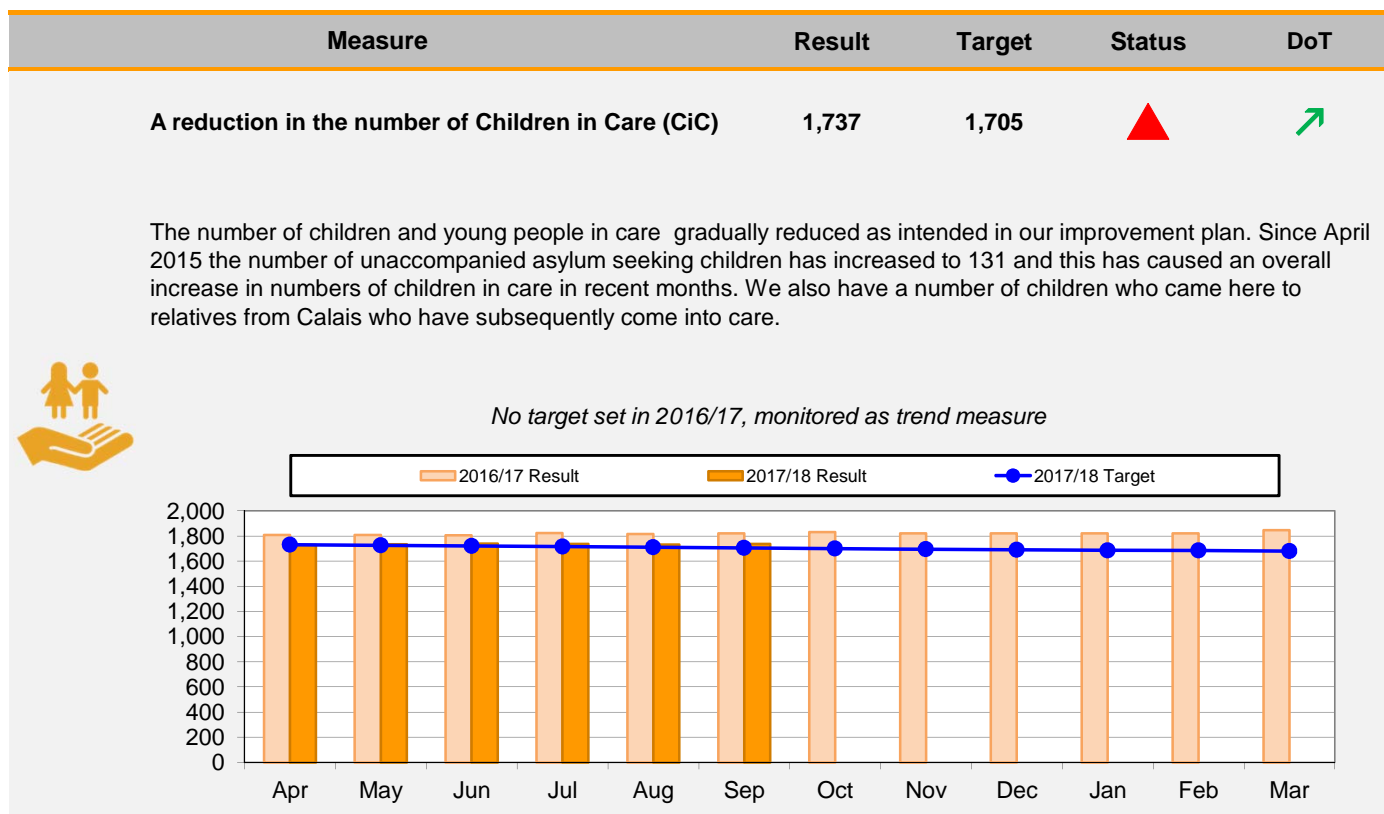
 The average progress score of Birmingham pupils compared to National pupils between Key Stage 1 and Key Stage 2	-0.9 Reading -0.9 Writing 0 Maths	0.0		Not Comparable
Provisional results almost a level down in Reading and Writing compared to the National Average. Maths is in line with the National average. Robust progress data is not currently available for Key Stage 2. Early Indications are that the progress of Birmingham pupils has improved slightly on 2016 levels.				
Provisional results				
				

CHILDREN

A great city to grow up in



Quarter 2 July to September 2017



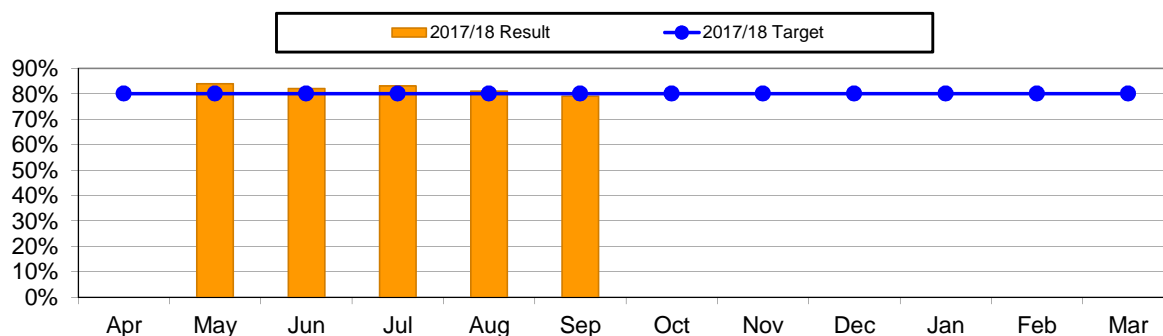
Children and Young people open to Children Social Care are supported to live with their own family

79%

80%



This is a new Council measure. We are combining the numbers of families supported through our family support service and our Troubled Families commissioned services (targeted early help) with the numbers of children who have a social worker but who are not in care to arrive at the percentage supported to live at home.



CHILDREN

A great city to grow up in



Quarter 2 July to September 2017




Measure	Result	Target	Status	DoT
The number of schools progressing a Mode "STARS" (Sustainable Travel Accreditation and Recognition for Schools) programme	36	25	★	↗

Our aim is to assist and encourage take-up and participation to 50 new schools. Year-to-date 36 new schools have signed up to modeshift STARS, up by 10 schools compared to the previous period April to June. At the half way point of the year we have achieved 72 % of our end of year target of 50 schools. This represents excellent progress and we are forecasting that the end of year target will be exceeded. However, there is finite capacity to support schools so we may have to review our recruitment approach.

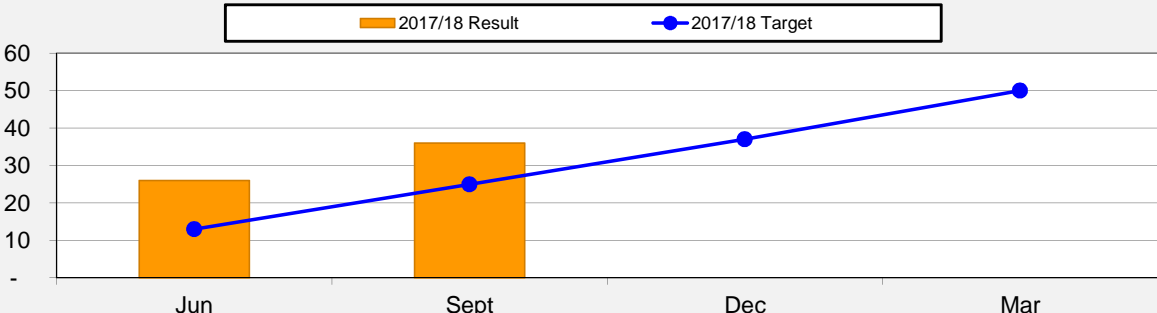
Of the 11 schools that currently hold bronze accreditations, 5 schools have completed re-survey - this is the same as for the period April to June but is in line with what would be expected given the summer holiday period being in the second quarter July to September. This will be a focus for the team in the period October to December.

5 schools have moved to silver (a further 3 since April to June) which represents good progress. 4 schools have completed their travel plan which already exceeds the target of 3, and 2 further schools have started travel/action plan which they should complete in the period October to December. 2 schools have achieved silver (no additional ones since April to June) and we expect a further school to achieve silver in December which will meet target. Given the number of schools that are progressing their plans, the target of 3 silver schools is also likely to be exceeded.

We now have 8 of the schools that registered in last academic year which have achieved bronze (up from 4 in the period April to June) - this is the most challenging target and will be an ongoing focus, a number of initiatives and campaigns are being developed to support these schools.



New measure for 2017/18. No in year target set



Period	2017/18 Result	2017/18 Target
Jun	26	14
Sept	36	25
Dec	38	38
Mar	50	50

Perception of safety on public transport



Annual measure - update not yet due



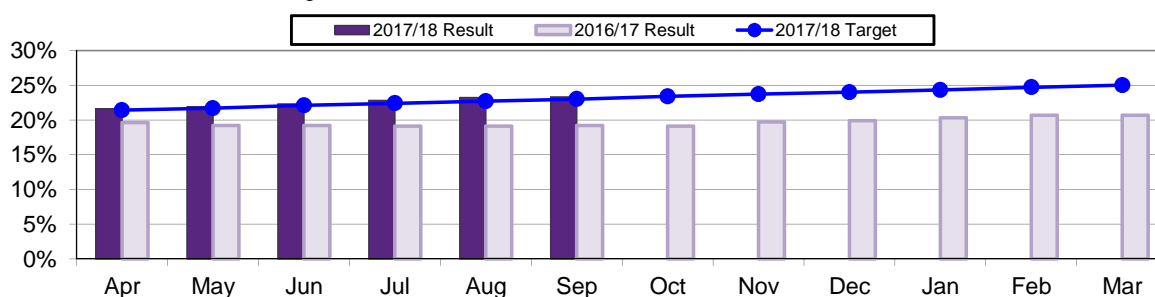
Quarter 2 July to September 2017



Measure	Result	Target	Status	DoT
More people will exercise independence, choice and control over their care through the use of a Direct Payment	23.3%	23.0%	✓	↓

Positive progress on this measure is being maintained, although the rate of growth has slowed compared to recent months

No target set in 2016/17 with the aim to monitor an increase in trend



The quality of care provided in the city will improve so that more people receive a standard of care that meets or exceeds the quality threshold

61.8%
Q1 result

75%
Q1 target



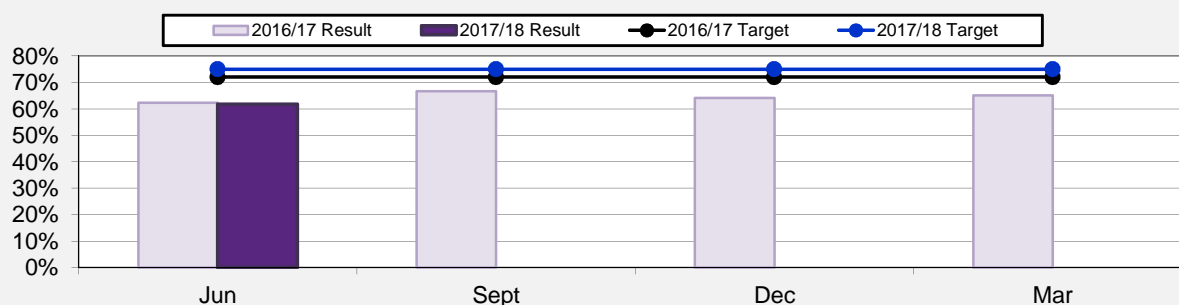
Overall there has been a decrease in the percentage of clients with providers rated as Good, with 61.8% compared to 64.0% in the last return.

There has been a reduction in the proportion of home care clients with a provider rated as Good, from 55% to 46%. Of the providers previously rated as Good, 8 reduced to Requires Improvement, including Sevacare - Kingstanding with 261 clients. Another provider reduced to Inadequate, and 8 did not return an assessment. 17 providers did improve their performance to Good, including Mach Care and Romie Care with 248 clients between them. 10 of these were previously Requires Improvement, 2 were Inadequate and 5 had not returned the last survey.



There has also been a reduction in the proportion of bed based clients with providers rated as Good, from 76% to 72%. The majority of these reduced to Requires Improvement, with 31 of those previously rated good falling to this (378 clients). Another 3 reduced to Inadequate (42 clients) with 14 not returning a questionnaire (96). 29 providers improved to Good in this return (204 clients), 18 from Requires Improvement, 2 from Inadequate and 9 who had not submitted a survey in the last return.

The Council concluded consultation on a proposed revised approach to the commissioning of adult social care in July 2017. This included proposals to address the quality of services with whom Birmingham City Council contracts. A final proposal is due to be considered by Cabinet in the autumn and if approved will be implemented from 1 April 2018.



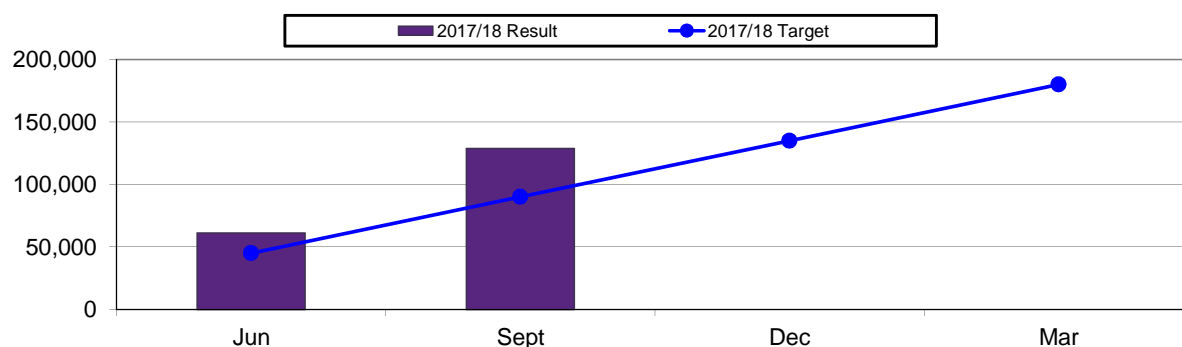


Quarter 2 July to September 2017



Measure	Result	Target	Status	DoT
Increase in the number of our most deprived citizens who have engaged with our wellbeing service, been to an active park or attend at a wellbeing centre	128,743	90,000	★	Not Comparable

Our summer activity programme ended at the beginning of September. Big Birmingham Bikes volunteers are increasing in number, and their frequency of volunteering is also increasing. They are delivering Adult and children's cycle training and leading led rides for their own community. This work is strategically and financially supported by Cycling UK and British Cycling. Further to the success of the summer activity programme in August the September figure has dropped by 3,456, 6-15 year olds dropped by 36.8% and under 5 year olds dropped by 41.5%, this is due to the summer activity programme ending at the beginning of September.



More people will receive the care they need in their own home

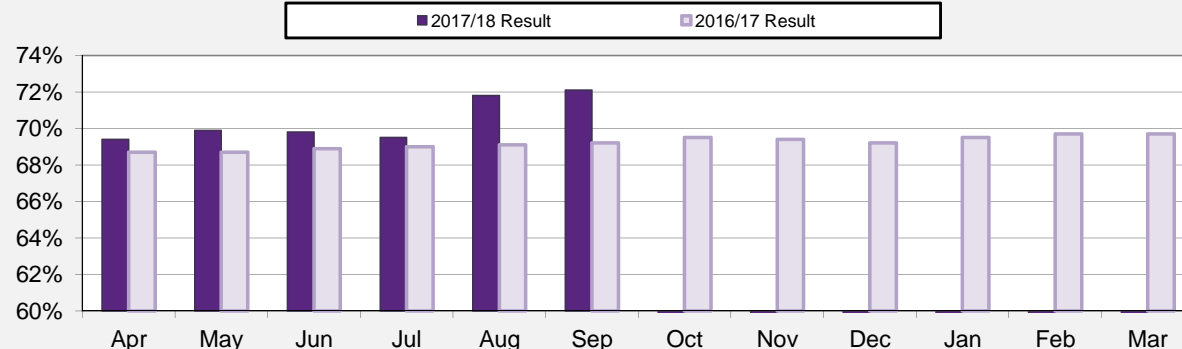
72.1%

Trend
(Increasing)



This indicator continues to show a positive trend with a growing proportion of service users receiving care in their own home

No target set. Measure to monitor an increase in trend





Quarter 2 July to September 2017



Measure	Result	Target	Status	DoT
Develop a methodology for counting the number of cycle journeys	Annual Result	Establish baseline by 31st March 2018	Not yet due	N/A

The initial approach to this is to use the 50+ automatic cycle counters to track cycle journeys in the city. Whilst the data is currently available, it needs to be cleansed and processed before an indicator can be generated. Transport for West Midlands (TfWM) are investigating an approach that would cover the whole West Midlands. A test version should be available by the beginning of Quarter 3. A potential issue is that the contract for data supply ends on 31st March 2018 and the changeover may provide some challenges.



We are also investigating the use of data from the Big Birmingham Bikes. This provides Origin/Destination information, but is more sparse than the counters. The new app has been released, which provides the data, but we will need to understand whether the sample size is good enough for inclusion within a performance management framework.

Milestones	Jun-17	Sep-17	Dec-17	Mar-18
Establish baseline by 31st March 2018	→	→	→	

HOUSING

A great city to live in

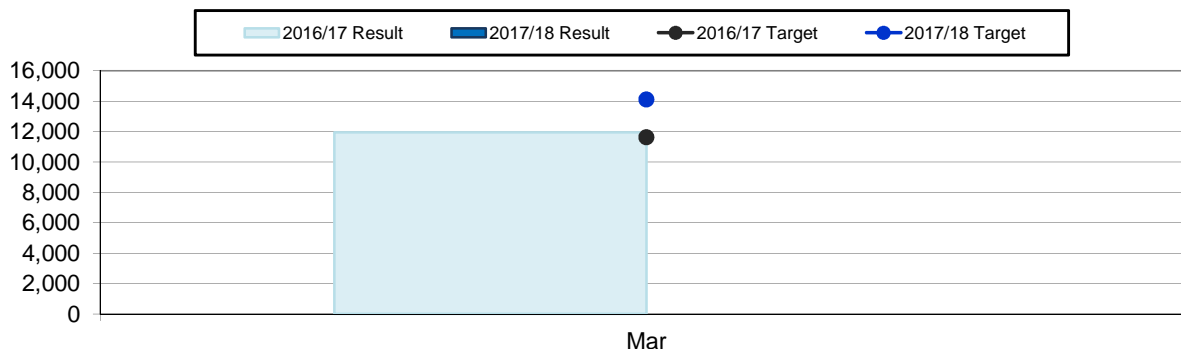


Quarter 2 July to September 2017



Measure	Result	Target	Status	DoT
The number of new homes built (to build 51,000 new build homes by 2031)	Annual Result	Cumulative 2017/18 target 14,100 homes	Not yet due	N/A

Result only available at financial year end.



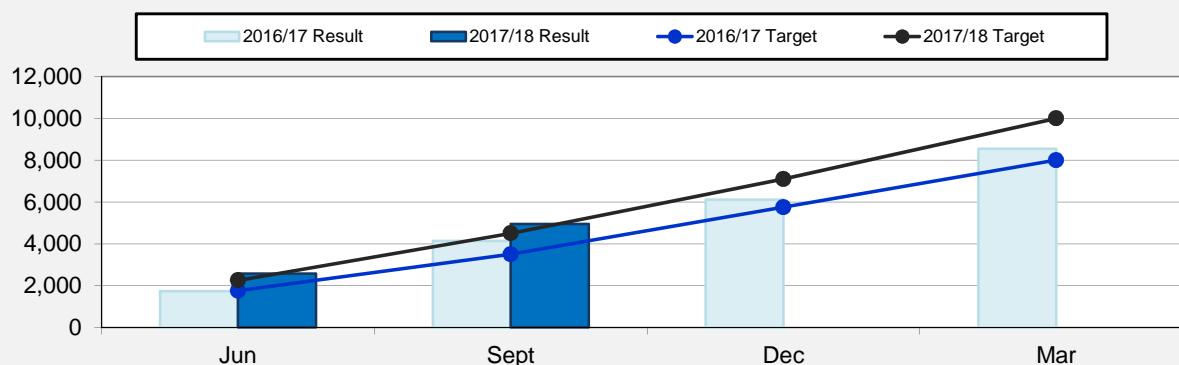
Homelessness will be prevented or relieved

4,949

4,500



Fewer prevention activities were carried out in this quarter and the number of households able to remain in their home also reduced. The number of households given assistance in obtaining alternative accommodation had increased leaving the overall number of preventions, whilst lower than last quarter, still comparable with previous quarters.



HOUSING

A great city to live in



Quarter 2 July to September 2017



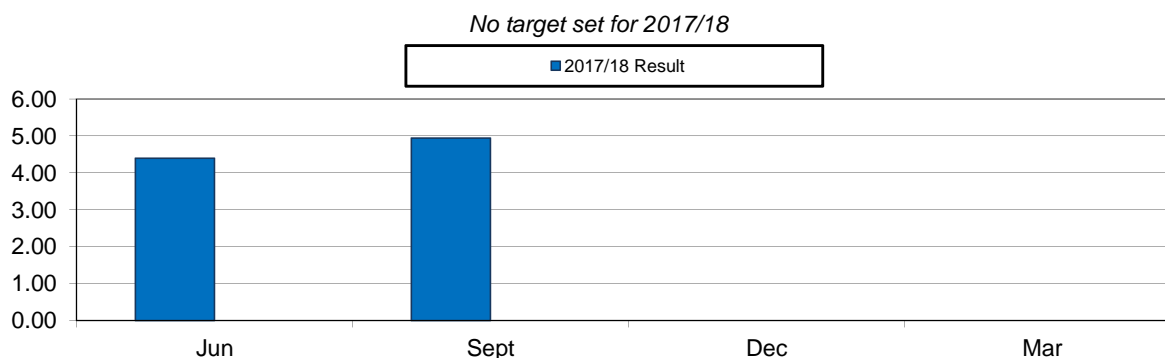
Minimise the number of households living in temporary accommodation per 1,000 households

4.94

No Target



A small team has started work with people residing in temporary accommodation to support them to move on. They are currently focused on ensuring that all temporary accommodation residents have joined the housing register and will then move on to exploring options for those who do not qualify as well as assisting, where needed, those who are on the register to successfully bid for permanent accommodation. This work goes hand-in-hand with the prevention work carried out at the Housing Options Centre to both reduce the numbers going into temporary accommodation and increase the number leaving.



Number of homes built that are affordable.

Half Yearly

298

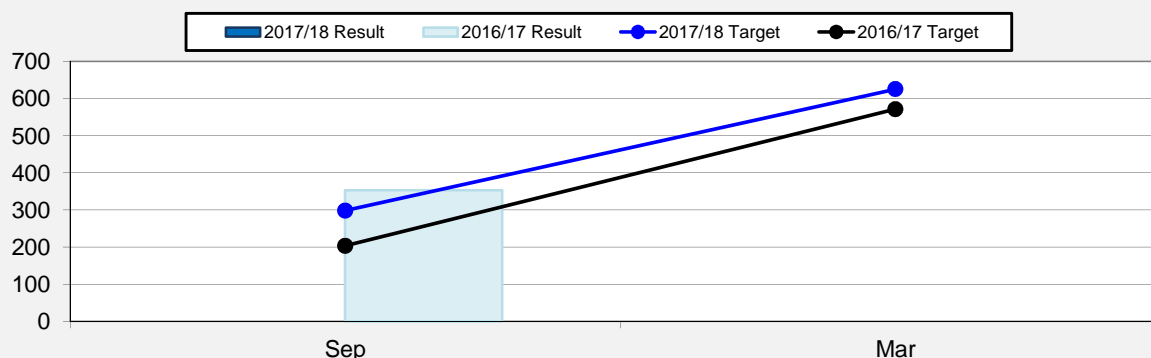
Not yet due

N/A

We are reliant upon Homes and Communities Agency (HCA) to provide us with data for the number of Affordable Homes built with grant. The HCA have advised that the release of quarterly information to external parties conflicts with Government data protection guidelines as this data is classified as official statistics. Issuing of national statistics will be made available for reporting twice a year, in November/December (for the first 2 quarters) and July/August (for the final 2 quarters). In addition, we need information from the Department for Communities and Local Government and the next set of data including Help to Buy data will not be released until the 11th January 2018.



Measure reported a quarter in arrears due to data availability



HOUSING

A great city to live in



Quarter 2 July to September 2017



Measure	Result	Target	Status	DoT
---------	--------	--------	--------	-----

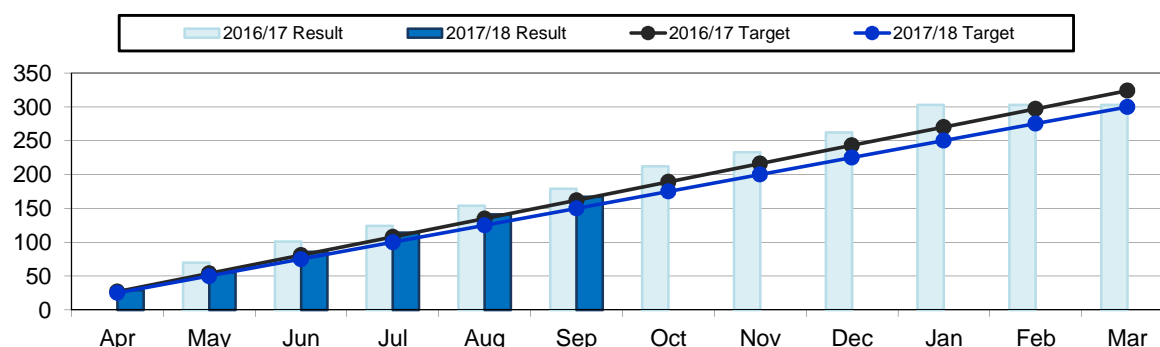
The number of empty properties brought back into use (cumulative)

167

150



The empty property team continues to strive to return long term problematic empty houses back into use, with September being another good month for the team.



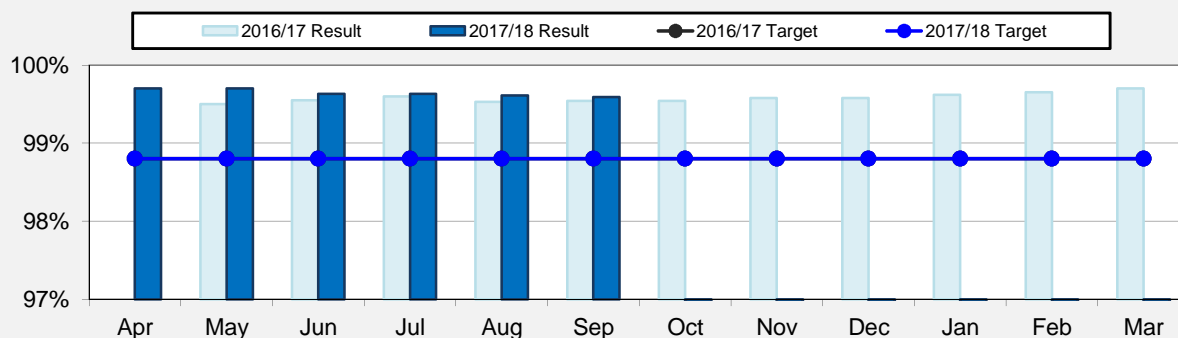
Available Council Housing as a percentage of stock

99.59%

98.80%



Performance remains well above target as a result of improved repairs turnaround for void dwellings.



JOBS AND SKILLS

A great city to succeed in



Quarter 2 July to September 2017



■ Exceeding target ■ On track ■ Off track but within tolerance ■ Off track, below target ■ Can't say ■ Not yet due

Measure	Result	Target	Status	DoT
---------	--------	--------	--------	-----

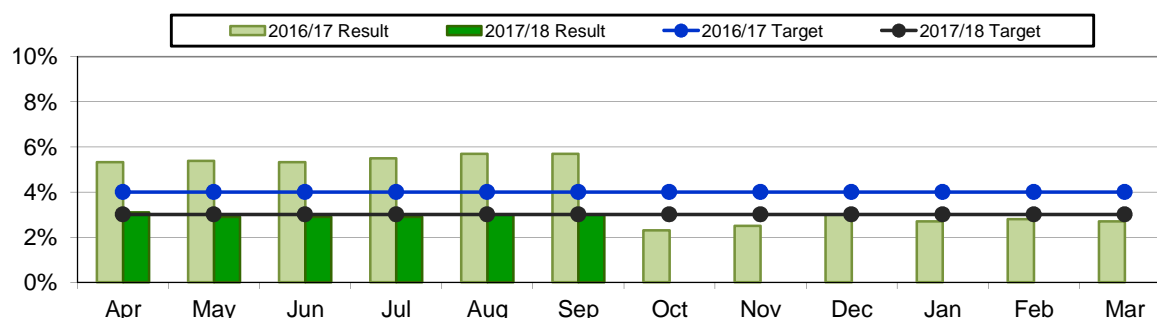
The proportion of years 12 to 13 not in employment, education or training

3.0%

3.0%



The latest performance information was released by the Department of Education on 25th September. The 3 month average figures for June, July and August was 3% with the August figure standing at 3.2% NEET. This is slightly better than national levels. Not Known proportions are still high at 7.4% above the national average of 6.1%. It should be noted that Not Known figures normally do increase in July and August at the end of the school year. The figures will increase until November, when all enrolment data for the new academic year has been loaded.



Reducing the unemployment gap between Wards

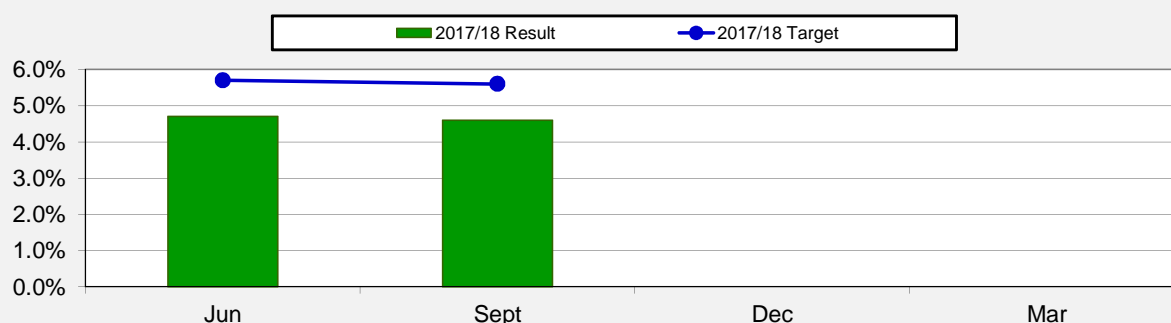
4.6%

5.6%



In the period July to September 2017/18 the average unemployment proportion across the 10 Birmingham wards with the highest unemployment levels stood at 6.7%. The corresponding figure for the 10 Birmingham wards with the lowest unemployment proportions was 2.1%. Therefore, the gap between the 10 best and worst performing wards stood at 4.6 percentage points. The baseline uses the long term average gap for the corresponding quarter to avoid any issues with seasonal variation. Over the last 5 years the average gap in the same period between the best and worst performing wards was 5.6 percentage points. The gap in the period July to September 2017/18 is 1 percentage points lower than the 5 year average.

Compared to the period April to June the average level of unemployment in the 10 wards with the highest unemployment proportions has declined (falling from 6.8 to 6.7 percentage points) and the gap with the 10 wards with the lowest unemployment proportions has narrowed from 4.7 to 4.6 percentage points. However, when compared with the long run average for the corresponding quarters the differential remains at 1.0 percentage point in the period July to September, and unchanged on the period April to June.



JOBS AND SKILLS

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Quarter 2 July to September 2017



■ Exceeding target ■ On track ■ Off track but within tolerance ■ Off track, below target ■ Can't say ■ Not yet due

Measure	Result	Target	Status	DoT
---------	--------	--------	--------	-----

Proportion of the population aged 16 to 24 qualified to at least level 1 (see commentary for list of eligible qualifications)

Annual Result

Improving Trend

Not yet due

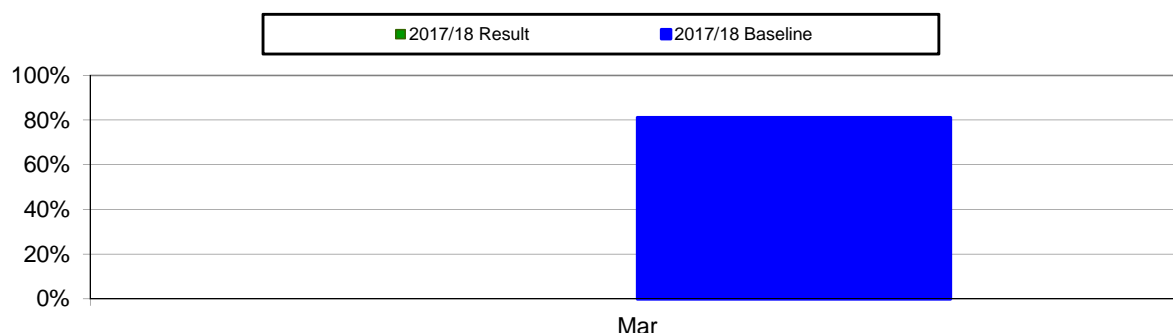
N/A

This is an Increasing Trend Annual Measure

Level 1 qualifications are: first certificate; GCSE grades D,E,F or G; Music grades 1,2 & 3; Level 1 award, certificate, diploma, English for Speakers of other Languages (ESOL); Level 1 essential skills and functional skills; Level 1 National Vocational Qualification (NVQ).



New measure reported for 2017/18. Baseline of 81% established



Proportion of the population aged 16 to 24 qualified to at least level 3 (see commentary for list of eligible qualifications)

Annual Result

Improving Trend

Not yet due

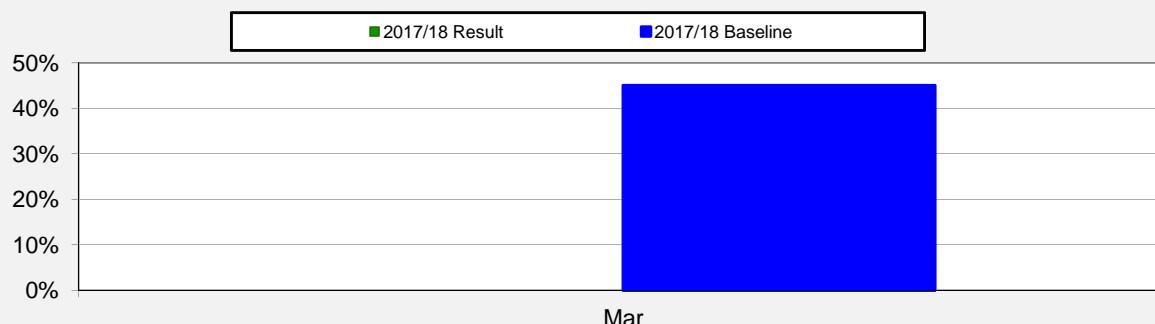
N/A

This is an Increasing Trend Annual Measure

Level 3 qualifications are: A level grades A,B,C,D or E; Music grades 6,7 & 8; access to higher education diploma; advanced apprenticeship; applied general; AS level; international Baccalaureate diploma; tech level; Level 3 award, certificate, diploma, English for Speakers of other Languages (ESOL), national certificate, national diploma; Level 3 National Vocational Qualification (NVQ).



New measure reported for 2017/18. Baseline of 45% established



JOBS AND SKILLS

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Quarter 2 July to September 2017



■ Exceeding target ■ On track ■ Off track but within tolerance ■ Off track, below target ■ Can't say ■ Not yet due

Measure	Result	Target	Status	DoT
---------	--------	--------	--------	-----

Land developed (hectares), jobs created and new employment floor space created as a result of investment in infrastructure and development activity

Annual Result

N/A

Not yet due

N/A

Progress against this measure will be reported at financial year end 2017/18.



Milestones	Jun-17	Sep-17	Dec-17	Mar-18
N/A	Annual Result			
N/A	→	Annual Result		
	→	→	0	
	→	→	→	0

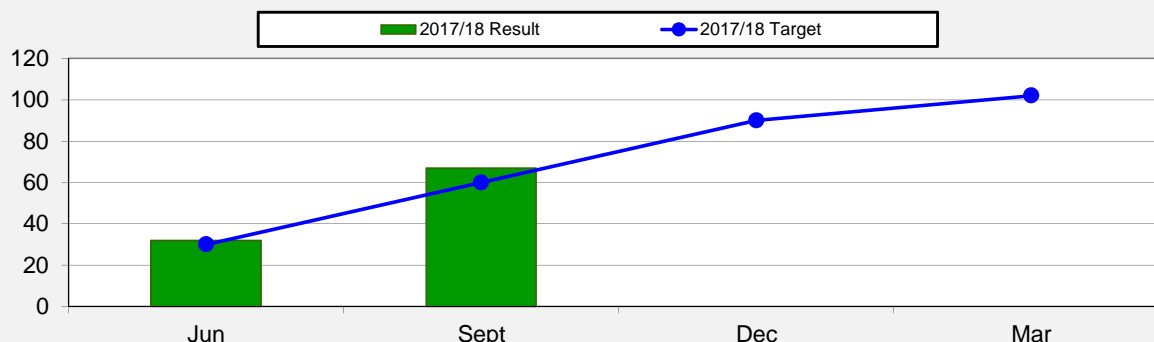
Increase the number of apprenticeships within other organisations through our influence on contract management

67

60



67 apprenticeships as at end of Quarter 2 against the target of 60 set for Quarter 2. Target of 102 to achieve by year-end. The caveat for this measure is that it will only report apprenticeships from newly accredited organisations (the amount being for the life of the contract).



JOBS AND SKILLS

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Quarter 2 July to September 2017



■ Exceeding target ■ On track ■ Off track but within tolerance ■ Off track, below target ■ Can't say ■ Not yet due

Measure	Result	Target	Status	DoT
---------	--------	--------	--------	-----

The number of Birmingham City Council apprenticeships directly within the City Council

65

75



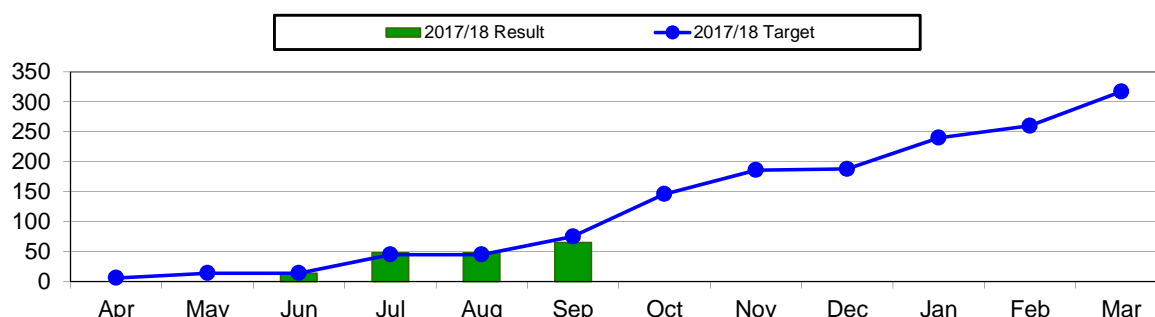
The metric agreed remains off-target, for the following reasons:

- Awaiting Local Government Association (LGA) procurement guidance to all local authorities. This has resulted in the production and issue of Valuation Quotations on an ad-hoc basis, which has slowed down the process considerably.
- Awaiting the approval of new Apprenticeship Standards relevant to local authorities to be approved by the Institute of Apprenticeships before recruitment can begin (e.g. Countryside Worker; Town Planning)
- Complexity of reviewing, commenting on, and agreeing contracts from training providers, creating a backlog of apprentices waiting to commence on programme.

Some of the above issues are currently out of our control and therefore BCC cannot be confident that this metric will be back on track by the end of the financial year.

Actions being taken to bring performance within an acceptable tolerance level:

- Supporting Legal Services to produce a 'Birmingham City Council Contract' which providers will be expected to accept at the Tender stage.
- Working with Apprenticeship Levy leads in the West Midlands region to share experiences, advice and guidance to the above challenges and others which we are all facing at this point in time.
- Planning work with colleagues in Procurement to consider best approach to procuring training providers for the Authority, when LGA Guidance is available.
- Putting together a detailed communications plan for the delivery of Leadership and Management training, and planning work with service areas to help drive up performance, personal development and identify potential skills requirements for 2020 and beyond.



JOBS AND SKILLS


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Quarter 2 July to September 2017



■ Exceeding target ■ On track ■ Off track but within tolerance ■ Off track, below target ■ Can't say ■ Not yet due

Measure	Result	Target	Status	DoT
Improved digital offer across Birmingham - work more closely with the Greater Birmingham & Solihull LEP and West Midlands Combined Authority to develop a digital and Smart City approach	Achieved	Ensure BCC have a formal role in developing the WMCA Digital Strategy	✓	↔
<p>Quarter 1 paved the way for more formalised discussions and we are pleased to report that Birmingham City Council (via its Digital Birmingham initiative) is now an official Board member of the West Midlands Combined Authority Digital Board and work with them to develop a set of priorities. This is largely been achieved</p>				
<p> A formal West Midlands Digital Board has now been established and a number of work streams have been identified under the key themes of Skills, Digital Government, Digital Infrastructure, Start up support. Delivery plans for each of these activities are being developed.</p>				
Milestones to be agreed				
Milestones	Jun-17	Sep-17	Dec-17	Mar-18
Establish role	Achieved			
Ensure BCC have a formal role in developing the WMCA Digital Strategy	→	Achieved		
	→	→		
	→	→	→	

Appendix 2

Birmingham City Council
Corporate Performance Monitoring

Organisational Health
Measures

Quarter 2 2017/18
Progress report



Contents

Overview **2**

Overall performance against our health measures **3**

Key messages **4**

Progress against our health measures **5**

Overview

This report provides an update on performance against our Organisational Health measures, as at September 2017.

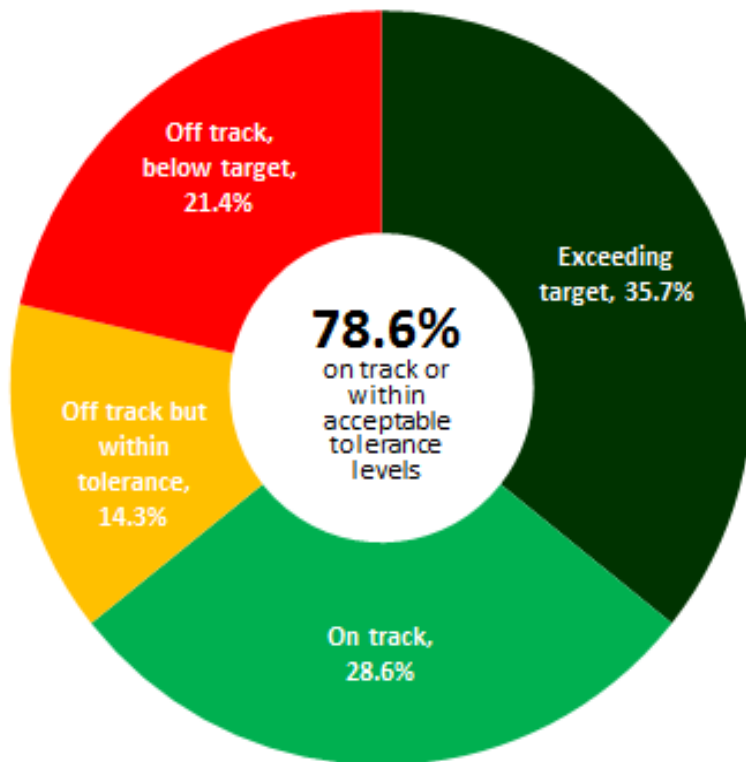
The key below explains the symbols and arrows we have used alongside written information to describe progress.

Key (Symbols and abbreviations used)

★	Exceeding target	DoT	Direction of travel from the previous quarter
✓	On track	↗	Improving performance
●	Off track but within tolerance	↔	No change in performance
▲	Off track, below target	↘	Deteriorating performance
N/A	Not available		

Organisational performance against our health measures

Making the most of our assets and ensuring we have a healthy organisation.



Results are available for 18 (14 targeted and 4 trend) of the 29 Organisational Health measures.

11 (78.6%) of the 14 measures with a target have exceeded, met, or are within acceptable tolerance levels.

- 5 (35.7%) exceeding target,
- 4 (28.6%) on track,
- 2 (14.3%) within acceptable tolerance levels.

3 (21.4%) measures are off track;

- 2 in Governance, and,
- 1 in Workforce.

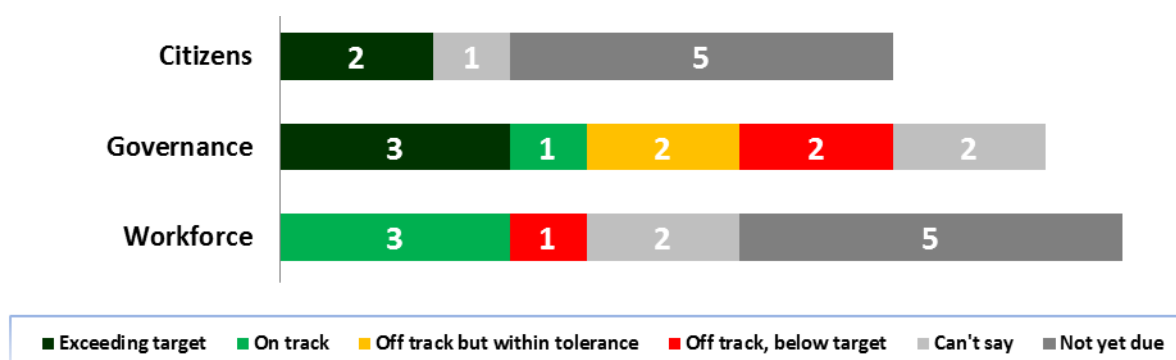
Results for the remaining 11 measures are reported on a less frequent basis and are not yet due.

A direction of travel can be provided against the previous quarter for 15 of the 18 measures. A direction of travel is not available for the others as previous results are not comparable.

5 (33%) improving;
1 (7%) remained the same, and,
9 (60%) deteriorated.



The Organisational Health measures are separated into three areas; Workforce, Citizens and Governance. The performance position as at September 2017 for each of these areas is summarised below.



Key messages

Detailed performance summary along with written information to describe progress against each measure is provided from page 5 onwards.

Citizens

More citizens are transacting digitally with the Council, 6.3% above target



Governance

25% whistleblowing requests received that progressed under the boundaries of the policy.



We had **no ombudsman complaints resulting in reports being issued**



25 Final audit reports issued for June



100% of Judicial review challenges successfully defended.

93% compliance with procurement procedures

91% of our ICT Assets have Owners.

1.93% quarantined assets.

8% of officers have multiple devices.



Collection of business rates is 0.75% above target at 61.43%.



55.69%, Council tax collected, 0.5% below target

67.39% of Freedom of Information requests responded to within deadline, 17.61% below target.



81.03% Data Protection Act requests responded to in 40 days, 3.97% below target.



73.7% Council Plan Measures achieved, 8.7% better than 2016/17.

Workforce

Workforce expenditure as at month 6 is £39m spent. Current workforce expenditure forecast is £100k underspend by year-end.



Workforce attendance rate stands at 95.46%, 0.46% above target.



Sickness absences rate 10.22 days per FTE, 0.97 days above target. Long term sick is down 17.92% and short term up 35.45%.

39.68 (per 1,000 employees) accidents/incidents. Aggression/assault and Slips and Trips being the two highest recorded areas.



“Other Known Cause” highest reason for referrals (69%) made to Occupational Health. Volume of referrals stands at 101.24 (per 1,000 employees).



Progress against our health measures

Citizens



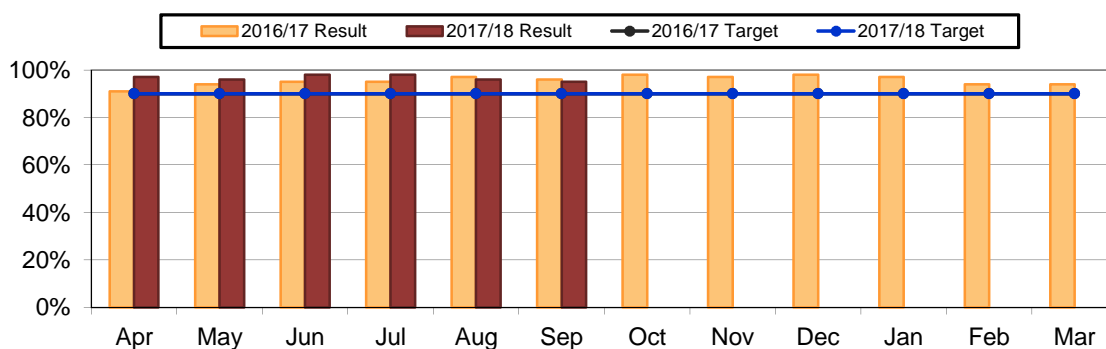
Quarter 2 July to September 2017



■ Exceeding target ■ On track ■ Off track but within tolerance ■ Off track, below target ■ Can't say ■ Not yet due

Measure	Result	Target	Status	DoT
The percentage of complaints answered within time	95%	90%	★	➔

Performance for responding within 15 working days was 95% citywide which is above the corporate target of 90%.



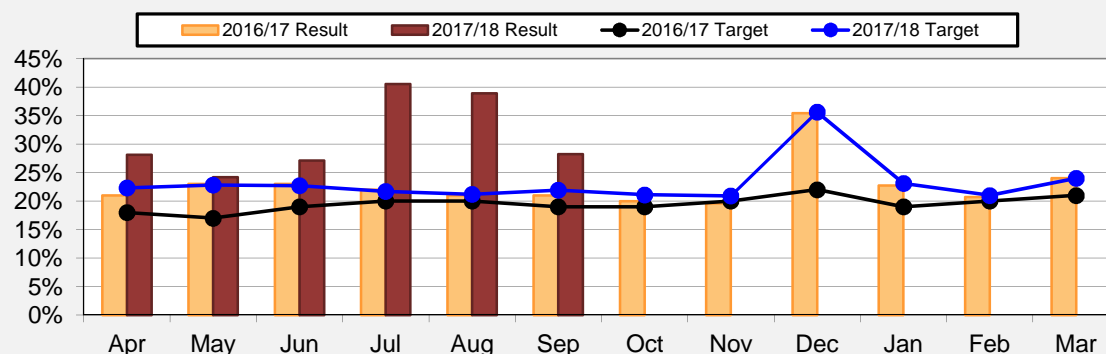
The percentage of citizens transacting digitally with the Council

28.2%

21.9%



Channel shift performance was 6.3% above target at 28.2% representing a slight reduction on the previous month. This level of performance is consistent with the levels achieved prior to the start of industrial action in Waste Management.





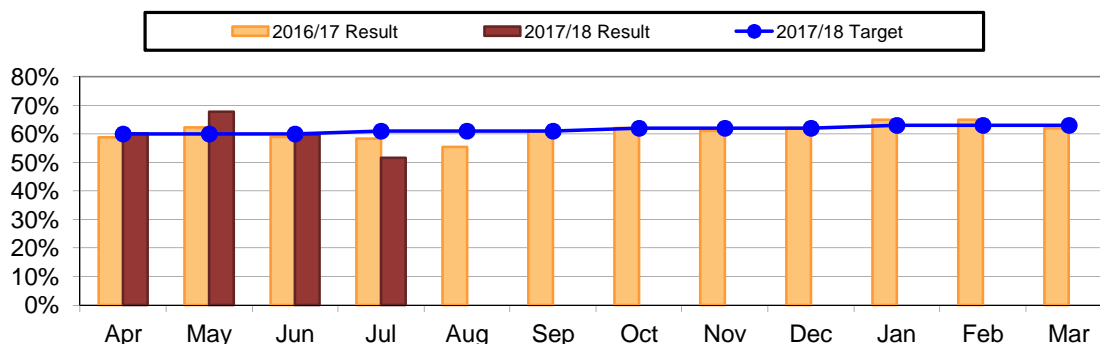
Quarter 2 July to September 2017

2	1	5
---	---	---

■ Exceeding target
■ On track
■ Off track but within tolerance
■ Off track, below target
■ Can't say
■ Not yet due

Measure	Result	Target	Status	DoT
The percentage of citizens registering satisfaction with the Council	Not available to report	61.0%	N/A	N/A

Due to technical issues no satisfaction figures are available for September. From November all callers will be given the opportunity to feedback, in the interim October a sample of advisers are transferring callers to partake in the survey. This will allow one off comparison with other authorities who predominately select callers for surveys in this way.



	Increase in people trusting the Council to make right decisions	Annual Result	N/A	Not yet due	N/A
	The Resident Survey is due to be commissioned and carried out in quarter 3 and results will be available for reporting in quarter 4.				
	Increase in people feeling they can influence decision making	Annual Result	N/A	Not yet due	N/A
	The Resident Survey is due to be commissioned and carried out in quarter 3 and results will be available for reporting in quarter 4.				
	Increase in people feeling satisfied with the Council	Annual Result	N/A	Not yet due	N/A
	The Resident Survey is due to be commissioned and carried out in quarter 3 and results will be available for reporting in quarter 4.				
	Increase in people feeling informed by the Council	Annual Result	N/A	Not yet due	N/A
	The Resident Survey is due to be commissioned and carried out in quarter 3 and results will be available for reporting in quarter 4.				
	Increase in people feeling involved in making decisions affecting their local area	Annual Result	N/A	Not yet due	N/A
	The Resident Survey is due to be commissioned and carried out in quarter 3 and results will be available for reporting in quarter 4.				

Governance



Quarter 2 July to September 2017



Measure	Result	Target	Status	DoT
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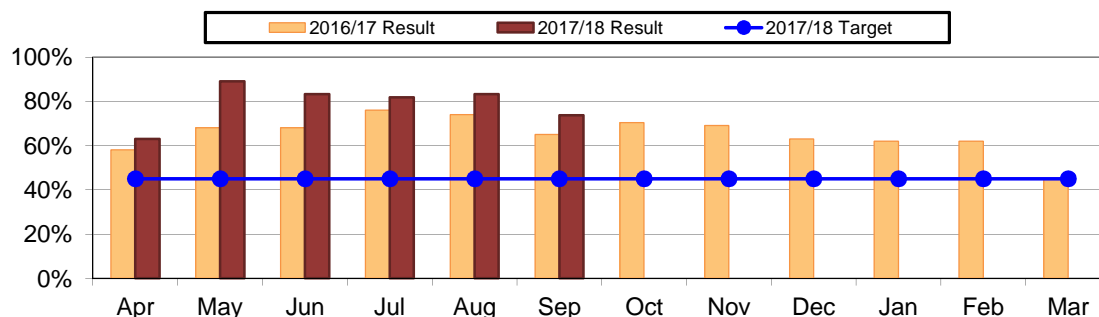
The percentage of council plan measures achieved

73.7%

45.0%



Compared to the previous quarter (June 2017), performance at 73.7% has decreased by 9.6 percentage points. When compared to the end of quarter two in 2016/17 performance is 8.7 percentage points better than that achieved at the end of September 2016.



Whistleblowing requests received that progress under the boundaries of the policy (% by directorate)

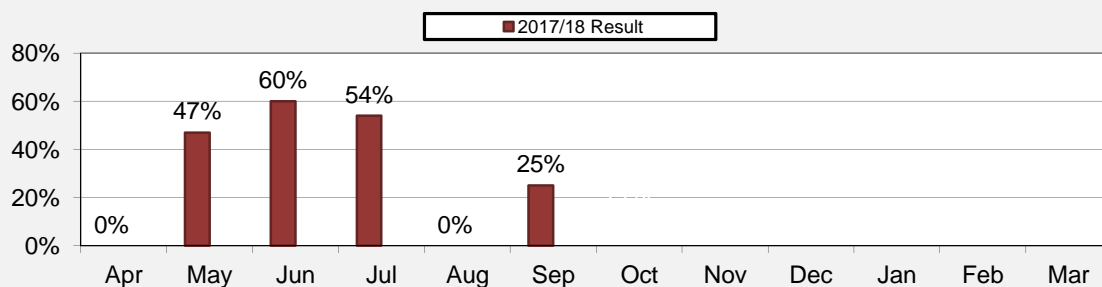
25%

Trend

N/A



A total of 4 complaints received with only one progressing under the boundaries of the policy. This was in the Place Directorate.



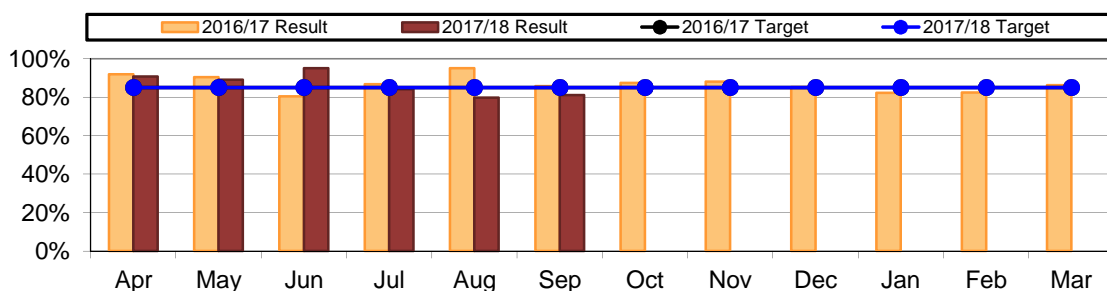
Freedom Of Information requests responded to within deadline (% by directorate)

81.03%

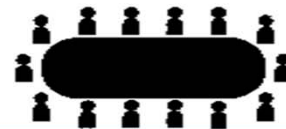
85.00%



A total of 174 FOI requests were completed in September, 141 were completed in 20 days, At Quarter 2 performance stands at 81.61% with 484 requests completed during the quarter and 395 completed within 20 days.



Governance

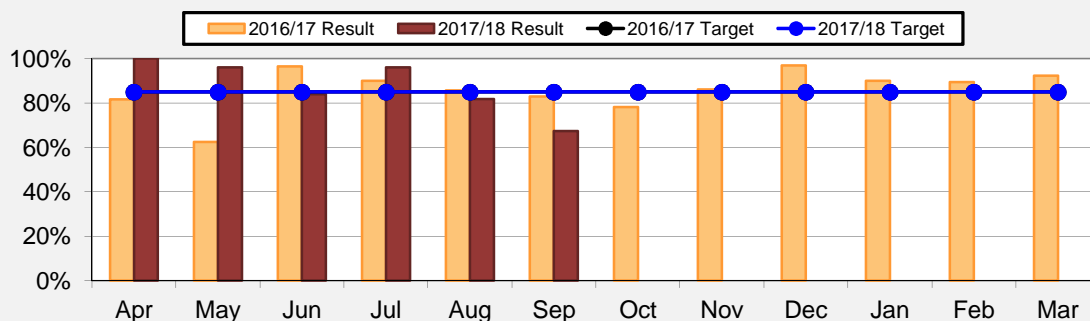


Quarter 2 July to September 2017



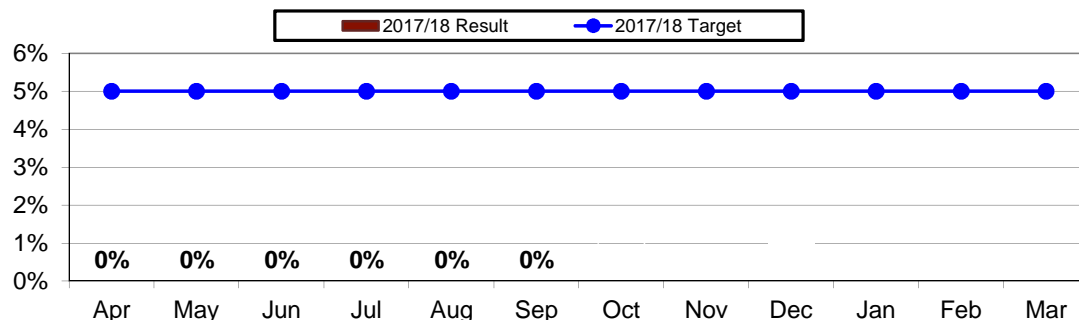
Measure	Result	Target	Status	DoT
Data Protection Act requests in 40 days	67.39%	85.00%	▲	↘

46 requests were completed within September. 31 were completed within 40 days.
For the quarter, 95 requests were completed. 75 were completed in 40 days.



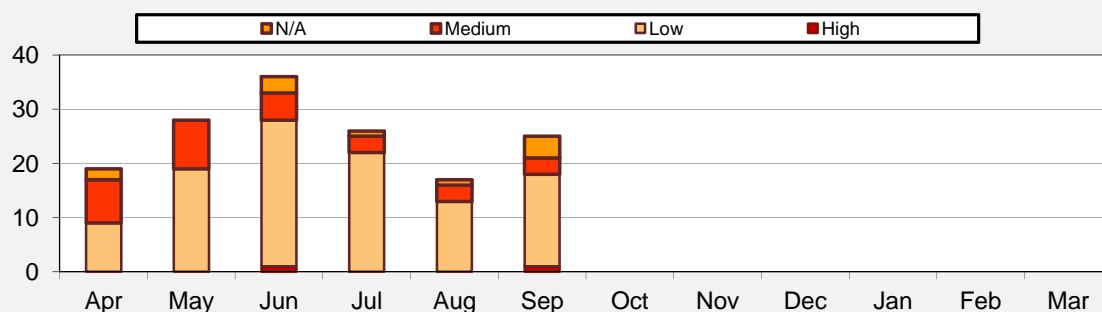
Ombudsman complaints resulting in reports issued	0%	5%	★	↔
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There were no Local Government Office reports issued in September.

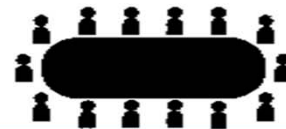


Number of final audit reports issued per month	High - 1 Medium - 3 Low - 17 N/A - 4	Trend	N/A	N/A
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A total of 25 final audit reports were issued for September



Governance



Quarter 2 July to September 2017

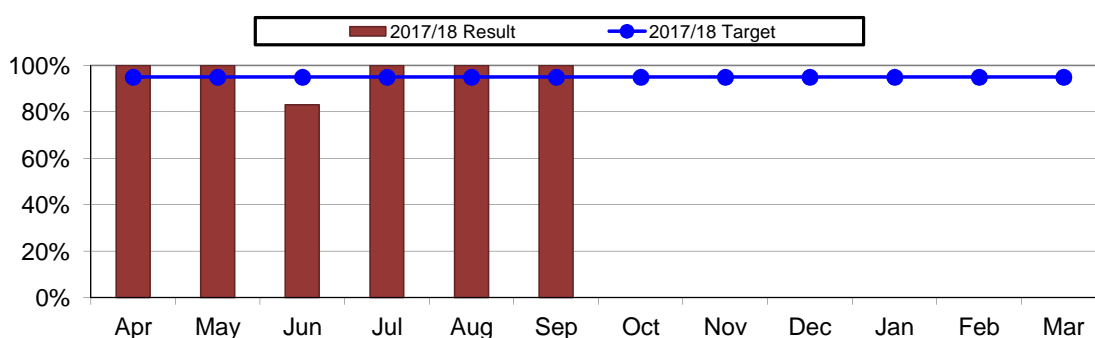


Measure	Result	Target	Status	DoT
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Judicial review challenges successfully defended

100%

95%



Maintain/improve compliance with ICT and procurement policies and governance

Asset Owners
91%

Asset Owners
100%

Quarantined
Assets 1.93%

Quarantined
Assets <1%

Officers with
multiple
devices 8%

Officers with
multiple
devices 3%

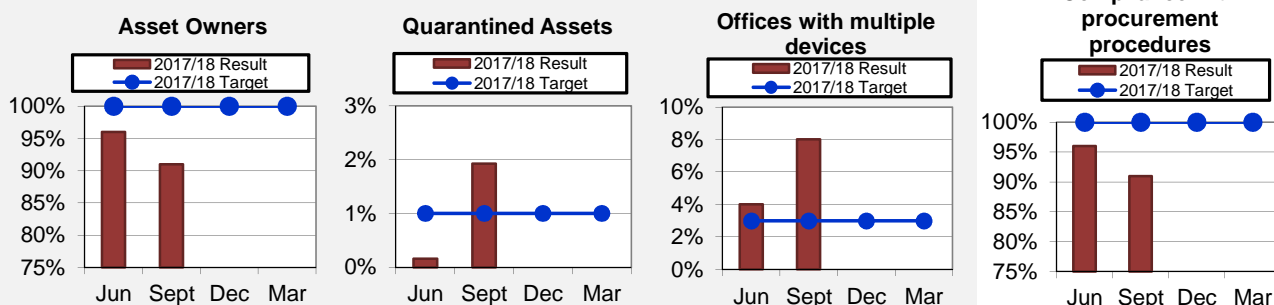


Compliance to
procurement
procedures
93%

Compliance to
procurement
procedures
99%



ICT Compliance has declined slightly from Quarter 1. This has been discussed at the Procurement & ICT Operational Group and groups around the Directorates. Group members are to take responsibility within their own service areas to improve compliance and bring us closer to the set targets. Corporate Procurement Services will continue to monitor and liaise with individual representatives to ensure this indicator receives the attention it requires in order to save money and become more efficient



Governance



Quarter 2 July to September 2017



Measure	Result	Target	Status	DoT
---------	--------	--------	--------	-----

Collection of council tax in year

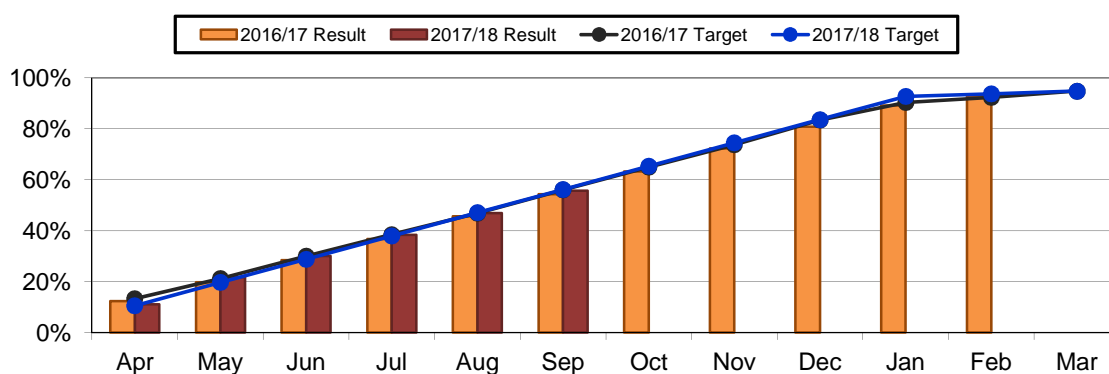
55.69%

56.19%



Collection is slightly down on the monthly target, but is 1.76% better than the same point last year. The target does not take into account the large number of people who have chosen to spread their instalments over 12 months instead of 10. This will mean collection in February and March will be higher – enabling us to meet the year-end target.

Re-profiling of the collection targets will be completed for second half of the financial year. We have collected an additional £10.5 million than the same point last year.



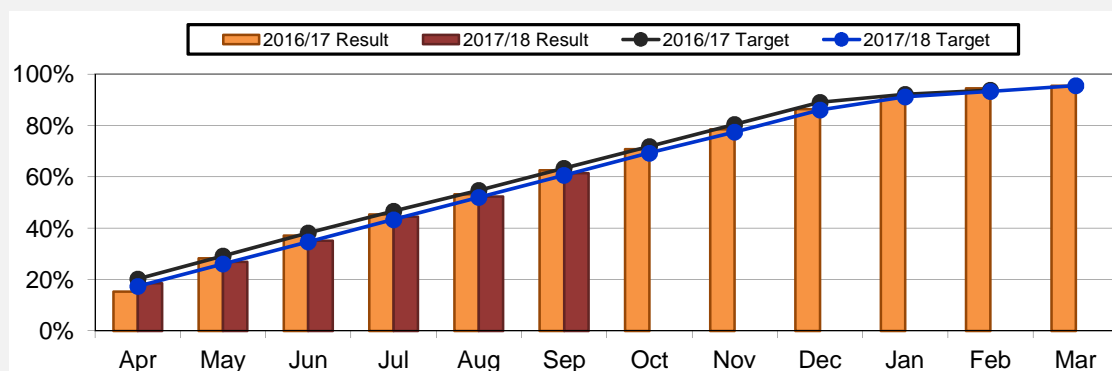
Collection of business rates in year

61.43%

60.68%



Business Rates performance has been maintained and remains on track and above profile.



Workforce



Quarter 2 July to September 2017



Measure	Result	Target	Status	DoT
Workforce expenditure i.e. within budget	39,000,000	40,500,000	✓	➔

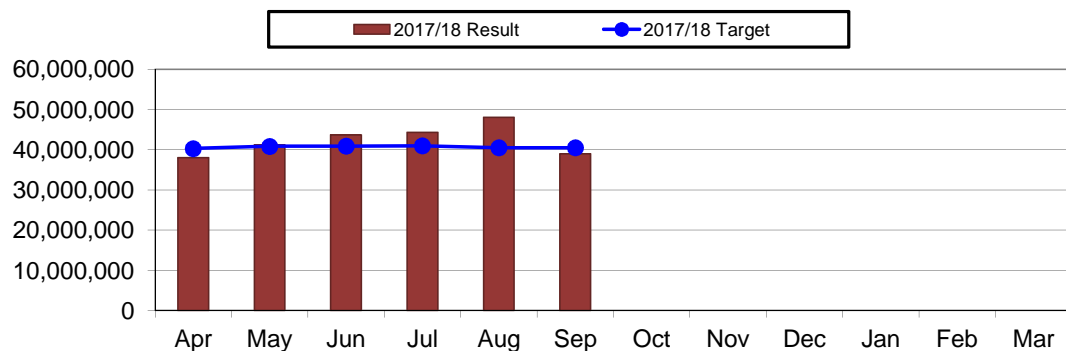
The current forecast for workforce expenditure for period 6 is an end of year underspend of £100k, a reduction of £3.6m since the last reporting period.

The agency budget for 17/18 is £2.4m. Agency spend in period 6 was 2.4m and agency spend collectively in Periods 1 - 6 is £16.5m. Based on actual agency spend by period 6, the projected end of year forecast is £33m.



Actions

- The Hays Agency Worker portal was implemented in Sept 17. This provides the opportunity to revisit the workforce strategy and a report will be provided to CLT in due course to agree and set a policy framework going forwards. To include maximum number of hours for agency workers and overtime as there are currently compliance issues.





Quarter 2 July to September 2017



Measure	Result	Target	Status	DoT
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Workforce sickness absence rates	10.22	9.25	▲	▼
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This metric is still off track, and the overall performance of this metric is now less positive, in that year to date absence levels are 0.05 days per FTE (0.5%) higher than in the same month last year. They are also 0.05 days per FTE (0.05%) higher than last month. However sickness absence usually increases in September for seasonal reasons:

- Sickness days, absence incidents, and days lost per FTE, due to coughs/colds/flu, have all increased this month by around 3%, in line with seasonal norms.

- While chest/respiratory absence in terms of absence incidents has only increased by around 1%, the number of days lost, and days per FTE lost, for this reason have increased by around 3%, again in line with seasonal norms.

Total sickness days have decreased by 3.11% (308 days) since August, but the workforce taking this absence is also now slightly smaller. While long term sickness days decreased by 1284 days (17.92%), short term sickness days have increased by 976 days (35.45%).

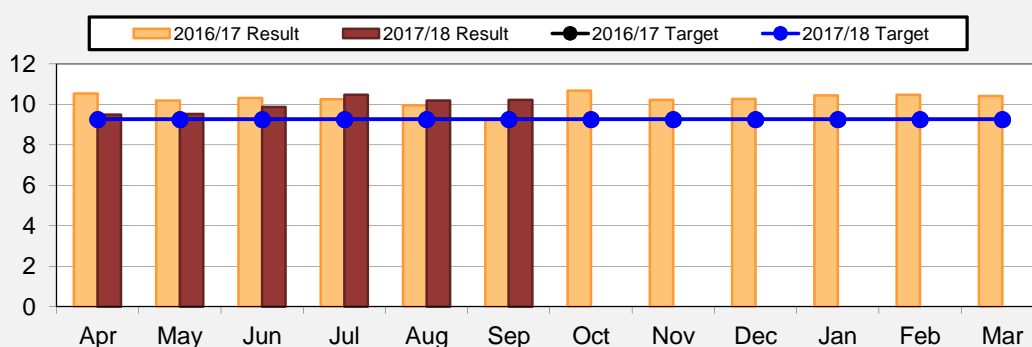


A comparison between sickness reasons in September 2016 and September 2017 shows that - the greatest reduction in absence incidents have been in relation to injury/fracture (1.97% reduction);

- there have been 0.4% and 0.56% increases in gastro-intestinal, and other musculo-skeletal problem absence incidents respectively, which are NOT due to seasonal norms.

- the number of working days lost due to anxiety/stress/depression in a rolling 12 month period has increased, for the second consecutive month. The number of days lost for this reason has increased by 999 days since September 2016, despite the number of FTE employees having fallen by 1.8% in the same period. The number of days lost due to this reason has also increased by 858 days since last month.

Per full time equivalent





Workforce



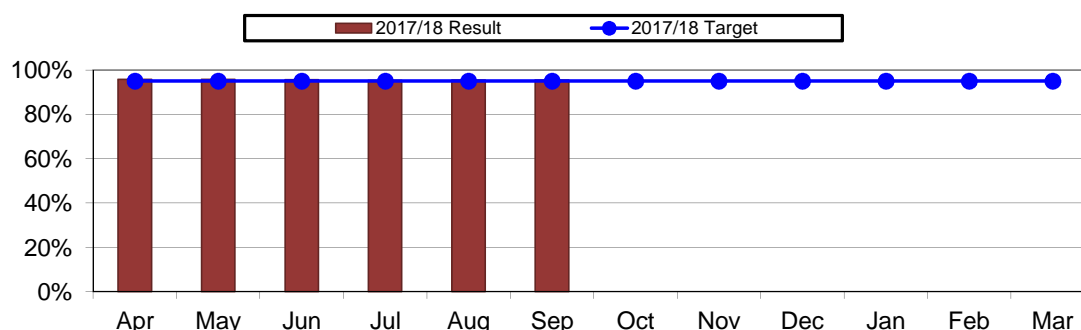
Quarter 2 July to September 2017



Measure	Result	Target	Status	DoT
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Workforce attendance rates 95.46% 95.00%  

Attendance is static this month and continues to be above target. The year to date figure of 95.57% is 0.02 less than this time last year.

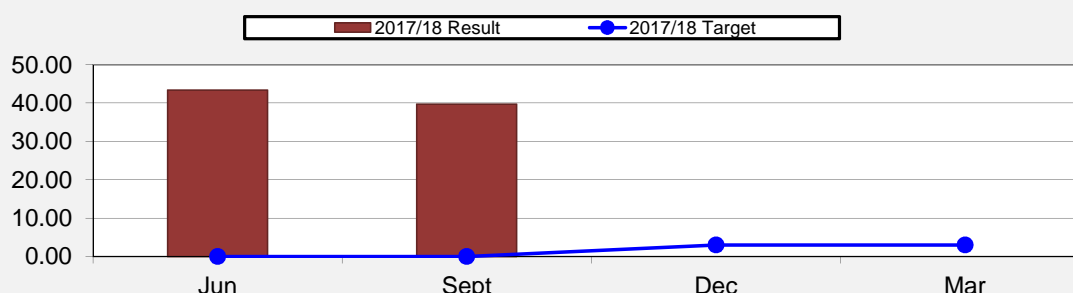


Number of accidents/incidents per 1,000 employees 39.68 **To be confirmed** N/A N/A

Accidents and incidents appear to be decreasing over recent months; this trend reaches a predictable low reflecting the summer holidays and associated reduced levels of attendance. However a number of directorate-level measures have been taken.

Separate studies have been conducted relating to aggression/assault and slips and trips - the highest two areas recorded. These show that only 1/3 of risk assessments are reviewed following an accident or incident. This reasons for this are being explored, and a Managers Bulletin is planned. A further study is being undertaken to review the individual risk assessments related to a % of the reported accidents, to see if the risk was foreseeable, captured by the risk assessment, subject to adequate implemented controls, communicated to the injured party, and amended to implement further controls where appropriate to do so.

Some aggression/assault incidents warranted police involvement, but there was none. This infers that certain employees believe (wrongly) that tolerating abusive behaviour is a part of the job role. Women appear to experience abusive behaviour approx. 70% more than their male counterparts – although again this could be due to underreporting by males – this will be subject to further investigation. The majority of slips and trips recorded have a reported root cause of 'missed footing' and do not allow for meaningful intervention to prevent recurrence. The remaining minority will be addressed locally. There is no apparent trend which requires further action.



Workforce



Quarter 2 July to September 2017

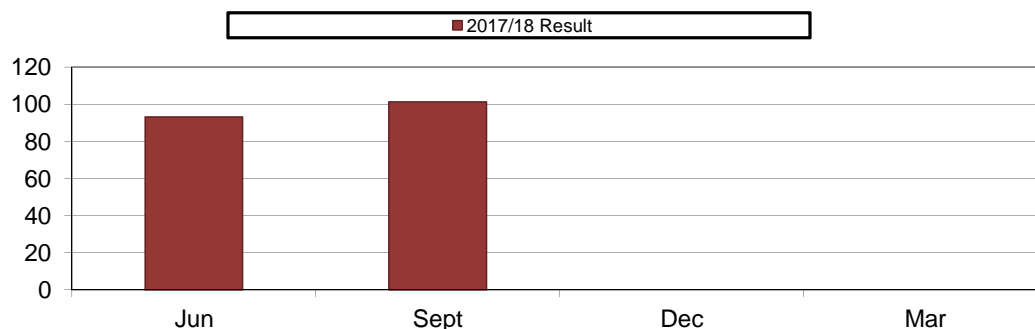


Measure	Result	Target	Status	DoT
Volume of referrals to Occupational Health per 1,000 employees	101.24	Trend	N/A	↓

The rate has slightly increased, although referrals from the business reduce over the holiday months of July and August. This increase is indication of other services offered by Organisational Health being in demand, physiotherapy in particular.



No target set. Baseline being established

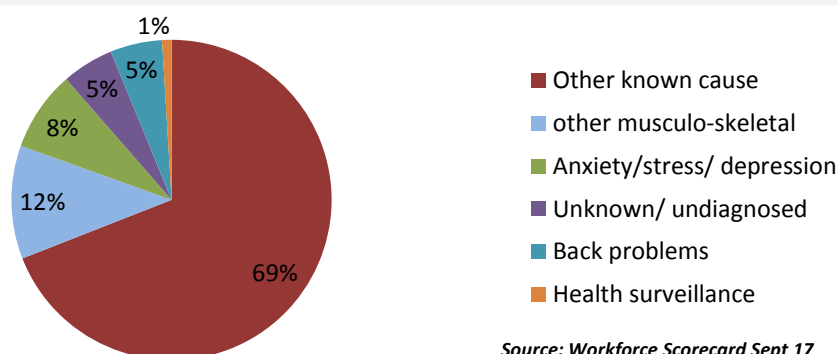


Type of referrals to Occupational Health	Other Known Causes	Refer to commentary	✓	N/A
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Quarter 2 shows the improvements of data collection within Organisational Health service with many differing diagnosis. The largest percentage of 69% are a variety of diagnosis. From this largest 69% number we have known cases of coronary heart disease 11%, cancer 9% and surgical recovery 6%, with the rest of the 66% overall being a variety of other medical conditions.



BCC Top 5 Reasons for Occupational health Referrals during Qtr 2 of 2017-18








Source: Workforce Scorecard Sept 17

Workforce



Quarter 2 July to September 2017



Measure	Result	Target	Status	DoT
 Increase in the number of people completing the staff survey	Annual Result	N/A	Not yet due	N/A
 Increase in the feeling of engagement	Annual Result	N/A	Not yet due	N/A
 Increase in the trust rating	Annual Result	N/A	Not yet due	N/A
 Increase in confidence in the Council to implement changes	Annual Result	N/A	Not yet due	N/A
 Increase level of pride for working for the Council	Annual Result	N/A	Not yet due	N/A

BIRMINGHAM CITY COUNCIL**PUBLIC**

Report to:	CABINET
Report of:	Corporate Director Place
Date of Decision:	12 December 2017
SUBJECT:	BIRMINGHAM HOMELESSNESS PREVENTION STRATEGY
Key Decision: Yes	Relevant Forward Plan Ref: 004342/2017
If not in the Forward Plan: (please "X" box)	Chief Executive approved <input type="checkbox"/> O&S Chair approved <input type="checkbox"/>
Relevant Cabinet Member(s) or Relevant Executive Member:	Cllr Paulette Hamilton – Cabinet Member Health and Social Care Cllr Peter Griffiths – Cabinet Member Housing and Homes
Relevant O&S Chair:	Cllr John Cotton– Health and Social Care Cllr Victoria Quinn – Housing and Homes
Wards affected:	All

1. Purpose of report:

- 1.1 To consider the Homelessness Prevention Strategy 2017 for recommendation to City Council
- 1.2 Subject to approval at City Council to seek approval to develop and implement the Strategy through the Positive Pathway Model as detailed in the Strategy.

2. Decision(s) recommended:

That Cabinet:

- 2.1. Recommends the Homelessness Prevention Strategy 2017 as attached at Appendix 1 for consideration by the City Council on 9th January 2018.
- 2.2 Subject to approval at City Council approves priority work to be undertaken in relation to the implementation of the Strategy through the development and implementation of an action plan centred upon the Positive Pathway model set out in the strategy.

Lead Contact Officer(s): Kalvinder Kohli,
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Additional Contact Officer(s): Louise Collett,
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3. Consultation:

3.1 Internal

The Cabinet Member for Children Families & Schools has been consulted on the contents of this report and supports the recommendations. Legal & Governance Department and the relevant Heads of City Finance (Place and Adult Social Care Health) have also been involved in the preparation of this report. A number of internal stakeholder meetings and briefings were carried out on the strategy during the public consultation phase which took place between 28th August and 5th October as listed below:-

22/08/17	Place Directorate Wider Directorate Management Team
31/08/17	Early Help Strategic Partnership
12/09/17	Birmingham Adult Safeguarding Board
28/09/17	Economy Directorate Management Team
03/10/17	Birmingham Health & Wellbeing Board

3.2 External

A public consultation on the draft strategy took place between 24th August and 5th October 2017, when 276 people gave their views. Alongside this a number of meetings and briefings were held with a range of stakeholder groups as listed below:-

30/08/17	Birmingham Social Housing Partnership Housing Needs Sub-Group
07/09/17	Birmingham Homelessness Forum
13/09/17	West & Central Community Safety Partnership
26/09/17	Birmingham Mind
28/09/17	Birmingham Social Housing Executive Board

The findings of the consultation are set out within Appendix 3 of this report, the feedback in summary has been very positive, particular points raised during the consultation include:

- The upstream, earlier interventions to avoid people from becoming homeless in the first place are considered to be important in reducing both the pressures on agencies as well as the negative impacts upon individuals and families.
- The recognition of homelessness through the life course and the implication for health and social care for people affected by homelessness.
- The role of the strategic partners within the City including health partners, police, judiciary in supporting people at risk of homelessness, that are homeless or as part of their recovery.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

4.1.1 This Homelessness Prevention Strategy supports the priority themes, as agreed by Cabinet on May 16th 2017 across all four priority areas:

- Children – a great place to grow up in: Make the best of our diversity and create a safe and secure city for our children and young people to learn and grow. The strategy recognises the negative implications of homelessness upon child health, disruption to their education and development. The strategy supports the Corporate Parenting commitments by recognising that children and young people that have a background of being in local authority care are more likely to present as homeless. The successful positive pathway approaches for both young people and care leavers has been adapted as the basis of this preventative strategy.
- Housing – a great place to live in: Provide housing in a range of types and tenures to meet the housing needs of all the current and future citizens of Birmingham. The fifth and final positive pathway domain within the strategy recognises the importance of sustainable, suitable and affordable housing solutions as part of preventing homelessness and supporting the recovery of people that are homeless.
- Jobs and Skills – a great place to succeed in: Build on our assets, talents, and capacity for enterprise and innovation to shape the market and harness opportunity. The strategy recognises the clear link between affordability and housing and people's employment aspirations and their housing choices and how this avoids people presenting as homeless or incidents of repeat homelessness.
- Health – a great place to grow old in: Help people become healthier and more independent with measurable improvement in physical activity and mental wellbeing. The strategy sets out the health implications of homelessness through

the life course, in particular avoiding people from becoming homeless and supporting the recovery of those that do become homeless.

4.1.2 As this strategy forms part of the Councils Policy Framework this will require approval at City Council on 9th January 2018.

4.2 Financial Implications

(How will decisions be carried out within existing finances and Resources?)

4.2.1 The Homelessness Prevention Strategy will allow the Council and all our Service Providers, Public/Private Partners to work together to ensure that the available public resources are spent in the most effective and efficient manner for the benefit of our service users.

4.2.2 The Council invests a significant level of resources (a net budget of £5m in 2017/18) to discharge its statutory obligations for Homelessness. This investment includes the provision of hostels, temporary accommodation (leased properties, bed and breakfast and council properties) and housing advisory services.

4.2.3 The strategy was developed within the existing approved budgets of the Council for 2017/18.

4.3 Legal Implications

4.3.1 The Homelessness Act 2002 s1 (1), (3) and (4) places a duty on the Local Authority to carry out a homelessness review of their district and formulate and publish a homelessness strategy that should be reviewed every 5 years. The Homelessness Strategy forms part of the Council's Policy Framework and is the fourth strategy since this became a legal requirement to produce one.

4.3.2 The strategy has been aligned with the principles set out in the Homelessness Reduction Act 2017 which comes into force April 2018 which introduces a new legal duty to prevent homelessness.

4.4 Public Sector Equality Duty (see separate guidance note)

4.4.1 An initial impact assessment was undertaken in August 2017 at the time of going to public consultation.

4.4.2 At that time, no potential adverse impacts were identified however given the size of the affected community a full equality impact assessment was undertaken following 1 month of public consultation on the strategy and engagement with stakeholders which concluded on 5 October 2017 (Appendix 2).

4.4.3 The consultation findings have been used to update the initial EA in the form of a full impact assessment and are attached as Appendix 3.

5. Relevant background/chronology of key events:

- 5.1 The Homelessness Act 2002 places a duty on local authorities to carry out a review of all forms of homelessness in their district area and to formulate and publish a homelessness strategy based upon the results of the review.
- 5.2 A Homelessness review was undertaken in 2016 and has informed the development of the Homelessness Prevention Strategy 2017+. In addition the Overview and Scrutiny Reports: Homelessness and Health and Homelessness (7th July 2015) Prevention and Rough Sleeping (13th June 2017) have helped shape recommendations in relation to the drafting of the Strategy
- 5.3 The Homelessness Review 2016 set out the context and challenges in relation to homelessness in Birmingham. The following key challenges are outlined within the strategy:-
- A lack of affordable housing options.
 - Increasing difficulties experienced by single people under-35 in securing affordable, independent accommodation.
 - Growing population meaning increased pressure on existing housing stock in terms of supply, affordability, suitability.
 - An estimated 20,000+ households per annum are either, homeless, at risk of becoming homeless or recovering from homelessness including 55 identified as sleeping rough in 2016.
 - Low household income and high rates of unemployment being a key driver of housing exclusion.
 - The Statutory homeless system offers the only clear pathway into permanent accommodation. This generates a level of avoidable demand on statutory services.
- 5.4 The Birmingham Homelessness Prevention Strategy outlines the top three reasons for people presenting as homeless, as being the ending of an assured shorthold tenancy, family breakdown and domestic abuse. The strategy recognises that the causes behind homelessness are often complex and very person centred, impacting upon health and across the life course of individuals and families. Our traditional approach to tackling homelessness has been very housing focused and not fully providing households with the capacity and resilience to maintain their home in the long-term, thus breaking the cycle of homelessness.
- 5.5 The strategy therefore recognises that whilst anyone can become homeless. There are certain cohorts of population that are more likely to be at risk of homelessness. These include:

- Young people, particularly those with an in care background or leaving care.
- Adults leaving institutional settings including care settings or prison.
- People with mental health issues.
- People with physical, sensory or learning disabilities.
- People with a history of substance misuse.
- People with multiple needs considered to be complex.
- Families affected by domestic abuse.

5.6 The scope of the strategy has been aligned to new prevention duties set out in Homelessness Reduction Act 2017 that comes into force in April 2018 and covers individuals and families who are:-

- In housing need and considering their housing options.
- At risk of becoming homeless and in receipt of support to prevent or relieve homelessness.
- Deemed under law be homeless and in priority housing need.
- Deemed under law to be homeless but not in priority housing need.
- Street homeless.
- Recovering or transitioning out of homelessness in temporary or supported Housing.

5.7 In order to respond to the wider challenges the Strategy sets out a whole systems approach based on collaboration requirements with partners. This collaboration, development and implementation is being overseen by a multi - agency Homelessness Partnership Board. In particular around better co-ordination of responses, making the 'how' as equally important as the 'what'. The proposed approach based on the Positive Pathway Model, is derived from the successful model developed locally by St Basils for tackling youth homelessness in the city. Application of this approach for all ages will enable a consistent approach across the life course and radically change the way we respond to homelessness, shifting our emphasis over the course of the five year strategy from reactive crisis prevention to proactively addressing homelessness in all its forms.

5.8 The Positive Pathway Model is based upon developing quality accessible services across 5 domains; -

- a) Universal prevention - To ensure people are well informed about their housing options via a range of services including non-housing services.

- b) Targeted prevention - To prevent people at higher risk from becoming homeless.
- c) Crisis prevention and relief - To assist people as soon as possible if they do become homeless so that their homelessness can be relieved by securing sufficient accommodation and support.
- d) Homeless Recovery -- To support people to recover from their experience and stay out of homelessness.
- e) Sustainable housing options - To enable people to secure homes that they can afford and maintain.

5.9 The role of partners is a critical success factor of this strategy.

The Homelessness Partnership Board which is chaired by the local authority has shaped the development of the strategy. The Board has a diverse membership consisting of Elected Member, local authority including (soon to be) Children's Trust, housing providers, voluntary sector organisations and statutory agencies which provides the level of expertise required to oversee the development and implementation of the Positive Pathway. Progress will be reported through to Housing Birmingham who oversee the family of strategies supporting the Housing Strategy and the Health and Wellbeing Board

6. Evaluation of alternative option(s):

6.1 There are broadly two alternative options:

- 6.1.1 Option 1: Do nothing. As per 4.3.1, the Local Authority has a legal duty to undertake a review of homelessness and publish a new homelessness strategy at least once every five years. Doing nothing would contravene this legal duty.
- 6.1.2 Option 2: Develop a much narrower Homelessness Strategy which only deals with people that are homeless. This is not the best option as this will not help reduce demand much earlier upstream and will not be compliant with the proposed guidance set out for local authorities by DCLG to support the implementation of the Homeless Reduction Act 2017.

7. Reasons for Decision(s):

- 7.1 In accepting the recommendations made in this report the Homelessness Prevention Strategy 2017 would ensure that the council has an up to date strategy in place for dealing with homelessness, as required by the Homelessness Act 2002.
- 7.2 In recommending the strategy to replace the 2012 Homelessness Strategy for consideration at City Council, will establish and set direction both strategically and

operationally required to fulfil its new duties to prevent homeless as set out the Homelessness Reduction Act 2017.

- 7.3 To help take forward the recommendations of Homelessness Partnership Board's work for implementation and delivery of multi-agency actions on homelessness based on the approach and vision set out in the strategy.

Signatures

	<u>Date</u>
Cllr Paulette Hamilton Cabinet Member Health for Health & Social Care
Cllr Peter Griffiths Cabinet Member for Housing and Homes
Jacqui Kennedy Corporate Director for Place

List of Background Documents used to compile this Report:

1. Rough Sleeping and Prevention – Overview and Scrutiny Report 2017
2. Birmingham Homelessness Review 2016
3. Homeless Health – Overview and Scrutiny Report 2015

List of Appendices accompanying this Report (if any):

1. Birmingham Homelessness Prevention Strategy 2017+
2. Equality Assessment: Birmingham Homelessness Prevention Strategy 2017+, EA002378
3. Birmingham Homelessness Prevention Strategy Consultation Findings Report

Birmingham Homelessness Prevention Strategy 2017+

Working together to end homelessness

DRAFT

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Foreword

Welcome to Birmingham's fourth Homelessness Strategy. We would like to thank partners from across the Council, Health, Criminal Justice, Housing Sector, and Voluntary and Third Sectors, who have contributed and committed to its development and success.

Homelessness is a cross cutting issue which cannot be tackled by one agency alone. The negative impacts that homelessness has upon the health and wellbeing of our citizens is well understood; and it is for this reason that it continues to be a key priority for the Birmingham Health and Wellbeing Board, and for our City.

Birmingham has a strong history of working together in partnership to tackle homelessness. Despite our success, the scale and extent of homelessness has remained persistent, and the number of families who are homeless and / or living in temporary accommodation is too high. A radically different approach that drives whole system change is now necessary.

Our new strategy focuses on preventing people from becoming homeless in the first place and supporting those who are homeless to build a more positive future in good health, sustainable accommodation and long lasting employment.

In collaboration with our Local Authority neighbours from across the West Midlands Combined Authority area, the West Midlands

Mayoral Taskforce, and our key partners, we will work together to eradicate homelessness from our city.

The task ahead will be challenging. Increasing pressure on budgets in all sectors and the implementation of the Homelessness Reduction Act 2017 are just some of the challenges that we face.

We are confident that together with our highly skilled, experienced and innovative partners, and in collaboration with our Local Authority neighbours, we will tackle those challenges, providing holistic, trauma - informed responses to the diversity of presenting needs of homeless people in the city, and ultimately make a significant impact on homelessness in Birmingham.

We look forward to working together to drive the system wide step change required to deliver this strategy and achieve our collective vision for Birmingham.

CLlr Paulette Hamilton

Cabinet Member for Health and Social Care and Chair of Birmingham Health and Wellbeing Board

CLlr Peter Griffiths

Cabinet Member for Housing and Homes

CLlr Carl Rice

Cabinet Member for Children, Families and Schools

CLlr Brett O'Reilly

Cabinet Member for Jobs and Skills

Our Commitment

Cllr Sharon Thompson - Birmingham Homelessness Ambassador

The impacts of homelessness are complex and intertwined. The growing number of people living on the street makes visible what may otherwise be unrecognisable to the majority of people in our city. Yet street homeless remains a relatively small proportion of the overall issue and we must not forget those living in precarious housing circumstances, temporary accommodation, hostels and supported accommodation - or indeed those who are taking positive steps to recover from homelessness.

Homelessness can lead individuals and families into a cycle that can have a profound effect on all aspects of life. It is not just a lack of accommodation; homelessness can affect our physical and mental health and wellbeing, educational achievement, ability to gain and sustain employment, and puts pressure on our personal and family relationships. These effects, especially on children, can be life long and can cause repeated homelessness of a generational nature.

No single organisation can prevent homelessness alone; together we must be proactive in working together to intervene earlier and prevent homelessness wherever possible.

Matt Green – Director, Crisis Skylight Birmingham on behalf of the Homelessness Partnership Board.

This new homelessness strategy has the vision and ambition to make a profound effect in the lives of people who are homeless and those who face the uncertainty and risk of becoming homeless.

As organisations and individuals working in the City, we will continue to work with Birmingham City Council by jointly owning this strategy and working in partnership to deliver life-changing services so that the vision of eradicating homelessness in Birmingham becomes a reality.

The impact of homelessness devastates lives and it is often a long, hard, painful journey to leave homelessness behind for good. The implementation of the Homelessness Reduction Act 2017 alongside the delivery of this Homelessness Prevention Strategy through a Positive Pathway model will be the opportunity to trigger a fundamental change in the way we create systems and design services to take a human rights approach to ending homelessness in Birmingham.

Introduction

Homelessness is caused by a complex interaction between a person or family's individual circumstances and a number of social and structural factors often outside of their own control.

Unless these other factors are addressed, the ability of an individual or family to become resilient and improve their chance of a positive future is greatly reduced, and places them at risk of becoming trapped in a cycle of homelessness.

Tackling all of these issues at the point of crisis is complex and very expensive. Therefore, we must do more to intervene as early as possible, to limit the impact of homelessness, help people to recover from homelessness, and prevent it from happening in the future.

The journey into and through homelessness is different for everyone. People enter at different stages, at different times in their lives, and with varying levels and types of support needs. In recognition of this it is important that our approach is flexible to respond effectively.

Scope

The scope of this strategy recognises all types of homelessness needs:

- Those who are considering their housing options
- Those who are at risk of homelessness
- Those who are deemed statutory homeless
- Those who are deemed non – statutory homeless
- Those who are street homeless
- Children who experience homelessness
- Those who are moving on from homelessness
- The wider population (for the purposes of prevention more broadly)



Our Vision

Birmingham is a city where we all work together to eradicate homelessness

Aims

1. Ensure people are well informed about their housing options
2. Prevent people from becoming homeless
3. Assist people as soon as possible if they do become homeless so that their homelessness can be relieved by securing sufficient accommodation and support
4. Support people to recover from their experience and stay out of homelessness
5. Enable people to secure homes that they can afford and maintain

Defining Homelessness

Statutory Homelessness

The Department for Communities and Local Government (DCLG) defines statutory homelessness as:

“A household is legally homeless if, either, they do not have accommodation that they are entitled to occupy, which is accessible and physically available to them or, they have accommodation but it is not reasonable for them to continue to occupy this accommodation”

Households in priority housing need include families, pregnant women and single people who are particularly vulnerable.

Non-Statutory Homelessness

Non-statutory homeless people are typically single people/childless couples who are not assessed as being in ‘priority need’ and are only entitled to advice and assistance if homeless.

Some non-priority homeless people are offered access to Local Authority - commissioned housing support services.

Street Homelessness

DCLG define street homelessness as:

“People sleeping, about to bed down (sitting on/in or standing next to their bedding) or actually bedded down in the open air (such as on the streets, in tents, doorways, parks, bus shelters or encampments). People in buildings or other places not designed for habitation (such as stairwells, barns, sheds, car parks, cars, derelict boats, stations, or “bashes”)”

Legal duties

The **Housing (Homeless Persons) Act 1977** requires Local Authorities to prevent as well as respond to homelessness and assist people under imminent threat of homelessness (and classed as ‘in priority need’) by taking reasonable steps to prevent them from losing their existing accommodation.

The **Homelessness Act 2002** places a specific requirement for Local Authorities to devise and implement a Homelessness Strategy.

The **Homelessness Reduction Act 2017** places a duty on Local Authorities to provide anyone threatened with or at risk of being homeless (within a 56 day period) to be provided with advice and support to prevent them becoming homeless.

Impact of Homelessness

The impact of homelessness begins at birth; children are more likely to be born at a low birth weight and miss their immunisations, and are less likely to be registered with a GP.

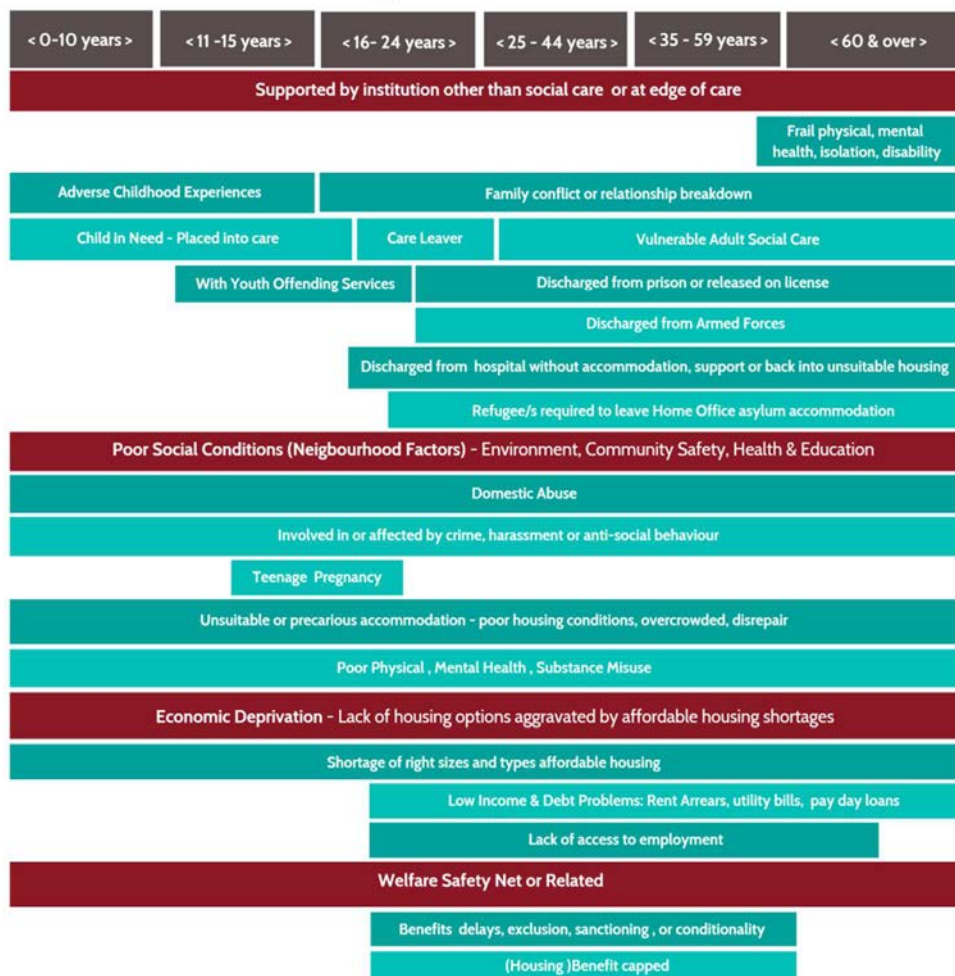
Homeless children are three times more likely to experience poor mental health; the impact of which is long lasting. Even after they have a new home, children who experience homelessness remain vulnerable to family breakdown, domestic abuse, maternal mental ill health, and learning and development difficulties.

As a result of their preoccupation with addressing their unstable and unsafe living conditions, a parent's capacity to effectively parent is much reduced.

For many people, homelessness is not just a housing issue. It is closely linked with complex and chaotic life experiences. Mental health problems, drug and alcohol dependencies, and experiences in prison or with the care system are often closely linked to more entrenched experiences of homelessness. Traumatic childhood experiences are part of most street homeless people's life histories.

Homeless households experience severe health inequalities, poorer health and wellbeing, and a lower life expectancy than the general population. It is vital that we can identify and address the impact of homelessness for people at every stage of life.

Homelessness across the life course: Triggers, Causes & Risk Factors



A Priority for Birmingham

Homelessness continues to be a high priority for Birmingham. Despite our progress, the number of people experiencing homelessness is growing.

The cross cutting nature of homelessness is clear and highlighted by its inclusion as a key contributing factor to the success of the following strategic priorities:

- **Birmingham Housing Strategy Statement (2017)** - Enabling citizens to find, access and sustain housing that meets their needs is a key priority.
- **Birmingham Health and Wellbeing Strategy (2017)** - Tackling homelessness is key to children living in permanent housing, increasing employment or meaningful activity stable accommodation for those with mental health problems, and improving the wellbeing of people with complex needs.
- **Birmingham Financial Inclusion Strategy (2017)** - Financial exclusion exacerbates poverty and can lead to serious debt problems, homelessness, mental health issues and involvement with crime.
- **Birmingham Domestic Abuse Prevention Strategy (2017)** - Domestic abuse as the second highest presenting reason for homelessness households in priority housing need.

- **Birmingham Early Help Strategy (2015-2017)** - Reducing the number of families experiencing homelessness and overcrowding is key to 'a good childhood for the best start in life'.
- **The agreed purpose for Improved Mental Health in Birmingham (2016)** - Supporting people to recover from poor mental health in order to reduce adult and youth homeless.

Homelessness is an issue for the West Midlands as well as the city. We are very aware of the regional aspects of homelessness which include the impact of issues such as standards in the private rented sector, affordability and lack of supply. These structural causes are related with levels of homelessness.

We will continue to explore regional opportunities to influence and contribute to the homelessness agenda across the West Midlands Combined Authority. We will also support activity and services that can afford us better value for money and improved outcomes for our Citizens through models such as Housing First and the combined efforts towards hospital discharge and prison release.

Birmingham is also keen to share its approach to tackling and preventing homelessness with the West Midlands' Mayoral Taskforce on Homelessness, collaborating with our Local Authority neighbours to ensure we are making the greatest impact to achieve our vision.

Our Challenge

Nationally the Government recognises that the housing system is 'broken'. Locally, this market failure is particularly apparent as:

- A lack of affordable housing options for many larger households – Birmingham has higher than average household sizes but a limited supply of 4 bed and larger homes. This is especially difficult for larger households affected by the 'benefit cap',
- Increasing difficulties experienced by people under-35 to secure affordable, independent accommodation – particularly for low-income and unemployed young people. Whilst there is a relatively good supply of accommodation of this type, it is often not affordable for this group. People who are subject to benefit restrictions face additional difficulties. This contributes to a need for additional larger homes as young people are living with their family for longer representing a new and growing housing need in the city, as well as an affordable housing offer for young people, including young workers.
- Birmingham has a growing population, which is putting increasing pressure on the existing housing stock. Locally there are more than three times the rate of priority homeless households than the national average and double the rate of Core City neighbours. These high rates can also be seen as a direct consequence of a fractured housing system. The statutory homeless system can seem to offer a clear pathway into

permanent accommodation, which contrasts with the difficulties that people experience in finding suitable and affordable accommodation.

Increasingly, people are presenting as statutory homeless because an assured shorthold tenancy has ended. Domestic abuse and parental exclusion are also significant reasons for why people become homeless in Birmingham; over 40% of homeless applications from outside of the city are associated with homelessness resulting from domestic abuse.

Deprivation and associated poverty / low incomes are key barriers for accessing suitable housing and maintaining stable and financially sustainable tenancies. Access to employment is a key mechanism for preventing homelessness. The average household income in Birmingham is relatively low. Combined with relatively high rates of unemployment – this is a driver of housing exclusion. Poor financial management and a failure to maximise household income also limits people's ability to access and sustain housing.

Our approach to recovery has been overly housing focussed, with an emphasis on securing accommodation and not enough attention given to prevent future homelessness by addressing the underlying cause of peoples' experience. We need to do more to recognise the impact that the trauma of homelessness can have on both adult and childrens' physical and mental health and well-being. Homelessness is an adverse childhood experience that can have a long-term negative impact on children's development.

Birmingham has a very high level of families who are homeless and/or in temporary accommodation. It affects social bonding, school performance as well as linked to disadvantage in future generations. More than three quarters of applicants accepted as homeless and in priority need have children – either with a lone parent, or as dependants of a couple.

Young people are the most disadvantaged in the housing market because they are likely to have a low income and are viewed by Landlords as potentially high risk. As Birmingham is a young city, this is a particularly local challenge. There are 4,118 young people facing homelessness in Birmingham, most of whom have been made homeless from their family home (42%). It is common for there to be other underlying factors that could contribute to or increase the risk of a young person becoming homeless, including lack of tenancy experience and mental health issues.

The difficulties that people experience trying to find and secure suitable housing has a direct impact on their health and well-being. This places increased pressure on health services, particularly family doctors and mental health services, as people struggle to navigate the housing system in the city. With more than 20,000 (est.) households in Birmingham each year either homeless, at risk of becoming homeless or transitioning out of homelessness – the overall health and wellbeing of the city is under threat.

Birmingham is at crisis point with rough sleepers at the most visible tip of the homelessness iceberg. The number of street homeless

people has increased by 53% in the last year, and by 588% since 2012. The complexity of multiple needs, circumstances and increasing inter-relationship of triggers and reasons leading people to sleep rough makes it increasingly more difficult for a single provider or partner to address. At the same time, it is increasingly hard to engage with this group suggesting that our traditional approach is no longer as effective as it used to be.

The Housing Birmingham Partnership's strategy "Birmingham: A Great Place to Live" sets out the challenge we face in terms of ensuring a sufficient supply of sustainable housing options for all citizens. Ensuring that households who have experienced homelessness are able to sustain accommodation in the long-term requires both the availability of suitable housing, and also the household having the capacity and resilience to maintain occupation of their home.

Our Approach – The Positive Pathway

The Positive Pathway is a whole systems approach built on collaboration, best practice and service integration. Successful implementation of our approach will ensure an excellent response to homelessness in the city.

First developed by St Basils and implemented locally with young people at risk of or experiencing homelessness, the Positive Pathway has seen much success. By embedding the approach at the heart of this strategy, Birmingham will create a comprehensive and consistent approach to homelessness across the life course.

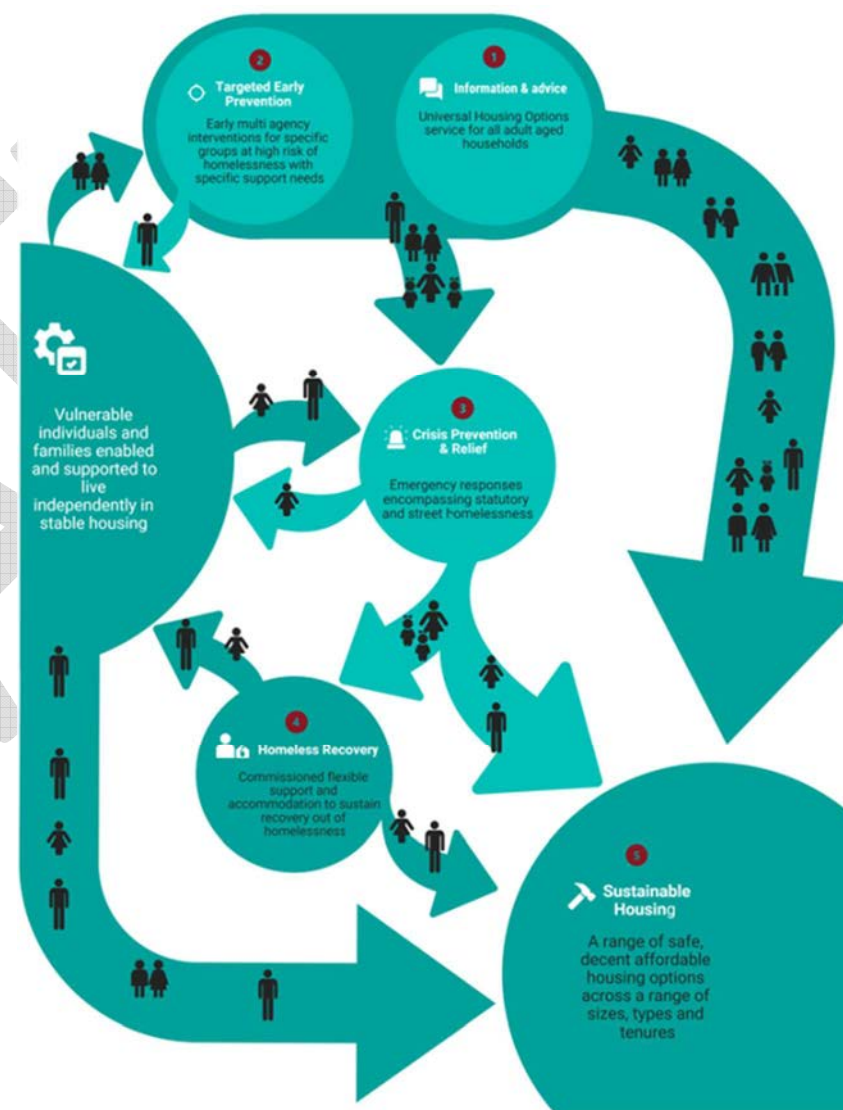
Our approach sets out five key areas that can be used flexibly to ensure that no matter what stage people enter the pathway; they will be supported as early and as effectively as possible.

The five key areas are:

1. Universal Prevention
2. Targeted Prevention
3. Crisis Prevention and Relief
4. Homeless Recovery
5. Sustainable Housing

The Positive Pathway radically changes the way we respond to homelessness in Birmingham; shifting the balance from a reactive crisis prevention response to proactively addressing homelessness in all of its forms throughout a person or family's journey.

The Positive Pathway Model



Universal Prevention

Our Aim

To ensure people are well informed about their housing options

Our Approach

Universal prevention sets out a bold vision of creating structural step change across the city to ensure people are equipped to navigate the housing system, and create a city that is sufficiently robust to deliver change at system, organisational and community levels.

It is intended to empower people and communities to successfully live resilient, independent lives without support from specialist services, and ensure they know where to go to seek help if required.

This domain includes the adoption of social prescribing which recognises that people's health is determined primarily by a range of social, economic and environmental factors. The impact of inadequate or inappropriate housing may manifest on health and health services in a number of ways for example, repeat visits to the family doctor or Accident and Emergency department, or delays

in discharge from hospital due a lack of safe, warm accommodation to return to.

This means that family doctors, nurses and other professionals will be aware of and be able to refer people to a range of local, non-clinical services relating to their housing needs.

This domain also includes a wide range of timely, accurate information and advice about housing options, financial issues and support services available to everyone to prevent issues with housing and housing related risks, occurring in the first place, and to ensure people understand the links between housing choice and their financial and employment circumstances.

Strategically, this approach links closely to the work of the Birmingham Health and Wellbeing Strategy, Birmingham Financial Inclusion Strategy and the Child Poverty Commission to support reductions in inequality across the city.

Targeted Prevention

Our aim

To prevent people from becoming homeless

Our Approach

Anyone can become homeless. However, it is possible to identify people who are most likely to become homeless. Groups at risk of homelessness include:

- Children and young people
- Young people leaving the care of the Local Authority
- People leaving prison
- People experiencing domestic abuse
- People leaving the Armed Forces
- People with a mental health issue
- People with addictions e.g. drug, alcohol
- People experiencing family breakdown
- People with multiple and complex needs
- People on low incomes and those who are in debt
- People with learning disabilities
- Refugees and people with no recourse to public funds.

There is a strong overlap between homelessness and deep social exclusion.

This approach introduces early intervention through trauma informed practice – understanding trauma and how it may lead to homelessness either now or in the future.

Linked to the Birmingham Early Help Strategy, this domain focuses on early intervention targeted for people who are most likely, or identified, to be at risk of homelessness. People receive appropriate and relevant support as early as possible, to remain in their home or supported to make planned moves before the risk of homelessness manifests. In a significant number of cases early, effective intervention can prevent homelessness occurring.

To be successful, we must strengthen our collective approach to ensure the right structures, partners, and services are in place to deliver a person centred approach. The development of appropriate and proportionate information sharing protocols with relevant agencies is vital to ensure a holistic response to the prevention of homelessness with people most at risk.

This will also ensure we can improve our understanding of the scale and nature of homelessness in the city, as well as the evidence base of 'what works' to predict and prevent homelessness, understand household strengths and assets, and achieve other related outcomes relevant to people in Birmingham.

Crisis Prevention and Relief

Our Aim

To assist people as soon as possible if they do become homeless so that their homelessness can be relieved by securing sufficient accommodation and support

Our Approach

Whilst we seek to shift the balance to a more proactive, preventative approach, we must ensure there is still an effective response for those who present as homeless in an emergency or crisis situation. Groups that are recognised as predominantly affected in this area are private rented sector tenants, families with dependent children, people experiencing domestic abuse, young people experiencing parental exclusion, under 35 year olds, people with multiple and complex needs, people with drug and /or alcohol addiction, and street homeless people.

Crisis prevention and relief is defined as a range of responses that support prevention and relief of homeless crisis.

This domain aims to respond at the point of crisis, where the threat of homelessness is imminent or has occurred. It includes interventions that result in someone making a homeless application in order to help them secure accommodation.

It also encompasses interventions that seek to resolve the threat of homelessness such as mediation resulting in someone being able to remain in the current home or alternative accommodation and therefore removing the imminent threat of being homeless.

The scope of the Crisis Prevention and Relief offer is broad and includes:

- Outreach services that make contact with the street homeless population
- Support and intervention for adults and children affected by domestic abuse
- Specialist accommodation such as refuges
- Statutory and non-statutory homeless prevention services
- Immediate and direct hostel provision
- Bed and breakfast and temporary accommodation
- Housing options and advice
- Rapid re-housing via initiatives such as Housing First.

As a result, homelessness is prevented through intervention at point of crisis; emergency accommodation is secured for those without other housing options, and there is co-ordinated action to prevent street homelessness and move people into accommodation.

This domain is underpinned by a comprehensive, multi-agency holistic assessment of need and is a key data collection point to inform ongoing development of the pathway.

Homeless Recovery

Our Aim

To support people to recover from their experience and stay out of homelessness

Our Approach

People who have experienced homelessness are more likely to have additional needs around their mental, physical and emotional health and may need extra support to make a sustained recovery into stable housing and onward to a positive and healthy future. This is particularly true for children, young people and more vulnerable adults. Providing this extra support is critical to limiting the impact of homelessness as well as preventing homelessness recurring.

Experiencing homelessness can have a serious, adverse and long lasting impact, particularly in childhood. By understanding that being homeless can be traumatic, this approach involves working with people to reduce the risk of secondary trauma or re-traumatisation by encompassing psychologically informed environments.

This means taking into account emotional and psychological needs alongside continued support to stabilise their accommodation, and

focusing on improving the overall wellbeing of all adults and children in the household.

Homeless Recovery means key agencies work together to support people to ensure they have access to a range of support that will improve their physical and mental health and wellbeing, access education or training, enter and/ or maintain employment, stabilise the family income, and strengthen social networks.

This type of preventative action will need to be sensitive, timely, appropriate and right first time. Done effectively, this approach supports people to regain their independence, enabling them to avoid the crises that may trigger homelessness in the future. It is recognised that recovery from homelessness can be a difficult journey however and as such this approach works to instil the resilience, skills and confidence people need to effectively manage crisis should it occur again.

Sustainable Housing Options

Our Aim

To enable people to secure homes that they can afford and maintain

Our Approach

There is no doubt that homelessness in Birmingham is exacerbated by the lack of supply and access to suitable, settled accommodation.

Recognising the impact of a growing population and increasing pressure on our current housing stock, sustainable housing options are a key part of resolving structural influences on homelessness.

To maintain the momentum of supporting people into independence when they are ready, we must have access to a truly affordable supply of accommodation for people to move into.

Without it, the current situation will remain inevitable: people that are ready for independence are trapped in supported accommodation, potentially blocking others in the system from moving on and getting the help they need.

At the same time, poverty and low incomes prevent people from accessing position housing options and make others hard to sustain.

This approach requires the provision of a range of safe, decent, affordable housing options, both shared and self-contained, in the private, social and third sectors is crucial. Supply, affordability and support are key enablers of tenancy sustainment.

This domain concerns longer-term strategic actions such as improving the supply of suitably affordable housing to make a difference to homelessness. Alongside increasing sub-market level housing supply across all tenures, improving the standards and quality of tenure in the private rented sector can also contribute to tackling homelessness in the city. This is vital as poor housing conditions affect health and may have long-term implications for income and employment.

Likewise, both housing and employment are cornerstones of economic security. The stress of meeting housing costs may be compounded by unemployment or insecure work.

Creating an environment that includes improved standards, quality and supply of suitably affordable accommodation along with training and support that people may need to find good quality, long lasting jobs, will ensure people are economically active and have suitable homes that they can afford and build their future from.

Delivering our Vision

Oversight

Housing Birmingham Partnership is responsible for, and committed to ensuring that Birmingham's vision to eradicate homelessness becomes reality.

Assurance

The Birmingham Health and Wellbeing Board will seek assurance from the Homelessness Positive Pathway Board on the effectiveness of partnership working in the development and implementation of the Strategy Implementation Plan.

Accountability

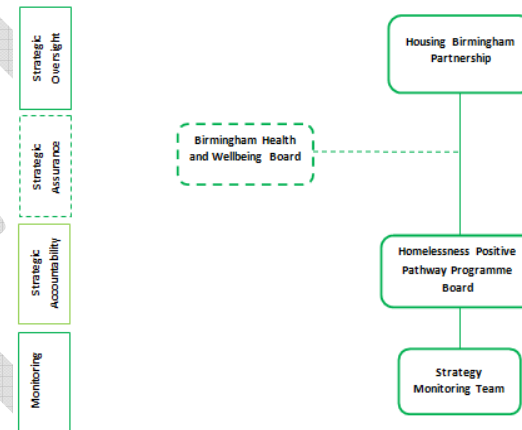
The multi-agency and cross sector Homelessness Positive Programme Pathway Board will be responsible for the successful delivery of the Strategy Implementation Plan.

Monitoring

The Strategy Monitoring Team will report progress against the Strategy Implementation Plan to the Homelessness Positive Pathway Board. The Homelessness Positive Pathway Programme Board will undertake a review of progress against the Strategy Implementation Plan on an annual basis up to and including 2021.

Governance Structure

The strategy will be monitored through the following governance structure:



Equality Duty

The Public Sector Equality Duty (Equality Act 2010) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people when carrying out their activities.

As such, our approach has and will continue to be informed by the latest available intelligence when determining key actions associated with the delivery of our strategy vision.

Joint Action Plan

The Homelessness Partnership Board has agreed that the fundamental action is to develop an excellent pathway and secure its adoption by key partners in the city and to ensure that is appropriately resourced in terms of implementation. This requires significant systems change, both in terms of how we work together as partners and what we jointly deliver. This action plan sets the direction for the next five years. The vision for the strategy is ambitious and there are a lot of things that need to be done. The following actions have been split into whole system and domain specific actions; the detail of which will continue to develop over a period of time.

Key System Actions:
Develop an excellent positive pathway across all five domains.
Embed a human-rights approach to homelessness in the city.
Establish a trauma based approach to responding to homelessness in the city.
Drive culture, organisational and decision making change to design out homelessness both within and between organisations.
System –wide, consistent communications and messaging to citizens in terms of options and offer available.
Develop specific responses for cohorts most at risk of becoming homeless.
Take pragmatic action in the best interest of individuals.
Review existing commissioned services to design in more flexibility and remove unintended barriers.
Contribute to the preparation work in readiness for the pending Supported Housing Finance reforms (April 2020).
Strengthen intelligence gathering and sharing to inform policy, practice and priorities for action.
Strategic leads across the city work together to collaboratively shape and drive key priorities and actions across related strategy areas including

Housing, Health and Wellbeing, Domestic Abuse, and Financial Inclusion.
Complete a health impact assessment concerning the delivery strategy to better inform the responses to meet the health needs of homeless households.

Domain	Aim	Key Action
Universal Prevention	Ensure people are well informed about their housing options	Adopt a duty to collaborate between all partner agencies to support people to navigate their housing options.
		Develop a universal offer to enable access to high quality, appropriate advice and information on housing options and maintaining wellbeing.
		Communicate the universal offer consistently across the range of partnership agencies, making sure that messages and media are appropriate and relevant to all cohorts of people.
Targeted Prevention	Prevent people from becoming homeless	Develop the capacity and capability of organisations and workforces to competently respond to individuals and families at risk.
		Strong protocols for multi-agency working to support and appropriately refer individuals and families at risk.
		Design and implement early and targeted interventions for groups identified as higher risk of homelessness.
Crisis Prevention	Assist people as soon as possible	Redesign of systems and services to fully implement the Homelessness Reduction Act.

and Relief	if they do become homeless so that their homelessness can be relieved by securing sufficient accommodation and support	Strengthen the response of the Street Intervention Team and Outreach service to tackle entrenched rough sleeping
		Reinforce commitments to minimise the use of bed and breakfast provision particularly for families with children and maintain zero usage for 16-17 year olds.
		Establish and enforce standards for the safety and quality of temporary accommodation.
Homeless Recovery	Support people to recover from their experience and stay out of homelessness	Establish a minimum training standard for specialist support staff to work with therapeutic models such as Psychologically Informed Environments, in a person centred way to aid recovery and build resilience.
		Develop and implement a Homelessness Recovery Charter that is understood and accepted by all relevant agencies.
Sustainable Housing Options	Enable people to secure homes that they can afford and maintain	Ensure updated policies in relation to housing continue to reflect housing needs in the city.
		Take innovative best practice models and mainstream them e.g. Housing First, modular housing, community led housing organisations, Employment First, and empty homes initiatives.
		Develop robust standards for existing housing provision designated for vulnerable people with care and / or support needs (in time for the April 2020 Supported Housing Financial Reform).
		Progress Selective Licensing options for the city as a means improving standards in the Private Rented Sector.

		Take steps to support private rented sector landlords to build confidence in providing affordable accommodation for vulnerable groups.
		Take steps to better align Local Housing Allowance rates to the 30th percentile of market rents to increase affordability in the private rented sector.

DRAFT

Equality Analysis

Birmingham City Council Analysis Report

EA Name	Birmingham Homelessness Prevention Strategy 2017+
Directorate	People
Service Area	People - Policy And Commissioning
Type	Amended Policy
EA Summary	This EA supports request to Cabinet for the approval of the vision and approach to tackling homelessness as set out the Birmingham Homelessness Prevention Strategy 2017+. The EA follows the conclusion of a public consultation on the strategy and engagement with a range of stakeholders encompassing homelessness service providers and citizens with lived experience of homelessness.
Reference Number	EA002378
Task Group Manager	rashid.ikram@birmingham.gov.uk
Task Group Member	
Date Approved	2017-10-31 00:00:00 +0000
Senior Officer	kalvinder.kohli@birmingham.gov.uk
Quality Control Officer	rashid.ikram@birmingham.gov.uk

Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Initial Assessment

This section identifies the purpose of the Policy and which types of individual it affects. It also identifies which equality strands are affected by either a positive or negative differential impact.

Relevant Protected Characteristics

For each of the identified relevant protected characteristics there are three sections which will have been completed.

- Impact
- Consultation
- Additional Work

If the assessment has raised any issues to be addressed there will also be an action planning section.

The following pages record the answers to the assessment questions with optional comments included by the assessor to clarify or explain any of the answers given or relevant issues.

1 Activity Type

The activity has been identified as a Amended Policy.

2 Initial Assessment

2.1 Purpose and Link to Strategic Themes

What is the purpose of this Policy and expected outcomes?

The purpose of the Homelessness Prevention Strategy is to set out the broad aims and objectives supported by a system model which seeks a shift towards tackling at pre-crisis stage causes, triggers and risk factors associated with homelessness. The approach seeks to rebalance current practice which has focused on preventing and alleviating homelessness at crisis point. The stated main beneficiaries of the strategy will be any household or person facing the prospect of losing their home, dealing with the immediate crisis of having nowhere to live or recovering from being homeless.

For each strategy, please decide whether it is going to be significantly aided by the Function.

Children: A Safe And Secure City In Which To Learn And Grow	Yes
Health: Helping People Become More Physically Active And Well	Yes
Housing : To Meet The Needs Of All Current And Future Citizens	Yes
Jobs And Skills: For An Enterprising, Innovative And Green City	Yes

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	Yes
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Comment:

The term homelessness applied in the strategy is a broad one, defining a range of circumstances that go beyond legal and literal definitions estimating up to 20,000 households affected. This total is made up of 5 to 6 thousand homeless applications, 8 thousand homeless prevention and relief interventions, residents living accommodated in supported, temporary and transitional housing or hostels.

Non priority need homelessness is a shorthand term which, is used to describe those people who are homeless but not owed the full homelessness duty by their local housing authority. Those people affected are most likely to be single persons; though the description can include households consisting of couples with non-dependents (usually young people aged 18 and over living in the household).

Will the policy have an impact on employees?	No
Will the policy have an impact on wider community?	Yes

Comment:

Homeless services throughout the city can have a positive impact on the wider community including local businesses which have been directly/indirectly affected by the recent national rises in street sleeping which are reflected in Birmingham.

2.3 Relevance Test

Protected Characteristics	Relevant	Full Assessment Required
Age	Relevant	Yes

Disability	Relevant	Yes
Gender	Relevant	Yes
Gender Reassignment	Relevant	Yes
Marriage Civil Partnership	Relevant	Yes
Pregnancy And Maternity	Relevant	Yes
Race	Relevant	Yes
Religion or Belief	Relevant	Yes
Sexual Orientation	Relevant	Yes

2.4 Analysis on Initial Assessment

This is the initial Equality Assessment (EA) to help guide and inform the Birmingham Homelessness Prevention Strategy. The vision of the strategy and the approach advocated is relevant to the following

all protected characteristics. This EA will be a 'live' document incrementally considered and updated during the development stages which include consultation prior to the Strategy document being finalised.

The EA considerations have been overseen by a multi-agency Programme Board (Homelessness Positive Programme Pathway Board) EA Task Group which has expertise and responsibilities linked to the proposed service model put forward in the Strategy.

This EA forms parts of a suite of documents, including the draft Strategy, to be circulated for consideration and comment.

A consultation on the strategy has been concluded covering the period

A full Equality Assessment will be completed for this Strategy.

3 Full Assessment

The assessment questions below are completed for all characteristics identified for full assessment in the initial assessment phase.

3.1 Age - Assessment Questions

3.1.1 Age - Relevance

Age	Relevant
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Comment:

Applications are received from people across the age range 16-65+ years. However the under-35-year old population does appear to be disproportionately affected, accounting for more than 60% of the total homeless applications made to the Council between 2011/12 and 2015/16, with 25-34 year olds accounting for 35.4% of homeless applications.

3.1.2 Age - Impact

Describe how the Policy meets the needs of Individuals of different ages?

The strategy takes life course approach in recognising homelessness can affect households and persons of all ages.

Do you have evidence to support the assessment?	Yes
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Please record the type of evidence and where it is from?

Demographic profile data covering homelessness service approaches resulting in a homelessness application captured in the Homelessness Review.

Quarterly and financial year data submitted to the Department for Communities and Local Government as concerning local authorities' action under the homelessness provisions of the Housing Acts, financial years 2004-05 to 2016-17.

Homelessness prevention quarterly and annual commissioning returns related to homeless prevention activity submitted by commissioned service providers to the council

Comment:

On average, the Council receives 6, 000 homeless applications each year. The experience of being homeless does not appear to be confined by age, with applications received across the age range 16-65+ years. The proposed approach put forward in the Homelessness Prevention Strategy 2017+, advocates retaining the existing age based service distinctions of youth homelessness (16-24) and adults (25 and over).

You may have evidence from more than one source. If so, does it present a consistent view?	Yes
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3.1.3 Age - Consultation

Have you obtained the views of Individuals of different ages on the impact of the Policy?	Yes
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If so, how did you obtain these views?

A consultation took place between 24th August 2017 and 5 October 2017 to which 276 people responded using the BeHeard website. Where information on age was disclosed 15% of respondents were between 16 and 34 years of age; 57% between the ages 35 to 59; and 20% were aged 60 or over. 7% of consultation participants did not disclose their age.

Have you obtained the views of relevant stakeholders on the impact of the Policy on Individuals of different ages?	Yes
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If so, how did you obtain these views?

Attendance at meetings organised by and with different stakeholders

Is a further action plan required?	No
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3.1.4 Age - Additional Work

Do you need any more information or to do any more work to complete the assessment?	No
Do you think that the Policy has a role in preventing Individuals of different ages being treated differently, in an unfair or inappropriate way, just because of their age?	Yes
Do you think that the Policy could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?	No

Please explain how individuals may be impacted.

The proposed approach put forward in the Homelessness Prevention Strategy 2017+, advocates retaining the existing age based service distinctions of youth homelessness (16-24) and adults (25 and over). The is in recognition of the overlapping duties in relation to Children's Act and Homelessness legislation. Where particular age groups are at risk of homelessness the specific pathway domains of service model advocated in the strategy offer the opportunity to build in any age specific responses to homelessness e.g. targeted prevention and homelessness recovery and universal prevention.

3.2 Disability - Assessment Questions

3.2.1 Disability - Relevance

Disability	Relevant
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Comment:

Physical disability accounts for 5.2% of priority need households and 6.1% with mental health related support needs.

3.2.2 Disability - Impact

Describe how the Policy meets the needs of Individuals with a disability?

The proposed approach put forward in the Homelessness Prevention Strategy 2017+ to incorporate physical and mental health interventions with actions on homelessness looks at addressing physical and mental health improvement that can trigger or be exacerbated by homelessness.

Do you have evidence to support the assessment?	Yes
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Please record the type of evidence and where it is from?

Quarterly and financial year data submitted to the Department for Communities and Local Government as concerning local authorities' action under the homelessness provisions of the Housing Acts, financial years 2004-05 to 2016-17 in relation to disability.

Local and national data collected as part of a Health Needs Audit relating to people who are homeless.

Comment:

On average physical disability accounts for 5.2% of priority need households and 6.1% with mental health related support needs.

You may have evidence from more than one source. If so, does it present a consistent view?	Yes
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3.2.3 Disability - Consultation

Have you obtained the views of Individuals with a disability on the impact of the Policy?	Yes
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If so, how did you obtain these views?

A consultation took place between 24th August 2017 and 5 October 2017 to which 276 people responded. 14% of respondents indicated that they had a physical or mental health condition.

Have you obtained the views of relevant stakeholders on the impact of the Policy on Individuals with a disability?	Yes
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If so, how did you obtain these views?

Attendance at meetings organised by and with different stakeholders including people lived experiences of being homeless.

Is a further action plan required?	No
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3.2.4 Disability - Additional Work

Do you need any more information or to do any more work to complete the assessment?	No
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Do you think that the Policy has a role in preventing Individuals with a disability being treated differently, in an unfair or inappropriate way, just because of their disability?	No
Do you think that the Policy could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?	No
Do you think that the Policy will take account of disabilities even if it means treating Individuals with a disability more favourably?	Yes
Do you think that the Policy could assist Individuals with a disability to participate more?	Yes
Do you think that the Policy could assist in promoting positive attitudes to Individuals with a disability?	No

3.3 Religion or Belief - Assessment Questions

3.3.1 Religion or Belief - Relevance

Religion or Belief	Relevant
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Comment:

Information in this area is limited as of the homeless cases we know of, almost 50% either did not disclose or refused, or the information was not recorded. 20.5% were Christian and 17.9% were Muslim.

3.3.2 Religion or Belief - Impact

Describe how the Policy meets the needs of Individuals of different religions or beliefs?

The strategy seeks to provide responses to homelessness regardless of religious background

Do you have evidence to support the assessment?	Yes
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Please record the type of evidence and where it is from?

Homelessness service user statistics covering 2011-2016.

You may have evidence from more than one source. If so, does it present a consistent view?	Yes
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3.3.3 Religion or Belief - Consultation

Have you obtained the views of Individuals of different religions or beliefs on the impact of the Policy?	Yes
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If so, how did you obtain these views?

A consultation took place using the BeHeard Website between 24th August and 5th October 2017 where 276 gave their views.

Have you obtained the views of relevant stakeholders on the impact of the Policy on Individuals of different religions or beliefs?	Yes
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If so, how did you obtain these views?

Attendance at meetings organised by different stakeholders

Is a further action plan required?	No
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3.3.4 Religion or Belief - Additional Work

Do you need any more information or to do any more work to complete the assessment?	No
Do you think that the Policy has a role in preventing Individuals of different religions or beliefs being treated differently, in an unfair or inappropriate way, just because of their religion or belief?	No
Do you think that the Policy could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?	No

3.4 Gender - Assessment Questions

3.4.1 Gender - Relevance

Gender	Relevant
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Comment:

For priority homelessness cases, over half are lone parent female headed households. For non-priority cases of homelessness, there are greater proportions of single adult males (28.4%) compared to single female adults (18.5%). Street homelessness in Birmingham presents a significantly different picture where 93% of rough sleepers are male and just 7% being female.

3.4.2 Gender - Impact

Describe how the Policy meets the needs of Men and women?

The strategy seeks to address the needs of all homeless households regardless of gender.

Do you have evidence to support the assessment?	Yes
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Please record the type of evidence and where it is from?

The gender profile of homeless households captured as part of the homelessness assessment process and annual statistical returns on rough sleeping submitted to the Department for Communities and Local Government.

Comment:

These data sources reveals the gender profile of homeless households and persons varies according to the different types of homelessness varies. For example for priority homelessness cases, over half are lone parent female headed households.

Data collected on street homelessness submitted to the government in 2017 (covering November 2016) rough sleeper snapshot provides the first ever demographic breakdown of who was sleeping on the streets in the city. This reveals a further variation with priority homelessness with just 7% being female and 93% male in Birmingham.

You may have evidence from more than one source. If so, does it present a consistent view?	Yes
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3.4.3 Gender - Consultation

Have you obtained the views of Men and women on the impact of the Policy?	Yes
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If so, how did you obtain these views?

A consultation on the draft strategy took place between the 24 August and 5 October 2017. During that time 276 people gave their views using the BeHeard website. 65% of respondents were female, 27% male with remaining participants in the consultation opting not to disclose this information.

Have you obtained the views of relevant stakeholders on the impact of the Policy on Men and women?	Yes
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If so, how did you obtain these views?

Attending meetings organised with different stakeholders

Is a further action plan required?	No
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3.4.4 Gender - Additional Work

Do you need any more information or to do any more work to complete the assessment?	No
Do you think that the Policy has a role in preventing Men and women being treated differently, in an unfair or inappropriate way, just because of their gender?	No

3.5 Gender Reassignment - Assessment Questions

3.5.1 Gender Reassignment - Relevance

Gender Reassignment	Relevant
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3.5.2 Gender Reassignment - Impact

Describe how the Policy meets the needs of Individuals who have undergone or are intending to undergo gender reassignment?

The strategy seeks to address the needs of all homeless households regardless of gender assignment. Local councils have a duty to assist homeless people to find accommodation, and the law recognises that a person may become homeless because they are subject to abuse or harassment where they live including homelessness linked to reasons such as family, conflict and relationship breakdown.

Do you have evidence to support the assessment?	Yes
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Please record the type of evidence and where it is from?

Insights into trans phobia related discrimination for persons accessing housing services published by advocacy groups and organisations such as UK based Action for Trans Health and the Albert Kennedy Trusts Purple Door project.

2015 research published by the Northern Ireland Housing Executive commissioned entitled "Through Our Eyes",

Comment:

Evidence gathered specifically on the issues of gender re-assignment and homelessness is currently limited at local level therefore national and international level research was reviewed.

What evidence will be collected and when?

At this stage it is difficult to estimate timescales and the scope of additional data collection.

You may have evidence from more than one source. If so, does it present a consistent view?	Yes
--	-----

3.5.3 Gender Reassignment - Consultation

Have you obtained the views of Individuals who have undergone or are intending to undergo gender reassignment on the impact of the Policy?	No
If not, why not?	No relevant individuals identified
Have you obtained the views of relevant stakeholders on the impact of the Policy on Individuals who have undergone or are intending to undergo gender reassignment?	Yes

If so, how did you obtain these views?

Attendance at meetings organised by and for different stakeholders

Is a further action plan required?	No
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3.5.4 Gender Reassignment - Additional Work

Do you need any more information or to do any more work to complete the assessment?	No
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Comment:

It is recommended that Homelessness Partnership Board organisations are consulted on how this matter could be further explored and kept under review.

Do you think that the Policy has a role in preventing Individuals who have undergone or are intending to undergo gender reassignment being treated differently, in an unfair or inappropriate way, just because of their gender reassignment?	No
Do you think that the Policy could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?	No

3.6 Marriage Civil Partnership - Assessment Questions

3.6.1 Marriage Civil Partnership - Relevance

Marriage & Civil Partnership.	Relevant
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3.6.2 Marriage Civil Partnership - Impact

Describe how the Policy meets the needs of Individuals who are married or in civil partnerships?

The strategy deals with homelessness experienced by all individuals regardless of marital status

Do you have evidence to support the assessment?	No
Do you plan to collect any evidence?	No
You may have evidence from more than one source. If so, does it present a consistent view?	Not applicable

3.6.3 Marriage Civil Partnership - Consultation

Have you obtained the views of Individuals who are married or in civil partnerships on the impact of the Policy?	No
If not, why not?	There are plans to consult relevant individuals
Have you obtained the views of relevant stakeholders on the impact of the Policy on Individuals who are married or in civil partnerships?	Yes

If so, how did you obtain these views?

Attendance at meetings organised by and for different stakeholders

Is a further action plan required?	No
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3.6.4 Marriage Civil Partnership - Additional Work

Do you need any more information or to do any more work to complete the assessment?	No
Do you think that the Policy has a role in preventing Individuals who are married or in civil partnerships being treated differently, in an unfair or inappropriate way, just because of their marriage civil partnership?	No
Do you think that the Policy could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?	No

3.7 Pregnancy And Maternity - Assessment Questions

3.7.1 Pregnancy And Maternity - Relevance

Pregnancy & Maternity	Relevant
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Comment:

The current homelessness safety net system affords priority housing need to expectant mothers and deems maternity as part of the vulnerability. Between 3-6% of priority homelessness cases (6% in 2015 to 5% in 2016 and 3% in 2017) involve pregnant women. Data collected from the Birmingham Youth Hub in 2015/16 also captures maternity related characteristics for the 4,000 clients that approached that year. As with priority homelessness a similar proportion (8%) young people who approach involve characteristics associated with pregnancy and maternity.

3.7.2 Pregnancy And Maternity - Impact

Describe how the Policy meets the needs of Pregnant women or those who are on maternity leave?

The current statutory homelessness safety net system within which the Homelessness Prevention Strategy operates within affords priority housing need to expectant mothers and deems maternity as part of the vulnerability.

The proposed approach put forward in the Homelessness Prevention Strategy 2017+ to link health and Well Being interventions particularly through targeted prevention, offers the potential to further improve provision.

Do you have evidence to support the assessment?	Yes
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Please record the type of evidence and where it is from?

Data submitted as part to the Department for Communities and Local Government reveals households that include a pregnant woman for the last three financial years accounted for 6% of homeless acceptances in 2015, 5% in 2016 and 3% in 2017.

You may have evidence from more than one source. If so, does it present a consistent view?	Yes
--	-----

3.7.3 Pregnancy And Maternity - Consultation

Have you obtained the views of Pregnant women or those who are on maternity leave on the impact of the Policy?	No
If not, why not?	Consultation not required at this time
Have you obtained the views of relevant stakeholders on the impact of the Policy on Pregnant women or those who are on maternity leave?	Yes

If so, how did you obtain these views?

Attendance at meetings organised by different stakeholders

Is a further action plan required?	No
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3.7.4 Pregnancy And Maternity - Additional Work

Do you need any more information or to do any more work to complete the assessment?	No
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Do you think that the Policy has a role in preventing Pregnant women or those who are on maternity leave being treated differently, in an unfair or inappropriate way, just because of their pregnancy and maternity?	No
Do you think that the Policy could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?	No

3.8 Race - Assessment Questions

3.8.1 Race - Relevance

Race	Relevant
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Comment:

Compared to the ethnic profile of Birmingham, all Black and Minority Ethnic (BME) groups are disproportionately overrepresented when considering households deemed homeless and in priority need. Of the overrepresented BME groups, the biggest difference is reflected in the Other Ethnic group which accounts for 8.5% of priority need households and just 1% of the city's overall population. This is small group in percentage terms but accounts for just over 250 households from a diverse range of ethnicities. The ethnic profile of non-priority homeless households shows four in every ten households are of White origin. In comparison to homeless priority need households, the ethnic profile of non-priority homeless households follows that of Birmingham more closely, however Asian ethnic groups (Pakistani and Bangladeshi in particular) are somewhat underrepresented in comparison to the profile of the city.

3.8.2 Race - Impact

Describe how the Policy meets the needs of Individuals from different ethnic backgrounds?
The strategy deals with homeless households from any ethnic background

Do you have evidence to support the assessment?	Yes
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Please record the type of evidence and where it is from?

2011 Census data on Birmingham's ethnicity profile and homeless service data concerning actions captured on a quarterly and annual basis submitted to the Department for Communities and Local Government under homelessness provisions of the Housing Acts, financial years 2004-05 to 2016-17.

Comment:

Homelessness is a feature of all sectors of society, but homeless figures do generally point to higher incidence of homelessness amongst Black and Black African Groups upon looking at the priority homeless caseload. Compared to the ethnic profile of Birmingham, all Black and Minority Ethnic (BME) groups are disproportionately overrepresented when considering households deemed homeless and in priority need. Of the overrepresented BME groups, the biggest difference is reflected in the Other Ethnic group which accounts for 8.5% of priority need households and just 1% of the city's overall population.

In relation to the ethnic profile of the rough sleeping homelessness cohort follows the overall ethnic profile of Birmingham established by 2011 census

You may have evidence from more than one source. If so, does it present a consistent view?	Yes
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3.8.3 Race - Consultation

Have you obtained the views of Individuals from different ethnic backgrounds on the impact of the Policy?	Yes
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If so, how did you obtain these views?

A consultation took place between 24th August to 5 October 2017. During that time 276 people gave their views.

Have you obtained the views of relevant stakeholders on the impact of the Policy on Individuals from different ethnic backgrounds?	Yes
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If so, how did you obtain these views?

attendance at meetings organised by and for different stakeholders

Is a further action plan required?	No
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3.8.4 Race - Additional Work

Do you need any more information or to do any more work to complete the assessment?	No
Do you think that the Policy has a role in preventing Individuals from different ethnic backgrounds being treated differently, in an unfair or inappropriate way, just because of their ethnicity?	No
Do you think that the Policy could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?	No

3.9 Sexual Orientation - Assessment Questions

3.9.1 Sexual Orientation - Relevance

Sexual Orientation	Relevant
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Comment:

77.3% of homeless applications were from people who are heterosexual or straight, 0.46% bisexual, 0.45% gay and 0.40% lesbian. 12.6% of people did not have their orientation recorded, 8.9% chose not to disclose and 0.82% refused.

3.9.2 Sexual Orientation - Impact

Describe how the Policy meets the needs of Individuals of different sexual orientations?

The strategy seeks to respond to the needs of homeless persons and households.

Do you have evidence to support the assessment?	Yes
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Please record the type of evidence and where it is from?

homeless service data showing sexual orientation the council's actions captured as part of the homelessness application process.

You may have evidence from more than one source. If so, does it present a consistent view?	Not applicable
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3.9.3 Sexual Orientation - Consultation

Have you obtained the views of Individuals of different sexual orientations on the impact of the Policy?	Yes
--	-----

If so, how did you obtain these views?

A consultation took place between 24th August to October 5th 2017. During that time 276 people gave the views using the Be Heard website. Where sexual orientation was disclosed 4.7% of respondents identified their sexual orientation as being LGBT and 77% heterosexual. The remainder chose not to disclose this information.

Have you obtained the views of relevant stakeholders on the impact of the Policy on Individuals of different sexual orientations?	Yes
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If so, how did you obtain these views?

Attendance at meetings organised by and for different stakeholders

Is a further action plan required?	No
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3.9.4 Sexual Orientation - Additional Work

Do you need any more information or to do any more work to complete the assessment?	No
Do you think that the Policy has a role in preventing Individuals of different sexual orientations being treated differently, in an unfair or inappropriate way, just because of their sexual orientation?	No
Do you think that the Policy could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?	No

3.10 Concluding Statement on Full Assessment

The Homelessness Act 2002 places a legal requirement (Homelessness Statutory Code of Guidance 2006) to produce a Homelessness Strategy. When this strategy is complete it will be Birmingham's fourth Homelessness Strategy since 2003, since this requirement came into law.

Key findings of the assessment - The strategy has been informed on a wide ranging Homelessness Review (2016) of the city overseen and directed by a cross sector Homelessness Review Steering Group. The scope of this review has carried out in accordance with the 2006 statutory code of guidance on homelessness is broad encompassing all types of homelessness in the city. The Homelessness Review 2016 has been formulated on the basis of four work streams listed.

- (1) Review of data sources on homelessness 2011-2016,
- (2) Engagement with service users and providers of homeless support and housing services
- (3) A national and local policy review in the context of homelessness.
- (4) An evidence call and stakeholder engagement events to explore gaps in service provision.

The overall aims of the Consultation Draft Homelessness Strategy 2017 concern preventing homelessness in Birmingham, ensuring accommodation and support is available for people who are at risk of becoming homeless and commissioning priorities in relation to people who are, or may become homeless. These are set out in an overall framework set out in the strategy described as a 'Positive Pathway Model' in which the delivery of services and interventions across are formulated around. There are a number of elements to this model which are:-

- (1) Universal Prevention Services
- (2) Targeted Prevention
- (3) Crisis Prevention and Relief
- (4) Homeless Recovery
- (5) Sustainable Housing

The stated main beneficiaries of the strategy will be any household or person facing the prospect of losing their home, dealing with the immediate crisis of having nowhere to live or recovering from being homeless such as living in transitional housing e.g. Refuge, Supported Living.

Alongside extensive stakeholder input prior to developing the draft strategy, consultation and engagement with stakeholders has included specifically arranged briefings and discussions held with a broad range of stakeholders. This has taken place during the lead up to and alongside the consultation period (24th August to 5th October 2017) involving 276 people via the Be Heard website.

Stakeholders referred to this in this assessment include over 10 people with lived experience of homelessness. Statutory services stakeholders encompass the criminal justice police, social care, health, other local authorities. Stakeholders from private and third sector homeless services have also been involved with submitting responses via their own service users using supporting documentation produced in a variety of accessible formats to deliver the consultation activities associated with developing the strategy.

Briefings have also been held with a number of elected members. These include Cabinet Members Health and Wellbeing, Children Services, Housing and Homes. Elected Members from the Housing and Homes Overview and Scrutiny Committee have also either attended a session on developing the strategy during September and October 2017 or invited to participate workshops and meetings to help define and inform outcomes and priority actions required deliver strategy. In addition to corporate briefings such as directorate management teams across the council. Details about this work have also been shared with Birmingham Safeguarding Adults Board and external partnership bodies which include Birmingham Social Housing Partnership Executive Board.

4 Review Date

31/05/18

5 Action Plan

There are no relevant issues, so no action plans are currently required.

Birmingham Homelessness Prevention Strategy 2017+

Consultation Findings Report

October 2017

v0.3

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Executive Summary

I. Introduction

Birmingham strives to be a city where everyone works together to eradicate homelessness. This is our vision for the new Birmingham Homelessness Prevention Strategy.

Approval to consult on the proposed new Strategy was granted by Birmingham City Council Cabinet Member for Housing and Homes and Corporate Director for Place on 16 August 2017.

The public consultation focused on the proposed vision, key aims and associated approaches to preventing homelessness in Birmingham.

II. Key findings

The proposals put forward to tackle homelessness in Birmingham and prevent it happening in the future received a good response with 276 questionnaires submitted.

The consultation had 4 questions relating to the proposals. All of the proposals received majority agreement. This ranged from 84.1% in support of using the Positive Pathway model as the city's new approach to tackling and preventing homelessness; to 99.3% respectively supporting the assistance of people if they do become homeless so that their homelessness can be relieved, and supporting people to recover from their experience and stay out of homelessness.

III. Recommendations

The following recommendations are being made in line with key areas of the Birmingham Homelessness Prevention Strategy consultation.

Agreement with the proposal that the vision for the new Homelessness Prevention Strategy should be that 'Birmingham is a city where we all work together to eradicate homelessness'.

In line with the findings of the consultation, it is recommended that the proposed vision is confirmed as the vision for the Homelessness Prevention Strategy.

Agreement with the proposal that the strategy should focus on five key aims:

a. To ensure people are well informed about their housing options

In line with the findings of the consultation, it is recommended that *'ensuring people are well informed about their housing options'* is confirmed as one of the aims of the strategy.

b. To prevent people from becoming homeless

In line with the findings of the consultation, it is recommended that *'preventing people from becoming homeless'* is confirmed as one of the aims of the strategy.

c. To assist people as soon as possible if they do become homeless so that their homelessness can be relieved by securing sufficient accommodation and support

In line with the findings of the consultation, it is recommended that *‘assisting people as soon as possible if they do become homeless so that their homelessness can be relieved by securing sufficient accommodation and support’* is confirmed as one of the aims of the strategy.

d. To support people to recover from their experience and stay out of homelessness

In line with the findings of the consultation, it is recommended that *‘supporting people to recover from their experience and stay out of homelessness’* is confirmed as one of the aims of the strategy.

e. To enable people to secure homes that they can afford and maintain

In line with the findings of the consultation, it is recommended that *‘enabling people to secure homes that they can afford and maintain’* is confirmed as one of the aims of the strategy.

Agreement with the proposal to use a new approach called the Positive Pathway model to tackle homelessness and prevent it happening in the future.

In line with the findings of the consultation, it is recommended that the Positive Pathway model is confirmed as the new approach to tackle homelessness and prevent it happening in the future.

Agreement with the proposal that to be successful, a multi-agency approach is needed with key partners from across the Council, Social Care, Health, Criminal Justice, Social and Private Housing Sector, Voluntary and Third Sector, and Education all working together.

In line with the findings of the consultation, it is recommended that a multi-agency approach is confirmed as key to successfully tackling homelessness, and is integral to delivery throughout the life of the strategy.

1. Introduction

1.1 Proposed approach to preventing homelessness

Birmingham strives to be a city where everyone works together to eradicate homelessness. This is our vision for the new Birmingham Homelessness Prevention Strategy.

Strategic partners from the Housing Birmingham Partnership, and across the City Council, Health, Housing, Voluntary and Third Sectors all recognise that homelessness is an important priority for our city; and have all committed to working together to tackle the issue and prevent it from happening in the future.

To achieve our vision, the new strategy sets out five key aims for Birmingham to focus on:

- Ensure people are well informed about their housing options;
- Prevent people from becoming homeless;
- Assist people as soon as possible if they do become homeless so their homelessness can be relieved by securing sufficient accommodation and support;
- Support people to recover from their experience and to stay out of homelessness;
- Enable people to secure homes that they can afford and maintain.

1.2 Consulting on the proposed approach

Approval to consult on the new Strategy was granted by Birmingham City Council Cabinet Member for Housing and Homes and Corporate Director for Place on 16 August 2017.

The public consultation focused on the proposed vision, key aims and associated approaches to preventing homelessness in Birmingham.

The consultation was open from 24 August to 5 October 2017 and received a total of 276 responses. A further 38 responses were received after the consultation period had closed. These were logged but have not been included in the analysis of findings.

1.3 Purpose of this report

The purpose of this report is to present the key findings of the Birmingham Homelessness Prevention Strategy consultation.

2. Methodology

The general public and interested parties were invited to participate in the consultation. The consultation aimed to include as many responses from the general public and affected groups as possible through direct consultation.

To reach as many people as possible, a range of consultation methods were available.

2.1 Consultation documents

The consultation summary document and questionnaire were developed in two versions: standard and Easier to Read.

The summary document outlined the proposed approach and highlighted key areas for consultation (appendix 1), and was designed to support the completion of the questionnaire (appendix 2).

The consultation documents were accessible in a variety of ways including:

- Online at Birmingham Be Heard - all documents were available to the general public via this platform. The web link to Be Heard was also circulated to a wide range of stakeholders with details of how they could have their say.
- Printed questionnaire – printed questionnaires were made available at stakeholder events and were also available on request via email or telephone. Free post return was available for all printed questionnaires.
- Electronic questionnaire – an electronic version of the questionnaire was available on Birmingham Be Heard or on request via email.

2.2 Stakeholder meetings

During the consultation period, members of the Strategy team attended a number of stakeholder meetings to consult on the new strategy. An outline presentation was delivered at each meeting detailing context to, and a summary of the proposed approach, and attendees were invited to discuss and share their views.

2.3 Publicity

There has been a raft of publicity and media coverage in relation to the consultation on the proposed approach. This included:

- Individual mail out to key stakeholders (over 450), including local and regional housing colleagues, housing associations and charities, health sector, education, advice and support agencies and the local business community
- News article on BCC website which was subsequently picked up by BCC Midlands today and the Express and Star newspaper

- Birmingham Voluntary Service Council, Child Poverty Forum and Birmingham Policy Community sites and newsletters/blogs
- Consultation details tweeted by BCC, Public Health Birmingham, Sifa Fireside and Child Poverty Forum
- Birmingham Bulletin – subscription email to Birmingham citizens
- Birmingham City Council internal communications:
 - Chief Executives’ Bulletin (all BCC staff)
 - Your Weekly News (all BCC staff)
 - Adult Social Care & Health Bulletin and Directorate Information Round Up
 - Schools Noticeboard.

2.4 Analysis

2.4.1 Quantitative

The closed and demographic questions included in the questionnaire were coded according to a predetermined coding structure.

The consultation responses received on Birmingham Be Heard were extracted, checked and coded according the structure.

Once coded, the extracted data was entered onto an Excel database for analysis.

2.4.2 Qualitative

The open text questions included in the questionnaire were manually coded. A thematic analysis of the coded responses was undertaken to enable key themes to be identified.

3. Key Findings

3.1 Question 1

We propose that the vision for the new Homelessness Prevention Strategy should be that 'Birmingham is a city where we all work together to eradicate homelessness'. Do what extent do you agree or disagree with this vision?

Respondents were asked to what extent they agreed with the proposed vision for the new Homelessness Prevention Strategy. Table 1 shows the responses that were received.

Overall, 96.7% of respondents indicated that they agreed with the proposed vision, with 80.4% strongly agreeing and 16.3% agreeing that Birmingham should be a city where we all work together to eradicate homelessness.

Table 1: Responses to Question 1

Response	No.	%
Strongly agree	222	80.4
Agree	45	16.3
Don't know	3	1.1
Disagree	3	1.1
Strongly disagree	3	1.1
Total	276	100

Respondents were then asked to provide reasons for their answers. The summary analysis of responses is as follows:

Delivering the vision

Respondents recognised that homelessness was a multi-faceted issue and that were some groups who were particularly affected by homelessness such as care leavers, those with drug and /or alcohol addictions, those who had experienced domestic abuse, or those who were homeless as a result of welfare policy.

As a result, respondents felt strongly that a multiagency, multidisciplinary, collaborative response was critical to the successfully deliver the vision of the strategy together.

Many respondents congratulated the highly ambitious nature of the vision whilst some expressed caution, highlighting a need to maintain a level of pragmatism due to scale of the issue in the city, and the challenges in supporting, in particular, street homeless people into housing and recovery services.

Overall, respondents welcomed the strategic approach to tackling homelessness and preventing it in the future, recognising a challenging, but achievable way forward.

The role of local Business and Communities

It was clear from the comments made by respondents that they wanted to do more to make a positive difference to homelessness in the city. Respondents called for greater clarity on how both communities and businesses could do this, highlighting the need to be better informed about how they could be involved.

Suggestions included information for the general public on how best to donate aside from giving money, food or drink; and information for retailers about how to direct enquiries, and to seek assistance for people they came into contact with.

Some respondents felt there was an opportunity to better utilise skills and capacity from charities to, for example, co-ordinate the collective efforts targeting street homelessness.

Collective Challenge

Many respondents expressed concern about the visible increase in street homeless people in Birmingham, calling for a collective challenge both locally and nationally to the economic and structural causes of homelessness.

3.2 Question 2

For Birmingham to eradicate homelessness, we propose that the strategy should focus on the following five aims. To what extent do you agree or disagree that these aims are the right ones?

a) To ensure people are well informed about their housing options

Respondents were asked to what extent they agreed that the strategy should aim to ensure people were well informed about their housing options. Table 2 shows the responses that were received.

Overall, 96.4% of respondents indicated that they agreed with this aim, with 71.4% strongly agreeing and 25.0% agreeing.

Table 2: Responses to Question 2a

Response	No.	%
Strongly agree	197	71.4
Agree	69	25.0
Don't know	3	1.1
Disagree	5	1.8
Strongly disagree	2	0.7
Total	276	100

b) To prevent people from becoming homeless

Respondents were asked to what extent they agreed that the strategy should aim to prevent people from becoming homeless. Table 3 shows the responses that were received.

Overall, 97.5% of respondents indicated that they agreed with this aim, with 84.1% strongly agreeing and 13.4% agreeing.

Table 3: Responses to Question 2b

Response	No.	%
Strongly Agree	232	84.1
Agree	37	13.4
Don't know	2	0.7
Disagree	3	1.1
Strongly disagree	2	0.7
Total	276	100

c) To assist people as soon as possible if they do become homeless so that their homelessness can be relieved by securing sufficient accommodation and support

Respondents were asked to what extent they agreed that the strategy should aim to assist people as soon as possible if they do become homeless so that their homelessness can be relieved by securing sufficient accommodation and support. Table 4 shows the responses that were received.

Overall, 99.3% of respondents indicated that they agreed with this aim, with 90.2% strongly agreeing and 9.1% agreeing. Of all five aims, this was most strongly supported by respondents.

Table 4: Responses to Question 2c

Response	No.	%
Strongly agree	249	90.2
Agree	25	9.1
Don't know	1	0.4
Disagree	1	0.4
Strongly disagree	0	0.0
Total	276	100

d) To support people to recover from their experience and stay out of homelessness

Respondents were asked to what extent they agreed that the strategy should aim to support people to recover from their experience and stay out of homelessness. Table 5 shows the responses that were received.

Overall, 99.3% of respondents indicated that they agreed with this aim, with 87.7% strongly agreeing and 11.6% agreeing.

Table 5: Responses to Question 2d

Response	No.	%
Strongly agree	242	87.7
Agree	32	11.6
Don't know	2	0.7
Disagree	1	0.4
Strongly disagree	0	0.0
Total	276	100

e) To enable people to secure homes that they can afford and maintain

Respondents were asked to what extent they agreed that the strategy should aim to enable people to secure homes that they can afford and maintain. Table 6 shows the responses that were received.

Overall, 96.7% of respondents indicated that they agreed with this aim, with 82.6% strongly agreeing and 14.1% agreeing.

Table 6: Responses to Question 2e

Response	No.	%
Strongly agree	228	82.6
Agree	39	14.1
Don't know	5	1.8
Disagree	3	1.1
Strongly disagree	1	0.4
Total	276	100

Respondents were then asked to provide reasons for their answers. The summary analysis of responses is as follows:

Awareness of available support

Respondents felt that homelessness could be prevented if people were better informed about what options were available to them to support with factors such as poor health or personal debt.

Timely and appropriate support

Ensuring that support is offered in a more timely, efficient manner was vital to reducing the risks and harms that acute forms of homelessness could cause. The issue of appropriateness of response was also considered key when considering the different groups affected e.g. homeless families, or individuals with multiple and complex needs.

Common understanding of aims

With a clear need for a multiagency response to ensure success, respondents also highlighted the need for the aims of the strategy to be appreciated and understood by all agencies involved to ensure the collective efforts of the city are maximised.

Focus on recovery

The recovery element of the proposed strategy was well received, with respondents expressing a much needed focus for this. The importance of recovery and building resilience was noted. Respondents felt that this element was currently under-appreciated, highlighting concerns that on-going support needs went unmet even after accommodation was in place.

Accommodation standards and supply

Respondents felt strongly about the standards of existing housing and raised concerns about the supply of new affordable housing in the city being available or delivered in sufficient quantity, quality and levels of affordability to meet homelessness related housing need.

This was reflected in a number of responses that drew attention to the amount of support provided to under 35 year olds accessing accommodation through housing benefit / Local Housing Allowance.

Support to intervene to prevent evictions in the Private Rented Sector was felt to be not widely publicised and respondents felt that more robust action could be undertaken to address quality and management standards in the Private Rented Sector.

Resource allocation

Respondents felt strongly about the financial resourcing of the Strategy and concerns were raised as to how the proposed approaches would be funded. The scale of the challenge was recognised, and the upstream vision of the strategy and its aims were well supported but this did leave respondents questioning whether there would be sufficient resource to really be successful.

3.3 Question 3

We propose that a new approach called the Positive Pathway model is used to tackle homelessness and prevent it happening in the future. The model will focus on the following five areas:

- a) Universal Prevention**
- b) Targeted Prevention**

c) Crisis Prevention and Relief

d) Homeless Recovery

e) Sustainable Housing

To what extent do you agree or disagree that this is the right approach to preventing and tackling homelessness in Birmingham?

Respondents were asked to what extent they agreed that the Positive Pathway model was the right approach to use to prevent and tackle homelessness in Birmingham. Table 7 shows the responses that were received.

Overall, 84.1% of respondents indicated that they agreed that using the proposed model was the right approach, with 54.0% strongly agreeing and 30.1% agreeing.

Table 7: Responses to Question 3

Response	No.	%
Strongly agree	149	54.0
Agree	83	30.1
Don't know	34	12.3
Disagree	6	2.2
Strongly disagree	4	1.4
Total	276	100

Respondents were then asked to provide reasons for their answers. The summary analysis of responses is as follows:

Clarity of information

Whilst there was significant support for the adoption of the Positive Pathway model as the approach the strategy will take to tackling and preventing homelessness, some respondents expressed an interest in understanding better how the Pathway would work in practice. This included understanding how the model would recognise and respond to the needs of particular groups e.g. adults aged 25+, or harder to reach clients with chaotic lifestyles.

Respondents highlighted the need to demonstrate how each of the actions undertaken within the domain areas would lead to a successful set of outcomes for the strategy. Furthermore, respondents called for the strategy to ensure all of the different partner agencies were aware and understood their role and responsibilities in relation to delivering against the outcomes – which were seen as fundamental to the success of the strategy overall.

Prioritising the Pathway Domains

As described above, respondents were supportive of the Positive Pathway model and some went further to prioritise or focus on particular domains within the model; in particular Sustainable Housing.

Respondents cited the challenge ahead in terms of being successful in this area whilst there were continued concerns regarding quality and affordability of private rented sector housing and the supply of new affordable housing in the city.

Respondents also called for a more robust programme of engagement with tenants to help sustain tenancies, and to explore new types of housing provision suitable for sharing and priced within local housing allowance rates.

3.4 Question 4

We propose that to be successful, a multi-agency approach is needed with key partners from across the Council, Social Care, Health, Criminal Justice, Social and Private Housing Sector, Voluntary and Third Sector, and Education all working together.

To what extent do you agree or disagree that a multi-agency approach is needed to tackle and prevent homelessness in Birmingham?

Respondents were asked to what extent they agreed that a multiagency approach is needed to tackle and prevent homelessness in Birmingham. Table 8 shows the responses that were received.

Overall, 96.8% of respondents indicated that they agreed that a multiagency approach is required, with 81.2% strongly agreeing and 15.6% agreeing.

Table 8: Responses to Question 4

Response	No.	%
Strongly agree	224	81.2
Agree	43	15.6
Don't know	6	2.2
Disagree	2	0.7
Strongly disagree	1	0.4
Total	276	100

Respondents were then asked to provide reasons for their answers. The summary analysis of responses is as follows:

Many respondents suggested that (1) the Department for Work and Pensions needed to be part of the multi-agency partnership due to issues not only associated with welfare reform,

but specifically in relation to developing routes out of homelessness through employment or practical support into employment.

Respondents felt strongly that the multiagency approach needed to incorporate the involvement of the Third Sector, in particular to provide assistance to people facing hardship linked to homelessness. It appeared that respondents felt this role was currently underdeveloped, but offered real opportunities for positive change.

Respondents highlighted the importance of ensuring that current service users, people with lived experience of homelessness, as well as the general public were central to success and opportunities should be developed to include them in the multiagency approach.

3.5 Question 5

Please tell us about anything else you think we should consider in our approach to tackling and preventing homelessness in Birmingham.

Street Homelessness

Throughout the comments received for this question, there was a strong and recurring theme about street homelessness; with many respondents recognising the correlation between street homelessness and health, in particular mental health and substance misuse.

Respondents called for the issues of begging and street homelessness to be separated and highlighted the importance of ensuring that community sector responses to homelessness, such as food distribution schemes were monitored at in a co-ordinated way, so that they didn't risk perpetuating street lifestyles including rough sleeping.

There was some concern, and a sense of urgency, for street homeless people with winter approaching, with respondents expressing the need for, or more provision of, emergency accommodation night shelter spaces.

Communication

Communication was a strong theme running throughout the responses received. This ranged from the need to educate people on the most appropriate ways to support homeless people through e.g. alternative giving, to ensuring there was clear and effective communication channels between the Council and its partner agencies to strengthen information sharing.

The importance of communication with partner agencies was also key to remove potential barriers to strong, collaborative working. This was particularly important for respondents from the Third Sector, as well as by Health and Care professionals.

Personalisation

Many respondents felt that, given the range of agencies involved, continuity of support from the point of crisis through the journey of recovery was fragmented and would benefit from more personalised support. Suggestions included broadening the range of support available such as using a more holistic approach linking for example, art, sport, and / or access to employment programmes.

Navigating the current system and accessibility of services were highlighted as barriers for people in need of services now. Some respondents highlighted the access requirements of some crisis and recovery services which required access to the internet, the use of computers and e-mail for accessing benefits and settled housing. To overcome such barriers suggestions included a greater level of partnership work with agencies such as Job Centre Plus to promote and support access to work and employment skills in a way that was both acceptable and accessible for the individual in need.

Health

Respondents called for better targeting of provision and support for people with poor health associated with, for example, drug and alcohol misuse and mental ill health. Comments in this theme cut across all domains.

Safe and Suitable Accommodation

Suitability, sustainability and standard of accommodation was a recurring and important theme that was highlighted by respondents. Respondents raised concerns about the suitability of some accommodation in the Private Rented Sector, in particular hostels and Bed and Breakfasts, when it came to the safety and safeguarding of vulnerable people.

This was also the case with non-commissioned provision found in the Specified Supported Accommodation Sector; where respondents were concerned that unsuitable or unsafe accommodation may in fact exacerbate other challenges that vulnerable people face such as drug and alcohol misuse.

Respondents also felt strongly about longer term issues such as the continued need to develop more social housing, and the declining supply of new affordable housing were raised. Specific actions relating to the Private Rented Sector were encouraged, including the upscaling of housing models such as housing co-operatives that could be sustained at Local Housing Allowance rates.

Other suggestions included investment in the monitoring and quality standards of Exempt Accommodation; and taking a more positive approach with registering clients living in temporary accommodation with services such as health (GPs) and education (schools). The

opportunity to strengthen the links between the Council's actions on empty homes and the Homelessness Prevention Strategy was also highlighted.

Funding

Respondents felt strongly about the sufficiency of funding available for sustaining and improving homeless service provision, as well as the overall delivery of the proposed approach set out in the Homelessness Prevention Strategy.

Respondents called for more investment in specialist support services that could intervene early to support people and enable a more preventative approach to homelessness. At the same time, respondents recognised that resources needed to be available to support the immediate needs of those people already in a homeless crisis.

Welfare reform and hardship

Respondents recognised the impact that the following things had on homelessness in Birmingham including limited access to the Private Rented Sector with Local Housing Allowance support, welfare reform and the introduction of the Government's Universal Credit regulations that included payments in arrears, work conditionality and sanctioning.

Respondents called for a specific prevention response to homelessness that is caused by welfare reforms; with support that would run alongside the Government roll out of the Universal Credit Programme.

In addition, the need for alternative solutions to evictions that were solely on the grounds of rent arrears was highlighted, alongside improving access to more financially inclusive services. An example of the latter put forward included access to ATM machines that do not charge for withdrawals.

3.6 Who responded?

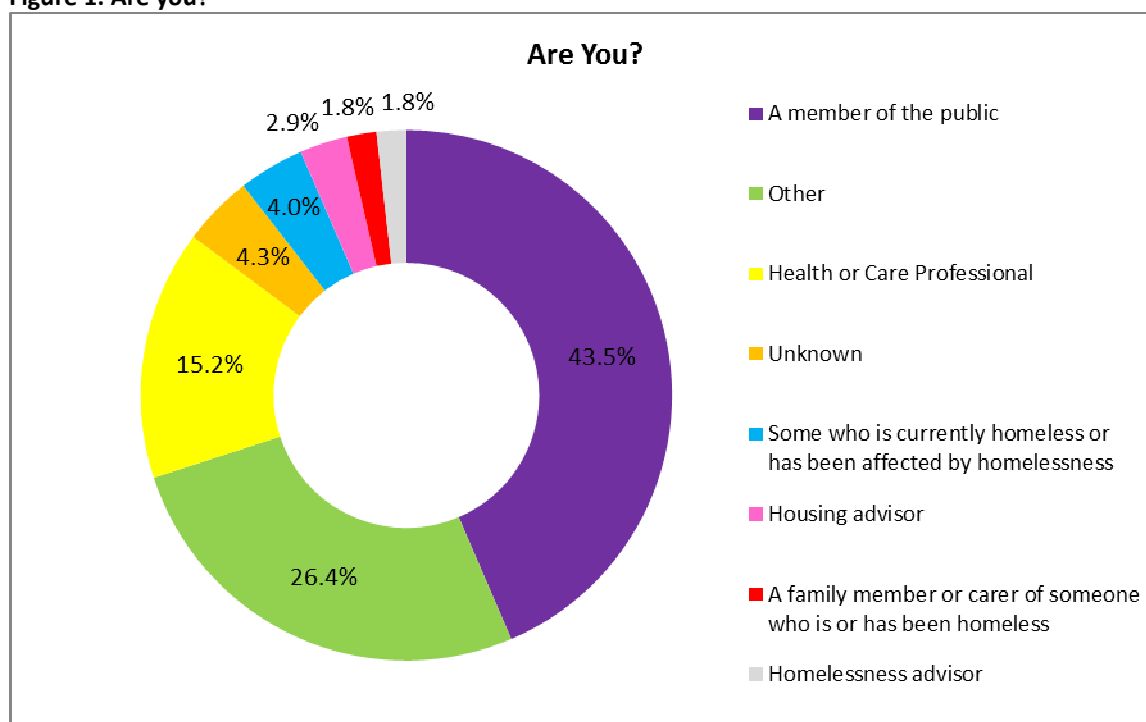
3.6.1 Are you?

Respondents were asked to identify which respondent type best described their interest in the consultation.

The majority of respondents were members of the general public (43.5%) (Fig. 1).

A quarter (26.4%) of respondents selected 'Other', which in addition to options already available such as Health or Care Professionals and members of the general public, included Councillors and representatives from Charities, Supported Accommodation providers, Domestic Violence Refuges, Faith Communities and Business Improvement Districts.

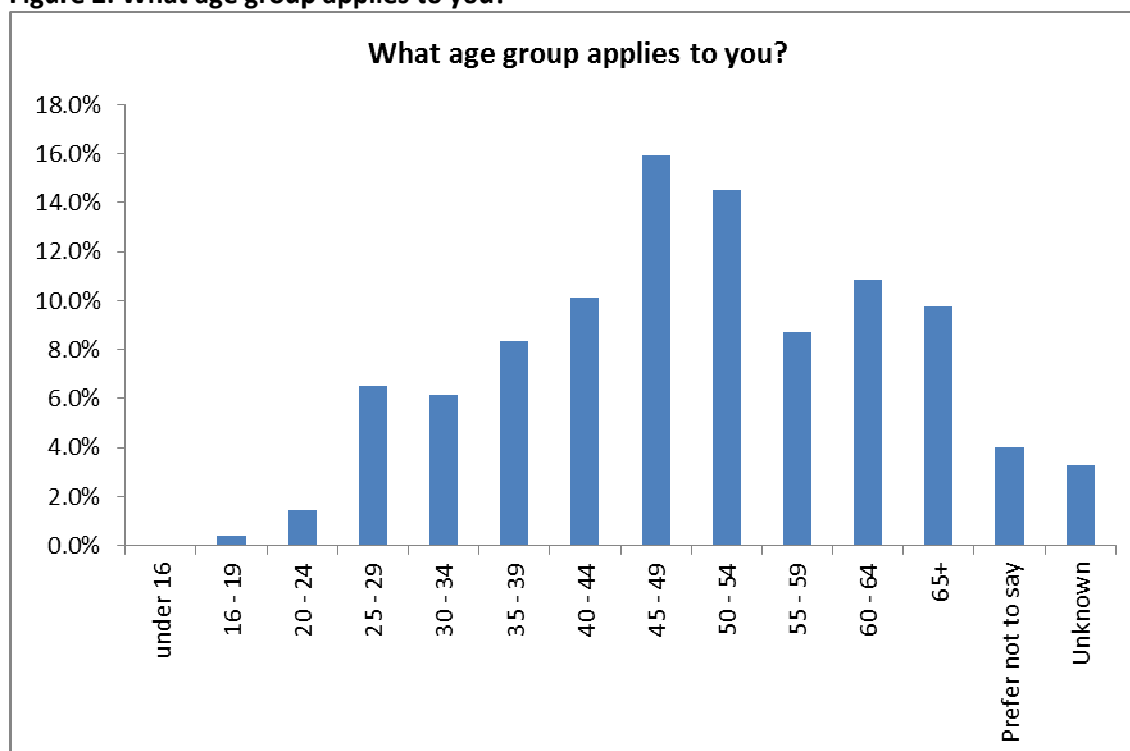
Figure 1: Are you?



3.6.2 What age group applies to you?

The majority of respondents indicated that they were 45-49 years of age (15.9%), followed by 50-54 years (14.5%) and 60-64 years (10.9%) (Fig. 2).

Figure 2: What age group applies to you?

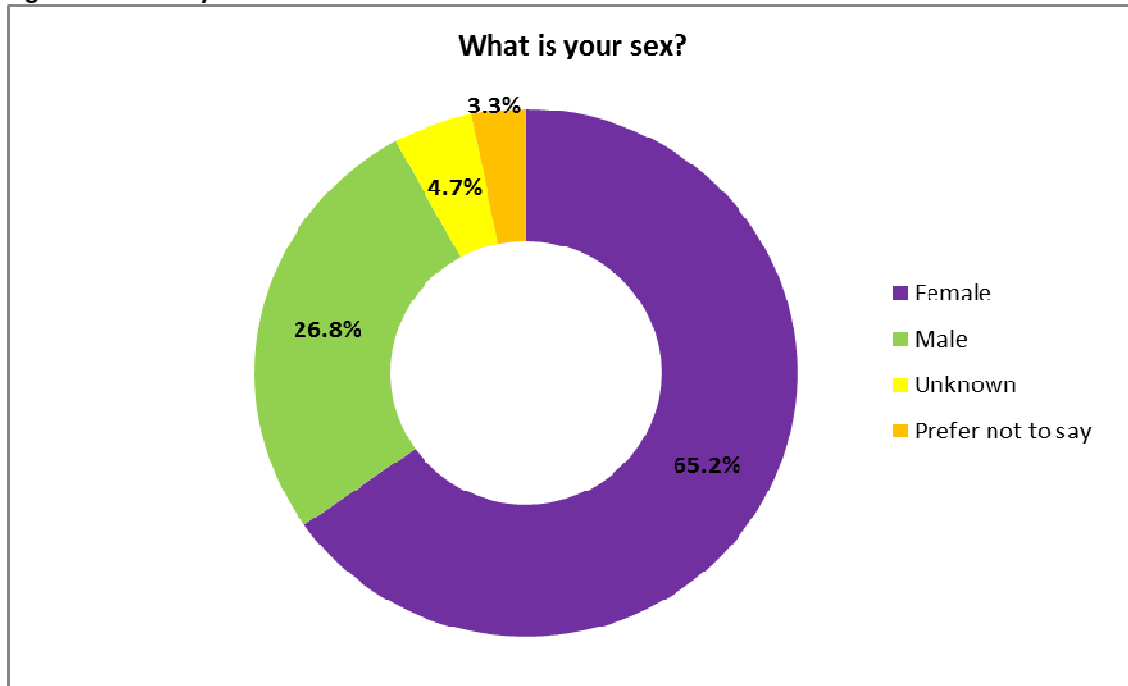


There were 4.0% of respondents who preferred not to indicate their age; and a further 3.3% who chose not to respond.

3.6.3 What is your sex?

Almost two thirds of respondents were female (65.2%). Just over a quarter of respondents were male (26.8%) (Fig. 3).

Figure 3: What is your sex?



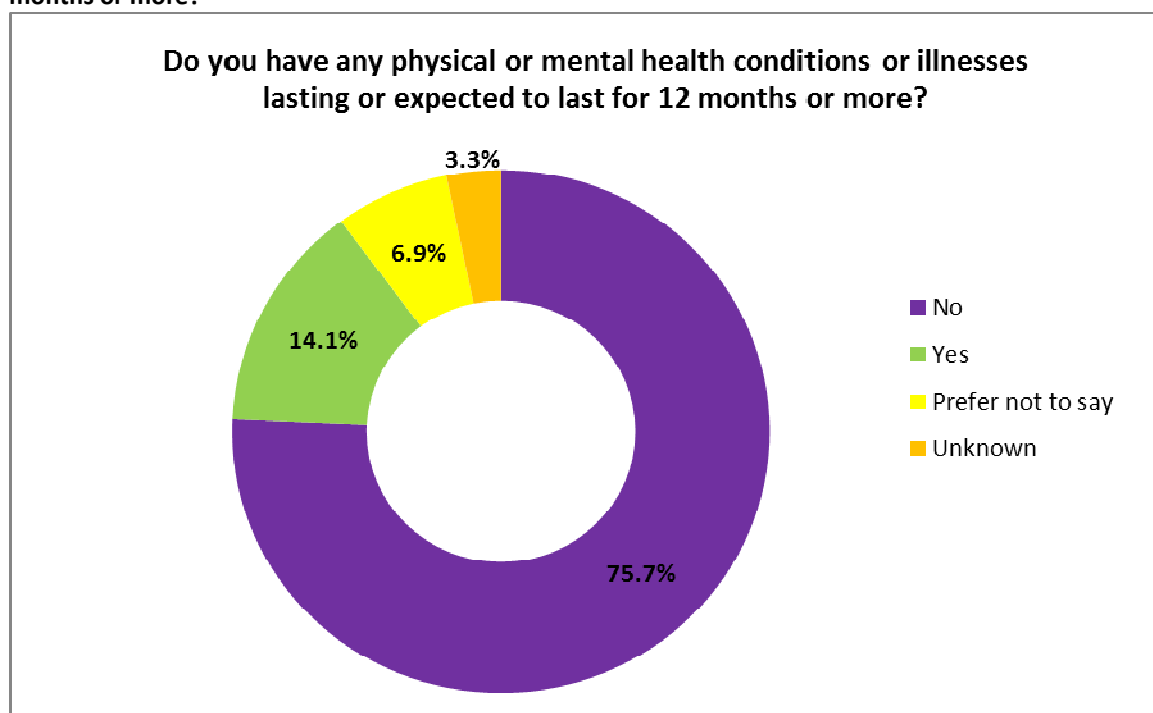
4.7% respondents chose not to respond to this question; and a further 3.3% preferred not to say.

3.6.4 Do you have any physical or mental health conditions or illnesses lasting or expected to last for 12 months or more?

14.1% of respondents who indicated that they did have a physical or mental health condition or illness lasting or expected to last for 12 months or more (Fig. 4).

There were 6.9% respondents who indicated that they would prefer not to respond to this question; and a further 3.3% who chose not to respond.

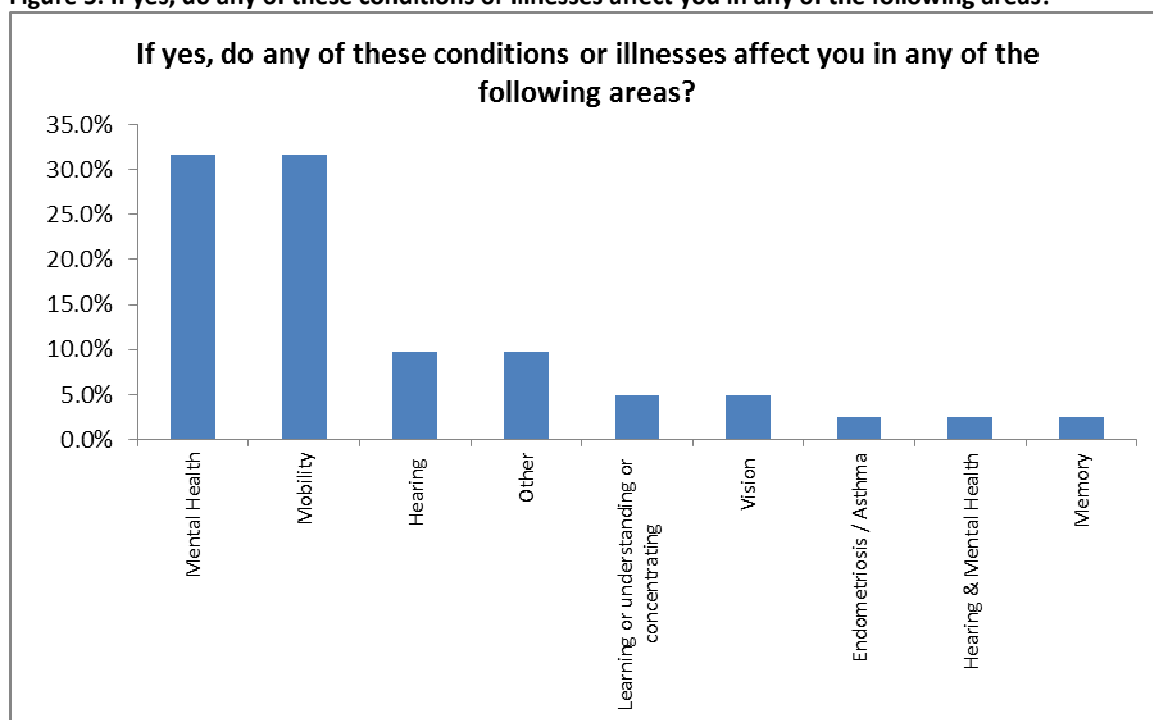
Figure 4: Do you have any physical or mental health conditions or illnesses lasting or expecting to last for 12 months or more?



3.6.5 If yes, do any of these conditions or illnesses affect you in any of the following areas?

Of the 14.1% of respondents who reported a condition or illness as described above, mental health and mobility conditions were most frequently reported (37.1% respectively) (Fig. 5).

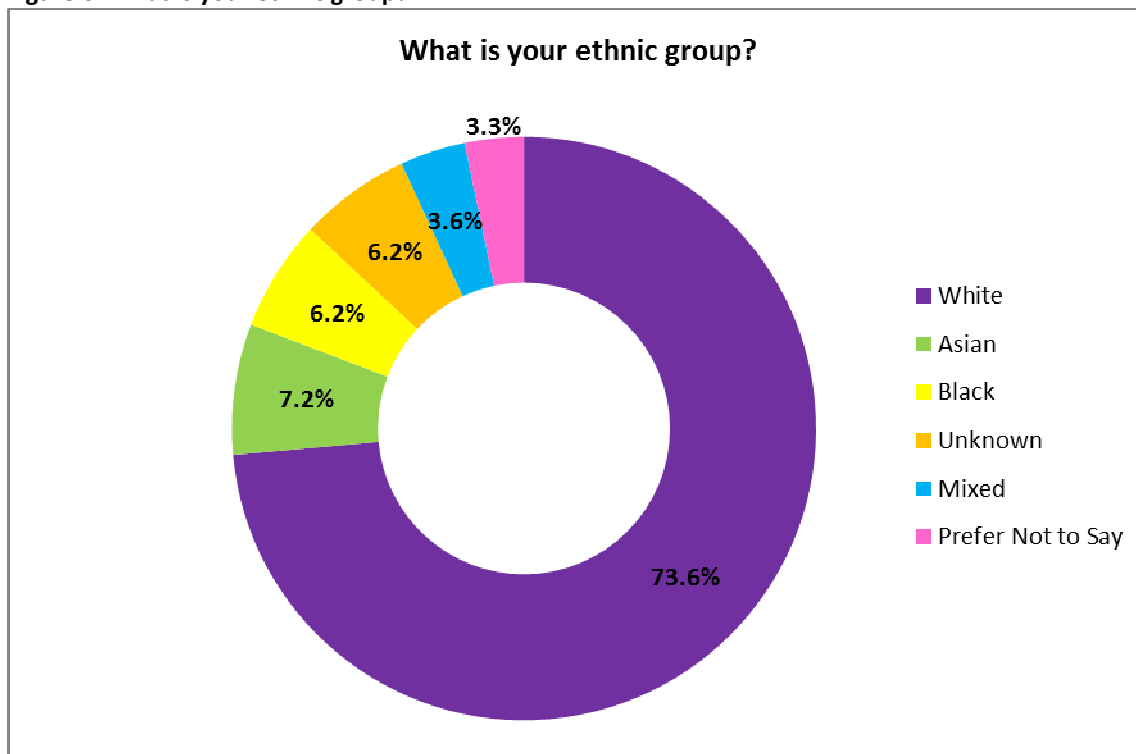
Figure 5: If yes, do any of these conditions or illnesses affect you in any of the following areas?



3.6.6 What is your ethnic group?

Almost three quarters of respondents selected White (73.6%) as their ethnic group. Respondents from Asian and Black ethnic groups made up 7.2% and 6.2% respectively of the total (Fig. 6).

Figure 6: What is your ethnic group?



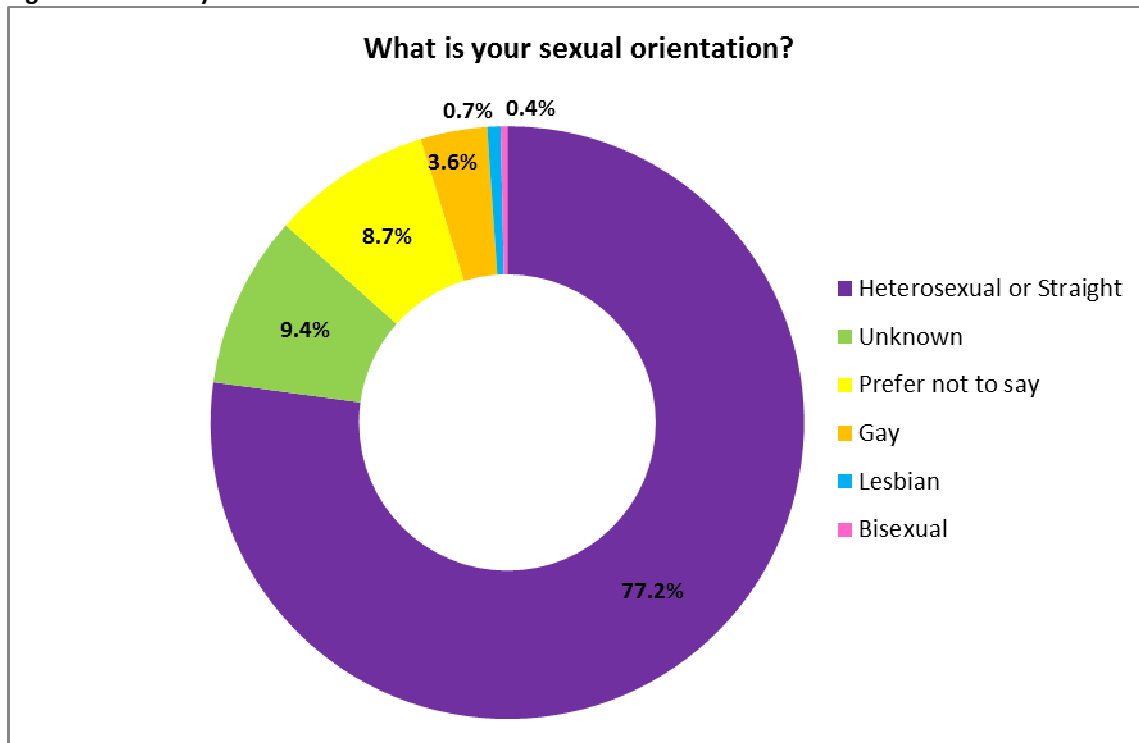
There were 6.2% of respondents who chose not to answer this question, and a further 3.3% who indicated that they preferred not to say.

3.6.7 What is your sexual orientation?

The majority of respondents indicated that they were heterosexual or straight (77.2%) followed by 3.6% of respondents who indicated that they were gay (Fig. 7).

Almost 1 in 10 respondents chose not to respond to this question (9.4%); with a further 8.7% indicating that they preferred not to say.

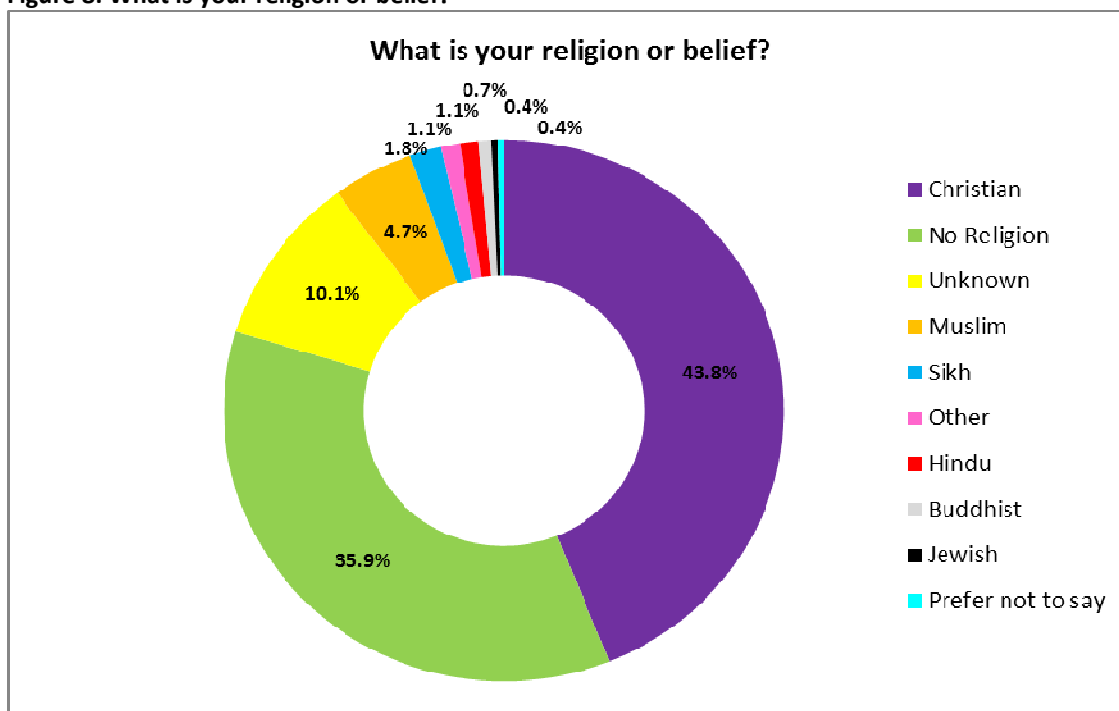
Figure 7: What is your sexual orientation?



3.6.8 What is your religion or belief?

The majority of respondents indicated their religion or belief was Christian (43.8%). This was followed by respondents who indicated no religion or belief (35.9%) and respondents who were Muslim (4.7%) (Fig. 8).

Figure 8: What is your religion or belief?



Again one in ten respondents chose not to respond to this question (10.1%); with only 0.4% indicating that they would prefer not to say.

3.7 Stakeholder feedback

Alongside the consultation that took place between 24 August and 5 October 2017, a series of consultation meetings were organised by and for different groups of stakeholders. The following groups were engaged:

- Birmingham Social Housing Partnership Housing Needs Sub-Group
- Birmingham Early Help and Safeguarding Partnership
- Birmingham Homelessness Forum
- Birmingham Adult Safeguarding Board
- West & Central Community Safety Partnership
- Birmingham Mind Experts by Experience
- Birmingham City Council Economy Directorate Management Team
- Birmingham Social Housing Executive Board
- Birmingham Health & Wellbeing Board

The following themes emerged in the feedback from stakeholders:

Vulnerable people and accommodation

Vulnerable people with care and support needs being housed in unsuitable accommodation was a key theme in the feedback from stakeholders. Specific issues included a lack of consistency in regulatory oversight of both standards of accommodation and the level of quality of support and care offered to vulnerable residents. The regulation into such accommodation is overseen by various national, regional and local bodies and, as a result, accommodation varied in terms of the level of oversight and monitoring of compliance with standards.

Housing with care was subject to Care Quality Commission (CQC) standards and regulatory oversight, whereas supported living was either subject to either regional oversight by Homes England (previously Homes and Communities Agency) or local authority revenue and benefits functions that involved the granting of “Specified Support Exempt Accommodation” status.

Respondents raised concerns about the variability in quality of housing type and level of support people received as a result of multiple regulators for accommodation classed as supported housing. It was noted that this sector had expanded in the city and encompassed public, private, and third sector accommodation providers, with the greatest growth in private provision registered with Homes England.

Respondents felt that providers who were specifically commissioned by the Local Authority through programmes such as Supporting People followed a more consistent set of standards for both accommodation and support. The forthcoming Government reforms in 2019 on the financing of Supporting Housing was suggested as an opportunity to address some of these concerns on gaps in regulation.

Importance of the of voice citizens with lived experiences of homelessness

Ensuring people with lived experience were at the centre of the Pathway development was seen as key to the success of the strategy overall. Respondents highlighted the need to continue the collaborative approach used to date and look for an opportunity to link into the range of existing service user groups established across the city by a number of different homelessness service providers.

Some respondents expressed the need for people with lived experience to receive a greater level of support to engage in the process, and suggested they should for example have more influence over agenda setting, or critically examine specific issues such as accommodation, navigation of the benefits and / or applying for housing.

Personalised Pathway Services

Respondents were keen to see more tailored and personalised services offered throughout the strategy model expressing the view that the current city response was difficult to navigate and lacked personal empathy.

Communication strategy

There was strong support for the multiagency, collaborative approach to tackling and preventing homelessness together. Respondents were clear that effective communication strategies were required to ensure that all partners were aware of, understood and committed to delivering upon their respective role and responsibilities throughout the life of the strategy.

Governance

Homelessness cuts across a range of strategic priorities in the city and across a number of partner organisations. In order to achieve the significant and sustained step change for success, respondents felt that a strong governance structure was crucial to driving the implementation of the strategy.

As well as drive implementation, respondents felt that the governance structure must be able to effectively influence other strategic plans to ensure that the collective efforts of the city are maximised in full.

5. Recommendations

The following recommendations are being made in line with key areas of the Birmingham Homelessness Prevention Strategy consultation.

5.1 Agreement with the proposal that the vision for the new Homelessness Prevention Strategy should be that ‘Birmingham is a city where we all work together to eradicate homelessness’.

Overall, 96.7% of respondents indicated that they agreed with the proposed vision, with 80.4% strongly agreeing and 16.3% agreeing that Birmingham should be a city where we all work together to eradicate homelessness.

In line with these findings, it is recommended that the proposed vision is confirmed as the vision for the Homelessness Prevention Strategy .

5.2 Agreement with the proposal that the strategy should focus on five key aims:

a. To ensure people are well informed about their housing options

Overall, 96.4% of respondents indicated that they agreed that the strategy should focus on this aim; with 71.4% strongly agreeing and 25.0% agreeing.

In line with these findings, it is recommended that *‘ensuring people are well informed about their housing options’* is confirmed as one of the aims of the strategy.

b. To prevent people from becoming homeless

Overall, 97.5% of respondents indicated that they agreed that the strategy should focus on this aim; with 84.1% strongly agreeing and 13.4% agreeing.

In line with these findings, it is recommended that *‘preventing people from becoming homeless’* is confirmed as one of the aims of the strategy.

c. To assist people as soon as possible if they do become homeless so that their homelessness can be relieved by securing sufficient accommodation and support

Overall, 99.3% of respondents indicated that they agreed that the strategy should focus on this aim; with 90.2% strongly agreeing and 9.1% agreeing.

In line with these findings, it is recommended that *‘assisting people as soon as possible if they do become homeless so that their homelessness can be relieved by securing sufficient accommodation and support’* is confirmed as one of the aims of the strategy.

d. To support people to recover from their experience and stay out of homelessness

Overall, 99.3% of respondents indicated that they agreed that the strategy should focus on this aim; with 87.7% strongly agreeing and 11.6% agreeing.

In line with these findings, it is recommended that *'supporting people to recover from their experience and stay out of homelessness'* is confirmed as one of the aims of the strategy.

e. To enable people to secure homes that they can afford and maintain

Overall, 96.7% of respondents indicated that they agreed that the strategy should focus on this aim, with 82.6% strongly agreeing and 14.1% agreeing.

In line with these findings, it is recommended that *'enabling people to secure homes that they can afford and maintain'* is confirmed as one of the aims of the strategy.

5.3 Agreement with the proposal to use a new approach called the Positive Pathway model to tackle homelessness and prevent it happening in the future.

Overall, 84.1% of respondents indicated that they agreed that using the proposed model was the right approach, with 54.0% strongly agreeing and 30.1% agreeing.

In line with these findings, it is recommended that the Positive Pathway model is confirmed as the new approach to tackle homelessness and prevent it happening in the future.

5.4 Agreement with the proposal that to be successful, a multi-agency approach is needed with key partners from across the Council, Social Care, Health, Criminal Justice, Social and Private Housing Sector, Voluntary and Third Sector, and Education all working together.

Overall, 96.8% of respondents indicated that they agreed that a multiagency approach is required, with 81.2% strongly agreeing and 15.6% agreeing.

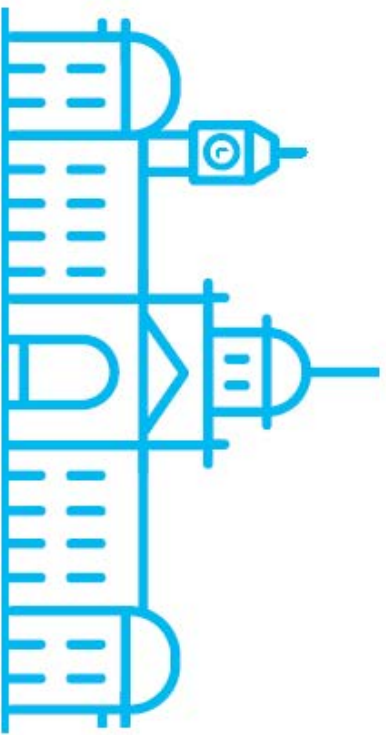
In line with these findings, it is recommended that a multi-agency approach is confirmed as key to successfully tackling homelessness, and is integral to delivery throughout the life of the strategy.

Birmingham Homelessness Prevention Strategy 2017+



24 August - 5 October 2017

Consultation Summary



Birmingham Homelessness Prevention Strategy 2017+ 24 August – 5 October 2017

What are we trying to achieve?

Birmingham strives to be a city where we work together to eradicate homelessness. This is our vision for the new Homelessness Prevention Strategy for Birmingham.

Strategic partners from the Housing Birmingham Partnership, and across the City Council, Health, Housing, Voluntary and Third Sectors all recognise that homelessness is an important priority for our city. We have all committed to working together to tackle the issue and prevent it from happening in the future.

Our strategic vision is informed by a number of key drivers including:

- A current and comprehensive review of homelessness in Birmingham;
- The introduction of the Homelessness Reduction Act 2017 due in April 2018;
- The recommendations from inquiries into Rough Sleeping and Prevention and Homeless Health made by the Birmingham Housing and Homes Overview and Scrutiny Committee.

To reduce homelessness we must do more to make sure that people get the early help they need to prevent incidents of homelessness from happening, and also make sure appropriate support is available for those who have experienced homelessness, so that they are able to improve their chance of a positive future.

To achieve this we have identified five key aims:

- Ensure people are well informed about their housing options;
- Prevent people from becoming homeless;
- Assist people as soon as possible if they do become homeless so their homelessness can be relieved by securing sufficient accommodation and support;
- Support people to recover from their experience and to stay out of homelessness;
- Enable people to secure homes that they can afford and maintain.

We will ask Birmingham citizens, including those who have directly experienced homelessness, strategic partners and key agencies to tell us their views on our proposals.

This section supports Question 1 of the
Homelessness Prevention Strategy Consultation Questionnaire

What is the scope of our Homelessness Prevention Strategy?

Homelessness is defined by the Government as:

"A household is legally homeless if, either, they do not have accommodation that they are entitled to occupy, which is accessible and physically available to them or they have accommodation but it is not reasonable for them to continue to occupy this accommodation."

People who are assessed as meeting this definition are referred to as 'statutory homeless' or 'priority housing need'.

People who are assessed and do not meet the Government definition are referred to as 'non-statutory homeless'.

Street Homelessness is defined by the Government as:

"People sleeping, about to bed down (sitting on/in or standing next to their bedding) or actually bedded down in the open air (such as on the streets, in tents, doorways, parks, bus shelters or encampments). People in buildings or other places not designed for habitation (such as stairwells, barns, sheds, car parks, cars, derelict boats, stations, or 'bushes')."

To ensure that we can effectively tackle homelessness at every stage of a person or family's journey the scope of this strategy recognises:

- Those who are considering their housing options
- Those who are at risk of homelessness
- Those who are deemed statutory homeless
- Those who are deemed non - statutory homeless
- Those who are street homeless
- Children who experience homelessness
- Those who are moving on from homelessness
- The wider population (for the purposes of prevention more broadly).

Birmingham Homelessness Prevention Strategy 2017+ 3

Why do we need a Homelessness Prevention Strategy?

The Homelessness Act 2002 places a legal requirement on Local Authorities to develop and implement a Homelessness Strategy every five years.

Our Health and Wellbeing Challenge

Homelessness is a significant public health issue that affects the health and wellbeing of our local population.

Whilst we have made good progress in tackling homelessness in the city, we have focused on making sure people have a place to stay. There are now more than 20,000 households in Birmingham each year who are homeless, at risk of becoming homeless or moving out of homelessness. We must do more to support people to address the reasons why they are at risk of homelessness or why they became homeless in the first place to prevent cycles of homelessness negatively affecting both individuals and families.

Experiencing poverty and living on a low income are key barriers for people to access, afford and maintain safe and appropriate places to live. Family income in Birmingham is below the national average and we have a high number of people who are unemployed. Birmingham also has a very high number of families who are homeless and/or have a temporary place to stay.

More than three quarters of people who are accepted as statutory homeless in the city have children. Experiencing adversity in childhood, including homelessness, can have a long-term negative effect on a child's health, development, and emotional wellbeing and we therefore need to better understand how trauma such as abuse or neglect in childhood or living in a dysfunctional home can increase the risk of becoming homeless. We also need to do more to recognise how traumatic the experience of homelessness itself can be to all age groups.

People who sleep on the street are the most visible type of homelessness in our city. Street homeless people have needs that are multiple and complex. When we combine these with the reasons that brought them to sleep on the street in the first place, it makes it very hard for one single agency to provide the right support. We know from our review of homelessness that we need to find more effective ways to engage with the street homeless community.

Our Housing Challenge

The Birmingham Housing Strategy - Birmingham: A Great Place to Live - sets out the challenge we face to make sure that there are enough good quality and affordable housing options for everyone in the city. We need to make sure that people who have experienced homelessness are able to continue to live in their new home for as long as they choose.

This means making sure that there are enough suitable homes for people moving on from homelessness to live in. It also means effectively supporting people to gain the knowledge and resilience they need to live independently, either whilst at risk of becoming homeless or after experiencing homelessness.

4 Birmingham Homelessness Prevention Strategy 2017+

Birmingham has a growing population that is putting increasing pressure on the availability of our current housing options. While the statutory homeless system may seem to offer a clear pathway into permanent housing, it does contrast with the difficulties that people experience in finding a suitable and affordable place to live. The strategy will look to explore local solutions to this complex issue.

Locally we are seeing an increase in people becoming statutory homeless because a short term tenancy with a private landlord has ended, Domestic abuse and being unable to stay at the family home are also reasons why people become homeless in Birmingham.

The size of families in Birmingham is larger than average and not enough larger homes are available to house those in need. This is especially difficult for larger families who have been impacted by the limit that the government has put on the amount of benefits people can claim.

At the same time, it is becoming more difficult for young people aged under 35 to get a home that they can afford to live in independently. Young people that have a low income or are unemployed are particularly affected and often are living with their family for longer. This is putting further pressure on the need for larger homes - and represents a new and growing need in the city.

This section supports Questions 1 and 2 of the Homelessness Prevention Strategy Consultation Questionnaire

What do we want to do to address homelessness in Birmingham?

We need to change the way we respond to homelessness in Birmingham so that we shift the balance from reactive crisis prevention response to proactively addressing homelessness in all of its forms throughout a person or family's journey.

The Positive Pathway is a whole system approach where all partners work together to tackle homelessness.

This model is already working well with young people at risk of or experiencing homelessness in Birmingham, and by adopting this approach, wider the city will have a consistent approach to tackling homelessness.

Our approach sets out five key areas that can be used flexibly to ensure that no matter what stage people enter the pathway, they will be supported as early and as effectively as possible. The five key areas are:

1. Universal Prevention

This means delivering a wide range of timely, accurate information and advice about housing options and financial issues and it will be available to everyone to help prevent issues with housing occurring in the first place. It will also ensure people understand the links between housing choice and their financial and employment circumstances.

This approach is delivered through a variety of ways including online, through schools and universal services and through community networks that reach young people, families and professionals.

It is intended to empower people to successfully live independently without support from specialist services and ensure they know where to go to seek help if required.

Strategically, this approach links closely to the work of the Health and Wellbeing Strategy, Birmingham Financial Inclusion Strategy and the Child Poverty Commission to support reductions in inequality in the city.

2. Targeted Prevention

Anyone can become homeless. However, it is possible to identify people who are most likely to become homeless.

Groups at risk of homelessness include: young people leaving the care of the local authority; those leaving prison; people suffering from domestic violence; those with a mental health problem or suicidal ideation; those with a substance misuse problem; those experiencing bereavement or from troubled families; people on low incomes and those who are in debt.

This approach introduces early intervention through trauma informed practice. This means understanding trauma and how it may lead to homelessness either now or in the future.

It links to the city's Early Help Strategy and is based upon identifying individuals and families who may be at risk of becoming homeless and offering them effective support as early as possible. In many cases, this type of support can prevent homelessness from happening.

It means strengthening our joined up approach to ensure the right structures, partners, and services are in place.

3. Crisis Prevention and Relief

The strategy shifts the balance to delivering a more proactive, prevention approach, however we must make sure that there is still an effective response for those people who become homeless in an emergency or crisis situation.

This part of the pathway approach outlines an integrated, co-ordinated response to commissioned accommodation and support, where Housing Options and Homelessness Services come together with other services including Health, Employment and/or Children's Services to make sure the impact of the crisis is limited. This means everyone knowing how to effectively respond to someone who is identified as either at risk of becoming homeless or is homeless.

Effective support in this area may help reduce the need for someone to make a homeless application to the Local Authority, or to avoid the need for rehousing into social housing.

4. Homeless Recovery

People who have experienced homelessness are more likely to have additional needs around their mental, physical and emotional health. They may also need extra support to make sure they can maintain their new home and move on into a positive and healthy future. This is particularly true for children, young people and more vulnerable adults. Providing this support is critical to limiting the impact of homelessness as well as preventing homelessness recurring.

Experiencing homelessness can have a serious and long lasting impact, particularly in childhood. Understanding that being homeless can be traumatic, this approach involves working with people to reduce the risk of experiencing trauma again.

This means taking into account a person's emotional and psychological needs alongside continued support to stabilise accommodation. It also means focusing on improving the overall wellbeing of all adults and children in the household.

5. Sustainable Housing

The lack of suitable homes makes homelessness in Birmingham an ongoing challenge, and the need to secure more sustainable housing options is a key part of addressing a critical structural influence on the city's homelessness.

To maintain the momentum of supporting people into independence when they are ready, we must have access to a truly affordable supply of housing options for people to move in to. Without it, our situation regards levels and types of homelessness will not change.

People that are ready to live independently may find that they are trapped in supported housing, and it may stop others from moving on and getting the help they need to move towards independent living. This part of the pathway will explore local solutions to expanding the supply of safe, good quality, affordable housing options, and will look across the options for people living alone, with family, or in other forms of shared homes.

This approach focuses on longer term strategic actions such as improving the supply of suitable, affordable housing to make a difference to homelessness, and improving the standards and quality of homes in the private rented sector

This section supports Questions 1, 2 and 3 of the
Homelessness Prevention Strategy Consultation Questionnaire

What next?

We are inviting views from all stakeholders interested in tackling homelessness in Birmingham and have developed a questionnaire that lists the things we think will help to achieve our vision for the Homelessness Prevention Strategy.

Please complete the questionnaire and return your views using the FREE portal address below

Alternatively, you can share your thoughts by contacting:

Website: www.birminghambeheard.org.uk

Twitter: [@healthybrum](https://twitter.com/healthybrum)

Email: homelessnessconsultation@birmingham.gov.uk

Telephone: 0121 303 5154

Write to: Homelessness Prevention Strategy Consultation

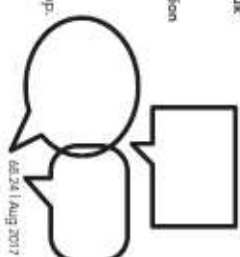
Firepost Plus RSY5-HKBC-XBLA

PO Box 16465

Birmingham

B2 2DG

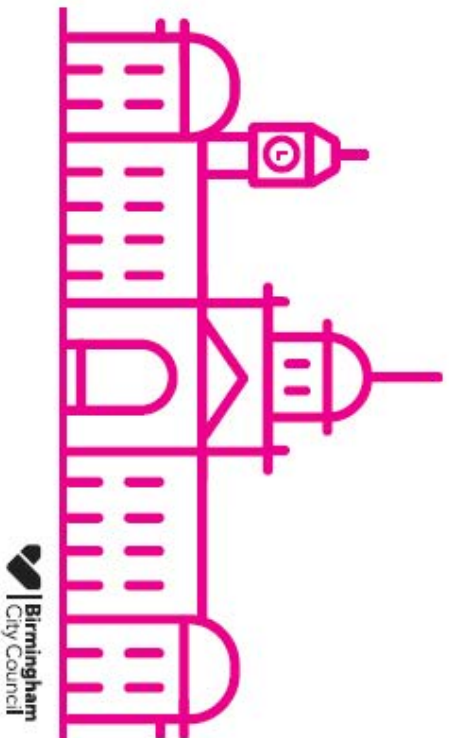
Please note that you do not need to use a stamp.



Appendix 2: Consultation Questionnaire



Questionnaire



Birmingham Homelessness Prevention Strategy 2017+ 24 August – 5 October 2017

Questions we are asking about Birmingham's Homelessness Prevention Strategy 2017+

We are asking people of Birmingham, including those with lived experience of being homeless, key partner agencies and current providers of homelessness prevention services, to let us know your views on our new approach to tackling and preventing homelessness.

The Homelessness Prevention Strategy 2017+ Consultation Summary Document provides supporting information to help outline our ideas.

1. We propose that the vision for the new Homelessness Prevention Strategy should be that: 'Birmingham is a city where we all work together to eradicate homelessness'.

(Commentary – See section 'What are we trying to achieve?' in the Summary Document)

To what extent do you agree or disagree with this vision?
(Please tick one box only)

- ☐ Strongly agree
☐ Agree
☐ Don't know
☐ Disagree
☐ Strongly disagree

Please tell us the reason for your answer:

2. For Birmingham to eradicate homelessness, we propose that the strategy should focus on the following five aims:

(Commentary – See section ‘What are we trying to achieve?’ in the Summary Document)

To what extent do you agree or disagree that these aims are the right ones?

a. To ensure people are well informed about their housing options
(Please tick one box only)

- ☐ Strongly agree
- ☐ Agree
- ☐ Don't know
- ☐ Disagree
- ☐ Strongly disagree

b. To prevent people from becoming homeless (Please tick one box only)

- ☐ Strongly agree
- ☐ Agree
- ☐ Don't know
- ☐ Disagree
- ☐ Strongly disagree

c. To assist people as soon as possible if they do become homeless so that their homelessness can be relieved by securing sufficient accommodation and support (Please tick one box only)

- ☐ Strongly agree
- ☐ Agree
- ☐ Don't know
- ☐ Disagree
- ☐ Strongly disagree

d. To support people to recover from their experience and stay out of homelessness (Please tick one box only)

- ☐ Strongly agree
- ☐ Agree
- ☐ Don't know
- ☐ Disagree
- ☐ Strongly disagree

a. To enable people to secure homes that they can afford and maintain
(Please tick one box only)

- ☐ Strongly agree
- ☐ Agree
- ☐ Don't know
- ☐ Disagree
- ☐ Strongly disagree

Please tell us the reason for your answer:

3. We propose that a new approach called the Positive Pathway model is used to tackle homelessness and prevent it happening in the future. The model will focus on the following five areas:

1. Universal Prevention
2. Targeted Prevention
3. Crisis Prevention and Relief
4. Homeless Recovery
5. Sustainable Housing

(Commentary – See section 'What do we want to do to address homelessness in Birmingham' in the Summary Document)

To what extent do you agree or disagree that this is the right approach to preventing and tackling homelessness in Birmingham?
(Please tick one box only)

- ☐ Strongly agree
- ☐ Agree
- ☐ Don't know
- ☐ Disagree
- ☐ Strongly disagree

Please tell us the reason for your answer:

4. We propose that to be successful, a multi-agency approach is needed with key partners from across the Council, Social Care, Health, Criminal Justice, Social and Private Housing Sector, Voluntary and Third Sector, and Education all working together.

(Commentary – See section 'What do we want to do to address homelessness in Birmingham' in the Summary Document)

To what extent do you agree or disagree that a multi-agency approach is needed to tackle and prevent homelessness in Birmingham?
(Please tick one box only)

- ☐ Strongly agree
- ☐ Agree
- ☐ Don't know
- ☐ Disagree
- ☐ Strongly disagree

Please tell us the reason for your answer:

5. Please tell us about anything else you think we should consider in our approach to tackling and preventing homelessness in Birmingham:

6. There will be an opportunity to inform the development of the Positive Pathway model later in the year. If you would like to be part of this development, please enter your contact details:

About You

To help us plan our strategy, we would like you to tell us some things about you. You do not have to tell us if you do not want to, but if you do, it will help us to plan what we should do.

Data Protection Act 1998

The personal information on this form will be kept safe and is protected by law. You can see more information about data protection on our website at: www.birmingham.gov.uk/privacy

Are you?

Please tick one box that best describes your interest in the consultation:

- ☐ A member of the general public
 - ☐ Someone who is currently homeless or has been affected by homelessness
 - ☐ Health or Care professional
 - ☐ Housing advisor
 - ☐ Homelessness advisor
 - ☐ A family member or carer of someone who is or has been homeless
 - ☐ Other (please state below)
-

Which age group applies to you? (Please tick one box only)

- | | | |
|-----------------------------------|----------------------------------|--|
| <input type="checkbox"/> Under 16 | <input type="checkbox"/> 40 – 44 | <input type="checkbox"/> 70 – 74 |
| <input type="checkbox"/> 16 – 19 | <input type="checkbox"/> 45 – 49 | <input type="checkbox"/> 75 – 79 |
| <input type="checkbox"/> 20 – 24 | <input type="checkbox"/> 50 – 54 | <input type="checkbox"/> 80 – 84 |
| <input type="checkbox"/> 25 – 29 | <input type="checkbox"/> 55 – 59 | <input type="checkbox"/> 85+ |
| <input type="checkbox"/> 30 – 34 | <input type="checkbox"/> 60 – 64 | <input type="checkbox"/> Prefer not to say |
| <input type="checkbox"/> 35 – 39 | <input type="checkbox"/> 65 – 69 | |

What is your sex? (Please tick one box only)

- ☐ Male
- ☐ Female
- ☐ Prefer not to say

Do you have any physical or mental health conditions or illnesses lasting or expected to last for 12 months or more? (Please tick one box only)

- ☐ Yes
- ☐ No
- ☐ Prefer not to say

If yes, do any of these conditions or illnesses affect you in any of the following areas? (Please tick all that apply)

- ☐ Vision (e.g. blindness or partial sight)
 - ☐ Hearing (e.g. deafness or partial hearing)
 - ☐ Mobility (e.g. walking short distances or climbing stairs)
 - ☐ Dexterity (e.g. lifting and carrying objects, using a keyboard)
 - ☐ Learning or understanding or concentrating
 - ☐ Memory
 - ☐ Mental Health
 - ☐ Stamina or breathing or fatigue
 - ☐ Socially or behaviourally (e.g. associated with Autism, attention deficit disorder or Asperger's Syndrome)
 - ☐ Other (please state below)
-

What is your ethnic group? (Please tick one box only)

White

- ☐ English/Welsh/Scottish/Northern Irish/British
☐ Irish
☐ Gypsy or Irish Traveller
☐ Polish
☐ Baltic States
☐ Jewish
☐ Other white European (including mixed European)
☐ Any other White background (please state below)

Mixed/multiple ethnic groups

- ☐ White and Black Caribbean/African
☐ White and Asian
☐ Any other Mixed background (please state below)

Asian/Asian British

- ☐ Afghani
☐ Bangladeshi
☐ British Asian
☐ Chinese
☐ Filipino
☐ Indian Sikh
☐ Indian Other
☐ Kashmiri
☐ Pakistani
☐ Sri Lankan
☐ Vietnamese
☐ Any other Asian background (please state below)

Black African/Caribbean/Black British

- ☐ African
☐ Black British
☐ Caribbean
☐ Somali
☐ Any other Black/African/Caribbean background (please state below)

Other ethnic group

- ☐ Arab
☐ Iranian
☐ Kurdish
☐ Yemeni
☐ Any other ethnic group (please state below)

☐ Prefer not to say

What is your sexual orientation? (Please tick one box only)

- ☐ Bisexual
☐ Gay
☐ Lesbian
☐ Heterosexual or Straight
☐ Other (please state below)

☐ Prefer not to say

What is your religion or belief? (Please tick one box only)

- ☐ No religion
- ☐ Christian (including Church of England, Catholic, Protestant and all other Christian denominations)
- ☐ Buddhist
- ☐ Hindu
- ☐ Jewish
- ☐ Muslim
- ☐ Sikh
- ☐ Any other religion (please state below)
- ☐ Prefer not to say

Thank you for taking part in our consultation. Your views are important to us.

Please return this questionnaire to the FREE postal address below – you do not need to use a stamp. If you have any further comments or views on the new Homlessness Prevention Strategy, please contact:

Website: www.birminghambehaved.org.uk

Twitter: @healthybrum

Email: homlessnessconsultation@birmingham.gov.uk

Telephone: 0121 303 5154

Write to: Homlessness Prevention Strategy Consultation

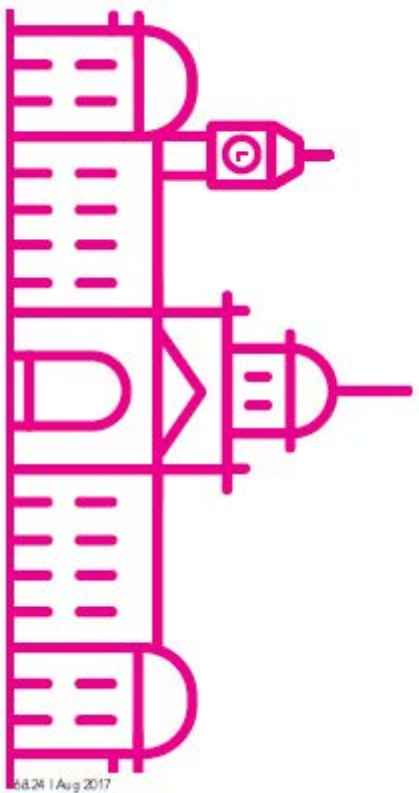
Freepost Plus RSYS-HKBC-XBLA

PO Box 16465

Birmingham

B2 2DG

Please note that you do not need to use a stamp.



BIRMINGHAM CITY COUNCIL**PUBLIC**

Report to: CABINET

Report of: Corporate Director, Children and Young People

Date of Decision: 12th December 2017

SUBJECT: BIRMINGHAM'S STRATEGY FOR SEND & INCLUSION

Key Decision: Yes **Relevant Forward Plan Ref:** 004335/2017

If not in the Forward Plan: **Chief Executive approved** ☐
(please "X" box) **O&S Chair approved** ☐

Relevant Cabinet Member(s) or Relevant Executive Member: Councillor Carl Rice, Cabinet Member for Children, Families and Schools

Relevant O&S Chair: Councillor Susan Barnett, Schools, Children and Families

Wards affected: All

1. Purpose of report:

- 1.1 To seek approval for the strategy for Special Educational Needs and/or Disability (SEND) and Inclusion (Appendix 1) as developed and recommended by the Inclusion Commission.

2. Decision(s) recommended:

That Cabinet; -

- 2.1 Approve the strategy for SEND and Inclusion (Appendix 1) as recommended by the Inclusion Commission, taking into account the findings of the consultation.
- 2.2 Approve the implementation of the priorities within the strategy from January 2018 by the SEND & Inclusion Steering Group and Programme Board

Lead Contact Officer(s): Jill Crosbie - Acting Assistant Director, SEND

Telephone No: 0121 303 2573

E-mail address: jill.crosbie@birmingham.gov.uk

3. Consultation:

3.1 Internal

A full public consultation was undertaken between 9th June – 31st July 2017 and Birmingham City Council colleagues were consulted as part of this.

3.2 External

A full public consultation has been completed 9th June – 31st July 2017, which included external partners such as Health, PVI providers (private, voluntary and independent sectors), schools, governors, parents and young people.

3.3 Summary of Key Findings from the Consultation

- People consulted agreed on the whole with the direction of travel of the vision, mission, objectives and priorities.
- However, there was a lack of confidence that professionals could deliver the strategy within current resources. While in agreement about the need to work together, there was a lack of belief that organisations could genuinely work in partnership, and recognition that all services are overstretched.
- There was a perception that the strategy is focussed on reducing Education Health and Care Plans and saving money rather than a focussing on the needs of the child.
- The strategy needs to be clearer about the application of the law – including disability discrimination.

3.4 Summary of Key Recommendations from the Consultation

The following key recommendations have been considered by the Inclusion Commission following consultation on the Draft Strategy.

3.4.1 Building Trust and Confidence

The re-building of trust and confidence is central to the successful implementation of the strategy. The document needs to be clearer and amended to clarify how this will be achieved. This theme of trust and confidence needs to be a golden thread running through all three priorities and made very explicit in the outline delivery plan and detailed implementation plans.

3.4.2 Partnership working

We need to be more explicit about how we are going to work in partnership and co-commission services as we implement the Strategy and we need to give it greater emphasis within the document.

3.4.3 The Strategy and Outline Delivery Plan (Appendix 1) has been updated in light of these recommendations.

3.4.4 The full Consultation Findings report can be found in Appendix 2

4. Compliance Issues:

4.1 The recommended decisions are consistent with the Council's policies, plans and strategies.

4.1.1 The strategy is aligned with the City Council priority for children – Birmingham a great place to grow up.

4.1.2. It is directly linked to the directorate outcome – Ensuring children and young people with SEND have their needs met in appropriate provision.

4.2 Financial Implications

4.2.1 The Dedicated Schools Grant High Needs Block, which funds special schools places, top-up funding for pupils in mainstream and prescribed SEN services has a budget of £144m for 2017/18. The City council has brought forward a deficit of £9m for the year ending 31st March 2017 and is currently forecasting an in-year deficit of approximately £6m. The cumulative deficit by 31st March 2018 is therefore potentially £15m. There are increases in grant from central government over the next 3 years (£4m in 2018/19), which will help alleviate the deficit but crucially will also need to be accompanied by implementation of the strategy.

4.2.2 The strategy is integral and critical, particularly the actions outlined in Priority 3, to providing a long term sustainable funding solution. The plans to reduce the use of independent and out of city placements in favour of developing our own high needs capacity will reduce pressure and will also reduce transport costs. Joint commissioning, development of a contract framework and improved quality assurance processes will reduce expenditure on residential and independent placements. Developing better inclusive practice across all schools will mean more children can have their needs met in their local school which will reduce costly assessment processes and transport costs.

4.2.3 The Department for Education issued a grant of £0.562m in late 2016/7 to support Local Authority reviews of High Needs provision. £0.505m has been carried forward into 2017/18 to support implementation of the strategy.

4.3 Legal Implications

4.3.1 The proposed strategy will support and facilitate the discharge of the Council's duties under the Children and Families Act 2014 and in particular sections 27 and 30 of that Act. Those sections require local authorities to keep their educational and social care provision for children and young people with SEN or disabilities under review, and to publish and keep under review their Local Offer of provision for 0-25 year olds with SEN or disabilities.

4.3.2 The strategy supports the delivery of the requirements contained within the SEND Code of Practice which provides statutory guidance on duties, policies and procedures relating to the Children and Families Act 2014 and associated regulations.

4.4 Public Sector Equality Duty

4.4.1 An Equality Assessment has been completed in Appendix 3

4.4.2 Implementation of this strategy is focussed on improving service for children and young people with special needs and disabilities and therefore improving our delivery on the equalities agenda

5. Relevant background/chronology of key events:

5.1 Birmingham City Council Members and Officers have identified the need for a root and branch review of the city's approach to making provision for children and young people with SEND. As a result, Birmingham City Council established the Inclusion Commission in October 2016 to explore the effectiveness of the current arrangements in the City across the 0-25 age range.

5.2 The membership of the Inclusion Commission has included representatives from parent groups, early years settings, mainstream schools, colleges, resource bases, specialist providers, independent non-maintained schools, independent specialist colleges and social care and health services. An independent chair has been appointed to oversee this work, Professor Geoff Lindsay from Warwick University.

5.3 Following the review, a draft strategy for SEND and Inclusion was developed, supported by an outline delivery plan, and was presented in March 2016 to the Inclusion Commission. Following this, the Inclusion Commission further developed a joint vision, mission and objectives to accompany the following three key priorities; -

- Develop a framework of SEND assessment and planning from 0-25 years to enable professionals and partners to meet the full range of individual need and raise achievement.
- Ensure there is a sufficient and appropriate range of quality provision to meet the needs of children and young people with SEND aged 0-25 years and improve outcomes from early years to adulthood
- Develop a unified resource allocation system to distribute the range of SEND funding across all schools and settings in order to make the most effective use of available resources and maximise the impact on outcomes for young people

5.4 Public Consultation on the draft strategy was undertaken 9th June – 31st July 2017

5.5 The key findings (Appendix 2) have informed an amended draft strategy and outline delivery plan (Appendix 1) which was endorsed by the Inclusion Commission on 18th September 2017, prior to seeking Cabinet approval.

5.6 A detailed implementation plan is being developed with heads of service leading on priorities. A programme board including health and social care is being established to track progress and promote joint working. The SEND stakeholders group will offer ongoing feedback and will be a vehicle for co-production. The Inclusion Commission will be replaced by a smaller steering group, chaired by Colin Diamond DCS – this group will be made up of relevant senior officers accountable for the delivery of the strategy.

- 5.7 Implementation is timetabled from January 2018 – July 2020
Regular updates will be provided via Cabinet Member briefing and by the DCS at CLT.

5.8 Chronology of events:

October 2016	Inclusion Commission set up
Jan-Feb 2017	Inclusion Commission received feedback on SEND Review
March 2017	Draft strategy proposal completed
May 2017	Revised strategy proposal approved by the Inclusion Commission
9 June to 30 July 2017	Proposed strategy went out for Public Consultation
18 September 2017	Inclusion Commission approval of post Consultation updated strategy
12 December 2017	Consideration at Cabinet

6. Evaluation of alternative option(s):

- 6.1 The Inclusion Commission, which has wide representation from stakeholders and politicians, has drawn up the strategy and have considered the range of options for delivering our statutory duties effectively.
- 6.2 If the proposed strategy is not approved and implemented there would be a risk of failing to meet legal duties, and not using available resources effectively to enable children and young people with SEN or disabilities to achieve their ambitions, the best educational and other outcomes.

7. Reasons for Decision(s):

- 7.1 The direction of the strategy has been based on a desire to deliver the aspirational vision for all Birmingham families and fully deliver on our statutory responsibilities.
- 7.2 The decisions are proposed in the light of financial pressure and growing demand, supporting the use of existing funding to greater effect with improved commissioning.

Signatures

		<u>Date</u>
Councillor Carl Rice Cabinet Member for Children, Families & Schools

Colin Diamond Corporate Director Children & Young People
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List of Background Documents used to compile this Report:

1. As per Appendices

List of Appendices accompanying this Report (if any):

1. Birmingham's Strategy for SEND & Inclusion
2. Consultation – Key Findings Report
3. Equality Assessment

Report Version v0.10

Dated 28/11/2017

Birmingham's Strategy for SEND and Inclusion 2017-2020

Making a positive difference for
all our children & young people



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FOREWORD

I am delighted to introduce Birmingham's Strategy for SEND (Special Educational Needs and/or Disability) and Inclusion 2017-2020. This has been produced by the Inclusion Commission, set up by the City Council in 2016 to improve the services for these children and young people.

We have set out our Vision of what we seek to achieve, our Mission stating how to do this and the Strategy which outlines the actions we will take to achieve this. A key feature of the Mission is a commitment to work in partnership to achieve the high quality provision that Birmingham's children, young people and their families deserve.

We have conducted a consultation exercise and a large majority of you supported the Vision, Mission, Objectives and Priorities included in the strategy. However, there was a lack of confidence that professionals could deliver the strategy within current resources. While in agreement about the need to work together, there was a lack of belief that organisations could genuinely work in partnership and recognition that all services are overstretched.

Following your feedback we have amended the strategy. We have strengthened the emphasis on partnership working and building trust and confidence with families. We now move into the implementation phase and we hope you will work with us to make this strategy a reality for the children of Birmingham.

Yours sincerely



Professor Geoff Lindsay FBPSS, FAcSS, HonMBPSS
Chair, Inclusion Commission

“Every child and young person aged 0-25 with a special educational need and/or disability (SEND) in Birmingham will have the opportunity to be happy, healthy and achieve their fullest potential, enabling them to participate in, and contribute to all aspects of life.”

1. INTRODUCTION

1.1 BACKGROUND AND PURPOSE

Following the introduction of the Children and Families Act in 2014 and the Special Educational Needs & Disability Code of Practice: 0-25 years in 2015, Birmingham has implemented a range of new identification and assessment procedures to ensure that the needs of its most vulnerable children and young people are identified and met appropriately. Birmingham has many strengths including:

- Identification of special educational needs in the early years
- High quality Special Schools who work well with health and social care services
- Good outcomes for young people with SEND at aged 16 and 19
- Good quality of education support services
- A multi-agency panel to plan provision for complex cases
- High quality Special Educational Needs Co-ordinators (SENCOs)
- Meeting the national timelines for Education Health and Care Plans (EHCPs) and transfers.

Implementing the Government's SEND reforms in our large diverse city has been very challenging, and despite the strengths identified, there are still significant areas of work to address. The whole system has been under great strain and it has been challenging to try to meet deadlines and deliver within the allocated budget. Key roles in SEND have been covered on an interim basis and trying to integrate with health and social care while they undergo their own organisational change has been difficult.

Birmingham City Council members and officers have identified the need for a root and branch review of the city's approach to making provision for children and young people with SEND. As a result, Birmingham City Council established an Inclusion Commission in October 2016 to explore the effectiveness of current arrangements in the City for children and young people with SEND across the 0-25 age range. The membership of the Inclusion Commission has included representatives from early years settings, mainstream schools and colleges, resource bases, specialist providers, independent non-maintained schools and independent specialist colleges. Following this a new strategy for SEND and Inclusion has been developed, supported by an outline delivery plan. A consultation exercise was undertaken between 9th June and 30th July 2017 with partners and families.

1.2 SPECIAL EDUCATIONAL NEEDS AND DISABILITY IN BIRMINGHAM

In this Strategy document, a number of different data sources have been referred to which include different cohorts of young people. Where possible the Statistical First Release issued by the Department for Education has been used because this is the most widely available public source. Where further breakdown is needed, other more appropriate sources have been used including School Census and the SEN2 Survey. Further information relating to these sources can be found in Section 8 of this document.

Numbers of Pupils with Special Educational Needs in Birmingham Schools
(Source: Statistical First Release (SFR) Special educational needs in England: January 2017, SFR37/2017, 27 July 2017).

As of January 2017 the number of pupils with special educational needs in Birmingham schools was **35,155***. Proportionately in Birmingham, **16.7%** of pupils have special educational needs, which is higher than the national average (14.4%), the average in the West Midlands (15.4%), and core cities and statistical neighbours (15.6%).

6784 of school pupils have a statement of special educational needs or an Education Health and Care Plan (EHCP). This is an increase since 2016, but remains equal to **3.2%** of the total pupil population, compared to **2.8%** nationally.

28,371 pupils are on SEN support. This is equal to **13.5%** of the total pupil population, compared to **11.6%** nationally.

Nationally, there is a correlation between poverty and SEND. In Birmingham this correlation is more pronounced with 39% of children with SEN entitled to Free School Meals, compared with 27% of the overall school population.

Statements of Special Educational Needs and Education Health & Care Plans (Source: SEN2 return 2017)

There were **5,224** statutory EHCPs and **2,388** statements maintained by the local authority at January 2017. This gives a combined total of **7,612**. The combined total of statements and EHCPs has increased each year since 2010. However this does not include 1085 individuals who are known to be transferring from a SEN Statement to an EHCP and therefore the total figure is significantly higher. Part of this increase will also be due to the extended age range of the young people to between 0-25 years in 2015.

Birmingham, as the largest urban local authority, has the largest volume of children and young people with a Statement or EHCP of all the main cities in England – more than **2.5 times** the next nearest which is Manchester (2,600).

There were **1,039** new EHCPs made during the 2016 calendar year - a rise on 2015 levels (915).

*Please note * Total number includes all academies including free schools, maintained and non-maintained special schools, middle schools as deemed, all-through schools, city technology colleges, university technology colleges, studio schools, direct grant nursery schools, pupil referral units and general hospital schools.*

Provision (Source: Local Ofsted Tracking)

There are currently **27** special schools in the city, and **42** resource bases within mainstream provision. Resource bases provide specialist teaching alongside the opportunity for integration into mainstream classes. **81%** of special schools are outstanding or good and **77%** of SEN children overall are attending good and outstanding schools.

There are **27** Local Authority nurseries and over **1,500** PVI (private, voluntary or independent) early years providers. **79%** of Early Years settings overall are good or outstanding and **94%** of pre-school SEN children with identified high needs access their early educational entitlement in good or outstanding PVI settings or maintained nursery schools. **80%** of Post-16 provision overall and **69%** of special schools with sixth forms are outstanding or good.

Placements (Source SEN2 return 2017)

Of the **7,612** EHCP and Statements that the Local Authority maintained in January 2017, **41.8%** were placed in either Maintained Special schools (35.0%) or Academy Special schools (6.8%). This is higher than the national proportions of **36%** (28.3% in a Local Authority Maintained Special and 7.7% Academy Special schools). Despite a large special school provision in Birmingham, there were still approximately **4.3%** of children with an EHCP placed in the Independent Sector. There is a lack of places available to meet demand in our Special Schools and while some of these students may have very complex needs, there may be others who could have their needs met more cost effectively in Birmingham setting, if capacity was developed. Approximately **8%** of young people with Statements or EHCPs are in placements out of the city.

Finance (Source: Birmingham City Council Finance)

The High Needs Budget, which funds special schools places, top-up funding for pupils in mainstream and SEN services is **£144m**. Birmingham had a deficit of £9m for the year ending 31st March 2017 which it is planned to fund over 2017/18 and 2018/19. Any in year deficit in 2017/18 will compound the situation. Mainstream schools receive **£161m** notional SEN funding to meet the needs of pupils with SEN across the city. Currently different settings and sectors are funded in very different ways.

Post 16 (Source: 2017 SEN2 return and Insight, Jan 2017)

17% of young people aged 16-25 who are known to the city council have an identified special educational need. Of the 16-18 age group, **26%** of those who are currently not in education, employment or training (NEET) have a special educational need. The vast majority are in the SEN Support group.

Young people aged 16-25 years old account for **27%** of the current EHCPs.

School Transport (Source: Birmingham City Council local data)

We provide school transport arrangements to over 4,500 young people, mostly in the form of specialist mini-buses or taxis, using over 45 externally commissioned transport providers, visiting over 300 schools at an annual cost of £18m including guides and an average annual cost of approximately £4600 per pupil.

Overall Special Education Needs **Birmingham**

Total Statements and EHCPs – SEN2 Jan 2017*

Statements and Education Health and Care Plans in Birmingham -
(0 to 25 years old)

7,612

5,224 (EHCPs)
2,388 (Statements)
+ an additional 1085 transferring from Statements to EHCPs

SEN in Schools – January 2017 School Census*

Pupils in Birmingham Schools with SEN

• Total	34,531
• LA Nursery	580
• Primary	18,780
• All-through	746
• Secondary	9,607
• PRUs	563
• Special	4,255

Total EHCP/Statements in Schools

• Total	6,483
• LA Nursery	36
• Primary	1,305
• All-through	94
• Secondary	972
• PRUs	19
• Special	4,057

Early Years – Academic Year 2016/17

Autumn and Spring Term

- **414** accessing ISEY (Inclusion Fund)
- **300** with SEND require special educational support at home before they access any early years provision
- **165** children with sensory impairments requiring SEND support at home before they access Early Years provision
- **89** children with sensory impairments accessed their Early Education Entitlement in mainstream nursery settings
- **285** 2 year olds with SEND accessed their Early Education Entitlement
- **918** 3/4 year olds with SEND accessed their Early Education Entitlement

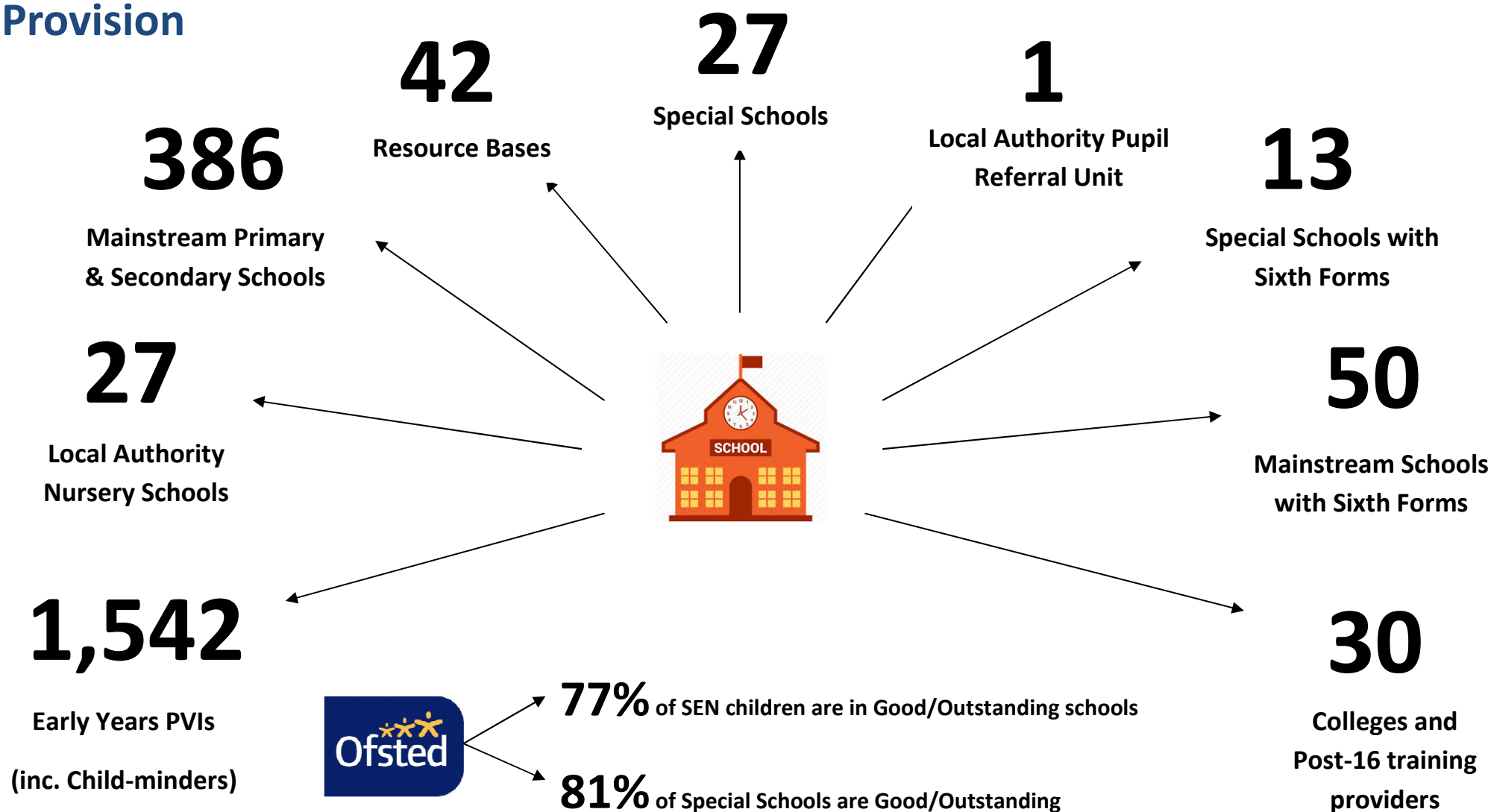
Post 16 – SEN2* and Insight, January 2017

- **17%** of young people aged 16-25 have a special educational need or disability
- **26%** of those aged 16-18 who are not in education employment or training have a special educational need or disability

**Please note several sources of data referred to in this strategy which include different groups of young people – School Census is statutory school age, and SEN2 covers those individuals for whom the local authority maintains an EHCP or Statement, aged 0-25.*

Overall Special Education Needs **Birmingham**

Provision



SPECIAL SCHOOLS - BIRMINGHAM

Key

- ASC - Autistic Spectrum Condition
- C&L - Cognition and Learning
- HI - Hearing Impairment
- SEMH - Social, Emotional and Mental Health
- PD - Physical Disability
- VI - Visual Impairment

— District Boundaries

— City Boundary

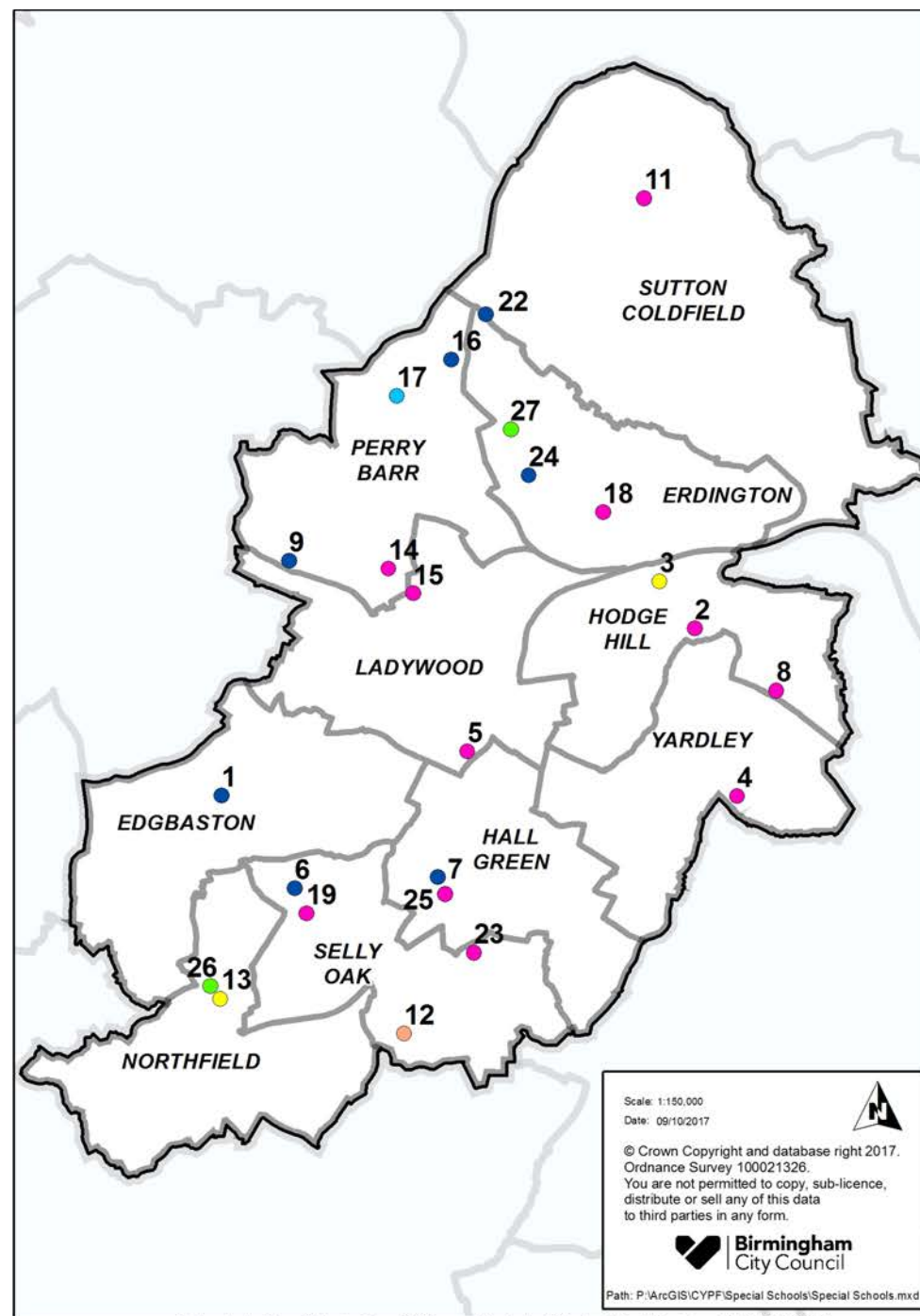
1	Baskerville School*	16	Oscott Manor School*
2	Beaufort School	17	Priestley Smith School*
3	Braidwood School for the Deaf*	18	Queensbury School*
4	Brays School	19	Selly Oak Trust School*
5	Calthorpe Teaching Academy**	22	The Bridge School
6	Cherry Oak School	23	The Dame Ellen Pinsent School
7	Fox Hollies School and Performing Arts College*	24	The Pines Special School
8	Hallmoor School*	25	Uffculme School *
9	Hamilton School	26	Victoria School**
11	Langley School	27	Wilson Stuart School**
12	Lindsworth School		
13	Longwill A Primary School for Deaf Children		
14	Mayfield School (Primary)		
15	Mayfield School (Secondary) *		

* School has linked Sixth Form provision

** School has linked Post-19 provision through a partnership

Schools not featured on map due to being located outside Birmingham boundary

10	Hunters Hill Technology College (SEMH) - Bromsgrove, Worcestershire
20	Skills School (SEMH) - Redditch, Worcestershire
21	Springfield House Community Special School (ASC) - Knowle, Solihull



RESOURCE BASES - BIRMINGHAM

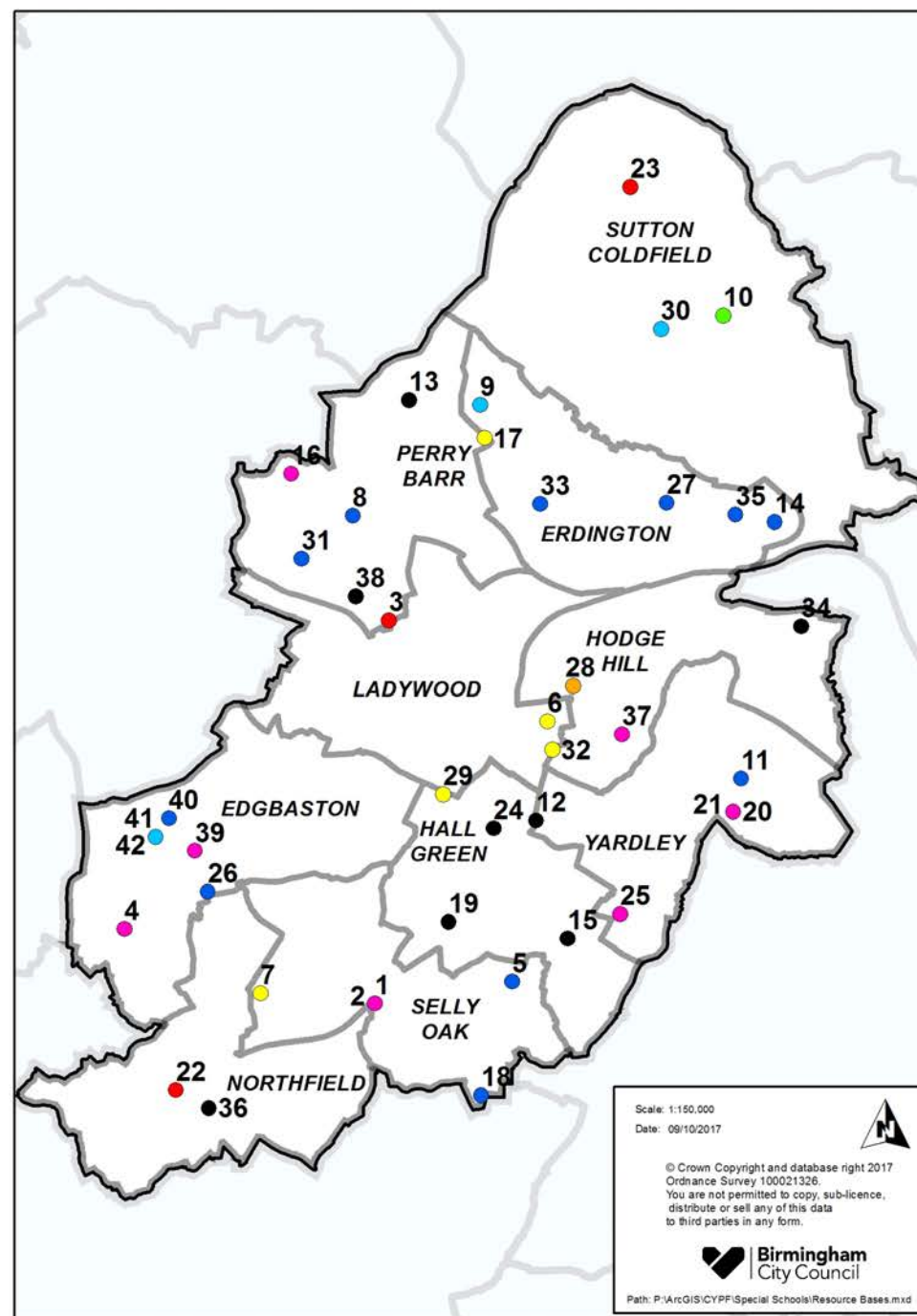
Key

- ASC - Autistic Spectrum Condition
- BESD - Social, Emotional and Mental Health
- C & L - Cognition and Learning
- FAM - Fully Accessable Mainstream
- HI - Hearing Impairment
- PD - Physical Disability
- SLCN - Speech, Language and Communication
- VI - Visual Impairment

— District Boundaries

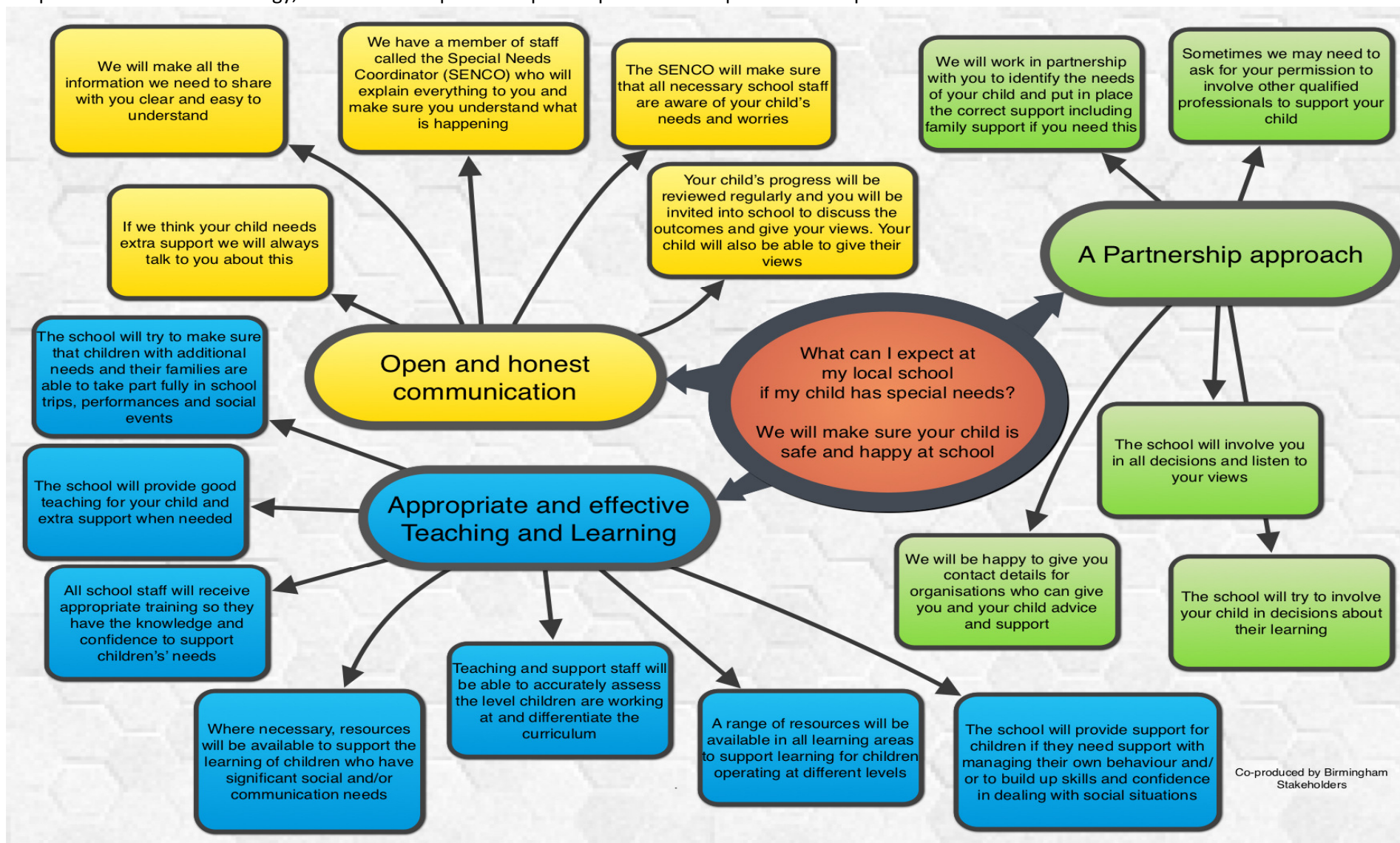
1	Allens Croft Nursery	24	Nelson Mandela
2	Allens Croft Primary	25	Ninestiles School
3	Anglesey	26	Paganel Primary
4	Bartley Green	27	Paget
5	Billesley	28	Parkfield
6	Bordesley Green*	29	Percy Shurmer
7	Bournville	30	Plantsbrook*
8	Cherry Orchard	31	Rookery
9	Christ The King	32	Small Heath*
10	Fairfax	33	Stockland Green
11	Garretts Green Nursery	34	Timberley
12	Golden Hillock	35	Topcliffe
13	Great Barr	36	Turves Green
14	Greenwood Academy*	37	Waverley*
15	Hall Green	38	Welford
16	Hamstead Hall*	39	Welsh House
17	Hawthorn	40	Woodhouse
18	Hollywood	41	Worlds End Infant
19	Kings Heath	42	Worlds End Junior
20	Lyndon Green Infant		
21	Lyndon Green Junior		
22	Meadows Primary (The)		
23	Mere Green		

* School has linked Sixth Form Provision



WHAT CAN I EXPECT AT MY LOCAL SCHOOL IF MY CHILD HAS SPECIAL EDUCATIONAL NEEDS?

A set of expectations for schools have been co-produced with Birmingham Stakeholders (including parents and schools) as part of the Local Offer. As part of the implementation of the strategy, we will work in partnership to co-produce what parents can expect from health and social care sectors.



2. REASONS TO CHANGE

There are a number of convincing reasons why Birmingham needs to change, which offer opportunities to improve our approach to SEND and Inclusion:

- There is a lack of clarity about the package of SEND support which families should expect in all mainstream schools and settings from 0-25.
- Many families are not satisfied with the level of support for their children and as a result there are too many complaints and appeals to the SEN and Disability Tribunal.
- There are too many exclusions of pupils with special educational needs.
- We have higher than average numbers of Education, Health and Care Plans and there is a perception that this is the only way to guarantee needs are met.
- Most of the high needs funding is spent on specialist provision, which is under huge demand. Many young people are placed in costly independent placements, which is unsustainable.
- There are too many vulnerable children with SEND, without a school place.
- Too few Education Health and Care Plans have a genuine contribution from health and social care agencies.
- Too many young people with SEND are not being enabled to reach their potential and achieve independence as they move into adulthood. Too few adults with learning disabilities find meaningful employment in our city.

Consultation underlined these reasons and gave a strong message from stakeholders about the lack of trust and confidence from families about the ability of education, health and social care to deliver what has been promised.

3. THE SEND REVIEW

A review of SEND services has been overseen by the Inclusion Commission which has been led by an independent Chair, Professor Geoff Lindsay from Warwick University. The Inclusion Commission Board comprises representatives from stakeholder groups including education, health, social care, parents, young people and Birmingham City Council members. The work of the Inclusion Commission has been informed by six work streams:

- | | |
|---|-------------------------------|
| 1. Learners with social emotional and mental health needs | 4. Specialist provision |
| 2. SEN Assessment | 5. SEN Support |
| 3. High Needs funding | 6. Preparation for adulthood. |

These work streams met during a period of three months from September to December 2016. The work streams were chaired by senior leaders from schools and Birmingham City Council. SEND4change, an independent organisation with expertise in understanding arrangements for children and young people with SEND, was commissioned by the City Council to facilitate a consultation exercise with a wide range of stakeholders. This has informed the work of the Inclusion Commission and made recommendations about key priorities which should be included in a new strategic approach for inclusion in Birmingham.

Throughout the review process, the views of parents were actively sought and every effort was made to ensure that their voice is valued and heard and their views are embedded within the draft strategy. Parents' contributions were made either as members of work streams or as part of a separate event facilitated by the Parent Carer Forum. As plans move forward, it will be ensured that young people have also an opportunity to contribute. It was agreed there is a need for collective responsibility between the Inclusion Commission, Health, Providers, Services and the Local Authority in order to deliver the necessary changes.

From the outcomes of the review, a number of common themes emerged and there was consensus in the working groups about three key priorities which are needed to strengthen and improve the current arrangements for SEND across Birmingham. Building on this work, a joint vision statement has been developed with the Inclusion Commission to help set the overall direction of the strategy. From this a mission and series of objectives were agreed alongside the three key priorities. The Inclusion Commission has given agreement for the draft strategy, vision, mission, objectives, priorities and outline delivery plan to be issued more widely for formal consultation prior to drafting the final strategy.

4. THE STRATEGY FOR SEND AND INCLUSION

4.1 VISION

Every child and young person aged 0-25 with a special educational need and/or disability (SEND) in Birmingham will have the opportunity to be happy, healthy and achieve their fullest potential, enabling them to participate in, and contribute to all aspects of life.

4.2 MISSION

To implement an efficient and inclusive system where practitioners work with families, children and young people aged 0-25, to develop trust and confidence in order to build genuine and good quality partnerships. This will be achieved by practitioners from all sectors working together collaboratively to deliver the most appropriate local provision and support.

4.3 OBJECTIVES

- We will develop joint commissioning to ensure resources are used fairly and effectively to provide maximum impact on outcomes.
- We will provide services that ensure the needs of children and young people who have special educational needs and disabilities and their families are at the heart of all that we do. We aim to offer this as locally as possible.
- All Birmingham mainstream provision will be welcoming, accessible and inclusive, adhering to the SEND Code of Practice, so that they can meet the needs of most children and young people, aged 0-25 who have special educational needs and/or disabilities.
- We will develop flexible pathways to enable children and young people to access the right provision and services to meet their individual needs at different stages. This will deliver the best possible outcomes, including education, employment and training, as young people move into adulthood.

4.4 IMPLEMENTING THE STRATEGY

A detailed implementation plan will be developed to deliver the priorities for action below. All work will be underpinned by the key principles of:

- Effective communication
- Building trust and confidence
- Working in partnership together

PRIORITIES FOR ACTION

1. Develop a framework of SEND assessment and planning from 0-25 years to enable professionals and partners to meet the full range of individual need and raise achievement

2. Ensure there is a sufficient and appropriate range of quality provision to meet the needs of children and young people with SEND aged 0-25 years and improve outcomes from early years to adulthood

3. Develop a unified resource allocation system to distribute the range of SEND funding across all schools and settings in order to make the most effective use of available resources and maximise the impact on outcomes for young people

PRIORITY 1: Develop a framework of SEND assessment and planning from 0-25 years to enable professionals and partners to meet the full range of individual need and raise achievement

Assessment Framework There is a need to develop an assessment and planning framework with all partners and agencies which:

- meets the legal requirements of the Children and Families Act 2014 and the SEND Code of Practice: 0-25 (2015).
- places children, young people and their families at the heart of the process.
- is accessible to settings, schools, colleges and partner agencies, health and social care partners
- describes what is expected of all schools and settings via the Local Offer.
- describes the framework for SEN Support Plans and EHC Plans.
- provides a clear description and understanding of learners who will need an SEN Support Plan and those who might need an EHC plan.
- ensures that the majority of children and young people where appropriate will have their needs met through an SEN Support Plan.
- ensures that the children and young people with the most significant needs have a statutory EHC Plan.
- sets out the processes for applying for and developing these plans within the local offer.
- describes the process for transitioning into adult services.

SEN Support Plans The development of SEN Support plans to support learners in mainstream schools and settings will need to ensure that:

- settings, schools and providers have systems in place for identifying the needs of children and young people with SEN.
- parents, carers and young people are fully involved in decision making and developing plans which describe the child's needs and the arrangements that will be put in place to meet those needs. (Children & Families Act Part 3 Section 19).
- practitioners are trained and understand how to write these plans and there is a good level of understanding about what constitutes a good SEN Support plan.
- the local authority has developed resources which provide examples of good practice, guidance and pro-formas for SEN Support Plans for completion by SENCOs with families.
- parents feel confident that settings, schools and colleges understand the needs of their children and young people and understand what they must do to support their learning and development.
- schools and settings clearly describe their approach to SEN Support Plans on their website which is linked to the Local Offer.

- schools and settings have a multi-agency approach and health and care colleagues commit support when developing SEN Support Plans.

Education Health and Care Plans (EHCPs) The EHC planning process should be reviewed to ensure that:

- Birmingham has a robust set of factors for determining who would benefit from a statutory EHC assessment and this is well understood by all stakeholders.
- a multi-agency panel, including health and social care, reviews decisions for initiating an EHC assessment.
- the application process and factors to be considered are available on the Local Offer.
- the EHC process is regularly quality assured to assess the quality of final plans, the quality of multi-agency reports and contributions from professionals, the timeliness of the production of the plans and the impact of the outcomes specified in the plan.
- the Special Educational Needs and Disability Assessment & Review (SENAR) service strives to improve the quality of the plans and conforms to a customer charter in their communication and interaction with families. The service will also need to evaluate the experience of those families where a statutory assessment was not deemed to be necessary and ensure that an effective SEN Support Plan is in place.
- parents, carers and young people co-produce the plans which describe the child's or young person's needs and the arrangements that will be put in place to meet those needs.
- Social Care Teams need to ensure that operational social workers and support workers respond to requests for information in a timely manner. Where social workers are not involved, other professionals who know the child or young person should comment on their needs.
- Health service workers are fully involved in the EHC plan process.
- parents feel confident that settings, schools and colleges understand the needs of their children or young people and understand what they must do to support their learning and development.
- where there are disagreements between families and the SENAR service about the EHC process, every effort is made to find agreement through negotiation and mediation without the need to resort to the SEN and Disability Tribunal, without infringing rights to appeal for parents and young people.
- a rigorous annual review process to monitor outcomes and ensure focus on independence and preparation for adulthood, including travel arrangements.
- appropriate professional development is available in relation to legislation, person-centred practice and outcome focused planning.

PRIORITY 2: Ensure there is a sufficient and appropriate range of quality provision to meet the needs of children and young people with SEND aged 0-25 years and improve outcomes from early years to adulthood

Children, young people and their families will need to be able to access a range of settings so that parents and carers can be confident that the needs of the child or young person can be met and outcomes are being achieved. These placements should be jointly commissioned where appropriate and include:

- Early years settings, including nursery schools, nursery classes and Private Voluntary and Independent (PVI) providers
- Mainstream primary and secondary schools, including maintained, academies, free schools and independent
- Mainstream post-16 provision including colleges and sixth forms
- Locally managed partnership arrangements for pupils with Social Emotional and Mental Health (SEMH) needs
- School resource base provision
- Local special schools (Maintained, Academy or Free Schools)
- Alternative Provision
- Independent or non-maintained schools or colleges.

Most children and young people can have their needs met in their local mainstream setting or school. It will be necessary that:

- there is a shared understanding of a 'good' SEN offer and in schools, Quality First Teaching is the cornerstone.
- effective interventions are in place in line with the graduated approach as set out in the SEND Code of Practice: 0-25 (2015).
- SEND Support Plans are used when appropriate.
- SEN funding is used effectively.
- all legislation regarding equality and disability are adhered to.

Schools, Settings and Colleges must work collaboratively in partnerships to develop local Social Emotional and Mental Health (SEMH) arrangements in order to:

- share good practice, expertise and resources.
- manage devolved financial resources.
- develop a range of local alternative provisions which are commissioned and managed by them.

Some children and young people will need to access high quality alternative provision. Where this is the case:

- there will need to be a quality assured framework of alternative providers.
- Schools and settings will need to monitor the quality of providers and keep in close contact with the children and young people that they have placed and be confident that the young people accessing these provisions are safe and making appropriate progress.

Some children and young people require access to resource bases located on mainstream school sites. Birmingham City Council will need to ensure:

- there are sufficient places at resource bases, particularly for secondary aged pupils particularly for children with autism.
- there is clarity about the process for becoming a resource base.
- there is sufficiency for differing needs and in all localities where appropriate.

Some children or young people will require special school provision. Birmingham City Council will need to ensure that:

- sufficient specialist early years provision is available.
- sufficient special school provision is available for Birmingham pupils.
- there is a plan for emerging needs and development of provision where necessary.
- there is coverage for areas of need across all localities is planned for.
- clear pathways exist both into and out of special schools.
- there is a clear pathway post-18 into adult services

A small number of children or young people will require a placement in an independent non- maintained special school provision. Access to such provision should be for learners who:

- for their safety and/or complexity require a placement out of the city.
- have needs that are so individual or complex that Birmingham cannot make provision for them.

PRIORITY 3: Develop a unified resource allocation system to distribute the range of SEND funding across all schools and settings in order to make the most effective use of available resources and maximise the impact on outcomes for young people

The system for distributing financial resources will need to ensure that:

- there is a systematic, fair and transparent and graduated system for distributing financial resources across all types of settings which is well understood by providers and aligned with DfE guidance. This system facilitates the decision making and distribution of funding to all settings including:
 - Early years settings
 - Mainstream schools
 - Post-16 providers
 - Resource Bases
 - Special schools
 - Alternative provision
 - Independent and non-maintained provision
- there is a funding continuum which describes how incrementally financial resources can be allocated to a range of children or young people, from those with least need receiving small amounts of high needs top up funding, to those with the most complex needs or in the most complex circumstances receiving higher levels of funding.
- there is adequate funding for early years settings to ensure children get a good start.
- the Notional SEN Budget totalling £161 million which is available to Birmingham's schools is utilised flexibly in order that they can make arrangements for children in their school.
- there is guidance to schools and SENCOs about the types of interventions or arrangements they may be expected to make using this resource.
- there is a system in place for young people without an EHCP, which allows top up funding to be allocated within mainstream schools. This system should be based on the best aspects of the existing funding model for mainstream schools, CRISP (Criteria for Specialist Provision) and the banded funding model for special schools.
- families or young people with an EHCP should be offered a personal budget so that they have increased choice and control over the arrangements that affect their lives.
- there are arrangements for jointly funding placements where health, social care and education are all involved
- there is a system for funding via adult services for young people post-18.

5. CONCLUSION: BIRMINGHAM - A GREAT PLACE TO GROW UP

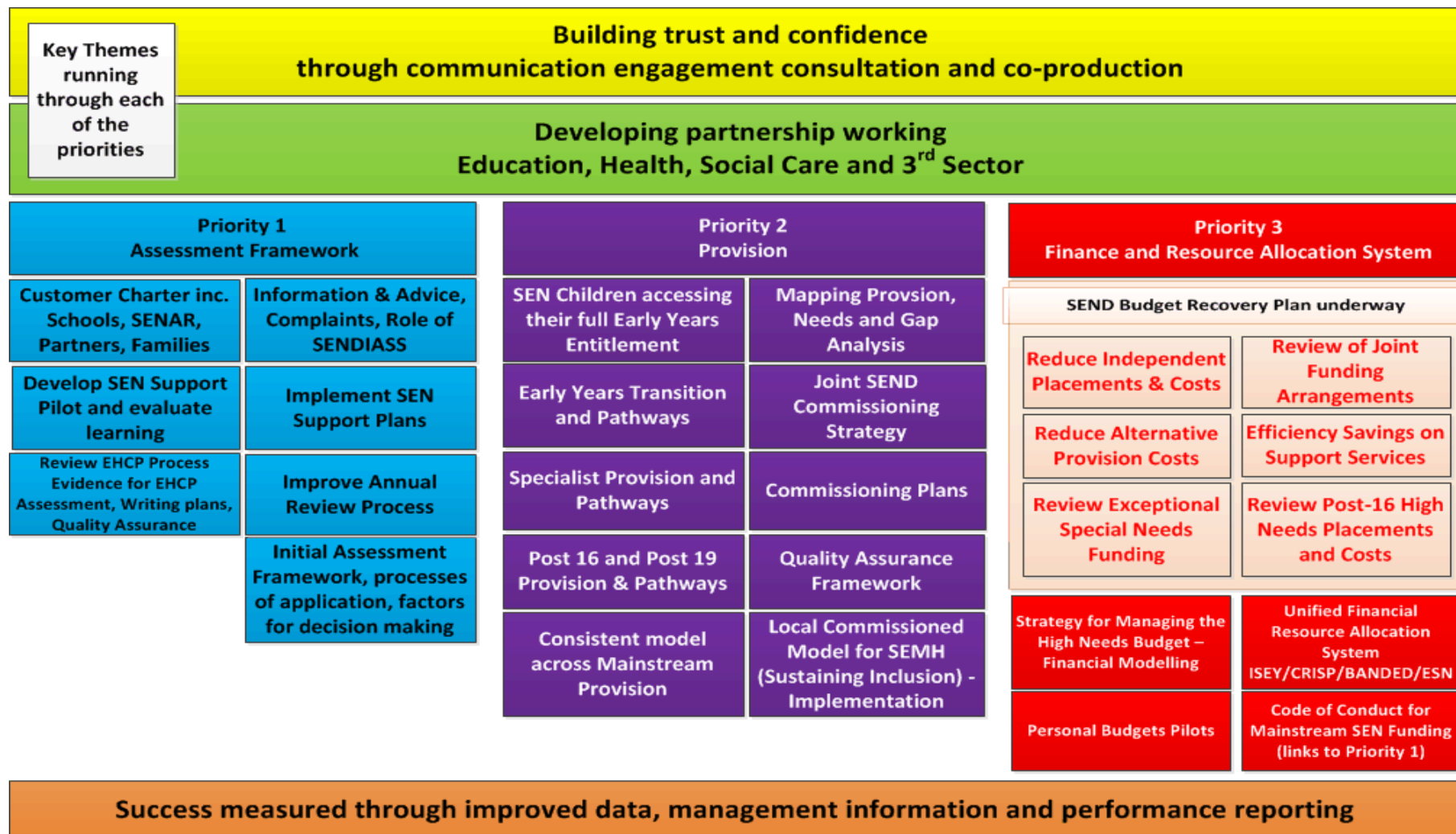
The new approach in Birmingham outlined in this Strategy centres on inclusive practice and the commitment that all children and young people will make a successful journey through our provision into adulthood. It is underpinned by strong principles of raising achievement and working in collaboration with families. This strategy aims to use the available resources effectively and maximise the impact on the lives and adult outcomes of our citizens.

This strategy is written in line with the SEND Code of Practice and the United Nations Convention of the Rights of Persons with Disabilities which states a commitment to *inclusive education of disabled children and young people and the progressive removal of barriers to learning and participation in mainstream education*.

Following a consultation on the draft strategy, this document has been re-drafted to address the concerns of stakeholders. There is now greater emphasis on good communication, partnership working and building trust and confidence. All professionals charged with delivery of aspects of this strategy are committed to embedding these key principles into all the work they do.

As the youngest city in Europe with over 40% of the population under the age of 25, we need a future for all young people ensuring they have the support and opportunities they need as they grow into the future citizens of our city.

6. OUTLINE DELIVERY PLAN – October 2017



7. GOVERNANCE & MONITORING

The Inclusion Commission will continue to oversee the implementation of the Strategy and monitor progress. The SEND & Inclusion Programme Board will meet monthly to ensure delivery of the plan. Working groups will focus on the three priorities and the golden thread of communications, engagement, consultation and co-production and partnership working.

8. INFORMATION ON DATA SOURCES

The Statistical First Release (SFR)

The SFR issued by the Department for Education each year contains information about pupils with special educational needs. This information is derived from school census returns, general hospital school census and school level annual school census (SLASC) returns made to the department in January each year. The SFR for 2017 can be found on the government website through the following link:

<https://www.gov.uk/government/statistics/special-educational-needs-in-england-january-2017>

School Census

The School Census is collected every January and covers statutory school aged children. Further information can be found on the government website through the following link: <https://www.gov.uk/guidance/school-census>

SEN2 Survey

The SEN2 survey takes place every January and covers those individuals for whom the Local Authority maintain an EHCP or Statement, aged 0-25 years old. Further information can be found on the government website through this link: <https://www.gov.uk/guidance/special-educational-needs-survey>

9. APPENDICES TO THE STRATEGY

- Link to consultation report [uploaded to Local offer and Be Heard following Cabinet Decision]
- Link to Detailed implementation plan [under development]

Birmingham's Strategy for SEND & Inclusion Consultation Findings Report

Purpose:

To present the findings of the consultation on the draft Strategy for SEND & Inclusion during June and July 2017.

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1. Executive Summary

1.1 Introduction

The Inclusion Commission was set up in October 2016 to undertake a review of SEND services in Birmingham and develop a draft strategy and implementation plan.

The joint vision developed is *“Every child and young person aged 0-25 with a special educational need and/or disability (SEND) in Birmingham will have the opportunity to be happy, healthy and achieve their fullest potential, enabling them to participate in, and contribute to all aspects of life.”*

Approval to consult on the draft Strategy with key stakeholders, partners and families was granted by the Inclusion Commission on 10th May 2017. The consultation ran from 9th June to 30th July 2017. This summary report gives the key findings and recommendations following the consultation.

1.2 Key Findings

247 people responded to the public consultation online via Be Heard. The table below show the proportion of agreement and disagreement for each of the draft proposals (for the online responses only).

	Overall Agree - Total	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Vision	96.7%	78.9%	17.8%	2.4%	0.8%	0
Mission	93.1%	75.3%	17.8%	4.5%	1.6%	0.8%
Objective 1	78.2%	55.5%	22.7%	17.4%	4.0%	0.4%
Objective 2	94.4%	72.5%	21.9%	3.6%	1.6%	0.4%
Objective 3	80.2%	58.3%	21.9%	10.9%	5.3%	3.6%
Objective 4	90.7%	70.9%	19.8%	7.3%	2.0%	0
Priority 1	79.4%	56.3%	23.1%	10.1%	8.1%	2.4%
Priority 2	94.3%	70.4%	23.9%	4.0%	0.8%	0.8%
Priority 3	84.2%	61.1%	23.1%	11.7%	3.2%	0.8%

In addition to the 247 people who responded on Be Heard, 275 more took part in workshops and more people also had the opportunity to ask questions and express views through various meetings and briefings during the consultation period.

From the comments received either online or in face-to-face meetings, the key findings are the following:

- People consulted agreed on the whole with the direction of travel of the vision, mission, objectives and priorities.

- However, there was a lack of confidence that professionals could deliver the strategy within current resources. While in agreement about the need to work together, there was a lack of belief that organisations could genuinely work in partnership, and recognition that all services are overstretched.
- There was a perception that the strategy is focussed on reducing EHCPs and saving money rather than a focussing on the needs of the child.
- The strategy needs to be clearer about the application of the law – including disability discrimination.

1.3 Recommendations

The following key recommendations are being made in line with the consultation on the Draft Strategy.

Building Trust and Confidence

The re-building of trust and confidence is central to the successful implementation of the strategy. The document needs to be clearer and amended to clarify how this will be achieved. This theme of trust and confidence needs to be a golden thread running through all three priorities and made very explicit in the outline delivery plan and detailed implementation plans.

Partnership working

We need to be more explicit about how we are going to work in partnership and co-commission services as we implement the Strategy and we need to give it greater emphasis within the document.

2. Introduction

2.1 Proposed Approach

Approval to consult on the draft Strategy with key stakeholders, partners and families was granted by the Inclusion Commission on 10th May 2017. The consultation ran from 9th June to 30th July 2017. The key areas being consulted on in the draft strategy are as follows:

VISION

Every child and young person aged 0-25 with a special educational need and/or disability (SEND) in Birmingham will have the opportunity to be happy, healthy and achieve their fullest potential, enabling them to participate in, and contribute to all aspects of life.

MISSION

To implement an efficient and inclusive system where practitioners work with families, children and young people aged 0-25, to develop trust and confidence in order to build genuine and good quality partnerships. This will be achieved by practitioners from all sectors working together collaboratively to deliver the most appropriate local provision and support.

OBJECTIVES

1. We will develop joint commissioning to ensure resources are used fairly and effectively to provide maximum impact on outcomes.
2. We will provide services that ensure the needs of children and young people who have special educational needs and disabilities and their families are at the heart of all that we do. We aim to offer this as locally as possible.
3. It is our aim that all Birmingham mainstream provision will be welcoming, accessible and inclusive, adhering to the SEND Code of Practice, so that they can meet the needs of most children and young people, aged 0-25 who have special educational needs and/or disabilities.
4. We will develop flexible pathways to enable children and young people to access the right provision and services to meet their individual needs at different stages. This will deliver the best possible outcomes, including education, employment and training, as young people move into adulthood.

OUR PRIORITIES

1. Develop a framework of SEND assessment and planning from 0-25 years to enable professionals and partners to meet the full range of individual need and raise achievement
2. Ensure there is a sufficient and appropriate range of quality provision to meet the needs of children and young people with SEND aged 0-25 years and improve outcomes from early years to adulthood

3. Develop a unified resource allocation system to distribute the range of SEND funding across all schools and settings in order to make the most effective use of available resources and maximise the impact on outcomes for young people

2.2 Consulting on the Proposed Approach

The public consultation questions focused on the proposed vision, mission, four objectives and three priorities

The consultation document including the questionnaire can be found at Appendix 1.

2.3 Purpose of this report

The purpose of this report is to feed back the key findings of this consultation to the Inclusion Commission and the SEND Programme Board.

3. Methodology

The general public and interested parties were invited to participate in the consultation. To reach as many people as possible, a range of consultation methods were available.

3.1 Consultation Documents

The draft strategy was provided alongside the outline delivery plan and a set of frequently asked questions.

The consultation summary document and questionnaire were made available in two versions; standard text and easier to read.

The summary document outlined the proposed approach, and highlighted the key areas for consultation, and was designed to support the completion of the questionnaire. The consultation questionnaire can be found in Appendix 1.

The consultation documents were available in a variety of ways including:

- Online at Birmingham Be Heard - all documents were available to the general public via this platform. The web link to this platform was also circulated to a wide range of stakeholders with details of how they could 'have their say'.
- Hard copy print - respondents could request a hard copy print version to complete and return via free-post. Hard copy versions were also shared at events and workshops, through schools and health and social care providers

3.2 Stakeholder Consultation Events

There was a whole variety of professional fora to brief colleagues on the consultation. At some, we were able to actively engage in consultation activity using a workshop format and we also coordinated some specific consultation events for parents and carers, hosted by the Parent Carer Forum.

A list of who we engaged with and in what way (for example Key communication or Workshop) can be seen in the list of Stakeholder Engagement activity on page 29 and 30.

3.3 Publicity

In order to reach as many people as possible, the consultation was advertised through the following channels

- Communications to key stakeholders on Inclusion Commission, SEND Programme Board, SEND Stakeholders group
- Engagement with Young people through Access to Education, Pupil and School Support, Advocacy Matters, Post 16 Transitions Conference
- Posts on the Birmingham City Council Education department 'School Noticeboard'
- Education and social care team meetings, and requests to share wider and support engagement with parents and young people
- Health team meetings, programme boards and the South & City Clinical Commissioning Group Annual General Meeting
- Posts on School and Governor noticeboards,
- Articles in Birmingham City Council Weekly News and Birmingham Bulletin,
- Tweets from Birmingham City Council Corporate Communications and partner agencies
- Facebook adverts from the Parent Carer Forum
- Advertisement on the BVSC website and notifications through their newsletter.

3.4 Analysis

3.4.1 Quantitative Data

As well as the respondents who completed online on Be Heard, all hard copy/paper versions of the questionnaire completed by individuals were entered into Be Heard.

It was evident from some of the answers directly entered by respondents on Be Heard that their responses may have been on behalf of groups of people, but these were treated as individual responses when it came to the quantitative analysis of the Be Heard feedback.

The Be Heard data was extracted onto an excel spreadsheet and the closed questions were analysed to establish what proportion of respondents agreed or disagreed with the Vision, Mission, Objectives and Priorities.

Group workshop data and feedback was not entered onto Be Heard, but was recorded separately, and the quantity of participants was recorded in accordance with attendance lists.

3.4.2 Qualitative Data

For the Be Heard feedback, open questions with qualitative responses were analysed manually to establish particular themes and enable key findings to emerge.

Feedback from group workshops or meetings was recorded on a spreadsheet separately to the Be Heard responses. Due to the nature of the format for workshops and discussions raised, not all the Objectives and Priorities were necessarily covered but these have been added to the appropriate part of the Key Findings section 4.

4. Key Findings

The Key Findings from the consultation in each section are presented as a table of quantitative data about the closed questions from Be Heard, and then key themes from the qualitative feedback from the open questions about why respondents agreed or disagreed and any particular impact raised.

In addition to the 247 people who responded on Be Heard, 275 more took part in workshops and more people also had the opportunity to ask questions and express views through various meetings and briefings during the consultation period.

4.1 VISION

Every child and young person aged 0-25 with a special educational need and/or disability (SEND) in Birmingham will have the opportunity to be happy, healthy and achieve their fullest potential, enabling them to participate in, and contribute to all aspects of life.

Question 1 - Do you support our proposed vision for Birmingham?

Option	Count	%	
Strongly Agree	195	78.9%	96.7%
Agree	44	17.8%	
Neutral	6	2.4%	2.4%
Disagree	2	0.8%	0.8%
Strongly Disagree	0	0.0%	
Not Answered	0	0.0%	
Total	247	100.0%	
Approximately 275+ more people shared their views through group meetings and workshops			

96.3% of responses on Be Heard either agreed or strongly agreed with this vision. This was reflected in the group sessions too, with comments overwhelmingly positive. The very small number of people disagreeing (0.8%) were concerned about the availability of funding or disagreed in principle with the idea of inclusion.

The rights of every child

Many respondents thought this should be the vision for all children and emphasised the importance of inclusion and the rights of all children with SEND.

- *‘This is what we should aspire to for all of our children and there is no reason why our aspirations for our disabled children should be any different.’ (parent)*

Realising the Vision

There were many comments from those agreeing and several who were neutral about the vision who questioned how realistic the vision was and some commented about their lack of confidence in the vision being delivered. There were also comments indicating lack of confidence due to historical failures of implementation

- *“Not always had the confidence in your service in the past.” (parent)*

Funding

A school disagreed with the vision due to funding, stating that backlogs and delays have caused difficulties with cashflow and without this they cannot achieve their wish to be a Resource Base.

- *“Not everything can be inclusive if cost is prohibitive so it is aspirational” (Teacher)*

Partnership Working

There was strong endorsement for the vision among health and social care partners and the need to present a strategy which is not just about education.

- *‘We fully endorse this vision as we see it as appropriately holistic. We are very pleased to see “healthy” specifically mentioned as this ensures that this strategy is not just education focussed.’*

Outcomes and measuring success

There were several comments throughout the consultation about the achievability of the strategy and how to measure outcomes including how ‘happy’ young people are. There were several comments about the need for a clear set of outcomes for all partners to be working to.

Active / Passive voice

SENDIASS suggested the vision could be better expressed in the ‘active’ voice rather than the ‘passive’. The statements that ‘children will’ resonates but there could be the implication that this is an ambition rather than a commitment and that is it somehow something that the children can control.

They also recommended the vision be reworded to put the imperative upon the services and settings of the city to meet the needs of the learners. It should be about more than ‘the opportunity’ being provided but the expectation that:

- *“Schools, colleges and other agencies will work separately and collectively to fulfil their professional obligations to all learners to ensure that every child and young person aged 0-25 with a special educational need and/or disability enabling them to participate in and contribute to all aspects of life. Each child and young person should have an equal opportunity and each professional should commit to parity of provision and not fall short in their endeavours. The city council will enact all meant at its disposal without fear or favour to protect and promote the rights of the learner.” (SENDIASS Board)*

Role of Families and Communities in the vision

The Early Years Forum raised the lack of reference in the vision about how families and communities might contribute towards it, and that there may need to be further detail on this in the plan.

Criteria of SEND and Early Interventions

There were several comments from parents and professionals in Early Years and Early Help Partnership about the need for clarity about identifying children with SEND so the vision and processes do not lean towards those who shout the loudest. There needs to be consideration about how families of children and young people who have not yet had their special educational needs assessed seek support.

4.2 MISSION

To implement an efficient and inclusive system where practitioners work with families, children and young people aged 0-25, to develop trust and confidence in order to build genuine and good quality partnerships. This will be achieved by practitioners from all sectors working together collaboratively to deliver the most appropriate local provision and support.

Question 2 - Do you support our proposed mission for Birmingham?

Option	Count	%	
Strongly Agree	186	75.3%	93.1%
Agree	44	17.8%	
Neutral	11	4.5%	4.5%
Disagree	4	1.6%	2.4%
Strongly Disagree	2	0.8%	
Not Answered	0	0.0%	
Total	247	100.0%	

275+ more people shared their views through group meetings and workshops

93.1% of responses on Be Heard either agreed or strongly agreed with the mission. The responses through the workshops were also generally positive although there was the question of how possible the mission is, particularly given that partnership working has not been done well up to now in Birmingham.

Lack of trust and confidence – Partnership working

Partnership working was the main issue raised in the comments with some respondents saying that Birmingham City Council struggles to work across its own departments let alone with external partners. Others questioned whether there was enough money and resources available to deliver this mission.

- *‘Whilst I strongly agree, this can only work if the partnership working is managed properly and there is consistency in the support to the child.’ (parent/carer)*

2.4% of respondents on Be Heard disagreed or strongly disagreed with the mission. Again, commenters stated that they agreed in principle but were not sure that it could be delivered.

- *‘I am very sceptical about the vision/ mission translating to actual reality. I think it sounds good on paper but can see his cuts to funding have negatively impacted my son and I don't know how this will work.’ (parent/carer)*

This was largely reflected in the group sessions too with a general feeling of lack of confidence that the system could ever work this way.

Vocabulary - Efficient & Inclusive

Use of the word “Efficient” was commented on and there was a debate as part of the Parent Carer events, Early Years Forum and Early Help Partnership Board about its perceived relationship to making savings and whether this was leading the sentiments behind the mission. Other parents saw being “Efficient” as keeping promises and delivering good services on time and were very positive about the use of this word.

SENCOs liked the word “Efficient” and raised comments about the EHCP process taking too long and having to submit second stage educational advice which holds decisions back. There were some

comments that SENAR were not always available to attend meetings, and the lack of cover when they are on holiday causes issues in busy periods like June.

The word “Inclusion” was discussed at the Parent events, including the need for the strategy to include a definition, and debate was raised that it should not follow the word “Efficient” but should be the first word in the Mission.

Partnership working

There were many comments from different practitioners about the difficulties of partnership working, although there was belief/agreement that this was needed at all levels of service provision.

- *‘I believe this is what should happen (everybody working together) to reach the best outcome’ (Health)*
- *“As a statement this seems fine, but how will this be achieved within the context of the ‘lack of trust’ and what is the reason for this? (Early Help Partnership Board Meeting)*
- *‘As a general statement this is great but sadly in real life too many of our young people are not supported and sent from agency to agency without an effective overall outcome for them.’ (Post 16 and 19 Provider)*
- *‘As presented, the 'Strategy for Inclusion' reads as an Education Service proposal or plan. The role of Health, Social Care and Voluntary Sector service 'partners' is missing or underdeveloped. This is illustrated on p.11 of the Strategy, where the 'What can I expect' diagram does not take account of services partnerships (or service support across different phases across 0-25 years). (Individual respondent)*

Application of the Law

SENDIASS Board requested the mission statement should be extended to include a reference to legislation

- *“The obligation to apply the law in respect of SEND is central to our mission”.*

4.3 OBJECTIVE 1

We will develop joint commissioning to ensure resources are used fairly and effectively to provide maximum impact on outcomes.

This means education, health and social care working together and pooling their money to ensure best value and outcomes for children, young people and families

Question 3 - Do you agree or disagree with Objective 1?

Option	Count	%	
Strongly Agree	137	55.5%	78.2%
Agree	56	22.7%	
Neutral	43	17.4%	17.4%
Disagree	10	4.0%	4.4%
Strongly Disagree	1	0.4%	
Not Answered	0	0.0%	
Total	247	100.0%	
275+ more people shared their views through group meetings and workshops			

This was the objective with the lowest agreement rating on Be Heard, due to an increased number of neutral responses at 17.4% and also those disagreeing 4%. Many of the neutral or negative comments were from families and professionals not believing it possible for partners to work together or pool budgets based on current experience, but the comments often indicated agreement with the sentiments of working together.

Partnership Working

Representatives from the Early Help Partnership Board raised the need for a Joint Strategy, with a shared Outcomes Framework which is then commissioned against. There were discussions about the need for the joint commissioning process to be developed so it is fair and also addresses a culture change as well.

There were challenges raised in breaking barriers over what is seen as a Health issue, Education issue or Children's social care. There were also challenges regarding how the infrastructure would look and how to coordinate / oversee and make sure families are not caught in the middle of disagreements between agencies.

- *'Joint commissioning to build capacity for schools (mainstream and special) to support CYPs speech, language and communication needs is essential in order to end the batting back and forth of responsibility between health and education.'* (Health)
- *'Joint commissioning sounds sensible, as long as there is an overviewer who can see the bigger picture and stop petty quarrels between agencies.'* (Parent)
- *'What does/will the infrastructure consist of so all agencies work together?'* (SENCO Networks)

There were comments raised around the necessary governance, and complexity of working with health and other services – many different bodies

- *'What measures will be put in place, who monitors and what is the governing body? Governance is key'* (Early Help Partnership Board)

- *'Many services are 'bought back' / other services eg. Communication and Autism Team are the lender – schools can't buy in all services due to limited budget therefore it is not always possible to involve all the necessary agencies.'* (SENCO Networks)

Early Help & Interventions

- *There is a need to secure better health funding for some children with complex needs and also with autism/ mental ill health. We need commissioning to be applying 'Right Service Right Time' framework for SEN and the principle of most inclusive/normalised support that can effectively meet need.* (BCC staff – non schools)

Departments are over stretched – Capacity of SENAR and Health services

Several comments raised the capacity of SENAR and Health Services to deliver on partnership working, and the need to make sure any new systems make things easier and simplify processes rather than adding layers of additional paperwork.

Pooling budgets

Many families did not understand what this meant, and practitioners in Health and Children's Social Care felt there were many barriers and risks to it being achieved and there was suggestion that alignment of budgets may be more appropriate/achievable.

- *'Children's social care resources will be in the Children's Trust. Children's social care needs to ensure it is carrying out effectively its legislative responsibilities to disabled children and their families. These are primarily about care packages at home and are not education related. This does not require pooled budgets.'* (BCC – non schools staff)

Several neutral or negative responders, both practitioners and families, indicated thought this proposal may be being suggested to disguise budgets being cut, or the act of pooling budgets will lead to a cut in available funding.

Vocabulary - Jargon

There were comments about the use of jargon eg 'Commissioning' and 'Pooled budgets' and an indication of lack of understanding of what these words mean in other comments. There was a suggestion raised as part of the Early Years Forum for a more simple description eg:

- *"Agencies will work together to meet the needs of your child"* (Early Years Forum)

4.4 OBJECTIVE 2

We will provide services that ensure the needs of children and young people who have special educational needs and disabilities and their families are at the heart of all that we do. We aim to offer this as locally as possible.

This means we will talk to you and involve you in planning and decision making.

Question 4 - Do you agree or disagree with Objective 2?

Option	Count	%	
Strongly Agree	179	72.5%	94.4%
Agree	54	21.9%	
Neutral	9	3.6%	3.6%
Disagree	4	1.6%	2%
Strongly Disagree	1	0.4%	
Not Answered	0	0.0%	
Total	247	100.0%	
275+ more people shared their views through group meetings and workshops			

While there was strong agreement with the general direction of the objective with 94% of respondents on Be Heard who agreed or strongly agreed, there was considerable debate about how 'local' might be determined, and there were several examples given where parents did not feel they or their children and families were at the heart of the process when it came to decision making.

- *'Keeping parents involved before problems arise rather than after a problem occurs will create a better environment and mean that the parent trusts the school. A lack of trust is at the heart of most EHCP applications.'* (Parent)
- *'We are the experts on our children and as such should be equal partners in the decision making process.'* (Parent)
- *'I feel this is my right'* (Young person)

What is local?

Much debate about what is meant by 'Local', for example some parents are sending children to school in a neighbouring authority such as Solihull, depending on where they live this could be local to where they live in Birmingham.

There was consensus in the parent groups for placements to be agreed on the basis of the needs and rights of the child to come first over any cost savings through reduced travel.

Travelling too far

There many responses from parents who felt children had to travel too far to get to school, and this impacted family life. Professionals also recognised that some children were travelling too far and this impacted outcomes in school.

Capacity of all services to meet the needs of young people

There were several comments about the effectiveness and capacity of SENAR, and indications there is a lack of understanding about how other services support the different processes involved – including Educational Psychology Service, Pupil and School Support Service and Access 2 Education. There were criticisms of the current systems that can be complex.

There was a suggestion for a better system with Principle Officers which supported face-to-face partnership working and improved understanding of caseloads and individual young people.

There were also questions raised from partners that there was insufficient capacity for example:

- *‘The problem is that health services do not have the capacity to meet parents and attend EHC Planning meetings, which means that families do not have all the professionals around to discuss their child’s needs. I welcome this aspiration but capacity is a massive challenge.’ (Health)*

Decision making

Several comments from Special Head Teachers and Early Years PVI raised concerns about not being listened to as a professional, or feeling involved in decision making – recognising the knowledge of the child from the practitioners who work most closely with them.

4.5 OBJECTIVE 3

It is our aim that all Birmingham mainstream provision will be welcoming, accessible and inclusive, adhering to the SEND Code of Practice, so that they can meet the needs of most children and young people, aged 0-25 who have special educational needs and/or disabilities.

This means you can expect your mainstream local school or setting to make every reasonable adjustment to meet the needs of your children or young people.

Question 5 - Do you agree or disagree with Objective 3?

Option	Count	%	
Strongly Agree	144	58.3%	80.2%
Agree	54	21.9%	
Neutral	27	10.9%	10.9%
Disagree	13	5.3%	8.9%
Strongly Disagree	9	3.6%	
Not Answered	0	0.0%	
Total	247	100.0%	
275+ more people shared their views through group meetings and workshops			

There was a lower agreement rate to this objective compared to others at 80.2%. Within those agreeing and strongly agreeing, most raised concerns about the capacity of mainstream schools and settings to be inclusive, although there was general agreement that all schools and settings should be inclusive and welcoming.

- *'It will help me in that both students and staff will have a greater understanding of my needs and will be able to be more sensitive towards them thereby making me feel more included and improving my quality of education.'* (Young person)

Funding and Training

Funding and training were the two biggest issues raised, with respondents stating that schools and settings did not have sufficient funding to meet the needs of more children and young people with SEND. It was also raised that staff in mainstream schools and settings did not have the right training, particularly for ASC – or enough funding to make them accessible for young people with physical disabilities.

- *'I agree in principle, but teachers desperately need time, training and support to do this.'* (parent)
- *'I want my son to be included and welcomed. I don't want a local mainstream school to take him because they feel they have to. If a school is going to take my son, I want to be confident that they can meet his needs and that they have appropriate training and funding for this.'* (parent)
- *I think ABA (Autism Behavioural Awareness Training) should be offered in schools as I have seen a big difference since I've started it with my child (privately). If the right academic support is given our children can reach the goal of going to a mainstream. (parent)*
- *We would expect more work and stronger partnerships with mainstream schools to provide information and help with transition. We would like to see less exclusions and more outreach work to support schools. More training on behaviour and SEMH needs for Teachers and TAs. More capacity within COBS for network places and social skills programmes / improving behaviour courses as interventions to support children & young people" (Teacher)*
- *'In order to support some children in mainstream schools, we feel that health will need to have a role in training/capacity building and upskilling staff to meet needs. We also feel that it is important to discuss how schools will avoid concentrating resources, focus and effort on SEND children, resulting in potentially poorer outcomes for others.'* (Health)

There was a suggestion that four area bases could be developed for training and development of SEND staff.

Ofsted ratings and monitoring

Several also felt that mainstream schools and settings are under pressure for results and that being inclusive is not recognised in the same way as academic success. This was also raised by parent groups who felt there was too much focus on Ofsted ratings and there is no incentive to be inclusive.

- *'Success of schools should be measured by how well their pupils succeed taking into account their challenges, but also looking at how well adjusted the children are and how happy.'* (parent)

Accountability

There were concerns about accountability and how to ensure mainstream schools and settings are going to be inclusive and what happens if they are not. There were suggestions to develop a system to measure effectiveness, in the form of a 'charter mark' and review all school policies and the reality in practice and then negotiate with the Department for Education about clawing back funding if necessary.

Mainstream vs Specialist Provision

There were comments from respondents agreeing and disagreeing that not all children with SEND are suitable for mainstream schools and it should be recognised that special school provision will always be the right setting for some young people.

Disability Rights and Reasonable Adjustments

Parent Groups thought there needs to be clarity about what 'reasonable adjustments' meant. SENCOs felt there were already many examples of schools going above and beyond reasonable adjustments, particularly in primary schools, but that improvements were needed in secondary schools and good practice needed to be shared. Pupil Support Services echoed this inconsistency across the city.

SENDIASS raised the lack of reference in the strategy to Disability Discrimination legislation, and echoed voices in the Parent Carer workshops that a legally enforceable requirement should not be an 'Aim'. SENCOs felt there wasn't always the right level of priority given to SEND issues within school leadership.

Post 16 - Accessibility for young people with Physical Disabilities

There were comments raised that the Physical Disabilities service is not involved with commissioning services for Post 16 which is a crucial stage in a young person's transition and pathway to adulthood.

Vocabulary

From partners at the Early Help Partnership Board there were comments that "All Mainstream Provision" may not be a phrase easily understood/visualised by those outside Education

4.6 OBJECTIVE 4

We will develop flexible pathways to enable children and young people to access the right provision and services to meet their individual needs at different stages. This will deliver the best possible outcomes, including education, employment and training, as young people move into adulthood.

This means we will regularly review the type of provision that can best meet the needs of a child or young person and work with you to agree the best placement throughout the child or young person's education.

Question 6 - Do you agree or disagree with Objective 4?

Option	Count	%	
Strongly Agree	175	70.9%	90.7%
Agree	49	19.8%	
Neutral	18	7.3%	7.3%
Disagree	5	2.0%	2.0%
Strongly Disagree	0	0.0%	
Not Answered	0	0.0%	
Total	247	100.0%	
275+ more people shared their views through group meetings and workshops			

The overwhelming majority of respondents agreed with this objective with only five respondents on Be Heard disagreeing.

- *'I agree with any policy objective that allows my child access to the most appropriate provision to help him succeed in life' (parent)*
- *'Regular reviews are vital to ensure the provision for a child is still suitable as things change all the time with children with SEND.' (parent)*
- *'I support the objective, but personal experience calls into question your ability to deliver.' (parent)*

Vocabulary

There were some negative comments on Jargon – from both parents and professionals particularly about 'flexible pathways' and this requires more explanation.

Annual Reviews

Most respondents commented on the importance of regular reviews but questioned how frequently – ie too frequently and this could be disruptive, and the need also to have the right people present. There were several examples raised where Health and/or SENAR were not present for reviews.

Several mentioned that increased involvement from Health would improve the quality of these reviews, and at the Birmingham Early Help Partnership Board there was discussion about the importance of raising the quality of reviews and monitoring consistency.

Some respondents raised concerns about the potential disruption to children and young people in settled placements if they were to be moved to a different one, the need for well-planned transitions. They felt families should be completely involved in all these decisions, Pupil and school support felt a successful flexible pathway would be dependent on the ability of mainstream schools and settings to be inclusive (ie Objective 3), and the reviews need to be more rigorous.

Transitions

There were some concerns raised from parents that the Transition process and moving from Early Years to Primary, Secondary and then Post 16/19 needed to be managed the best way for the child

- *'So long that if a change of placement is agreed the move is done in a manner that gives the child time to adjust to the transition, yet doesn't keep everyone hanging around too long without provision.'*

Educational Psychology services felt that to improve transition there should be better links with post 16 services and further education services.

Post-19 Transition and Adult Services

Special Head Teachers raised that the Post 19 Transition had been very poor this year, with specific issues raised about sharing data between children's and adults' social care services. There were also comments in the consultation about plans being started too late prior to turning 18.

Outcomes

Several respondents stated that they felt the outcomes mentioned in the Objectives were too focussed on education and they felt more vocational outcomes to assist with the transition to adulthood would be better.

- *We would like to see health outcomes explicitly included here. There needs to be more robust arrangements for health input into annual reviews if this is going to work. This would need to be lean and deliverable.'* (Health)

There were also concerns raised about the flexible pathway that could be used as a way to save money with many respondents emphasising that the needs of the child and young person should be paramount – this was particularly echoed at the parent workshops.

PRIORITY 1

Develop a framework of SEND assessment and planning from 0-25 years to enable professionals and partners to meet the full range of individual need and raise achievement

This means you can expect teachers and professionals to plan and effectively meet your child's special educational needs, including accessing extra funding, without always needing an Education Health and Care Plan.

Question 7 - Do you agree or disagree with Priority 1?

Option	Count	%	
Strongly Agree	139	56.3%	79.3%
Agree	57	23.1%	
Neutral	25	10.1%	10.1%
Disagree	20	8.1%	10.5%
Strongly Disagree	6	2.4%	
Not Answered	0	0.0%	
Total	247	100.0%	
275+ more people shared their views through group meetings and workshops			

79% of respondents agreed or strongly agreed with this Priority, and the balance of neutrality and disagreement was slightly higher than the other 2 priorities.

Perception this priority is about denying access to EHCPs

From the feedback it was apparent this is partially due to understanding that this priority is about denying access to EHCPs or that EHCPs are the only way to get the support a child needs.

- *'I am extremely concerned this policy will be used to reduce the number of EHC Plans. I can already see and hear a desire to reduce them and this is unacceptable. If a child needs support they must have it.'* (parent)
- *'I think the EHCP is needed to protect the child and ensure there is a framework of provision which is monitored and outcome based.'* (parent)
- *'It has helped my children to have an EHCP to get the provision and or support they need, I don't believe this would happen without the plan.'* (parent)
- *'Not going through the stress of applying for an EHCP will always be a benefit however schools need to realize that without one parents feel they have little or no power to get schools to instil any of the SEN support.'* (parent)
- *'If inclusion is problematic, then restricting access to EHCPs is not a logical solution to this issue.'* (SENDIASS)

SEN Support plans

In the Parent Workshops, there was initial concern this priority was about denying EHCPs but on further discussion there was positive feedback when discussing with parents SEN Support plans and the graduated approach, and acceptance that this priority was not about getting rid of EHCPs or denying them to children who need them.

There was also general agreement from practitioners that there needed to be a better system for monitoring SEN Support where young people had been assessed but were not eligible for an EHCP.

Capacity of SENAR

There were several comments from schools and parents about SENAR not fulfilling part of the bargain around Annual Reviews and suggestions it can take up to 11 months for IT systems to be updated.

There appears to be a perception that SENAR is the only department who can support children and families and there was a lack of understanding about how other teams and practitioners support this process.

Vocabulary

The wording of the priority may be too education focused.

- *'We do not like the word achievement here, as we feel that this is too education focussed and would like the focus to remain on contribution and participation in all aspects of life rather than academic achievement alone. We also feel that there needs to be a specific mention of health here in terms of individual need i.e. educational, social and health need.'* (Health)

4.8 PRIORITY 2

Ensure there is a sufficient and appropriate range of quality provision to meet the needs of children and young people with SEND aged 0-25 years and improve outcomes from early years to adulthood

This means we will ensure there are enough good placements available in Birmingham for children and young people of all ages 0-25 to meet all levels of need.

Question 8 - Do you agree or disagree with Priority 2?

Option	Count	%	
Strongly Agree	174	70.4%	94.3
Agree	59	23.9%	
Neutral	10	4.0%	4.0
Disagree	2	0.8%	
Strongly Disagree	2	0.8%	1.6%
Not Answered	0	0.0%	
Total	247	100.0%	
275+ more people shared their views through group meetings and workshops			

There was strong agreement with the direction of this priority and comments indicated awareness of insufficient provision currently, in particular areas like special schools or resource bases, and post 16 or post 19. The effect of budget cuts mean it is difficult for professionals to sign post families to services when they don't always exist in the area.

- *'As the second largest city and largest LA, Birmingham should be able to provide the breadth of provision required at a standard required - and so not need to send children out of area.'* (Health professional)
- *'I agree, but doubt it will be adequately funded.' 'How will you achieve this with a reduction in finance?'* (parent)

Impact of budgets cuts on services

There were comments on the impact of budget cuts including the Adult Education Service which used to provide Basic English and Maths classes to support young people up to 24 years old. Lack of suitable respite care and short breaks has impacted parents and family life.

Child minding

The parent events requested any review of provision needs to include child minding. This can be costly and also lack of expertise and availability impacts parents capacity to work and family life.

Areas referenced that need more provision

- SEMH – lack of provision in the North and consideration of residential options.
- Autism – residential facility within Birmingham Special Schools
- Support for parents if they are educating at home – eg training
- Special and resource provision

4.9 PRIORITY 3

Develop a unified resource allocation system to distribute the range of SEND funding across all schools and settings in order to make the most effective use of available resources and maximise the impact on outcomes for young people

This means we will develop a system to give funding to schools and settings, based on individual needs of children and young people, and make sure we can clearly see the difference the money has made.

Question 9 - Do you agree or disagree with Priority 3?

Option	Count	%	
Strongly Agree	151	61.1%	84.2%
Agree	57	23.1%	
Neutral	29	11.7%	11.7%
Disagree	8	3.2%	4.0%
Strongly Disagree	2	0.8%	
Not Answered	0	0.0%	
Total	247	100.0%	
275+ more people shared their views through group meetings and workshops			

84% of respondents either Strongly Agreed or Agreed with this priority, and welcomed a need to review the current funding arrangements.

There was also evidence of some misunderstanding in those who disagreed with this priority that the intention through the distribution of funding was the leading to an expectation that all schools and settings should be able to meet the needs of all children with SEND.

While largely in agreement and welcoming a system which distributes resources based on the needs of the child, there was lack of understanding about 'how' it would be achieved and discussion on the need for careful implementation and some of the following themes emerged in the comments.

Accountability/Transparency

There is a need to be transparent regarding how the money is allocated and spent, schools and settings should be held accountable for how the funding is used (including SEN Notional funding although this isn't statutory).

Feedback from the parent groups indicated strong support for improving transparency around how schools spend their SEN Notional Funding and there could be support levered through governors.

SENDIASS raised points that the Strategy contains very limited information about available finance despite one of the priorities being about finance.

Bureaucracy

There was agreement for the resource allocation system as long as it doesn't impact negatively on workloads or cause increase bureaucracy and has clear processes and criteria.

Funding criteria

Funding systems need to be transparent, and based on pupil needs and outcomes. There was a common agreement with CRISP being out dated and not fit for all needs, including ASC/ADHD and mental health.

Some comments from schools raised the lack of fairness because CRISP as a system needs to be purchased. Physical disabilities support service requested being involved in helping to set funding levels for larger packages.

Alternative systems

The response from SENDIASS accepted the spirit of the third priority but also asked for alternative systems to be considered, and benchmark against other authorities. There could be a potential to reorganise funding towards settings with them required to 'pay for' additional support when they ask for help as opposed to 'access additional funds' (example given Bridgend Council in Wales)

Budget Cuts

A common theme through those who disagreed or where neutral the expectation this activity will result in cuts to funding and services. A teacher raised concern that there was insufficient understanding about the impact of changes to funding systems where schools were already using their own funding to support SEN.

4.10 Question 10 – Additional Comments from Be Heard respondents

Responses in this section included many general comments agreeing with the principles laid out previously in the strategy, the need for change and desire to succeed. There were also several comments which indicated a lack of confidence or trust in the council and partners to deliver.

Additional ideas and suggestions not already captured in previous feedback are detailed below:

- ICT – There was a comment about the need to consider use in schools, particularly for young people with physical disabilities, and it is not clear who funds this. Another comment indicated the electronic filing and file sharing used by services has had a negative impact on processes.
- Degenerative conditions – for these young people there is a need to implement the EHCP in advance of when they need it to avoid un-necessary delays.
- Process for Out of Borough Schools – There was a positive comment about the new system of having a named Principle Officer in SENAR and a single point of contact.
- Support for Parents – There was a suggestion to use funding to enable parents through training so they can support children in the home. There was praise for the Parent Carer workshops which are currently taking place. Also a suggestion for more city-wide networking opportunities for parents similar to those previously organised by SENDIASS.
- Transition to adult services – difficulties identified here when plans are completed too late.
- Links to Early Years and Health & Wellbeing programmes need exploring.
- Provision – Work experience and work placements, and also travel training.
- Understanding the Pathway – Suggestion that a check list for parents would be useful to help navigate their way.
- How to support families where English is not the first language – There were difficulties raised around accessing services.
- National Policies or activities beyond the control of this Strategy – including: The difficulties of schools converting to academies; linking SEND Funding to deprivation levels; also asking for reversal of local policy about the Family Information Service / CASS.
- Transition post-25 – more information about how this links to adult services.
- Complex vulnerable children – consider young carers, looked after children, children in need.
- Mental Health – suggestion for all schools to provide mental health and pastoral care provision.
- Partnership working – process to include Health and Social Care working locally in clusters to prevent double hand-offs.

4.11 Other Comments on Accuracy of the Strategy

Data

There were comments from a variety of sources including SENDIASS and the Scrutiny Committee about the validity of data provided in the draft strategy.

The multiple sources of SEN data and complex ways it is recorded means there is great difficulty in presenting a clear picture and because the different sources of information may include different cohorts, it is difficult to present clear comparisons.

An additional issue has been highlighted with the data in that the information submitted for SEN2 was incorrect and did not include the young people going through transition from Statements to EHCPs. This has been raised by SENAR with Department for Education to establish an impact.

Special School Provision

There were comments raised with regards to the accuracy of the map on page 9 regarding Special School provision, which are being addressed.

4.12 Who responded

Be Heard online responses – Total 247

What is your interest in the consultation?

A - Are you...

A Child, young person or adult up to 25 years, with a special educational need and/or disability	16
--	----

B - Children filling in consultation form

Age range	Count
Age 0-4	0
Age 5-10	4
Age 11-15	4
Age 16-18	6
Age 19-25	1
Sub Total	15
Not Applicable	233
Total	248

C - Parent Carer filling consultation form: age range of children in family

Age Range	Count
Age 0-4	11
Age 5-10	40
Age 11-15	37
Age 16-18	17
Age 19-25	18
Sub Total	123
Not Applicable	161
Total	284

Consultation responses

Age bands ticked	Count
1	62
2 or more	25
Total	87

D – What Types of special educational needs or disabilities apply to your family?

SEND Condition	SEND boxes ticked
Specific Learning Difficulty	21
Cognition & Learning Difficulty	28
Profound & Multiple Learning Difficulty	8
Social, Emotional & Mental Health	30
Speech Language & Communication Needs	27
Hearing Impairment	12
Visual Impairment	8
Multi-Sensory Impairment	6
Physical Disability	14
Autistic Spectrum Condition	58
Other	21
Total SEND conditions	233
Total Forms	91

E - Are You?

Categories	Count
Birmingham City Council employee (Non Schools)	26
BCC employee (Non Schools) Teacher or School Staff	10
Councillor or MP	1
Health Provider	5
Teacher or schools staff	79
School governor	29
Early Years Provider	7
Post 16 Education Provider	2
Post 19 Education Provider	2
Post 16 & 19 Education Provider	2
Private or voluntary provider	12
Member of the Public	7
Other	9
Not Answered	58
Total	247

Other
Special needs consultant
College Lecturer
FE College Staff
Physical Difficulties Support Service
Southern-Monkton

Kwok
NHS Speech and Language Therapist
Academic with an interest in special educational needs and disability (SEND) policy
Response on behalf of Birmingham Careers Service (Part of BCC)

Stakeholder Engagement (in chronological order)

Engagement activity	Type	Date	Numbers
Young People – engagement via CAT Team, Advocacy Matters, Parent evenings, Post 16 YP conference,	Face to face	Various through June/July	16
BCC Education Comms – School Noticeboard and Social media	Various	Through June/July	n/a
SEND Stakeholders Group (mixed Stakeholder group)	Meeting	07/06/2017	8
Post 16 Opportunities Partnership (workshop)	Meeting / Comms	12/06/2017	10 – plus circulated to all forum
Community Paediatric consultant meeting	Meeting / Comms	12/06/2017	10 approx
Head Teachers Briefings	Meeting / Comms	13/06/2017 & 15/06/2017	200+ attended, circulated to all HT (450+)
Early Years Forum	Workshop	13/06/2017 & 18/07/2017	15 + 17
Special Heads Conference	Meeting / Comms	14/06/2017	30
SENCO Networks – 6 workshops in June & July	Workshop	13, 14, 15, 20, 21, 22 June	180 (30 x 6)
Birmingham Children's Hospital - Internal SEND group	Meeting / Comms	15/06/2017	10
SENDIASS	Meeting / Comms	19/06/2017	8
Post 16 Forum - 21 June 9.30-11.30	Workshop	21/06/2017	10 + email to forum
Overview & Scrutiny Committee	Meeting / Comms	12/07/2017	10
MPs & Councillors workshop (additional workshop)	Meeting / Comms	14/07/2017	1 + emailed to all Cllrs/MPs
Secondary Forum 29 June 1-3pm	Meeting / Comms	29/07/2017	15 approx
Parent Carer Forum – 3 workshops plus social media	Workshop	5 th , 6 th and 13 th July	33

Resource Bases	Meeting / Comms	05/07/2017	15 approx
Special Heads Forum	Meeting / Comms	10/07/2017	20
Birmingham Early Help Partnership Forum	Workshop	10/07/2017	20
Primary Heads Forum	Meeting / Comms	12/07/2017	30 approx
Children and Young People Programme Board - 18th July 1-3pm Bartholomew House, Hagley Road	Meeting / Comms	18/07/2017	10
South & City CCG AGM – Conference with Health, Social Care, Voluntary Sector, Public	Information Stall	26/07/2017	150+

Equality & Diversity - Analysis of responses on Be Heard

Which age group are you?		
Age	Count	%
0 - 4	1	0.4%
16 - 18	4	1.6%
19 - 25	5	2.0%
26 - 29	4	1.6%
30 - 34	14	5.6%
35 - 39	30	12.1%
40 - 44	41	16.5%
45 - 49	40	16.1%
50 - 54	40	16.1%
55 - 59	23	9.3%
60 - 64	19	7.7%
65 - 69	3	1.2%
70 - 74	2	0.8%
75 - 79	1	0.4%
80+	1	0.4%
Not Answered	20	8.1%
Total	248	100%
What is your sex?		
Gender	Count	%
Female	184	74.2%
Male	38	15.3%
Not Answered	26	10.5%
Total	248	100%
What is your sexual orientation		
Orientation	Count	%
Bisexual	3	1.2%
Gay or Lesbian	2	0.8%
Heterosexual or	176	71.0%
Other	2	0.8%
Perfer not to say/ Not answered	65	26.2%
Total	248	100%
What is your religion?		
Religion	Count	%
Buddhists	3	1.2%
Christian	119	48.0%
Muslim	18	7.3%
No Religion	71	28.6%
Not Answered	29	11.7%
Sikh	4	1.6%
Atheist	1	0.4%
Mixture of religions	1	0.4%
Pagan	1	0.4%
Spiritualist	1	0.4%
Total	248	100%
What is your ethnic group?		
Ethnicity	Count	%
White	192	77.4%
Mixed	7	2.8%
Asian/ Asian British	20	8.1%
Black African, Caribbean or Black British	9	3.6%
Other	2	0.8%
Not Answered	18	7.3%
Total	248	100%
Do You Have a physical or mental conditions or illnesses lasting or expected to last for 12 months or more?		
Response	Count	%
Yes	48	19.4%
No	156	62.9%
Perfer not to say/ Not answered	44	17.7%
Total	248	100%
If Yes, do any of these conditions or illnesses affect you?		
Condition/illness	Count	%
Vision	4	4.9%
Hearing	6	7.4%
Mobility	17	21.0%
Dexterity	7	8.6%
Learning, understanding or concentrating	2	2.5%
Memory	3	3.7%
Mental Health	18	22.2%
Stamina, breathing or fatigue	9	11.1%
Socially or behaviourally	8	9.9%
Other	7	8.6%
Total	81	100%
Single or Multiple conditions or illnesses		
Condition/illness	Count	%
Single condition/ illness	29	60.4%
Multiple conditions or illnesses	19	39.6%
Total	48	100%

5. Conclusion

It is clear from the consultation responses that while the general direction of travel of the Strategy is agreed with, there is doubt about the way it will be implemented, the amount of funding and resources available and feeling that we have been here before and made no progress.

There was a real lack of confidence that Education, Health and Social Care could genuinely work collaboratively and in partnership to offer a joined up service to families with shared outcomes.

From the different types of engagement and communications, face-to-face facilitation yielded far better information and feedback to inform the strategy.

With regards to the high level outline plan, with such a complex subject there was difficulty articulating feedback on this through the online consultation. Comments indicated respondents were sometimes uncertain about what was being asked and while there was broad agreement with the sentiments of different elements from the vision to the priorities, any further comment on impact was difficult to establish.

There were a number of references to better training and awareness there may need to be some consideration about how a training and development programme could support practitioners, parents and young people and the wider community

There were a lot of respondent who wanted more detail about levels of funding and provision, which are not available at this stage – this detail will only be developed through the implementation of the strategy.

6. Recommendations

The following key recommendations are being made in line with the consultation on the Draft Strategy

Building Trust and Confidence

The re-building of trust and confidence is central to the successful implementation of the strategy. The document needs to be clearer and amended to clarify how this will be achieved. This theme of trust and confidence needs to be a golden thread running through all three priorities and made very explicit in the outline delivery plan and detailed implementation plans.

Some of this activity has been identified previously as part of the outline delivery plan and this work needs to be completed with some urgency.

- Development of a robust Customer Charter for parents, and young people, co-produced with partners in education, health, social care and third sector/community services.
- Information and advice available to parents, mediation processes, complaints processes and the role of SENDIASS.
- Code of Conduct for Notional SEND funding – building an inclusive and accountable culture.
- Developing a pilot for SEN Support Plans which is credible and inspires parent and practitioner confidence that needs can be met – using co-production.

- Sharing good practice in all settings and collecting ‘good news’ stories and celebrating student’s successes – acknowledging the feedback about poor experiences and services but balance this with recognition of where good and excellent practice exists.

Additionally –

- Ensuring everyone is on message. This is not about denying children’s right to an EHCP or simply about making savings but rather about building a sustainable inclusive and effective system.
- Improving communications between key stakeholders health, social care, partners and the community , using the Local Offer
- How to build co-production and engagement with young people through a new Young Person’s SEND forum
- Work with Parent Carer Forum to increase engagement and co-production activity with a wider range of parents.
- Reviewing SENAR to improve the customer experience, eg building capacity, responding to requests in a timely way, and working with partners.
- Review the role of SEN Support Services to build capacity and belief within the mainstream settings.
- Develop a scorecard and regularly publish progress against key performance indicators

Partnership working

We need to be more explicit about how we are going to work in partnership and co-commission services as we implement the Strategy and we need to give it greater emphasis within the document.

Some activity highlighted in Chapter 3 of the SEND Code of Practice will help us to achieve this

- Delivery of Joint Strategic Needs Assessment (through the Health & Wellbeing Board)
- Delivering a Joint SEND Commissioning Strategy
- Development of a shared Outcomes Framework – including Strategic Level, Service Level and Individual Plans

There is also a need to explore links to other programmes in Health – ie STP and TCP and also Health & Wellbeing

All of this will need to be explicit within the Outline Delivery Plan and detailed Implementation Plans, and will need to demonstrate how this will be achieved through the three priorities of Assessment, Provision and Finance & Resource Allocation. This must be developed by Health, Social Care, and Education colleagues working collaboratively.

Draft Strategy for SEND & Inclusion (Dated 9th June 2017)



Birmingham Draft
Strategy for SEND an

Outline Delivery Plan (Dated 9th June 2017)



SEND - Outline
Delivery Plan - June 2

Consultation Document (including Questionnaire)



Consultation
Document - SEND an

Easy Read Version of Consultation Document



Easy Read
Consultation Docume

FAQs



Frequently Asked
Questions v2.pdf

Birmingham's Strategy for SEND and Inclusion 2017-2020

Making a positive difference for
all our children & young people



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FOREWORD

I am delighted to introduce Birmingham's Strategy for SEND (Special Educational Needs and/or Disability) and Inclusion 2017-2020. This has been produced by the Inclusion Commission, set up by the City Council in 2016 to improve the services for these children and young people.

We have set out our Vision of what we seek to achieve, our Mission stating how to do this and the Strategy which outlines the actions we will take to achieve this. A key feature of the Mission is a commitment to work in partnership to achieve the high quality provision that Birmingham's children, young people and their families deserve.

You are invited to contribute to the consultation taking place over the summer term in order to gather the views of stakeholders, including parents, children and young people and a wide range of professionals and practitioners. The Inclusion Commission will receive feedback in September 2017 to inform the final strategy and detailed plan of how it will be implemented.

Please take part in the consultation because we really want to hear your views.

Yours sincerely



Professor Geoff Lindsay FBPSS, FAcSS, HonMBPsS
Chair, Inclusion Commission

"Every child and young person aged 0-25 with a special educational need and/or disability (SEND) in Birmingham will have the opportunity to be happy, healthy and achieve their fullest potential, enabling them to participate in, and contribute to all aspects of life."

1. INTRODUCTION

1.1 BACKGROUND AND PURPOSE

Following the introduction of the Children and Families Act in 2014 and the Special Educational Needs & Disability Code of Practice: 0-25 years in 2015, Birmingham has implemented a range of new identification and assessment procedures to ensure that the needs of its most vulnerable children and young people are identified and met appropriately. Birmingham has many strengths including:

- Identification of special educational needs in the early years
- High quality Special Schools who work well with health and social care services
- Good outcomes for young people with SEND at aged 16 and 19
- Good quality of education support services
- A multi-agency panel to plan provision for complex cases
- High quality Special Educational Needs Co-ordinators (SENCOs)
- Meeting the national timelines for Education Health and Care Plans (EHCPs) and transfers.

Implementing the Government's SEND reforms in our large diverse city has been very challenging, and despite the strengths identified, there are still significant areas of work to address. The whole system has been under great strain and it has been challenging to try to meet deadlines and deliver within the allocated budget. Key roles in SEND have been covered on an interim basis and trying to integrate with health and social care while they undergo their own organisational change has been difficult.

Birmingham City Council members and officers have identified the need for a root and branch review of the city's approach to making provision for children and young people with SEND. As a result, Birmingham City Council established an Inclusion Commission in October 2016 to explore the effectiveness of current arrangements in the City for children and young people with SEND across the 0-25 age range. The membership of the Inclusion Commission has included representatives from early years settings, mainstream schools and colleges, resource bases, specialist providers, independent non-maintained schools and independent specialist colleges. Following this a new strategy for SEND and Inclusion has been developed, supported by an outline delivery plan.

1.2 SPECIAL EDUCATIONAL NEEDS AND DISABILITY IN BIRMINGHAM

Numbers of Pupils with Special Educational Needs in Birmingham Schools (Source: School Census –2016)

As of January 2016 the number of pupils with special educational needs in Birmingham schools was **34,855** – a slight rise on 2015 levels of 34,707. This is in contrast to England as a whole which saw **5%** reduction in numbers between 2015 and 2016.

6,611 of school pupils have a statement of special educational needs or an Education Health and Care Plan (EHCP). This is an increase since 2015, but remains equal to 3.2% of the total pupil population. 28,244 pupils are on SEN support. This is equal to **13.7%** of the total pupil population. Overall 17% of the Birmingham pupil population have a special educational need, compared to 14% nationally.

Statements of Special Educational Needs and Education Health & Care Plans (Source: SEN2 return 2016)

There were **5,475** statutory EHCPs and **1,950** statements maintained by the local authority at January 2016. This gives a combined total of **7,425**. The combined total of statements and EHCPs has increased each year since 2010. Unvalidated data for 2017 indicates this has risen again to 7,612. However this does not include 700 to 800 individuals who are known to be transferring from a SEN Statement to an EHCP and therefore the total figure is significantly higher. Part of this increase will also be due to the extended age range of the young people to between 0-25 years in 2015.

Birmingham, as the largest urban local authority, has the largest volume of children and young people with a Statement or EHCP of all the main cities in England – more than **2.5 times** the next nearest which is Manchester (2,600).

There were **1,039** new EHCPs made during the 2016 calendar year - a rise on 2015 levels (915).

Please note that this comparator data refers to DfE statistical releases based on data in January 2016. Comparator data for January 2017 is released July 2017 and will be included in the final strategy. Also note the multiple sources of data - both school census and SEN2. School census covers statutory school aged children, whereas the SEN2 covers those individuals for who the Local Authority maintain an EHCP or Statement, aged 0 to 25.

Provision (Source: Local Ofsted Tracking)

There are currently **27** special schools in the city, and **42** resource bases within mainstream provision. Resource bases provide specialist teaching alongside the opportunity for integration into mainstream classes. There are **27** Local Authority nurseries and over **1,500** private early years providers.

81% of Special schools are outstanding, and **77%** of SEN children overall are attending good and outstanding schools

Placements (Source SEN2 return SFR17-2016)

Of the 7,425 EHCP and Statements that the Local Authority maintained in January 2016, **50.1%** were placed in either Maintained Special schools (41.3%) or Academy Special schools (8.8%). This was much higher than the national proportions of **39%** (31.8% in a Local Authority Maintained Special and 7.2% Academy Special schools). Despite a large special school provision in Birmingham, there were still approximately **5%** of children with an EHCP placed in the Independent Sector. There is a lack of places available to meet demand in our Special Schools and while some of these students may have very complex needs, there may be others who could have their needs met more cost effectively in Birmingham setting, if capacity was developed. Approximately **8%** of young people with Statements or EHCPs are in placements out of the city.

Finance (Source: BCC Finance)

The High Needs Budget, which funds special schools places, top-up funding for pupils in mainstream and SEN services is **£144m**. Birmingham had a deficit of £9m for the year ending 31st March 2017 which it is planned to fund over 2017/18 and 2018/19. Any in year deficit in 2017/18 will compound the situation. Mainstream schools receive **£161m** notional SEN funding to meet the needs of pupils with SEN across the city. Currently different settings and sectors are funded in very different ways.

Post 16 (Source: 2017 SEN2 return and Insight, Jan 2017)

17% of young people aged 16-25 who are known to the city council have an identified special educational need. Of the 16-18 age group, **26%** of those who are currently not in education, employment or training (NEET) have a special educational need. The vast majority are in the SEN Support group.

Young people aged 16-25 years old account for **27%** of the current EHCPs.

School Transport (Source: BCC local data)

We provide school transport arrangements to over 4,500 young people, mostly in the form of specialist mini-buses or taxis, using over 45 externally commissioned transport providers, visiting over 300 schools at an annual cost of £18m including guides and an average annual cost of approximately £4600 per pupil.

Total Statements and EHC Plans - (SEN2 RETURN Jan 2017)

Statements and Education Health and Care Plans in Birmingham - (0 to 25years old)

7,612

5,224 (EHCPs)

2,388 (Statements)

+ an additional 700 – 800 who are transferring

SEN in Schools – January 2017 School Census (not including Alternative Provision)

Pupils in Birmingham Schools with SEN

• Total	34,531
• LA Nursery	580
• Primary	18,780
• All-through	746
• Secondary	9,607
• PRUs	563
• Special	4,255

Total EHCP/Statements in schools

• Total	6,483
• LA Nursery	36
• Primary	1,305
• All-through	94
• Secondary	972
• PRUs	19
• Special	4,057

Early Years – Academic Year 2016/17 Autumn and Spring Term

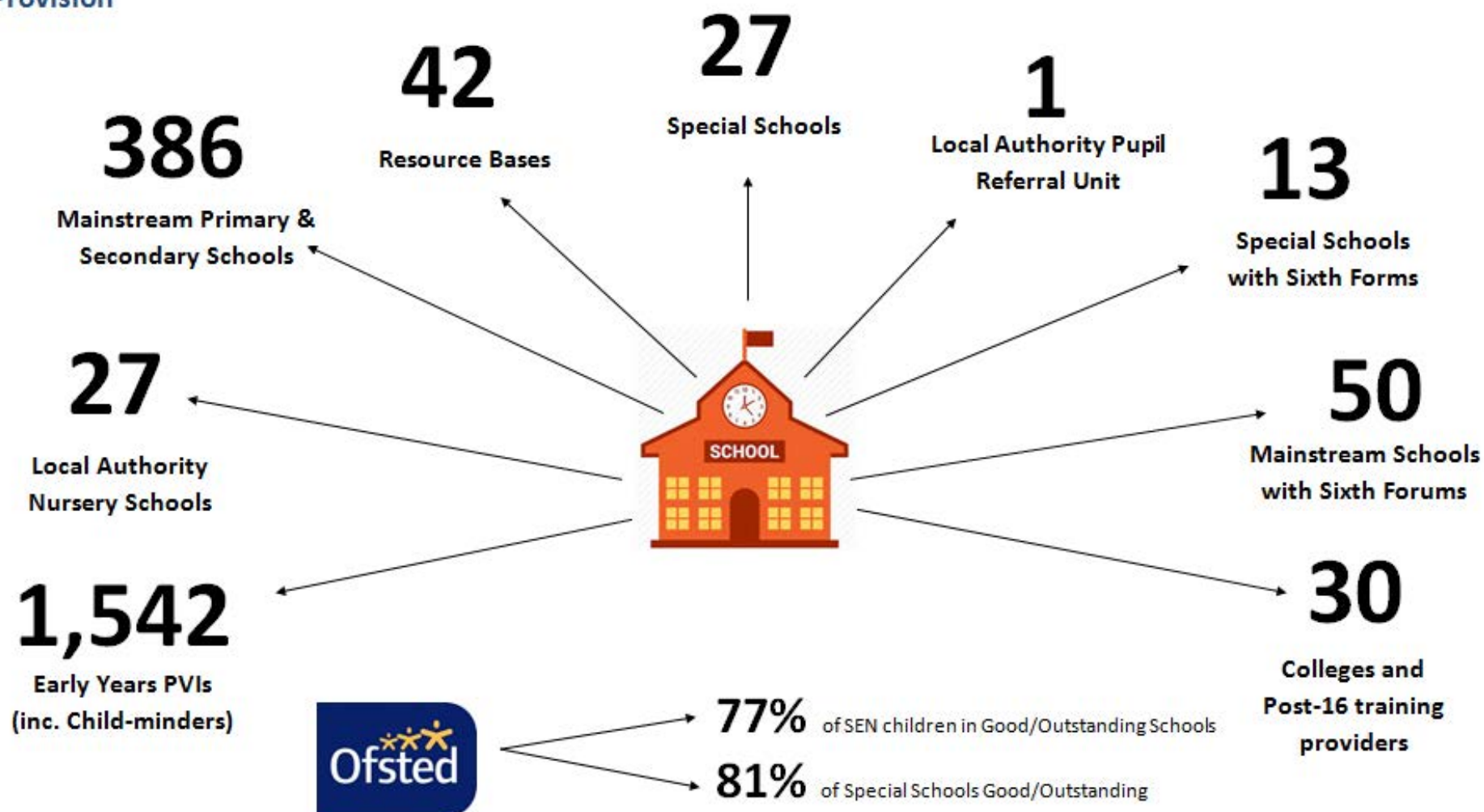
- **414** accessing ISEY (Inclusion Fund)
- **300** with SEND require special educational support at home before they access any early years provision
- **165** children with sensory impairments requiring SEND support at home before they access Early Years provision
- **89** children with sensory impairments accessed their Early Education Entitlement in mainstream nursery settings
- **285** 2 year olds with SEND accessed their Early Education Entitlement
- **918** 3/4 year olds with SEND accessed their Early Education Entitlement

Post 16 (Tracked Cohort 16 -25)

Total SEN in Birmingham Schools

- **17%** of current “tracked” post16 cohort have a special educational need or disability
- **26%** of those not in education employment or training have a special educational need or disability

Overall Special Education Needs **Birmingham**
Provision

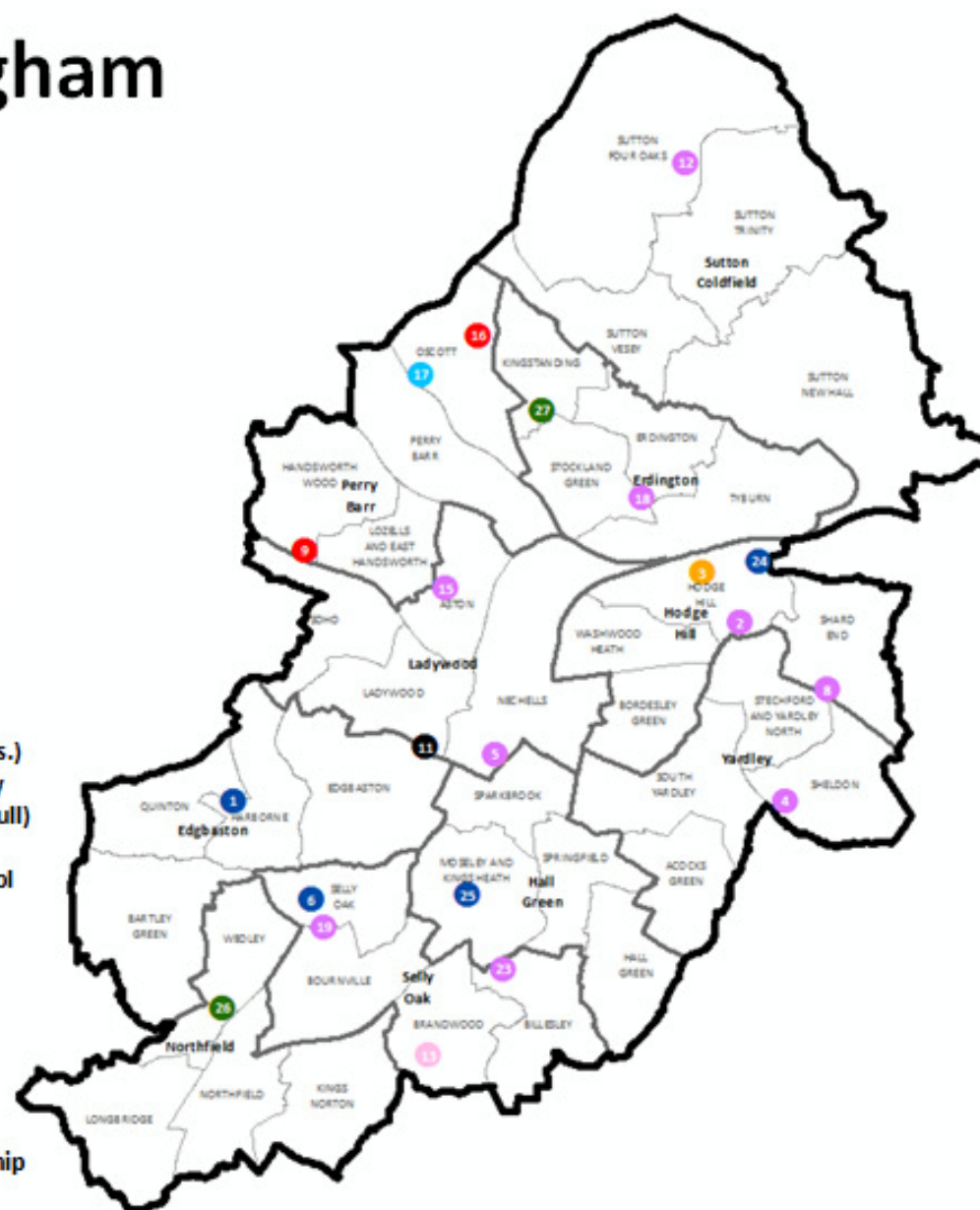


Special Schools – Birmingham

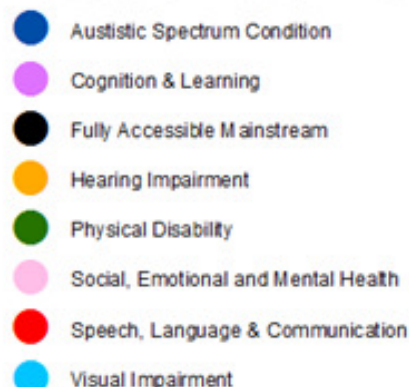
- ASC - Autistic Spectrum Condition
- C&L - Cognition and Learning
- HI - Hearing Impairment
- Hospital School
- PD - Physical Disability
- SEMH - Social, Emotional and Mental Health
- SLCN - Speech, language and Communication
- VI - Visual Impairment

- | | | | |
|----|---|----|---|
| 1 | Baskerville School* | 17 | Priestley Smith School* |
| 2 | Beaufort School | 18 | Queensbury School* |
| 3 | Braidwood School for the Deaf* | 19 | Selly Oak Trust School* |
| 4 | Brays School | 20 | Skilts School (Redditch, Worcs.) |
| 5 | Calthorpe Teaching Academy** | 21 | Springfield House Community Special School (Knowle, Solihull) |
| 6 | Cherry Oak School | 22 | The Bridge School |
| 7 | Fox Hollies School and Performing Arts College* | 23 | The Dame Ellen Pinsent School |
| 8 | Hallmoor School* | 24 | The Pines Special School |
| 9 | Hamilton School | 25 | Uffculme School* |
| 10 | Hunters Hill Technology College | 26 | Victoria School** |
| 11 | James Brindley School | 27 | Wilson Stuart School** |
| 12 | Langley School | | |
| 13 | Lindsworth School | | |
| 14 | Longwill A Primary School for Deaf Children | | |
| 15 | Mayfield School* | | |
| 16 | Oscott Manor School* | | |

* Indicates the school has linked Sixth-Form provision
 ** Indicates the school has linked Post-19 provision through a partnership



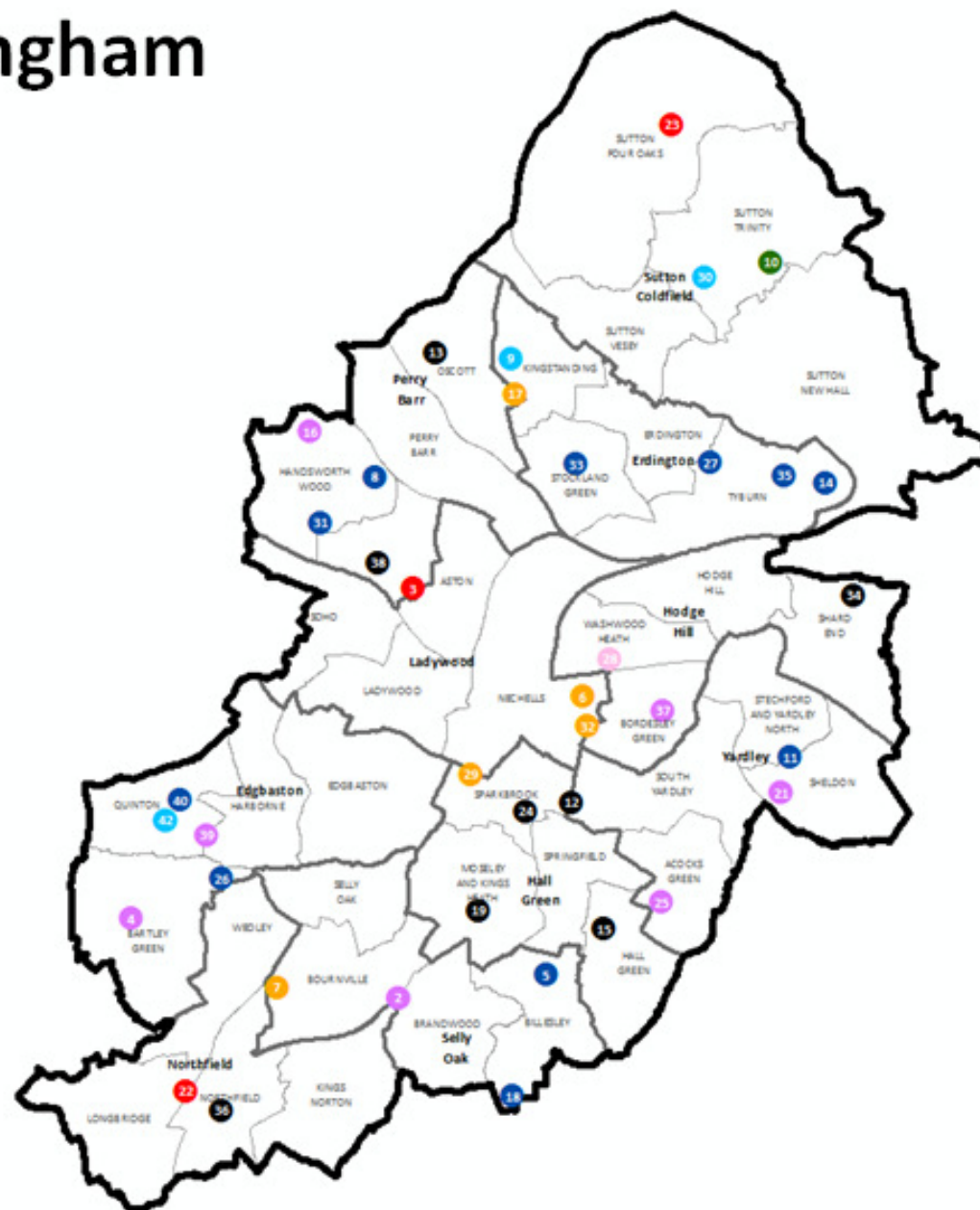
Resource Bases – Birmingham



- 1 Allens Croft Nursery
- 2 Allens Croft Primary
- 3 Anglesey
- 4 Bartley Green
- 5 Billesley
- 6 Bordesley Green*
- 7 Bournville
- 8 Cherry Orchard
- 9 Christ The King
- 10 Fairfax
- 11 Garretts Green Nursery
- 12 Golden Hillock
- 13 Great Barr
- 14 Greenwood Academy*
- 15 Hall Green
- 16 Hamstead Hall*
- 17 Hawthorn
- 18 Hollywood
- 19 Kings Heath
- 20 Lyndon Green Infant
- 21 Lyndon Green Junior
- 22 Meadows Primary (The)
- 23 Mere Green

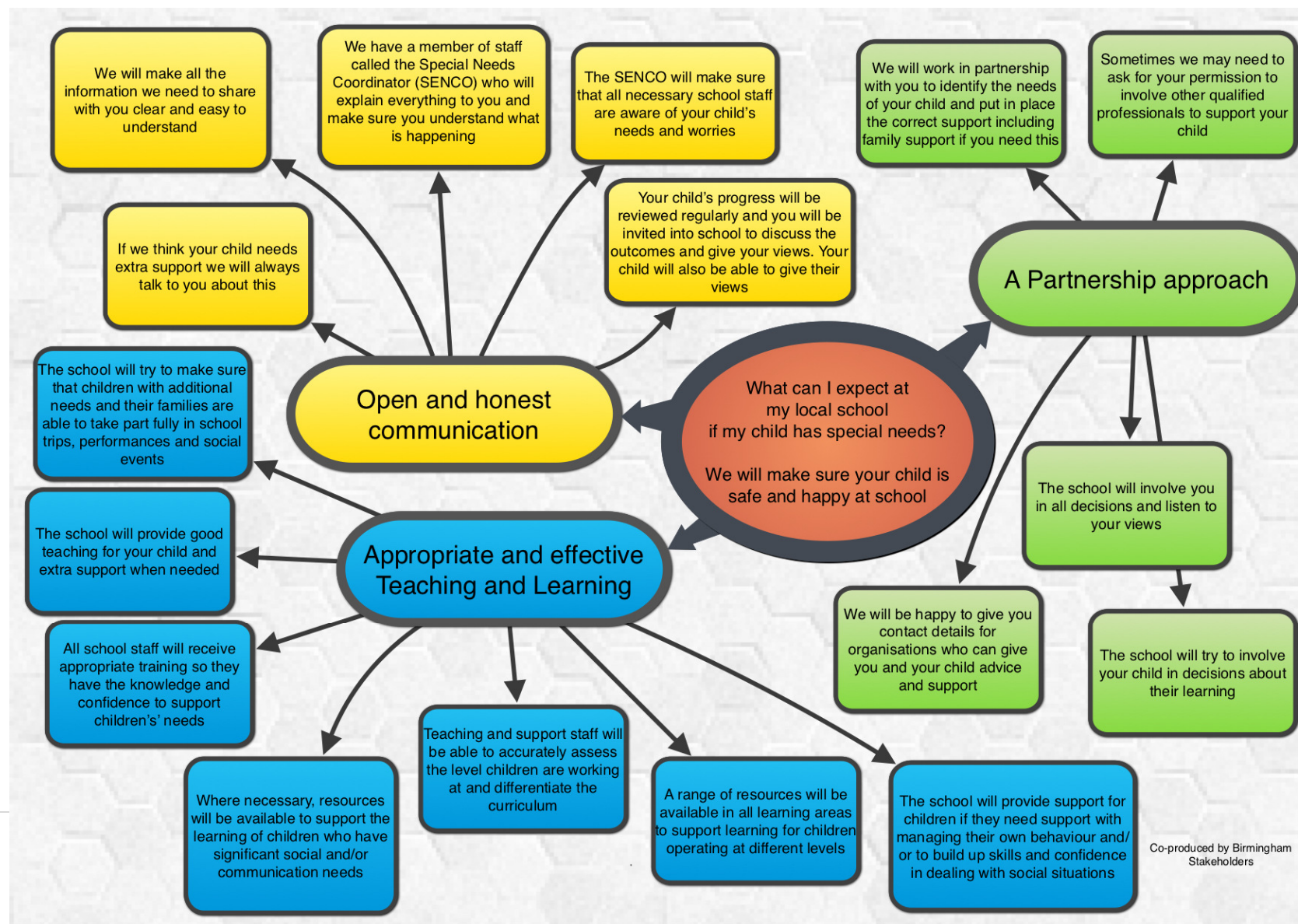
- 24 Nelson Mandela
- 25 Ninestiles School
- 26 Paganel Primary
- 27 Paget
- 28 Parkfield
- 29 Percy Shurmer
- 30 Plantsbrook*
- 31 Rookery
- 32 Small Heath*
- 33 Stockland Green
- 34 Timberley
- 35 Topcliffe
- 36 Turves Green
- 37 Waverley*
- 38 Welford
- 39 Welsh House
- 40 Woodhouse
- 41 Worlds End Infant
- 42 Worlds End Junior

* Indicates the school has linked Sixth Form Provision



WHAT CAN I EXPECT AT MY LOCAL SCHOOL IF MY CHILD HAS SPECIAL EDUCATIONAL NEEDS?

A set of expectations have been co-produced with Birmingham Stakeholders (including parents and schools) as part of the Local Offer



2. REASONS TO CHANGE

There are a number of convincing reasons why Birmingham needs to change, which offer opportunities to improve our approach to SEND and Inclusion:

- There is a lack of clarity about the package of SEND support which families should expect in all mainstream schools and settings from 0-25.
- Many families are not satisfied with the level of support for their children and as a result there are too many complaints and appeals to the SEN and Disability Tribunal.
- There are too many exclusions of pupils with special educational needs.
- We have higher than average numbers of Education, Health and Care Plans and there is a perception that this is the only way to guarantee needs are met.
- Most of the high needs funding is spent on specialist provision, which is under huge demand. Many young people are placed in costly independent placements, which is unsustainable.
- There are too many vulnerable children with SEND, without a school place.
- Too few Education Health and Care Plans have a genuine contribution from health and social care agencies.
- Too many young people with SEND are not being enabled to reach their potential and achieve independence as they move into adulthood. Too few adults with learning disabilities find meaningful employment in our city.

3. THE SEND REVIEW

A review of SEND services has been overseen by the Inclusion Commission which has been led by an independent Chair, Professor Geoff Lindsay from Warwick University. The Inclusion Commission Board comprises representatives from stakeholder groups including education, health, social care, parents, young people and Birmingham City Council members. The work of the Inclusion Commission has been informed by six work streams:

- | | |
|---|-------------------------------|
| 1. Learners with social emotional and mental health needs | 4. Specialist provision |
| 2. SEN Assessment | 5. SEN Support |
| 3. High Needs funding | 6. Preparation for adulthood. |

These work streams met during a period of three months from September to December 2016. The work streams were chaired by senior leaders from schools and Birmingham City Council. SEND4change, an independent organisation with expertise in understanding arrangements for children and young people with SEND, was commissioned by the City Council to facilitate a consultation exercise with a wide range of stakeholders. This has informed the work of the Inclusion Commission and made recommendations about key priorities which should be included in a new strategic approach for inclusion in Birmingham.

Throughout the review process, the views of parents were actively sought and every effort was made to ensure that their voice is valued and heard and their views are embedded within the draft strategy. Parents' contributions were made either as members of work streams or as part of a separate event facilitated by the Parent Carer Forum. As plans move forward, it will be ensured that young people have also an opportunity to contribute. It was agreed there is a need for collective responsibility between the Inclusion Commission, Health, Providers, Services and the Local Authority in order to deliver the necessary changes.

From the outcomes of the review, a number of common themes emerged and there was consensus in the working groups about three key priorities which are needed to strengthen and improve the current arrangements for SEND across Birmingham. Building on this work, a joint vision statement has been developed with the Inclusion Commission to help set the overall direction of the strategy. From this a mission and series of objectives were agreed alongside the three key priorities. The Inclusion Commission has given agreement for the draft strategy, vision, mission, objectives, priorities and outline delivery plan to be issued more widely for formal consultation prior to drafting the final strategy.

4. DEVELOPING THE STRATEGY

4.1 OUR VISION

Every child and young person aged 0-25 with a special educational need and/or disability (SEND) in Birmingham will have the opportunity to be happy, healthy and achieve their fullest potential, enabling them to participate in, and contribute to all aspects of life.

4.2 OUR MISSION

To implement an efficient and inclusive system where practitioners work with families, children and young people aged 0-25, to develop trust and confidence in order to build genuine and good quality partnerships. This will be achieved by practitioners from all sectors working together collaboratively to deliver the most appropriate local provision and support.

4.3 OUR OBJECTIVES

- We will develop joint commissioning to ensure resources are used fairly and effectively to provide maximum impact on outcomes.
- We will provide services that ensure the needs of children and young people who have special educational needs and disabilities and their families are at the heart of all that we do. We aim to offer this as locally as possible.
- It is our aim that all Birmingham mainstream provision will be welcoming, accessible and inclusive, adhering to the SEND Code of Practice, so that they can meet the needs of most children and young people, aged 0-25 who have special educational needs and/or disabilities.
- We will develop flexible pathways to enable children and young people to access the right provision and services to meet their individual needs at different stages. This will deliver the best possible outcomes, including education, employment and training, as young people move into adulthood.

4.4 OUR NEW PRIORITIES

1. Develop a framework of SEND assessment and planning from 0-25 years to enable professionals and partners to meet the full range of individual need and raise achievement

2. Ensure there is a sufficient and appropriate range of quality provision to meet the needs of children and young people with SEND aged 0-25 years and improve outcomes from early years to adulthood

3. Develop a unified resource allocation system to distribute the range of SEND funding across all schools and settings in order to make the most effective use of available resources and maximise the impact on outcomes for young people

PRIORITY 1: Develop a framework of SEND assessment and planning from 0-25 years to enable professionals and partners to meet the full range of individual need and raise achievement

Assessment Framework There is a need to develop an assessment and planning framework with all partners and agencies which:

- meets the legal requirements of the Children and Families Act 2014 and the SEND Code of Practice: 0-25 (2015).
- places children, young people and their families at the heart of the process.
- is accessible to settings, schools, colleges and partner agencies, health and social care partners
- describes what is expected of all schools and settings via the Local Offer.
- describes the framework for SEN Support Plans and EHC Plans.
- provides a clear description and understanding of learners who will need an SEN Support Plan and those who might need an EHC plan.
- ensures that the majority of children and young people where appropriate will have their needs met through an SEN Support Plan.
- ensures that the children and young people with the most significant needs have a statutory EHC Plan.
- sets out the processes for applying for and developing these plans within the local offer.

SEN Support Plans The development of SEN Support plans to support learners in mainstream schools and settings will need to ensure that:

- settings, schools and providers have systems in place for identifying the needs of children and young people with SEN.
- parents, carers and young people are fully involved in decision making and developing plans which describe the child's needs and the arrangements that will be put in place to meet those needs. (Children & Families Act Part 3 Section 19).
- practitioners are trained and understand how to write these plans and there is a good level of understanding about what constitutes a good SEN Support plan.
- the local authority has developed resources which provide examples of good practice, guidance and pro-formas for SEN Support Plans for completion by SENCOs with families.
- parents feel confident that settings, schools and colleges understand the needs of their children and young people and understand what they must do to support their learning and development.
- schools and settings clearly describe their approach to SEN Support Plans on their website which is linked to the Local Offer.
- schools and settings have a multi-agency approach and health and care colleagues commit support when developing SEN Support Plans.

Education Health and Care Plans (EHCPs) The EHC planning process should be reviewed to ensure that:

- Birmingham has a robust set of factors for determining who would benefit from a statutory EHC assessment and this is well understood by all stakeholders.
- a multi-agency panel, including health and social care, reviews decisions for initiating an EHC assessment.
- the application process and factors to be considered are available on the Local Offer.
- the EHC process is regularly quality assured to assess the quality of final plans, the quality of multi-agency reports and contributions from professionals, the timeliness of the production of the plans and the impact of the outcomes specified in the plan.
- the Special Educational Needs and Disability Assessment & Review (SENAR) service strives to improve the quality of the plans and conforms to a customer charter in their communication and interaction with families. The service will also need to evaluate the experience of those families where a statutory assessment was not deemed to be necessary and ensure that an effective SEN Support Plan is in place.
- parents, carers and young people co-produce the plans which describe the child's or young person's needs and the arrangements that will be put in place to meet those needs.
- Social Care Teams need to ensure that operational social workers and support workers respond to requests for information in a timely manner. Where social workers are not involved, other professionals who know the child or young person should comment on their needs.
- Health service workers are fully involved in the EHC plan process.
- parents feel confident that settings, schools and colleges understand the needs of their children or young people and understand what they must do to support their learning and development.
- where there are disagreements between families and the SENAR service about the EHC process, every effort is made to find agreement through negotiation and mediation without the need to resort to the SEN and Disability Tribunal, without infringing rights to appeal for parents and young people.
- a rigorous annual review process to monitor outcomes and ensure focus on independence and preparation for adulthood, including travel arrangements.
- appropriate professional development is available in relation to legislation, person-centred practice and outcome focused planning.

PRIORITY 2: Ensure there is a sufficient and appropriate range of quality provision to meet the needs of children and young people with SEND aged 0-25 years and improve outcomes from early years to adulthood

Children, young people and their families will need to be able to access a range of settings so that parents and carers can be confident that the needs of the child or young person can be met and outcomes are being achieved in either:

- Early years settings, including nursery schools, nursery classes and Private Voluntary and Independent (PVI) providers
- Mainstream primary and secondary schools, including maintained, academies, free schools and independent
- Mainstream post-16 provision including colleges and sixth forms
- Locally managed partnership arrangements for pupils with Social Emotional and Mental Health (SEMH) needs
- School resource base provision
- Local special schools (Maintained, Academy or Free Schools)
- Alternative Provision
- Independent or non-maintained schools or colleges.

Most children and young people can have their needs met in their local mainstream setting or school. It will be necessary that:

- there is a shared understanding of a 'good' SEN offer and in schools, Quality First Teaching is the cornerstone.
- effective interventions are in place in line with the graduated approach as set out in the SEND Code of Practice: 0-25 (2015).
- SEND Support Plans are used when appropriate.
- SEN funding is used effectively.

Schools, Settings and Colleges must work collaboratively in partnerships to develop local Social Emotional and Mental Health (SEMH) arrangements in order to:

- share good practice, expertise and resources.
- manage devolved financial resources.
- develop a range of local alternative provisions which are commissioned and managed by them.

Some children and young people will need to access high quality alternative provision. Where this is the case:

- there will need to be a quality assured framework of alternative providers.
- Schools and settings will need to monitor the quality of providers and keep in close contact with the children and young people that they have placed and be confident that the young people accessing these provisions are safe and making appropriate progress.

Some children and young people require access to resource bases located on mainstream school sites. Birmingham City Council will need to ensure:

- there are sufficient places at resource bases, particularly for secondary aged pupils particularly for children with autism.
- there is clarity about the process for becoming a resource base.
- there is sufficiency for differing needs and in all localities where appropriate.

Some children or young people will require special school provision. Birmingham City Council will need to ensure that:

- sufficient special school provision is available for Birmingham pupils.
- there is a plan for emerging needs and development of provision where necessary.
- there is coverage for areas of need across all localities is planned for.
- clear pathways exist both into and out of special schools.

A small number of children or young people will require a placement in an independent non- maintained special school provision. Access to such provision should be for learners who:

- for their safety and/or complexity require a placement out of the city.
- have needs that are so individual or complex that Birmingham cannot make provision for them.

PRIORITY 3: Develop a unified resource allocation system to distribute the range of SEND funding across all schools and settings in order to make the most effective use of available resources and maximise the impact on outcomes for young people

The system for distributing financial resources will need to ensure that:

- there is a systematic, fair and transparent and graduated system for distributing financial resources across all types of settings which is well understood by providers and aligned with DfE guidance. This system facilitates the decision making and distribution of funding to all settings including:
 - Early years settings
 - Mainstream schools
 - Post-16 providers
 - Resource Bases
 - Special schools
 - Alternative provision
 - Independent and non-maintained provision
- there is a funding continuum which describes how incrementally financial resources can be allocated to a range of children or young people, from those with least need receiving small amounts of high needs top up funding, to those with the most complex needs or in the most complex circumstances receiving higher levels of funding.
- there is adequate funding for early years settings to ensure children get a good start.
- the Notional SEN Budget totalling £161 million which is available to Birmingham's schools is utilised flexibly in order that they can make arrangements for children in their school.
- there is guidance to schools and SENCOs about the types of interventions or arrangements they may be expected to make using this resource.
- there is a system in place for young people without an EHCP, which allows top up funding to be allocated within mainstream schools. This system should be based on the best aspects of the existing funding model for mainstream schools, CRISP (Criteria for Specialist Provision) and the banded funding model for special schools.
- families or young people with an EHCP should be offered a personal budget so that they have increased choice and control over the arrangements that affect their lives.

5. CONCLUSION: BIRMINGHAM - A GREAT PLACE TO GROW UP

The new approach in Birmingham outlined in this Strategy centres on inclusive practice and the commitment that all children and young people will make a successful journey through our provision into adulthood. It is underpinned by strong principles of raising achievement and working in collaboration with families. This strategy aims to use the available resources effectively and maximise the impact on the lives and adult outcomes of our citizens.

This strategy is written in line with the SEND Code of Practice and the United Nations Convention of the Rights of Persons with Disabilities which states a commitment to *inclusive education of disabled children and young people and the progressive removal of barriers to learning and participation in mainstream education*.

As the youngest city in Europe with over 40% of the population under the age of 25, we need a future for all young people ensuring they have the support and opportunities they need as they grow into the future citizens of our city.

6. OUTLINE DELIVERY PLAN

A separate outline delivery plan is available to accompany the draft strategy. A detailed plan will be developed for the final agreed strategy, incorporating feedback from consultation with key stakeholders.

7. GOVERNANCE & MONITORING

The Inclusion Commission will continue to meet quarterly to oversee the implementation of the Strategy and monitor progress. The SEND Programme Board will meet monthly to ensure delivery of the plan. Working groups will focus on the three priorities and the communications, engagement, consultation and co-production plan.

8. APPENDICES TO THE DRAFT STRATEGY

- Outline Delivery Plan
- Consultation document and questionnaire
- Frequently Asked Questions

Birmingham's Strategy for SEND & Inclusion - Consultation

Outline Delivery Plan June 2017

	Priority 1 - Assessment Framework	Priority 2 – Provision	Priority 3 – Finance
	<div>Customer Charter inc. Schools, SENAR, Partners, Families</div> <div>Information & Advice, Complaints, Role of SENDIAS</div> <div>Develop a model for SEN Support Plans – develop templates, process, training, pilot, evaluate learning, roll out across all sectors</div> <div>Review EHCP Process – Evidence for Assessment, Writing plans, Quality Assurance and Annual Review Process</div> <div>Overall Assessment Framework, processes of application, factors for decision making</div>	<div>Early Years Transition Pathways</div> <div>Mapping Provision, Needs and Gap Analysis</div> <div>Special School Provision and Pathways</div> <div>Joint SEND Commissioning Strategy</div> <div>Post 16 and Post 19 Provision & Pathways</div> <div>Commissioning Plans</div> <div>Consistent model across Mainstream Provision</div> <div>Quality Assurance Framework</div> <div>Local Commissioned Model for SEMH - Implementation</div>	<div>SEND Budget Recovery Plan underway</div> <div>Reduce Independent Placements & Costs</div> <div>Review of Joint Funding Arrangements – Social Care</div> <div>Reduce Alternative Provision Costs</div> <div>Efficiency Savings on support services</div> <div>Review Exceptional Special Needs Funding and Top up reduction</div> <div>Savings on Pupil Connect</div> <div>Unified Financial Resource Allocation System ISEY/CRISP/ BANDED/ESN</div> <div>Strategy for Managing the High Needs Budget – Financial Modelling</div> <div>SEN Children accessing their full Early Years Entitlement</div> <div>Code of Conduct for Mainstream SEN Funding (links to Priority 1)</div> <div>Personal Budgets Pilots</div>
Cross-cutting Themes	Governance & Oversight – Inclusion Commission, SEND Programme Board, Working Groups		
	Developing a way to track Benefits, Costs & Savings		
	Communications, Engagement, Consultation, Co-Production (Education, Schools, Social Care, Health & Citizens)		
	Improving Data & Management Information		
Dependencies	SEND ICT System Implementation		

Birmingham's Strategy for SEND & Inclusion

Consultation Document

9th June – 31st July 2017

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Foreword

I am delighted to introduce Birmingham's Strategy for SEND (Special Educational Needs and/or Disability) and Inclusion 2017-2020. This has been produced by the Inclusion Commission, set up by the City Council in 2016 to improve the services for these children and young people.

We have set out our Vision of what we seek to achieve, our Mission stating how to do this and the Strategy which outlines the actions we will take to achieve this.

A key feature of the Mission is a commitment to work in partnership to achieve the high quality provision that Birmingham's children, young people and their families deserve.

You are invited to contribute to the consultation taking place over the summer term in order to gather the views of stakeholders, including parents, children and young people and a wide range of professionals and practitioners. The Inclusion Commission will receive feedback in September 2017 to inform the final strategy and detailed plan of how it will be implemented.

Please take part in the consultation because we really want to hear your views.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Geoff Lindsay', with a stylized flourish at the end.

Professor Geoff Lindsay FBP_sS, FAcSS, HonMBP_sS
Chair, Inclusion Commission

Introduction

What are we consulting on?

We are consulting on Birmingham's new Strategy for SEND (Special Educational Needs and/or Disabilities) and Inclusion and the proposed direction of travel, including the Vision, Mission, Objectives, Priorities and our plans so far.

The Local Authority is obliged under Section 30 of the Children and Families Act 2014 to keep its Local Offer under review and therefore the consultation responses where appropriate will be fed into that ongoing review.

How will we consult people?

1. We will be asking for views on our proposals from children, young people and families who use SEND services, parents, carers, city council staff, health partners, schools and settings
2. We will be consulting with a wide group of stakeholders from education, health, social care and we will make use of professional forums arranged during the consultation period as part of this.
3. We will work with our key stakeholders in schools, settings, providers and other professional bodies to identify the best way to consult with families of children and young people.
4. You can tell us your views by completing a questionnaire, taking part in consultation meetings, by emailing or telephoning us. We will listen to and take note of all your comments
5. We will publish a summary of comments received in an anonymous format, removing any personal details and explaining what we plan to do next. We will make this widely available to show where we have changed any proposals as a result of listening to people's views. Where we have not made changes to our proposals we will explain why this was the case.
6. When the consultation has closed, we will prepare a report to the Inclusion Commission about what we have found out. This will inform a further report to Cabinet on the final strategy and the plan for implementation. The Inclusion Commission was set up to undertake a review of SEND services in Birmingham including stakeholders from education, health, social care, parent/carer representatives and young people. The Cabinet is the governing body of the City Council, made up of elected councillors; it is responsible for decisions on all Council services.

How long will this consultation run for?

This consultation will begin on Friday 9th June and end Monday 31st July 2017 at midnight.

Who will be affected by the results of this consultation?

This consultation includes the following people

- Children and young people who have special educational needs and/or disability (SEND)
- Parents, carers and families of children and young people who have SEND
- Birmingham City Council education and social care staff
- Health organisations in Birmingham (including NHS trusts and CCGs) and their staff involved in development of Education Health & Care Plans
- All Birmingham schools, including Governing bodies, Head Teachers, SENCOs
- Children's centres
- Early Years settings and providers
- Post 16 settings and providers
- Post 19 settings and providers
- Private, third sector and voluntary providers of services for children and young people who have SEND
- Youth offending teams

Background Information

Following the introduction of the Children and Families Act in 2014 and the Special Educational Needs & Disability Code of Practice: 0-25 years in 2015, Birmingham has implemented a range of new assessment procedures to ensure that the needs of its most vulnerable children and young people are identified and met appropriately.

Implementing the Government's SEND reforms in our large diverse city has been very challenging. The whole system has been under great strain to try to meet deadlines and deliver within the allocated budget.

Birmingham City Council members and officers identified the need for a root and branch review of the city's approach to making provision for children and young people with SEND. As a result, Birmingham City Council established an Inclusion Commission in October 2016 to explore the effectiveness of current arrangements in the City for children and young people who have SEND across the 0-25 age range and began to develop a new Inclusion Strategy. The work of the Commission has included early years settings, mainstream schools and colleges, resource bases, specialist providers, independent non-maintained schools and independent specialist colleges.

The SEND Review

A review of SEND services has been overseen by the Inclusion Commission which has been led by an independent Chair, Professor Geoff Lindsay from Warwick University. The Inclusion Commission Board comprises representatives from stakeholder groups including education, health, social care, parents, young people and Birmingham City Council members. The work of the Inclusion Commission has been informed by six work streams:

- | | |
|---|-------------------------------|
| 1. Learners with social emotional and mental health needs | 4. Specialist provision |
| 2. SEN Assessment | 5. SEN Support |
| 3. High Needs funding | 6. Preparation for adulthood. |

These work streams met during a period of three months from September to December 2016. The work streams were chaired by senior leaders from schools and Birmingham City Council. SEND4change, an independent organisation with expertise in understanding arrangements for children and young people with SEND, was commissioned by the City Council to facilitate a consultation exercise with a wide range of stakeholders. This has informed the

work of the Inclusion Commission and made recommendations about key priorities which should be included in a new strategic approach for inclusion in Birmingham.

Throughout the review process, the views of parents were actively sought and every effort was made to ensure that their voice is valued and heard and their views are embedded within the draft strategy. Parents' contributions were made either as members of work streams or as part of a separate event facilitated by the Parent Carer Forum. As plans move forward, it will be ensured that young people have also an opportunity to contribute. It was agreed there is a need for collective responsibility between the Inclusion Commission, Health, Providers, Services and the Local Authority in order to deliver the necessary changes.

From the outcomes of the review, a number of common themes emerged and there was consensus in the working groups about three key priorities which are needed to strengthen and improve the current arrangements for SEND across Birmingham. Building on this work, a joint vision statement has been developed with the Inclusion Commission to help set the overall direction of the strategy. From this a mission and series of objectives were agreed alongside the three key priorities. The Inclusion Commission has given agreement for the draft strategy, vision, mission, objectives, priorities and outline delivery plan to be issued more widely for formal consultation prior to drafting the final strategy.

(A) What is your interest in this consultation?

Are you: (Please tick as many boxes which apply)

**A child, young person or adult up to 25 years,
with a special educational need and/or disability**

☐

(B) – If you are a child or young person, tick your age group below

0-4	5-10	11-15	16-18	19-25	Not applicable
-----	------	-------	-------	-------	----------------

**A parent or carer of a child or young person with
a special educational need and/or disability**

☐

(C) If you are a parent/carers, what age range are the children in your family? (tick as many as apply)

0-4	5-10	11-15	16-18	19-25	Not applicable
-----	------	-------	-------	-------	----------------

(D) If you are a young person or parent/carers, what types of special educational needs or disabilities apply to you or your family (tick as many as apply)

Specific Learning Difficulty

Cognition & Learning Difficulty

Profound & Multiple Learning Difficulty

Social, Emotional and Mental Health

Speech Language & Communication Needs

Hearing Impairment

Visual Impairment

Multi-Sensory Impairment

Physical Disability

Autistic Spectrum Condition

(A) - Continued from overleaf

Birmingham City Council employee (non schools)	<input type="text"/>
Councillor or MP	<input type="text"/>
Health service (eg NHS or Clinical Commissioning Group)	<input type="text"/>
Teacher or schools staff	<input type="text"/>
School Governor	<input type="text"/>
Early Years provider	<input type="text"/>
Post 16 education provider	<input type="text"/>
Post 19 education provider	<input type="text"/>
Private or voluntary provider	<input type="text"/>
Other Interest – please specify	<input type="text"/>

Section 1 – Our proposals

OUR VISION

Every child and young person aged 0-25 with a special educational need and/or disability (SEND) in Birmingham will have the opportunity to be happy, healthy and achieve their fullest potential, enabling them to participate in, and contribute to all aspects of life.

1a. Do you support our proposed Vision for Birmingham?

Strongly agree

☐

Agree

☐

Neutral

☐

Disagree

☐

Strongly disagree

☐

1b. Please provide reasons for your answer

OUR MISSION

To implement an efficient and inclusive system where practitioners work with families, children and young people aged 0-25, to develop trust and confidence in order to build genuine and good quality partnerships. This will be achieved by practitioners from all sectors working together collaboratively to deliver the most appropriate local provision and support.

2a. Do you support our proposed Mission for Birmingham?

Strongly agree

☐

Agree

☐

Neutral

☐

Disagree

☐

Strongly disagree

☐

2b. Please provide reasons for your answer

OUR OBJECTIVES

We have developed four objectives which outline what we want to achieve through this strategy:

- We will develop joint commissioning to ensure resources are used fairly and effectively to provide maximum impact on outcomes.

This means education, health and social care working together and pooling their money to ensure best value and outcomes for children, young people and families

3a. Do you agree or disagree with this objective?

Strongly agree

☐

Agree

☐

Neutral

☐

Disagree

☐

Strongly disagree

☐

3b. Please provide reasons for your answer

3c. How will this affect you?

- **We will provide services that ensure the needs of children and young people who have special educational needs and disabilities and their families are at the heart of all that we do. We aim to offer this as locally as possible.**

This means we will talk to you and involve you in planning and decision making.

4a. Do you agree or disagree with this objective?

Strongly agree

☐

Agree

☐

Neutral

☐

Disagree

☐

Strongly disagree

☐

4b. Please provide reasons for your answer

4c How will this affect you?

- It is our aim that all Birmingham mainstream provision will be welcoming, accessible and inclusive, adhering to the SEND Code of Practice, so that they can meet the needs of most children and young people aged 0-25 who have special educational needs and/or disabilities.

This means you can expect your mainstream local school or setting to make every reasonable adjustment to meet the needs of your children or young people.

5a. Do you agree or disagree with this objective?

Strongly agree

☐

Agree

☐

Neutral

☐

Disagree

☐

Strongly disagree

☐

5b. Please provide reasons for your answer

5c. How will this affect you?

- **We will develop flexible pathways to enable children and young people to access the right provision and services to meet their individual needs different stages. This will deliver the best possible outcomes, including education, employment and training, as young people move into adulthood.**

This means we will regularly review the type of provision that can best meet the needs of a child or young person and work with you to agree the best placement throughout the child or young person's education.

6a. Do you agree or disagree with this objective?

Strongly agree

☐

Agree

☐

Neutral

☐

Disagree

☐

Strongly disagree

☐

6b. Please provide reasons for your answer

6c. How will this affect you?

OUR PRIORITIES

We have developed three key priorities which we will focus on to deliver the new strategy:

- **Develop a framework of SEND assessment and planning from 0-25 years to enable professionals and partners to meet the full range of individual need and raise achievement**

This means you can expect teachers and professionals to plan and effectively meet your child's special educational needs, including accessing extra funding, without always needing an Education Health and Care Plan.

Further information about what we are planning under Priority 1 can be found in the Draft Strategy page 16-17 and the Outline Delivery Plan.

7a. Do you agree or disagree with this priority?

Strongly agree

☐

Agree

☐

Neutral

☐

Disagree

☐

Strongly disagree

☐

7b. Please provide reasons for your answer

7c. How will this affect you?

- **Ensure there is a sufficient and appropriate range of quality provision to meet the needs of children and young people who have special educational needs and/or disabilities aged 0-25 years and improve outcomes from early years to adulthood**

This means we will ensure there are enough good placements available in Birmingham for children and young people of all ages 0-25 to meet all levels of need.

Further information about what we are planning under Priority 2 can be found in the Draft Strategy page 18-19 and the Outline Delivery Plan.

8a. Do you agree or disagree with this priority?

Strongly agree

☐

Agree

☐

Neutral

☐

Disagree

☐

Strongly disagree

☐

8b. Please provide reasons for your answer

8c. How will this affect you?

- **Develop a unified resource allocation system to distribute the range of SEND funding across all schools and settings in order to make the most effective use of available resources and maximise the impact on outcomes for young people**

This means we will develop a system to give funding to schools and settings, based on individual needs of children and young people, and make sure we can clearly see the difference the money has made.

Further information about what we are planning under Priority 3 can be found in the Draft Strategy page 20 and the Outline Delivery Plan

9a. Do you agree or disagree with this priority?

Strongly agree

☐

Agree

☐

Neutral

☐

Disagree

☐

Strongly disagree

☐

9b. Please provide reasons for your answer

9c. How will this affect you?

10. Do you have any comments on any other aspect of our draft strategy and plans, or any ideas for making SEND services more effective?

About you

We would like you to tell us some things about you. You do not have to tell us if you do not want to, but if you do, it will help us to plan our services.

Which age group applies to you? (please tick one box only)

0-4	5-10	11-15	16-18	19-25	20-24	25-29	30-34	35-39
40-44	45-49	50-54	55-59	60-64	65-69	70-74	75-79	80+

What is your sex? (please tick one box only)

Male

☐

Female

☐

Do you have any physical or mental health conditions or illnesses lasting or expected to last for 12 months or more? (please tick one box only)

Yes

☐

No

☐

Prefer not to say

☐

If yes, do any of these conditions or illnesses affect you in any of the following areas? (please tick all that apply)

1. Vision (e.g. blindness or partial sight)

☐

2. Hearing (e.g. deafness or partial hearing)

☐

3. Mobility (e.g. walking short distances or climbing stairs)

☐

4. Dexterity (e.g. lifting and carrying objects,
using a keyboard)

☐

5. Learning or understanding or concentrating

☐

6. Memory

☐

7. Mental Health

☐

8. Stamina or breathing or fatigue

☐

9. Socially or behaviourally (e.g. associated with

☐

Autism, attention deficit disorder or Asperger's Syndrome)

10. Other (please write in)

What is your ethnic group? (please tick one box only)

White

English/ Welsh/ Scottish/ Northern Irish/ British

☐

Irish

☐

Gypsy or Irish Traveller

☐

- Polish ☐
- Baltic States ☐
- Jewish ☐
- Other white European (including mixed European) ☐
- Any other White background (please write in)

Mixed/ multiple ethnic groups

- White and Black Caribbean/African ☐
- White and Asian ☐
- Any other Mixed background (please write in)

Asian/ Asian British

- Afghani ☐
- Bangladeshi ☐
- British Asian ☐
- Chinese ☐
- Filipino ☐
- Indian Sikh ☐
- Indian Other ☐
- Kashmiri ☐
- Pakistani ☐
- Sri Lankan ☐
- Vietnamese ☐

Any other Asian background (please write in)

Black African/ Caribbean/ Black British

African ☐

Black British ☐

Caribbean ☐

Somali ☐

Any other Black/African/Caribbean background (please write in)

Other ethnic group

Arab ☐

Iranian ☐

Kurdish ☐

Yemeni ☐

Any other ethnic group (please write in)

What is your sexual orientation (please tick one box only)

Bisexual ☐

Gay or Lesbian ☐

Heterosexual or Straight ☐

Other ☐

Prefer not to say ☐

What is your religion or belief? (please tick one box only)

No religion ☐

Christian (including Church of England, Catholic,
Protestant and all other Christian denominations) ☐

Buddhist ☐

Hindu ☐

Jewish ☐

Muslim ☐

Sikh ☐

Any other religion (please write in)

Thank you for taking the time to be part of this consultation.

Returning this Paper Questionnaire

Please post it to us at:

Birmingham's Strategy for SEND and Inclusion

PO Box 16465

Birmingham

B2 2DG

Completing an online version of the questionnaire:

<https://www.birminghambeheard.org.uk/people-1/send-inclusion>

Section 2

Have your say

During the consultation period there are various ways in which you can find out more and give us your views. You can do this by:

Completing a consultation questionnaire online

You can complete an online version of the questionnaire and download copies of the consultation document **from 9th June 2017** at:

<https://www.birminghambeheard.org.uk/people-1/send-inclusion>

Paper copies and other accessible formats

If you require a paper copy or a more accessible format such as an Easy Read version, please use the contact details at the bottom of the page.

Parent & Carer Meetings

Parents and Carers are invited to attend one of the public meetings below, at which a senior manager from Education services will explain the proposals.

Please book a place by emailing education@birmingham.gov.uk

Please let us know before the meeting if you have any special requirements, for example; an interpreter, a hearing loop or large print materials.

DATE	VENUE
Wed 5th July 2017 10:30am-12:30	North City Wilson Stuart School, Perry Common Road, Erdington, B23 7AT
Thurs 6th July 2017 11:00-13:00	South City All Saints Centre (Marjorie Allen Room), 2 Vicarage Road, Kings Heath B14 7RA
Thurs 13th July 18:00-20:00	City Centre Birmingham City Council Offices, 10 Woodcock Street, Aston, B7 4BL

Schools, Settings and Colleges

Talk to your child or young person's school, setting or college to find out how they are getting involved in the consultation.

Contacting us about the consultation

If you have any questions, comments, or want to request a paper copy of the questionnaire and consultation document, please use the contact details below.

Email: Education@birmingham.gov.uk

Phone: **0121 303 5154**

Write to: **Birmingham's Strategy for SEND and Inclusion**

PO Box 16465

Birmingham

B2 2DG

Birmingham's Strategy for SEND & Inclusion

Easy Read Consultation Document



9th June – 31st July 2017

Please complete & submit by



Need help? Call: 0121 303 5154 or Email: education@birmingham.gov.uk

INTRODUCTION



What are we consulting on?

Why do we need you to answer these questions?



We want to tell you about:

Birmingham's Strategy for:

Special Educational Needs and/or Disabilities (SEND)

Inclusion

Our Vision

Mission

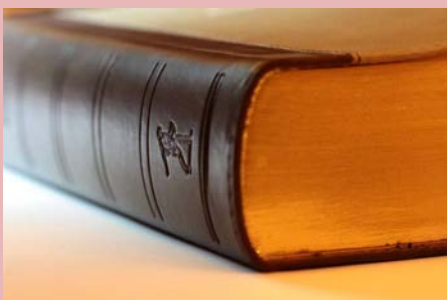
Objectives

Priorities and plans so far.



The Law (Section 30 of the Children and Families Act 2014) says we must keep our Local Offer under review.

Your consultation responses (where appropriate) will be fed into this ongoing review.



How We Consult.



We will be asking for your views on our ideas for children, young people and families who use SEND services, parents, carers, city council staff, health partners, schools and other settings.



We will be working with a wide group of stakeholders from education, health, social care and professional forums.

Stakeholders are people who have an interest in something and wish to make it a success.



We will work with stakeholders in schools, settings, providers and other professional bodies.

We will agree the best way to get the views of families of children and young people.

You can tell us your views by:



Completing a questionnaire, Attending consultation meetings or by emailing or telephoning us.

We will listen to and record your comments



We will publish an anonymous summary of comments received. We will explain what we plan to do next. It will be made available and will show where we have made changes. If we don't make changes, we will say why.



When the consultation closes, we will prepare a report for the Inclusion Commission. It tells them what we have found out. A final report is sent to Cabinet showing our strategy and plan for carrying it out.

The Inclusion Commission reviews SEND services in Birmingham including key stakeholders. The Cabinet is responsible for decisions on Council services.



Who will be affected by the results of this consultation?

- ➡ Children and young people who have special educational needs and/or a disability (SEND)
- ➡ Parents, carers and families of children and young people who have SEND
- ➡ Birmingham City Council education and social care staff
- ➡ Health organisations in Birmingham (including NHS trusts and Clinical Commissioning Groups) and their staff involved in development of Education Health & Care Plans
- ➡ All Birmingham schools, including Governing bodies, Head Teachers, SENCOs (Special Educational Needs Coordinator)
- ➡ Children's centres
- ➡ Early Years settings and providers
- ➡ Post 16 & 19 settings and providers
- ➡ Private, third sector and voluntary providers of services for children and young people who have SEND
- ➡ Youth offending teams



Birmingham's Review of SEND Services

Following the introduction of the Children and Families Act in 2014 and the Special Educational Needs & Disability Code of Practice in 2015, a number of changes were introduced to the way services for children and young people with special educational needs are delivered in Birmingham.

Implementing these changes in Birmingham has been very challenging and systems have been under pressure to meet deadlines within a tight budget.

Birmingham City Council started a full review of all SEND services in 2016 because they wanted to improve the approach to Inclusion in education, health and social care services for children and young people. They called this the Inclusion Commission.

This work included key people from education, health, social care and also parents, young people and elected members and officers Birmingham City Council. It was all overseen by an independent Chair, Professor Geoff Lindsay from Warwick University.

It was agreed there is a need for shared responsibility between the Inclusion Commission, Health, Social Care and Education to deliver improvements to the services.

A joint Vision and Mission has been developed with the members of the Inclusion Commission to help describe where we want to get to, and how we will get there.

We have set out four Objectives to describe what we want to achieve

From this, we will focus on three key Priority areas in order to improve the services available.

We would like to hear your feedback on our proposals so far to help us develop our plans further



(A) What is your interest in this consultation?

Are you a: (tick as many that apply)

Child, young person or adult up to 25 years, with a special educational need and/or disability.	
Parent or carer of a child or young person with a special educational need and/or disability.	
Birmingham City Council employee (non schools)	
Councillor or MP	
Health service (e.g. NHS or Clinical Commissioning Group)	
Teacher or schools staff	
School Governor	
Early years provider	
Post-16 education provider	
Post-19 education provider	
Private or voluntary provider	
A member of the public	
Other – Please Specify:	



(B) If you are a 'Child or Young Person with a special educational need or disability' in Question 'A' (See page 6), what is your age?

0-4 years

☐

5-10 years

☐

11-15 years

☐

16-18 years

☐

19-25 years

☐

N/A

☐

(C) If you are a 'Parent or Carer' in Question 'A' (see page 6), what age range are the children in your family?

0-4 years

☐

5-10 years

☐

11-15 years

☐

16-18 years

☐

19-25 years

☐

N/A

☐



(D) If you are a child, young person or parent, what types of special education needs and / or disabilities apply to you or your family? (Tick as many as apply)

Specific Learning Difficulty	
Cognition & Learning Difficulty	
Profound & Multiple Learning Difficulty	
Social, Emotional and Mental Health	
Speech, Language & Communication Needs	
Hearing Impairment	
Visual Impairment	
Multi-Sensory Impairment	
Physical Disability	
Autistic Spectrum Condition	
Other Difficulty/Disability (Please describe below):	

Section 1 – Our Proposals

Our Vision – Happy and Healthy

Every child and young person aged 0-25 with a special educational need and/or disability (SEND) in Birmingham will have the opportunity to be happy, healthy and achieve their fullest potential, enabling them to participate in, and contribute to all aspects of life.

1a. Do you support our proposed Vision for Birmingham?



Strongly Agree

☐

Agree

☐

Neutral

☐

Disagree

☐

Strongly disagree

☐

1b. Please explain why you feel this way:

Our Mission

To implement an efficient and inclusive system where practitioners work with families, children and young people aged 0-25, to develop trust and confidence in order to build genuine and good quality partnerships. This will be achieved by practitioners from all sectors working together collaboratively to deliver the most appropriate local provision and support.

2a. Do you support our proposed Mission for Birmingham?



Strongly Agree

☐

Agree

☐

Neutral

☐

Disagree

☐

Strongly disagree

☐

1b. Please explain why you feel this way:

Our Objectives

We have agreed four objectives which outline what we want to achieve.

We will develop joint commissioning to ensure resources are used fairly and effectively to provide maximum impact on outcomes.

This means education, health and social care working together and pooling their money to ensure best value and outcomes for children, young people and families

3a. Do you agree or disagree with this objective?



Strongly Agree

☐

Agree

☐

Neutral

☐

Disagree

☐

Strongly disagree

☐

3b. Please explain why you feel this way:

3c. How will this affect you?

We will provide services that ensure the needs of children and young people who have special educational needs and disabilities and their families are at the heart of all that we do. We aim to offer this as locally as possible.

This means we will talk to you and involve you in planning and decision making.

4a. Do you agree or disagree with this objective?



Strongly Agree

☐

Agree

☐

Neutral

☐

Disagree

☐

Strongly disagree

☐

4b. Please explain why you feel this way:

4c. How will this affect you?

It is our aim that all Birmingham mainstream provision will be welcoming, accessible and inclusive, adhering to the SEND Code of Practice, so that they can meet the needs of most children and young people aged 0-25 who have special educational needs and/or disabilities.

This means you can expect your mainstream local school or setting to make every reasonable adjustment to meet the needs of your children or young people.

5a. Do you agree or disagree with this objective?



Strongly Agree

☐

Agree

☐

Neutral

☐

Disagree

☐

Strongly disagree

☐

5b. Please explain why you feel this way:

5c. How will this affect you?

We will develop flexible pathways to enable children and young people to access the right provision and services to meet their individual needs different stages. This will deliver the best possible outcomes, including education, employment and training, as young people move into adulthood.

This means we will regularly review the type of provision that can best meet the needs of a child or young person and work with you to agree the best placement throughout the child or young person's education.

6a. Do you agree or disagree with this objective?



Strongly Agree

☐

Agree

☐

Neutral

☐

Disagree

☐

Strongly disagree

☐

6b. Please explain why you feel this way:

6c. How will this affect you?

Our Priorities

Priority 1:

Develop a framework of SEND assessment and planning from 0-25 years to enable professionals and partners to meet the full range of individual need and raise achievement

This means you can expect teachers and professionals to plan and effectively meet your child's special educational needs, including accessing extra funding, without always needing an Education Health and Care Plan.

7a. Do you agree or disagree with this objective?



Strongly Agree

☐

Agree

☐

Neutral

☐

Disagree

☐

Strongly disagree

☐

7b. Please explain why you feel this way:

7c. How will this affect you?

Priority 2:

Ensure there is a sufficient and appropriate range of quality provision to meet the needs of children and young people who have special educational needs and/or disabilities aged 0-25 years and improve outcomes from early years to adulthood.

This means we will ensure there are enough good placements available in Birmingham for children and young people of all ages 0-25 to meet all levels of need.

8a. Do you agree or disagree with this objective?



Strongly Agree

☐

Agree

☐

Neutral

☐

Disagree

☐

Strongly disagree

☐

8b. Please explain why you feel this way:

8c. How will this affect you?

Priority 3:

Develop a unified resource allocation system to distribute the range of SEND funding across all schools and settings in order to make the most effective use of available resources and maximise the impact on outcomes for young people

This means we will develop a system to give funding to schools and settings, based on individual needs of children and young people, and make sure we can clearly see the difference the money has made.

9a. Do you agree or disagree with this objective?



Strongly Agree

☐

Agree

☐

Neutral

☐

Disagree

☐

Strongly disagree

☐

9b. Please explain why you feel this way:

9c. How will this affect you?



10. Do you have any comments on any part of our draft strategy and plans, or any ideas for making SEND services better?

About You



We would like you to tell us some things about you.

You do not have to tell us if you do not want to.

But if you do, it will help us to plan our services

How old are you?

<input type="checkbox"/>	0-4
<input type="checkbox"/>	5-9
<input type="checkbox"/>	10-14
<input type="checkbox"/>	15-17
<input type="checkbox"/>	18-19
<input type="checkbox"/>	20-24
<input type="checkbox"/>	25-29
<input type="checkbox"/>	30-34
<input type="checkbox"/>	35-39
<input type="checkbox"/>	40-44
<input type="checkbox"/>	45-49
<input type="checkbox"/>	50-54
<input type="checkbox"/>	55-59
<input type="checkbox"/>	60-64
<input type="checkbox"/>	65-69
<input type="checkbox"/>	70-74
<input type="checkbox"/>	75-79
<input type="checkbox"/>	80-84
<input type="checkbox"/>	85+

I am:



Male

☐

Female

☐

Do you have any physical, mental health or illnesses that are expected to last longer than 12 months?



Yes

No

No Response

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>



The answers to these questions are used to check that we are getting views from different groups of people.



Do you have any of the following conditions or illnesses that affect you with?

- ☐ Vision (Blindness / Partial Sight)
- ☐ Hearing (Deafness / Partial Hearing)
- ☐ Mobility (Walking / Climbing Stairs)
- ☐ Dexterity (Lifting / Opening tins / Gripping)
- ☐ Learning / Understanding / Concentrating
- ☐ Memory
- ☐ Mental Health
- ☐ Stamina / Breathing /Fatigue.
- ☐ Socially / Behaviourally (Autism, Asperger's, Attention Deficit Disorder)
- ☐ Other:

Please tick your ethnic background:

White

English / Welsh / Scottish / Northern Irish/ British	<input type="checkbox"/>	Irish	<input type="checkbox"/>
Gypsy / Irish Traveller	<input type="checkbox"/>	Polish	<input type="checkbox"/>
Baltic States	<input type="checkbox"/>	Jewish	<input type="checkbox"/>
Other White European	<input type="checkbox"/>	Any other White Background	<input type="checkbox"/>

Mixed / Multiple Ethnic Groups

White and Black Caribbean/African	<input type="checkbox"/>	Irish	<input type="checkbox"/>
Any other mixed background	<input type="checkbox"/>		<input type="checkbox"/>

Asian / Asian British

Afghani	<input type="checkbox"/>	Bangladeshi	<input type="checkbox"/>
British Asian	<input type="checkbox"/>	Chinese	<input type="checkbox"/>
Filipino	<input type="checkbox"/>	Indian Sikh	<input type="checkbox"/>
Indian Other	<input type="checkbox"/>	Kashmiri	<input type="checkbox"/>
Pakistani	<input type="checkbox"/>	Sri Lankan	<input type="checkbox"/>
Vietnamese	<input type="checkbox"/>	Any other Asian background	<input type="checkbox"/>

Black African / Caribbean / Black British

African	<input type="checkbox"/>	Black British	<input type="checkbox"/>
Caribbean	<input type="checkbox"/>	Somali	<input type="checkbox"/>
Any other Black/African/Caribbean background	<input type="checkbox"/>		<input type="checkbox"/>

Other Ethnic Group

Arab	<input type="checkbox"/>	Iranian	<input type="checkbox"/>
Kurdish	<input type="checkbox"/>	Yemeni	<input type="checkbox"/>

Any Other Ethnic Group: _____



What is your sexual orientation?

☐

Heterosexual or Straight

☐

Gay or Lesbian

☐

Bisexual

☐

Prefer not to say

☐

Other (Please specify) _____



What is your religion or belief?

No religion

☐

Christian (including Church of England, Catholic, Protestant and all other Christian denominations)

☐

Buddhist

☐

Hindu

☐

Jewish

☐

Muslim

☐

Sikh

☐

Any other religion (please specify below)

☐

Prefer not to say

☐

Thank you

for completing
this questionnaire.

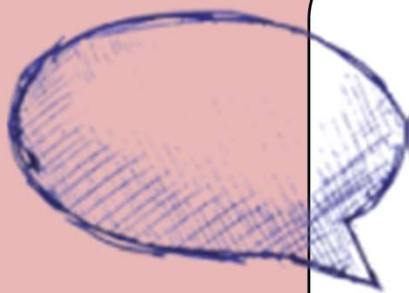
Where can I
return my
completed paper
questionnaire?



Please post it to us at:
Birmingham's Strategy
for SEND and Inclusion
PO Box 16465
Birmingham
B2 2DG

Completing an online version of the
questionnaire:

[https://www.birminghambeheard.org
.uk/people-1/send-inclusion](https://www.birminghambeheard.org.uk/people-1/send-inclusion)



Section 2 - Have your say.

There are lots of ways to find out more and to give us your views.

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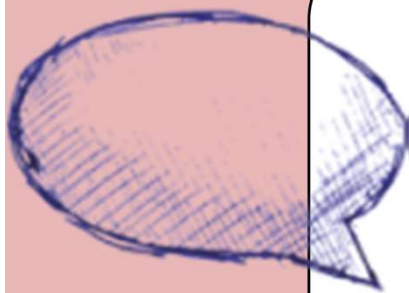
Parents and Carers are invited to attend one of the public meetings below, at which a senior manager from Education services will explain the proposals.

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Continued on the next page >



Section 2 - Have your say.

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Phone: **0121 303 5154**



Write to:



Birmingham's Strategy for SEND and Inclusion
PO Box 16465
Birmingham
B2 2DG

Birmingham's Strategy for SEND & Inclusion

Frequently Asked Questions – updated 9th June 2017

Is this strategy being developed just to save money?

There is considerable budget pressure and we need to use our resources more effectively. There is already a budget recovery plan in place to address the immediate pressure. In the longer term the strategy aims to re balance the use of the budget away from expensive independent providers and towards our own Birmingham schools – both mainstream and special.

Is it just about reducing the number of Education Health & Care Plans (EHCPs), which means denying children who need them?

It is hoped that more families will be confident that their local mainstream school or setting can meet the needs of their child needs via an SEN Support Plan and access resources without the need for an EHCP. This should mean that those children needing a plan will get a better service with more capacity for officers to maintain and review plans appropriately.

Will it involve moving children in and out of provision?

We want there to be more flexibility for children and young people to move in and out of specialist provision when it is appropriate. The annual review process and key transition points will be used to re-evaluate the pathway for the young person, and through working with families, we will identify how to achieve the best adult outcomes.

Anyone currently in independent provision who is settled will not be required to move but where a family are looking for a change, a place at a Birmingham school will be offered if possible.

Are we planning to close special schools?

We will need all the special school places and have no plans to close schools. We will be looking to develop more Birmingham provision for very complex cases and young people aged over 19.

I need an EHCP for secondary transfer – will this mean my child is less likely to get the place they need?

We know that secondary transfer can be a driver for an EHCP request. We want to look at our admissions policy to explore the idea of SEN support being given some priority when making decisions about places. We also aspire to having a fully inclusive secondary sector where all families can feel confident as their child moves on.

Will more children with SEN in mainstream schools affect school data used by Ofsted?

It is understandable that schools feel under pressure regarding standards and Ofsted but this must not stop us doing what is right. All schools should be inclusive as per the SEND Code of Practice and be able to present the data to show the achievement of different groups. We have schools in the city that are very inclusive and rated highly by Ofsted we plan to share this good practice and help every school be bold and inclusive.

Have mainstream staff got the expertise and qualifications to deliver for our children and young people with SEND?

We have a very committed team of SENCOs in our schools with high levels of expertise. Our SEN support services offer training and support. There are many examples of excellent practice in Birmingham's mainstream schools and we would work with the Birmingham Education Partnership to facilitate sharing of good practice.

How is this going to be different to previous years?

This has to be different because the current situation is unsustainable. This strategy is different because it has been developed by the Inclusion Commission which has representatives from a wide range of stakeholders including health, social care, education, schools, private and voluntary providers and parents and young people. The strategy aims to underpin the high level vision with practical proposals for delivery and implementation.

Will there be any further consultation taking place?

Yes it is intended to consult on more detailed proposals as they emerge. We will do this through a variety of ways to ensure engagement with families and practitioners.

Equality Analysis

Birmingham City Council Analysis Report

EA Name	Birmingham's Strategy For SEND And Inclusion
Directorate	People
Service Area	Children - Education & Skills
Type	New/Proposed Policy
EA Summary	Looking at the impact on children and families with SEND
Reference Number	EA002086
Task Group Manager	jill.crosbie@birmingham.gov.uk
Task Group Member	
Date Approved	2017-11-28 00:00:00 +0000
Senior Officer	colin.diamond@birmingham.gov.uk
Quality Control Officer	jill.crosbie@birmingham.gov.uk

Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Initial Assessment

This section identifies the purpose of the Policy and which types of individual it affects. It also identifies which equality strands are affected by either a positive or negative differential impact.

Relevant Protected Characteristics

For each of the identified relevant protected characteristics there are three sections which will have been completed.

- Impact
- Consultation
- Additional Work

If the assessment has raised any issues to be addressed there will also be an action planning section.

The following pages record the answers to the assessment questions with optional comments included by the assessor to clarify or explain any of the answers given or relevant issues.

1 Activity Type

The activity has been identified as a New/Proposed Policy.

2 Initial Assessment

2.1 Purpose and Link to Strategic Themes

What is the purpose of this Policy and expected outcomes?

This draft strategy is to guide all work pertaining to special needs and provide a direction of travel for all new developments. It has been subject to a formal consultation process and has been returned to the Inclusion Commission in September 2017 for sign off prior to cabinet approval.

Following consultation we have strong commitment to a shared vision and priorities for action.

VISION

Every child and young person aged 0-25 with a special educational need and/or disability (SEND) in Birmingham will have the opportunity to be happy, healthy and achieve their fullest potential, enabling them to participate in, and contribute to all aspects of life.

MISSION

To implement an efficient and inclusive system where practitioners work with families, children and young people aged 0-25, to develop trust and confidence in order to build genuine and good quality partnerships. This will be achieved by practitioners from all sectors working together collaboratively to deliver the most appropriate local provision and support.

OBJECTIVES

- . Develop use of joint commissioning to ensure resources are used fairly and effectively to provide maximum impact on outcomes.
- . We will provide services that ensure the needs of children and young people who have special educational needs and disabilities and their families are at the heart of all that we do. We aim to offer this as locally as possible.
- . All Birmingham mainstream provision will be welcoming, accessible and inclusive, adhering to the SEND Code of Practice, so that they can meet the needs of most children and young people, aged 0-25 who have special educational needs and/or disabilities.
- . We will develop flexible pathways to enable children and young people to access the right provision and services to meet their individual needs different stages. This will deliver the best possible outcomes, including education, employment and training, as young people move into adulthood.

PRIORITIES FOR ACTION

1. Develop a framework of SEND assessment and planning from 0-25 years to enable professionals and partners to meet the full range of individual need and raise achievement
2. Ensure there is a sufficient and appropriate range of quality provision to meet the needs of children and young people with SEND aged 0-25 years and improve outcomes from early years to adulthood
3. Develop a unified resource allocation system to distribute the range of SEND funding across all schools and settings in order to make the most effective use of available resources and maximise the impact on outcomes for young people

For each strategy, please decide whether it is going to be significantly aided by the Function.

Children: A Safe And Secure City In Which To Learn And Grow	Yes
Health: Helping People Become More Physically Active And Well	Yes
Housing : To Meet The Needs Of All Current And Future Citizens	No
Jobs And Skills: For An Enterprising, Innovative And Green City	No

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	Yes
Will the policy have an impact on employees?	Yes
Will the policy have an impact on wider community?	Yes

2.3 Relevance Test

Protected Characteristics	Relevant	Full Assessment Required
Age	Relevant	No
Disability	Relevant	No
Gender	Relevant	No
Gender Reassignment	Not Relevant	No
Marriage Civil Partnership	Not Relevant	No
Pregnancy And Maternity	Not Relevant	No
Race	Not Relevant	No
Religion or Belief	Not Relevant	No
Sexual Orientation	Not Relevant	No

2.4 Analysis on Initial Assessment

Age

We are considering all young people between 0-25 as laid down in SEND legislation. We will need to consider whether their needs are adequately met and sufficient funding is allocated at all ages .Young people who require support post 16 and post 18 provision are affected by the move to adult services in Health and Social Care and their rights under their EHCP will need to be protected as they make this transition.

Disability

We will be looking at all types of special needs and disabilities. We will be planning to provide appropriate provision across the city for all types of needs. We will be working with the mainstream sector to ensure schools and settings are as accessible as possible. Early years settings run by the private and voluntary sector will be commissioned on the basis of their provision for disability. Post 16 providers will be expected to make the reasonable adjustments to meet need.

Gender

We will be considering the evidence that special needs are more prevalent in boys than girls. We will consider the high incidence amongst boys of Autism and SEMH. The impact of this on both boys and girls must be considered eg creating a peer group for girls in SEMH provision.

The implementation of the new strategy should have an overall positive impact on children and young people with special needs and disabilities. We aim to provide more appropriate places close to students homes and deliver more services through their local mainstream school - enabling them to be part of their community and participate more easily. We aim to develop full provision for Early years and post 16 so that the statutory requirement to deliver from 0-25 can be met.

3 Full Assessment

The assessment questions below are completed for all characteristics identified for full assessment in the initial assessment phase.

3.1 Concluding Statement on Full Assessment

Following consultation it is concluded that a full assessment is not required since no negative impact was identified for any of the protected characteristic groups. In fact it was concluded that the implementation of this strategy would benefit certain groups and offer better protection for disabled young people. The consultation did identify a perception by some respondents that the rights of children and families to gain an EHCP were to be curtailed and they would therefore have their rights infringed. This perception is incorrect and the Local Authority will continue to deliver on their statutory duty to respond to requests for assessment. Further the strategy aims to build trust and confidence in the system and introduce a system of SEN support plans which will enable needs to be met more effectively.

Some changes were made to the strategy in response to the consultation. Certain aspects were strengthened eg 'all mainstream schools will be inclusive' - rather than 'aim to be inclusive'. The changes made will protect the rights of children and young people with SEND and help to ensure that all schools and providers adhere to the SEND Code of Practice.

As work progresses under the implementation plan there will be a need to conduct further consultation and equality analysis as necessary.

4 Review Date

05/09/17

5 Action Plan

There are no relevant issues, so no action plans are currently required.

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	CABINET
Report of:	CORPORATE DIRECTOR, ECONOMY
Date of Decision:	12 DECEMBER 2017
SUBJECT:	HIGHWAY MAINTENANCE AND MANAGEMENT PFI CONTRACT
Key Decision:	Yes
If not in the Forward Plan:	Relevant Forward Plan Ref: 004258/2017
(please "X" box)	Chief Executive approved <input type="checkbox"/> N/A
	O&S Chair approved <input type="checkbox"/> N/A
Relevant Cabinet Members:	Councillor Stewart Stacey, Cabinet Member for Transport and Roads
	Councillor Majid Mahmood, Cabinet Member for Commercialism, Commissioning and Contract Management
Relevant O&S Chair:	Councillor Zafar Iqbal, Chair, Economy, Skills and Transportation Overview and Scrutiny Committee
	Councillor Mohammed Aikhlaq, Chair, Corporate Resources and Governance Overview and Scrutiny Committee
Wards affected:	All

1. Purpose of report:

- 1.1 This report informs Members of progress in agreeing a commercial settlement with Amey Birmingham Highways Limited (ABHL) in relation to a number of matters within the Highway Maintenance and Management PFI (HMMPFI) contract.
- 1.2 A separate Private Report addresses the relevant private financial and commercial matters and sets out the terms that would enable a commercial settlement to be reached.

2. Decision recommended:

- 2.1 That Cabinet notes the content of this report.

Lead Contact Officer(s): Kevin Hicks, Assistant Director, Highways and Infrastructure
Telephone No: 0121 675 3748
E-mail address: kevin.hicks@birmingham.gov.uk

3. Consultation:

- 3.1 Internal
 - 3.1.1 Officers from Legal and Governance Services, City Finance and Procurement have been involved in the preparation of this report.
- 3.2 External
 - 3.2.1 External specialist legal advice has been provided by DLA Piper.

4. Compliance Issues:

4.1 Are the recommended decision(s) consistent with the Council's Policies, Plans and Strategies?

4.1.1 The Council has adopted a *Vision and Forward Plan, 2017-2020*, which identifies four key drivers of change in Birmingham (Children, Housing, Jobs and Skills and Health). This decision supports the vision as follows:

- *Jobs and Skills: Investment in infrastructure and improved connectivity.* This decision directly affects investment in and maintenance of the Council's 2,500km highway network and Council-owned infrastructure on it.

4.2 Financial implications - will decisions be carried out within existing finances and resources?

4.2.1 The financial implications of the proposed commercial settlement (including all costs) will be maintained within existing HMMPFI resources. Further details are provided in the Private Report.

4.2.2 The City Council will seek to agree a commercial settlement in accordance with the terms set out in the Private Report. Legal costs to finalise and progress such matters have been approved under a separate delegated procurement authorisation.

4.3 Legal implications

4.3.1 The HMMPFI contract was procured to enable the Council to meet its statutory duties relating to maintenance of highway infrastructure, primarily under the Highways Act 1980 and the New Roads and Street Works Act 1991.

4.3.2 Any commercial settlement would only be agreed if it complied with the Council's statutory duty to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness in accordance with Section 3 Local Government Act 1999.

4.4 Public Sector Equality Duty

4.4.1 A copy of the Equality Act 2010 – Public Sector Duty statement is set out in Appendix 1, together with the initial equality assessment screening (Appendix 2).

5. Relevant background / chronology of key events:

5.1 The HMMPFI contract commenced on 7 June 2010, including an initial five year investment period to improve the city's highway infrastructure and provide operational services on the highway network over the contract term. After an initial period of delivery the Council began to identify concerns regarding a range of issues with ABHL, including questionable investment decisions, quality of workmanship and performance. A number of Members, stakeholders and members of the public have also advised their dissatisfaction regarding the performance of ABHL over this period in various forums.

5.2 A dispute commenced between the Council and ABHL in April 2014. This dispute was significant as it concerned the extent of infrastructure investment works to be carried out as part of the services procured under the contract by ABHL on roads and footpaths across the city.

5.3 The Council has actively managed the performance of ABHL on both investment works and operational services from service commencement on 7 June 2010 and in accordance with the terms of the contract. Unfortunately, a number of further disputes have arisen in relation to the services over this period of time. These are more fully described in the Private Report.

5.4 On 18 December 2015 the Council agreed a settlement in relation to some (but not all) of the performance and quality disputes, including measures to rectify the disputed

matters (the “2015 Settlement”). These rectifications were to be completed by ABHL by 18 December 2016.

- 5.5 Despite the 2015 Settlement, since November 2015 a number of significant performance disputes have arisen. A further dispute in relation to the investment works on roads and footpaths also commenced in early 2016. The extent of this dispute again was significant and fundamental to how those investment works were to be delivered.
- 5.6 Since January 2017, without prejudice to either party’s position in disputes, discussions have taken place between the Council, senior representatives of ABHL and its subcontractor Amey LG. These discussions have sought to reach a commercial settlement acceptable to the parties (for reference, a ‘commercial settlement’ is a legally binding agreement on terms between the parties to end a dispute, taking holistic account of financial and non-financial issues).
- 5.7 By mid-2017 it became evident that it would not be possible to resolve all the disputes but that some elements could be agreed. To enable progress to be made on the agreed elements in 2017, an agreement was reached for an interim period on 15 September 2017 (the “Interim Agreement” - approved by Cabinet, 25 July 2017). The Interim Agreement expires on 31 December 2017. Details of the settlement in the Interim Agreement are contained within the accompanying Private Report.
- 5.8 Discussions between the parties have continued subsequently towards reaching a full agreement on all of the disputed issues. However, it has not yet been possible to do so and discussions will continue. Details of the position are contained within the accompanying Private Report.

6. Evaluation of alternative options:

- 6.1 This Public Report updates Cabinet on the progress regarding a commercial settlement. The following are alternatives to pursuing a course of reaching a settlement.
- 6.2 *Accept ABHL’s position on the disputed matters.* This is not acceptable as it will reduce the performance standards required under the contract and undermine the Council’s commercial and legal position. Fundamentally, it would fail to secure the value for money position expected from the contract.
- 6.3 *Continue to dispute matters.* The Council could continue to dispute matters and pursue resolution through the contractual dispute resolution procedure. Whilst this would ultimately enable each disputed matter to be determined, it will take considerable time to resolve and would incur additional cost, some or all of which may not be recoverable by the Council.
- 6.4 *Agree a settlement on some matters and continue to dispute others.* Whilst this may be possible in theory, in practice this will not provide a long-term basis for improvement as some disputes would continue.

7. Reasons for Decision:

- 7.1 To update Cabinet on progress made in agreeing a commercial settlement with ABHL.

Signatures:**Date:**

Councillor Stewart Stacey
Cabinet Member for Transport and
Roads

Councillor Majid Mahmood
Cabinet Member for Commercialism,
Commissioning and Contract
Management

Waheed Nazir,
Corporate Director, Economy

List of Background Documents used to compile this Report:

- Report of the Corporate Director, Economy to Cabinet, 25 July 2017 – Highway Maintenance and Management PFI Contract (Public).

List of Appendices accompanying this Report:

1. Equality Act 2010 – Public Sector Duty statement
2. Initial equality assessment screening

APPENDIX 1: EQUALITY ACT 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

- 1 The Council must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 2 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 3 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- 4 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - (a) tackle prejudice, and
 - (b) promote understanding.
- 5 The relevant protected characteristics are:
 - (a) marriage & civil partnership
 - (b) age
 - (c) disability
 - (d) gender reassignment
 - (e) pregnancy and maternity
 - (f) race
 - (g) religion or belief
 - (h) sex
 - (i) sexual orientation

Equality Analysis

Birmingham City Council Analysis Report

EA Name	Highways Maintenance Management PFI Contract
Directorate	Place
Service Area	Place - Highways And Resiliance
Type	Reviewed Function
EA Summary	The Highway Maintenance and Management Services contract delivers improvements to existing highway infrastructure within the city over a 25 year partnership (to June 2035). This is a proposed decision with regard to management and operation of the contract.
Reference Number	EA002155
Task Group Manager	jenny.bent@birmingham.gov.uk
Task Group Member	
Date Approved	2017-06-16 00:00:00 +0100
Senior Officer	ravinder.sahota@birmingham.gov.uk
Quality Control Officer	jawaid.akhtar@birmingham.gov.uk

Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Initial Assessment

This section identifies the purpose of the Policy and which types of individual it affects. It also identifies which equality strands are affected by either a positive or negative differential impact.

Relevant Protected Characteristics

For each of the identified relevant protected characteristics there are three sections which will have been completed.

- Impact
- Consultation
- Additional Work

If the assessment has raised any issues to be addressed there will also be an action planning section.

The following pages record the answers to the assessment questions with optional comments included by the assessor to clarify or explain any of the answers given or relevant issues.

1 Activity Type

The activity has been identified as a Reviewed Function.

2 Initial Assessment

2.1 Purpose and Link to Strategic Themes

What is the purpose of this Function and expected outcomes?

Highway Maintenance and Management Services. Expected outcomes are refurbishment of the highway infrastructure and management of operational services on the network.

For each strategy, please decide whether it is going to be significantly aided by the Function.

Public Service Excellence	Yes
A Fair City	Yes
A Prosperous City	Yes
A Democratic City	Yes
Children: A Safe And Secure City In Which To Learn And Grow	Yes
Health: Helping People Become More Physically Active And Well	Yes
Housing : To Meet The Needs Of All Current And Future Citizens	Yes
Jobs And Skills: For An Enterprising, Innovative And Green City	Yes

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	Yes
Will the policy have an impact on employees?	No
Will the policy have an impact on wider community?	Yes

2.3 Relevance Test

Protected Characteristics	Relevant	Full Assessment Required
Age	Not Relevant	No
Disability	Not Relevant	No
Gender	Not Relevant	No
Gender Reassignment	Not Relevant	No
Marriage Civil Partnership	Not Relevant	No
Pregnancy And Maternity	Not Relevant	No
Race	Not Relevant	No
Religion or Belief	Not Relevant	No
Sexual Orientation	Not Relevant	No

2.4 Analysis on Initial Assessment

The decision affects the services delivered under the contract by:

- . Ensuring that standards are delivered in the future;
- . Obtaining payments under the contract in lieu of service not provided;
- . Resolving disputes.

There is no change proposed to the standards required under the contract and this decision will not affect the safety of the highway and the proposed change in standards will remain within national and industry standards.

The changes proposed will not contribute to inequality for any group with a protected characteristic.

There are no changes proposed to the standards of services and therefore there is no negative impact of this decision.

3 Full Assessment

The assessment questions below are completed for all characteristics identified for full assessment in the initial assessment phase.

3.1 Concluding Statement on Full Assessment

This initial screening demonstrates that the proposals are robust and there is no potential for discrimination or adverse impact as a result of implementing this decision.

4 Review Date

16/06/17

5 Action Plan

There are no relevant issues, so no action plans are currently required.

BIRMINGHAM CITY COUNCIL**PUBLIC REPORT**

Report to:	CABINET
Report of:	Corporate Director, Economy
Date of Decision:	12th December 2017
SUBJECT:	BIRMINGHAM LOCAL DEVELOPMENT SCHEME 2018 TO 2021
Key Decision:	Yes
If not in the Forward Plan:	Relevant Forward Plan Ref: 004375/2017
(please "X" box)	Chief Executive approved <input type="checkbox"/>
Relevant Cabinet Member:	O&S Chair approved <input type="checkbox"/>
Relevant O&S Chair:	Councillor Ian Ward, Leader
	Councillor Zafar Iqbal, Chair of Economy, Skills and Transport O & S Committee
Wards affected:	All

1. Purpose of report:

1.1 To seek Cabinet agreement to a revised Local Development Scheme (LDS) attached as Appendix 1 that sets out a three year programme of preparing Local Development Documents (LDDs) that form the local plan for Birmingham.

2. Decision(s) recommended:

That the Cabinet:-

2.1. Approves the revised Local Development Scheme (LDS) (attached at Appendix 1) for the period 1st January 2018 to 31st December 2021.

2.2 Notes that the LDS contains the following Local Development Documents which will be prepared over the next three years; Bordesley Park Area Action Plan, Development Management Development Planning Document and Neighbourhood Development Plans for the Jewellery Quarter and Beeches, Booths and Barr (3Bs) areas of the city.

Lead Contact Officer(s):	Uyen-Phan Han / Jacob Bonehill
Telephone No:	0121 303 2765 / 0121 303 4057
E-mail address:	uyen-phan.han@birmingham.gov.uk jacob.bonehill@birmingham.gov.uk

3. Consultation

3.1 Internal

Consultation has been undertaken with the relevant Assistant Directors (Planning, Development, Transportation and Connectivity, Highways and Infrastructure and Birmingham Property Services) Heads of Service (Planning Management, Housing Development and City Design) and Area Development Planning Managers.

3.2 External

External consultation has been undertaken on some of the documents in the LDS, namely the Bordesley Park Area Action Plan and the Development Management Development Planning Document. Both of these documents will be subject to further external consultation as they are developed. For those documents in the LDS for which consultation has not commenced due to their earlier stage of preparation, consultation will be undertaken at the appropriate stage(s) in their development. Consultation on all documents in the LDS will be undertaken in accordance with the Council's Statement of Community Involvement.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

4.1.1 The various documents included within the LDS will collectively contribute to achieving all four priorities set out in the Council's Vision and Priorities 2017 to 2020, namely Children – a great city to grow up in, Housing – a great city to live in, Jobs and Skills – a great city to succeed in and Health – a great city to grow old in.

4.1.2 Each of the documents proposed for preparation in the LDS will be prepared in accordance with the adopted Birmingham Development Plan.

4.2 Financial Implications (How will decisions be carried out within existing finances and Resources?)

4.2.1 The preparation of the documents set out in the LDS will be undertaken by officers from the Planning and Development service funded from existing revenue budgets supported by officers from across the wider Economy Directorate as necessary.

4.3 Legal Implications

4.3.1 It is a requirement to prepare a LDS and to revise it as necessary, under the provisions of the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011.

4.4 Public Sector Equality Duty

4.4.1 An Equalities Analysis (ref: EA002403) has been undertaken and is attached as Appendix 2. It concluded that the LDS would not have any adverse impacts on any of the protected characteristics, although there is the potential for the documents proposed for production in the LDS to have adverse impacts. To mitigate this each of the proposed documents will be subject to their own equalities assessments as part of the process of their production.

5. Relevant background/chronology of key events:

5.1 The Council is required to prepare a LDS and to revise it as necessary. The existing LDS came into effect in April 2014 and a revised scheme is proposed in Appendix 1.

5.2 The purpose of the LDS is to set out a programme of LDDs in progress, which together will form the local plan for Birmingham. There are two types of document within the programme – Development Plan Documents (DPDs), which form the statutory Development Plan for Birmingham and are subject to a formal examination process, and Supplementary Planning Documents (SPDs), which add detail to policies and proposals contained within DPDs.

5.3 A schedule of proposed DPDs is required within the LDS. However it is no longer a statutory requirement that SPDs are included. They are recorded for information only, to maintain a record of SPDs in progress and those that have been adopted. This ensures that information regarding the full range of the Council's planning policies is available in one document.

5.4 The LDS details target dates for the completion of key stages in the preparation of DPDs. The main DPD for Birmingham is the Birmingham Development Plan (BDP) which was adopted in January 2017. It is not currently proposed that the BDP will be reviewed during the period covered by the revised LDS. Annual monitoring of the BDP is undertaken through the Authorities Monitoring Report, should any issues be identified with the BDP through this process the LDS will be revised as necessary.

5.5 Other DPDs included in the LDS that are currently being prepared include the Bordesley Park Area Action Plan and the Development Management DPD. These documents will both be the subject of an examination in public undertaken by an Inspector acting on behalf of the Secretary of State. There are also two Neighbourhood Development Plans currently being prepared which will also form part of the statutory Development Plan when they are 'made' by the City Council following an independent Examination and subsequent referendum. These Neighbourhood Development Plans will cover the Beeches, Booths and Barr (3B's) areas of Perry Barr Ward and the Jewellery Quarter area of the Ladywood Ward.

5.6 In addition to the DPDs detailed above a number of SPDs are proposed to be produced over the time period covered by the revised LDS. Each of these documents is at different stages in their production and further details are available in appendix 1.

6. Evaluation of alternative option(s):

6.1 The LDS is required to be updated as necessary by the City Council. The existing LDS came into effect in 2014 and the schedule is in need of revision to reflect recent progress in producing DPDs and new documents within the scheme. There is not considered to be a viable alternative option to producing a current LDS.

7. Reasons for Decision(s):

7.1 To meet statutory requirements to maintain an up-to-date Local Development Scheme as set out above.

Signatures

Date

Councillor Ian Ward
Leader

.....

Waheed Nazir
Corporate Director, Economy

.....

List of Background Documents used to compile this Report:

- Local Development Scheme for Birmingham 2014
- Birmingham Development Plan 2031
- Bordesley Park Area Action Plan pre-submission draft
- Development Management DPD Regulation 18 (Preparation) Consultation Document
- Draft Langley SPD (awaiting sign off for consultation)
- Draft Peddimore SPD (awaiting sign off for consultation)
- Birmingham Design Guide Vision Document
- Conservation Areas Review Recommendations Report
- Beeches, Booths and Barr (3B's) Neighbourhood Area and Neighbourhood Forum Designations
- Jewellery Quarter Neighbourhood Development Plan – Designation of Neighbourhood Area and Neighbourhood Forum

List of Appendices accompanying this Report (if any):

- Appendix 1: Local Development Scheme for Birmingham 2018-2021
- Appendix 2: LDS 2018-2021 Equalities Analysis

PROTOCOL PUBLIC SECTOR EQUALITY DUTY

- 1 The public sector equality duty drives the need for equality assessments (Initial and Full). An initial assessment should, be prepared from the outset based upon available knowledge and information.
- 2 If there is no adverse impact then that fact should be stated within the Report section 4.4 and the initial assessment document appended to the Report duly signed and dated. A summary of the statutory duty is annexed to this Protocol and should be referred to in section 4.4 of executive reports for decision and then attached in an appendix; the term 'adverse impact' refers to any decision-making by the Council which can be judged as likely to be contrary in whole or in part to the equality duty.
- 3 A full assessment should be prepared where necessary and consultation should then take place.
- 4 Consultation should address any possible adverse impact upon service users, providers and those within the scope of the report; questions need to assist to identify adverse impact which might be contrary to the equality duty and engage all such persons in a dialogue which might identify ways in which any adverse impact might be avoided or, if avoidance is not possible, reduced.
- 5 Responses to the consultation should be analysed in order to identify:
 - (a) whether there is adverse impact upon persons within the protected categories
 - (b) what is the nature of this adverse impact
 - (c) whether the adverse impact can be avoided and at what cost – and if not –
 - (d) what mitigating actions can be taken and at what cost
- 6 The impact assessment carried out at the outset will need to be amended to have due regard to the matters in (4) above.
- 7 Where there is adverse impact the final Report should contain:
 - a summary of the adverse impact and any possible mitigating actions (in section 4.4 or an appendix if necessary)
 - the full equality impact assessment (as an appendix)
 - the equality duty (as an appendix).

Equality Act 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

- 1 The Council must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 2 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 3 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- 4 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - (a) tackle prejudice, and
 - (b) promote understanding.
- 5 The relevant protected characteristics are:
 - (a) marriage & civil partnership
 - (b) age
 - (c) disability
 - (d) gender reassignment
 - (e) pregnancy and maternity
 - (f) race
 - (g) religion or belief
 - (h) sex
 - (i) sexual orientation

Local Development Scheme for Birmingham

2018 to 2021



Draft December 2017

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Introduction

The Local Development Scheme (LDS) is a three-year project plan, which sets out the progress of Local Development Documents (LDDs) which make up the local plan for Birmingham. Progress on the preparation of these documents is reviewed in the Council's Authorities' Monitoring Report.

This LDS covers the period from 2018 to 2021.

The LDS provides an updated schedule of Local Development Documents (LDDs) that make up the local plan for Birmingham. Details of newly proposed documents and those that have been adopted since the previous LDS was published (2014-2017) are also included.

Other LDDs include the Statement of Community Involvement (SCI) adopted in April 2008, which details how the Council will encourage local communities to participate in the planning system.

Although there is no longer a statutory requirement to include Supplementary Planning Documents (SPDs) in the LDS, these continue to be listed in order to give a full account of the planning policies proposed to be prepared over the next 3 years.

Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) requires the City Council to produce and, when necessary, update an LDS.

The Localism Act also enables local communities, through Neighbourhood Forums, to create Neighbourhood Development Plans for their area with the guidance of Local Planning Authorities.

Local Development Documents

Local Development Documents produced by the Council collectively deliver the spatial planning strategy for Birmingham and include the following types of documents.

Development Plan Documents (DPDs)

DPDs are the key documents in the statutory development plan. DPDs are subject to public consultation and to a public examination process. This considers whether the document is sound, whether it has been prepared in line with the correct legal procedures and whether the Council has complied with the 'Duty to Co-operate' with other Councils and public bodies. Examinations are undertaken by a Government appointed Inspector who acts on behalf of the Secretary of State for Communities and Local Government. DPDs are also subject to a Sustainability Appraisal. Guidance

on the examination process is available at <https://www.gov.uk/government/publications/examining-local-plans-procedural-practice#history>

Statement of Community Involvement

The Statement of Community Involvement (SCI) was adopted by the Council in April 2008. This sets out how we consult on new policies and planning applications, to ensure that the views and needs of local communities are heard and responded to.

https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/69/local_development_framework/4

Neighbourhood Development Plans (NDPs)

These offer local communities (via a formally designated Neighbourhood Forum or Parish Council) the opportunity to prepare locally specific policies in conformity with the Local Plan. A NDP attains the same legal status as a DPD once it has been agreed at a referendum and is 'made' by the Council following an independent Examination.

The Council has a Neighbourhood Planning Protocol in place which sets out in more detail the processes involved and the role that the Council will play in supporting local communities that wish to prepare a NDP. Further details are available at

https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/299/neighbourhood_planning/3

Other Plans

SPDs add detail and guidance to policies and proposals contained within DPDs, which they must be consistent with. The production of SPDs follow a statutory process and are subject to public consultation, however there is no public examination and there is no requirement to undertake a Sustainability Appraisal. They do not form part of the statutory development plan, however they are a material consideration in the determination of planning applications.

The Council also regularly produce a range of non-statutory documents including frameworks and masterplans to promote development opportunities. They do not follow the formal statutory process so are not part of the statutory development plan, however the public are consulted on them and they are evidence based so can be a material consideration in the determination of planning applications.

A full list of currently adopted **SPDs** and **non-statutory documents** can be found at:

https://www.birmingham.gov.uk/directory/10/approved_planning_policies

Headline Programme of Local Development Documents 2018 to 2021

Adopted Plans

The following adopted plans are part of the statutory development plan:

- The **Birmingham Development Plan (BDP)** was adopted in January 2017. It sets out the vision, spatial strategy and core policies for the spatial development of Birmingham. This is the primary DPD for Birmingham.
https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/78/birmingham_development_plan
- A revised version of the **Unitary Development Plan (UDP)** was adopted in 2005. The BDP (adopted January 2017) replaced the policies in the UDP 2005 with the exception of those policies contained within chapter 8 and paragraphs 3.14 to 3.14D of that plan which will continue in force until replaced by the Development Management
DPD. https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/66/unitary_development_plan
- The **Longbridge Area Action Plan (AAP)** was adopted in April 2009 and provides specific detailed policies for the regeneration and redevelopment of the Longbridge area.
https://www.birmingham.gov.uk/downloads/download/170/longbridge_area_action_plan
- The **Aston, Newtown and Lozells AAP** was adopted in July 2012 and provides detailed specific policies for the Aston, Newtown and Lozells areas of the City. Policy ED1 was replaced by the adoption of the BDP in January 2017.
https://www.birmingham.gov.uk/downloads/download/150/aston_newtown_and_lozells_area_action_plan
- The **Balsall Heath NDP** was adopted by the Council in November 2015 following a majority yes vote (89%) at a referendum. The plan was prepared by Balsall Heath Neighbourhood Planning Forum.

[https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/75/balsall heath neighbourhood development plan](https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/75/balsall_heath_neighbourhood_development_plan)

- A **Policies Map** which was last updated following the adoption of the BDP in January 2017. An interactive version of the map is available at <http://www.planvu.co.uk/bcc/index.php>

Plans in production

DPDs

The following DPDs are being prepared, with detailed profiles in Appendix 1.

- The **Development Management in Birmingham DPD** will, when adopted, replace the saved policies of the UDP. It will provide more detailed city-wide policies to guide decision making on planning applications and complement the BDP. Consultation on the pre-submission version of this document is anticipated to take place in 2018 with submission for examination expected 2019. The date of adoption will be dependent on the examination process.

https://www.birmingham.gov.uk/downloads/download/279/development_management_dpd

- The **Bordesley Park AAP** will guide the transformation and growth of the area, which includes parts of Washwood Heath, Bordesley Green, Bordesley Village and Small Heath, over the period to 2031. Submission for examination is expected in 2018. Adoption will be dependent on the examination process.

[https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/1159/bordesley park area action plan](https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/1159/bordesley_park_area_action_plan)

Neighbourhood Development Plans

There are also two **NDPs** being prepared by designated Neighbourhood Forums for the Jewellery Quarter and Beeches, Booths and Barr (3Bs) areas of the City. The Neighbourhood Forum is responsible for the initial timetable of NDP production

- It is anticipated that the Jewellery Quarter NDP will be published for consultation in early 2018. Updates on the progress of this plan will be published at

[:https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/76/jewellery
y_quarter_neighbourhood_development_plan](https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/76/jewellery_quarter_neighbourhood_development_plan)

- The 3Bs NDP has completed the initial stage of identifying issues, and the next stage of consultation is expected in 2019. Updates on the progress of this plan will be published at https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/1032/beeches_booths_and_barr_3bs_neighbourhood_plan

SPDs and other documents

The following SPDs are currently being prepared:

- The **Birmingham Design Guide SPD** will become the primary planning guidance used to assess and guide the design of all new development across the city, from household extensions, to tall buildings in the city centre; ensuring they deliver high quality proposals. A visioning document was consulted upon for 6 weeks starting in September 2017. It is anticipated that a draft of the guide will be consulted upon in early 2018.
<https://www.birminghambeheard.org.uk/economy/birmingham-design-guide-vision/>
- The **Langley SPD** will provide detailed guidance for the development of the proposed 6,000 home sustainable urban extension to the east of Sutton Coldfield as set out in policy GA5 of the BDP. Consultation on a draft of the SPD commenced in November 2017.
www.birmingham.gov.uk/langleysue.
- The **Peddimore SPD** will provide detailed guidance for the development of the 71ha employment site to the east of Sutton Coldfield as set out in policy GA6 of the BDP. Consultation on a draft of the SPD commenced in November 2017.
www.birmingham.gov.uk/peddimore.
- The **Digbeth SPD** will provide detailed guidance for the ongoing regeneration of the Digbeth area of the city centre. The growth of Digbeth is expected to accelerate with the development of the main HS2 station for Birmingham at Curzon Street. Public consultation is anticipated to commence in early 2018.
- The updated **Loss of Industrial Land to Alternative Uses SPD** provides guidance on the type of evidence required to meet the requirements of BDP policy TP20. The existing version of this SPD was adopted in February 2006, and is being reviewed to reflect the adoption of the

BDP and changes in the approach to marketing industrial land. Consultation is anticipated to be undertaken on a draft SPD in 2018.

- The updated **Shopping and Local Centres SPD** provides guidance in relation to the approach to retail and non-retail uses in local centres in relation to BDP policies TP21 and TP24. The existing version of this SPD was adopted in March 2012, and this will be updated to reflect the adoption of the BDP. Consultation is anticipated to be undertaken on a draft revised document in 2018.

There are also a number of other documents proposed that are at an early scoping stage of development and may progress either as SPDs or non-statutory framework documents during the period covered by this LDS. They include:

- **Conservation Area Character Appraisals and Management Plans** for a number of the City's Conservation Areas. In particular it is anticipated that one of these documents will be produced for the revised Edgbaston Conservation Area following the proposed merger of this area with the adjoining Ryland Road and Lee Crescent Conservation Areas. Early work has also commenced on one of these documents for the Lozells and Soho Hill Conservation Area. Local residents have also commenced preparing one of these documents for the St Agnes Conservation Area and the local community at Selly Park Conservation Area have also expressed interest in doing so.
- The **Sutton Coldfield Town Centre Regeneration Framework SPD** was adopted in November 2009 and Royal Sutton Coldfield Town Council has expressed a wish to lead a review of this document.
- Initial work has commenced on the preparation of a document to guide the development of the **Southern Gateway** area of the City Centre (identified in policy GA1 of the BDP).

Conformity and integration with other plans and strategies

When preparing all plans, the City Council seeks to ensure that its proposals are integrated with and complimentary to a range of adopted policies and strategies, including those produced by other partners such as the Government, West Midlands Combined Authority (WMCA) and the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP). The Council works closely with neighbouring local authorities to support the development of their LDDs and to ensure that cross

boundary issues are dealt with effectively including, when required, making representations at Local Plan Examinations as part of the Duty to Cooperate.

There are a wide range of plans and strategies that the Council considers when preparing LDDs including, but not limited to:

- The Council's Vision and Priorities 2017 to 2020
- Birmingham Connected
- The West Midlands Combined Authorities Strategic Economic Plan
- The Birmingham and Solihull Sustainability and Transformation Plan
- The Black Country Sustainability and Transformation Plan
- The Joint Strategic Needs Assessment
- The Midlands Engine Vision for Growth
- Emerging and adopted LDDs of other neighbouring Local Authorities
- The Birmingham and Black Country Biodiversity Action Plan
- The Birmingham Skills Investment Plan

Monitoring and review

An Authority Monitoring Report (AMR) is produced on an annual basis and provides information against a series of indicators. This information is used to monitor the extent to which Development Plan policies are being achieved. The AMR also provides a commentary and progress update on how the Council is performing against timescales and milestones set out in the LDS. If issues are identified or unexpected events occur that require the production of either new DPDs or the review of existing DPDs, the LDS will be updated to reflect this change in circumstances. The most recent version is available from

https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/69/local_development_framework/3

Resources

The staff resources for delivering the proposed programme of plan preparation are primarily located within the Planning and Development department of the Council's Economy Directorate. Officers from across the Economy Directorate and other parts of the Council also contribute to the process of plan preparation. This includes Transportation and Growth, Birmingham Property Services, Housing Development, Employment and Skills, Public Health, Housing, Sport and Leisure. External technical expertise may be utilised when necessary subject to appropriate funding being identified. The Council also works closely with a range of external partners and stakeholders in developing LDDs

Evidence base

In preparing documents included in the programme, the Council will rely on a range of background information, particularly in relation to the evidence base for the BDP. A range of studies which form the evidence base for the BDP can be found on the City Council's website at:

https://www.birmingham.gov.uk/directory/6/birmingham_development_plan

A number of key evidence base documents are reviewed on a regular basis and are available at:

https://www.birmingham.gov.uk/directory/13/land_use_information :

The Council approved a Community Infrastructure Levy Charging Schedule Council in September 2015 and charging of CIL commenced on the 4th of January 2016. This will be kept under review and will be updated as necessary to reflect the outcomes of the Government's proposals for CIL, as set out in the Housing White Paper (2017).

https://www.birmingham.gov.uk/info/20181/planning_obligations/62/community_infrastructure_levy_cil

Glossary

AMR - The Authority Monitoring Report (previously known as Annual Monitoring Reports) reviews the implementation and performance annually of Local Development Documents (LDDs), and policies within the LDS.

BDP – The Birmingham Development Plan – This is the main DPD for Birmingham. It was adopted in January 2017

DPD - Development Plan Documents- Local Development Documents (LDDs) which make up the statutory Development Plan for Birmingham and include the Birmingham Development Plan.

LDD - Local Development Document – Planning policy documents within the Local Development Framework (LDF) in the form of DPD's and SPD's

LDS - Local Development Scheme- A three year project plan for preparing Local Development Documents (LDDs) that will make up the Local Development Framework (LDF).

NDP – Neighbourhood Development Plan – A plan prepared by local communities either through a designated Neighbourhood Forum or Parish Council.

SCI - Statement of Community Involvement- A separate document in the LDF that sets out the standards by which the City Council will involve communities in planning decisions and plan making.

SPD - Supplementary Planning Document - A Local Development Document (LDD), which forms part of the LDF and add detail to policies and proposals contained within DPD's, but do not have development plan status.

UDP - Unitary Development Plan- the Unitary Development Plan for Birmingham was adopted with alterations in 2005 and policies were saved in (2008). It was largely superseded in January 2017 when the BDP was adopted becoming the statutory plan. However, chapter 8 of the UDP will remain extant until it is replaced upon adoption of the emerging Development Management DPD.

Appendix 1: Development Plan Document Profiles

Document Title	Development Management in Birmingham (DPD)		
Scope	City wide	Status	DPD
Priority	High		
Synopsis	Provides detailed policies on a range of planning matters to ensure development in the City happens in the right place, deliver the best design, and enhances infrastructure.		
Chain of Conformity	<p>General conformity with National Planning Policy Framework and Guidance, and the BDP.</p> <p>Influenced by the Council's Vision and Priorities 2017 to 2020 and other local strategies.</p> <p>Once adopted it will replace paragraphs 3.14 to 3.14D and Chapter 8 of the UDP.</p>		
Key Milestones	Timescales		
Commencement/ Sustainability Appraisal scoping	January 2015		
Consultation on Preferred Options and SA	June 2018		
Publication of DPD	Winter 2018		
Submission to the Secretary of State	Spring 2019		
Examination and adoption	Dependent on examination timetable set by the Planning Inspectorate		
Management arrangements	Chief Officer→Deputy Leader→Overview and Scrutiny Committee→Cabinet→Full Council		
Resources	<p>Strategic Planning and Development Planning Teams, and external consultants</p> <p>Administrative support;</p>		

	Costs of mapping, production and research: e.g. printing costs, copyright, delivery, postage Examination costs; Planning Inspectorate, Programme Officer, admin & legal fees
Approach to involving stakeholders & community	Wide stakeholder and community involvement using a range of consultation methods set out in the SCI
Monitoring and Review mechanisms	Undertaken on a regular basis through the AMR.

Document Title	Bordesley Park Area Action Plan		
Scope	Bordesley Park Area	Status	DPD
Priority	High		
Synopsis	A development framework for employment led regeneration of the Bordesley Park area in East Birmingham.		
Chain of Conformity	General conformity with National Planning Policy Framework and Guidance and the BDP. Influenced by the Council's Vision and Priorities 2017 to 2020 and other local strategies.		
Key Milestones	Timescales		
Commencement/ Sustainability Appraisal scoping	October 2009		
Consultation on Preferred Options and SA	July – August 2013		
Publication of DPD	February 2017		
Submission to the Secretary of State	March 2018		
Examination and adoption	Dependent on examination timetable set by the		

	Planning Inspectorate
Management arrangements	Chief Officer→Deputy Leader→Overview and Scrutiny Committee→Cabinet→Full Council
Resources	<p>The Strategic Planning and Development Planning Teams, and external consultants</p> <p>Administrative support;</p> <p>Costs of mapping, production and research: e.g. printing costs, copyright, delivery, postage</p> <p>Examination costs; Planning Inspectorate, Programme Officer, admin & legal fees</p>
Approach to involving stakeholders & community	Wide stakeholder and community involvement using a range of consultation methods set out in the SCI
Monitoring and Review mechanisms	Undertaken on a regular basis through the AMR.

Equality Analysis

Birmingham City Council Analysis Report

EA Name	Birmingham Local Development Scheme 2018-2021 Cabinet Report
Directorate	Economy
Service Area	Economy - P&R Planning And Development
Type	New/Proposed Policy
EA Summary	The Local Development Scheme (LDS) is a three-year project plan, which sets out the progress of Local Development Documents (LDDs) within the Local Development Framework (LDF) for Birmingham. Progress on the preparation of these documents is reviewed in the Council's Authorities' Monitoring Report. The new LDS will cover the period from 2018 to 2021 and will replace the last LDS which covered 2014 to 2017. This EA will consider the likelihood of any adverse impacts to any group with protected characteristics of adopting this updated LDS.
Reference Number	EA002403
Task Group Manager	jacob.bonehill@birmingham.gov.uk
Task Group Member	
Date Approved	2017-11-14 00:00:00 +0000
Senior Officer	uyen-phan.han@birmingham.gov.uk
Quality Control Officer	richard.woodland@birmingham.gov.uk

Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Initial Assessment

This section identifies the purpose of the Policy and which types of individual it affects. It also identifies which equality strands are affected by either a positive or negative differential impact.

Relevant Protected Characteristics

For each of the identified relevant protected characteristics there are three sections which will have been completed.

- Impact
- Consultation
- Additional Work

If the assessment has raised any issues to be addressed there will also be an action planning section.

The following pages record the answers to the assessment questions with optional comments included by the assessor to clarify or explain any of the answers given or relevant issues.

1 Activity Type

The activity has been identified as a New/Proposed Policy.

2 Initial Assessment

2.1 Purpose and Link to Strategic Themes

What is the purpose of this Policy and expected outcomes?

The Local Development Scheme (LDS) is a three-year project plan, which sets out the progress of Local Development Documents (LDDs) which together make up the Local Plan for Birmingham. Progress on the preparation of these documents is reviewed in the Council's Authorities' Monitoring Report. The various documents included within the LDS seek to ensure that the relevant policies and guidance are in place to allow the City Council to support and facilitate the development of Birmingham through the various stages of the land use planning process. Given that the built environment contributes to all of the Council's key priorities in a variety of ways it is considered that each strategic theme is relevant to the proposals within the LDS.

For each strategy, please decide whether it is going to be significantly aided by the Function.

Children: A Safe And Secure City In Which To Learn And Grow	Yes
Health: Helping People Become More Physically Active And Well	Yes
Housing : To Meet The Needs Of All Current And Future Citizens	Yes
Jobs And Skills: For An Enterprising, Innovative And Green City	Yes

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	Yes
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Comment:

The LDS itself will not be subject to public consultation as it merely sets out a programme of proposed work on local development documents over the next three years. However, each of the documents proposed to be produced over this period in the LDS will be subject to public consultation in line with the Councils Statement of Community Involvement. These documents will also each be subject to their own equalities assessment. As such while there may be the potential for adverse impacts on those with protected characteristics appropriate measures are in place to address any potential impacts as each of the documents proposed in the LDS are produced.

Will the policy have an impact on employees?	Yes
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Comment:

Existing staff primarily within Planning and Development, but also within other areas of the Council, will be required to contribute to and produce the various documents in the LDS. The production of these types of documents forms part of the job description for these staff and as such this is not an additional duty.

Will the policy have an impact on wider community?	Yes
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Comment:

The LDS itself will not be subject to public consultation as it merely sets out a programme of proposed work on local development documents over the next three years. However, each of the documents proposed to be produced over this period in the LDS will be subject to public consultation in line with the Councils Statement of Community Involvement. These documents will also each be subject to their own equalities assessment. As such while there may be the potential for adverse impacts on those with protected characteristics appropriate measures are in place to

address any potential impacts as each of the documents proposed in the LDS are produced.

2.3 Relevance Test

Protected Characteristics	Relevant	Full Assessment Required
Age	Relevant	No
Disability	Relevant	No
Gender	Relevant	No
Gender Reassignment	Relevant	No
Marriage Civil Partnership	Relevant	No
Pregnancy And Maternity	Relevant	No
Race	Relevant	No
Religion or Belief	Relevant	No
Sexual Orientation	Relevant	No

2.4 Analysis on Initial Assessment

The Local Development Schedule (LDS) is a project plan setting out the programme of local development documents (LDDs) proposed to be produced over the next 3 years and provides an indication of anticipated timescales for each LDD. This allows any interested party to identify in one place the existing LDDs in place that make up the local plan and gain an understanding of LDDs coming forwards that may be relevant to them. It is not considered necessary to undertake a full equalities assessment at this point in time as each LDD proposed to be produced in the LDS will be subject to their own initial assessment and if necessary their own full assessment at the appropriate point in their production.

For documents that are currently being prepared they are already subject to their own on-going assessment process. Equally, documents that have yet to begin formal preparation beyond initial scoping will be subject to assessment as part of their preparation process. Furthermore, all LDDs proposed by the LDS will be subject to appropriate public consultation as set out in the Statement of Community Involvement which provides a further opportunity to consider the potential impacts of documents at the appropriate stage(s) in their production.

Each LDD is required to give full consideration to its relationship with existing LDDs and other Council, Government and key partners policies and proposals. As such this ensures that potential cumulative impacts that may arise from the interaction of different LDDs and other relevant policies and proposals can be considered and addressed.

Given the above it is not considered necessary to undertake a full equalities assessment at this stage in the production of the LDDs proposed by the LDS as each individual LDD will be subject to it's own assessment process at the appropriate stages in its production. The potential for cumulative impacts will also be addressed through this process.

3 Full Assessment

The assessment questions below are completed for all characteristics identified for full assessment in the initial assessment phase.

3.1 Age - Assessment Questions

3.1.1 Age - Relevance

Age	Relevant
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Comment:

There is the potential for impacts on protected characteristics from the individual local development documents proposed for production in the LDS. However, as each of these individual documents are progressed they will be assessed for the potential of any adverse impact and assessed appropriately. At this point in time the new documents proposed in the LDS are at too early a stage of their development to be assessed. Documents already in the process of production will be assessed individually as they are prepared. It is not considered that there is a risk of cumulative adverse impact occurring as each proposed document is prepared in the context of existing documents and any potential for cumulative impacts will be considered as part of the preparation of each document.

3.1 Disability - Assessment Questions

3.1.1 Disability - Relevance

Disability	Relevant
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Comment:

There is the potential for impacts on protected characteristics from the individual local development documents proposed for production in the LDS. However, as each of these individual documents are progressed they will be assessed for the potential of any adverse impact and assessed appropriately. At this point in time the new documents proposed in the LDS are at too early a stage of their development to be assessed. Documents already in the process of production will be assessed individually as they are prepared. It is not considered that there is a risk of cumulative adverse impact occurring as each proposed document is prepared in the context of existing documents and any potential for cumulative impacts will be considered as part of the preparation of each document.

3.1 Religion or Belief - Assessment Questions

3.1.1 Religion or Belief - Relevance

Religion or Belief	Relevant
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Comment:

There is the potential for impacts on protected characteristics from the individual local development documents proposed for production in the LDS. However, as each of these individual documents are progressed they will be assessed for the potential of any adverse impact and assessed appropriately. At this point in time the new documents proposed in the LDS are at too early a stage of their development to be assessed. Documents already in the process of production will be assessed individually as they are prepared. It is not considered that there is a risk of cumulative adverse impact occurring as each proposed document is prepared in the context of existing documents and any potential for cumulative impacts will be considered as part of the preparation of each document.

3.1 Gender - Assessment Questions

3.1.1 Gender - Relevance

Gender	Relevant
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Comment:

There is the potential for impacts on protected characteristics from the individual local development documents proposed for production in the LDS. However, as each of these individual documents are progressed they will be assessed for the potential of any adverse impact and assessed appropriately. At this point in time the new documents proposed in the LDS are at too early a stage of their development to be assessed. Documents already in the process of production will be assessed individually as they are prepared. It is not considered that there is a risk of cumulative adverse impact occurring as each proposed document is prepared in the context of existing documents and any potential for cumulative impacts will be considered as part of the preparation of each document.

3.1 Gender Reassignment - Assessment Questions

3.1.1 Gender Reassignment - Relevance

Gender Reassignment	Relevant
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Comment:

There is the potential for impacts on protected characteristics from the individual local development documents proposed for production in the LDS. However, as each of these individual documents are progressed they will be assessed for the potential of any adverse impact and assessed appropriately. At this point in time the new documents proposed in the LDS are at too early a stage of their development to be assessed. Documents already in the process of production will be assessed individually as they are prepared. It is not considered that there is a risk of cumulative adverse impact occurring as each proposed document is prepared in the context of existing documents and any potential for cumulative impacts will be considered as part of the preparation of each document.

3.1 Marriage Civil Partnership - Assessment Questions

3.1.1 Marriage Civil Partnership - Relevance

Marriage & Civil Partnership.	Relevant
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Comment:

There is the potential for impacts on protected characteristics from the individual local development documents proposed for production in the LDS. However, as each of these individual documents are progressed they will be assessed for the potential of any adverse impact and assessed appropriately. At this point in time the new documents proposed in the LDS are at too early a stage of their development to be assessed. Documents already in the process of production will be assessed individually as they are prepared. It is not considered that there is a risk of cumulative adverse impact occurring as each proposed document is prepared in the context of existing documents and any potential for cumulative impacts will be considered as part of the preparation of each document.

3.1 Pregnancy And Maternity - Assessment Questions

3.1.1 Pregnancy And Maternity - Relevance

Pregnancy & Maternity	Relevant
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Comment:

There is the potential for impacts on protected characteristics from the individual local development documents proposed for production in the LDS. However, as each of these individual documents are progressed they will be assessed for the potential of any adverse impact and assessed appropriately. At this point in time the new documents proposed in the LDS are at too early a stage of their development to be assessed. Documents already in the process of production will be assessed individually as they are prepared. It is not considered that there is a risk of cumulative adverse impact occurring as each proposed document is prepared in the context of existing documents and any potential for cumulative impacts will be considered as part of the preparation of each document.

3.1 Race - Assessment Questions

3.1.1 Race - Relevance

Race	Relevant
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Comment:

There is the potential for impacts on protected characteristics from the individual local development documents proposed for production in the LDS. However, as each of these individual documents are progressed they will be assessed for the potential of any adverse impact and assessed appropriately. At this point in time the new documents proposed in the LDS are at too early a stage of their development to be assessed. Documents already in the process of production will be assessed individually as they are prepared. It is not considered that there is a risk of cumulative adverse impact occurring as each proposed document is prepared in the context of existing documents and any potential for cumulative impacts will be considered as part of the preparation of each document.

3.1 Sexual Orientation - Assessment Questions

3.1.1 Sexual Orientation - Relevance

Sexual Orientation	Relevant
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Comment:

There is the potential for impacts on protected characteristics from the individual local development documents proposed for production in the LDS. However, as each of these individual documents are progressed they will be assessed for the potential of any adverse impact and assessed appropriately. At this point in time the new documents proposed in the LDS are at too early a stage of their development to be assessed. Documents already in the process of production will be assessed individually as they are prepared. It is not considered that there is a risk of cumulative adverse impact occurring as each proposed document is prepared in the context of existing documents and any potential for cumulative impacts will be considered as part of the preparation of each document.

3.1 Concluding Statement on Full Assessment

As identified in the analysis of the initial assessment the LDS itself will not have an adverse affect on any of the protected characteristics, albeit there is potential for the individual documents proposed to be produced by the LDS to have an impact on protected characteristics. As such each of these individual documents will be subject to equalities assessment as appropriate during their production. These documents will also each be subject to public consultation in line with the Council's adopted statement of community involvement.

As noted elsewhere in this assessment and in the LDS itself each of the documents proposed will be prepared with due regard to existing policies and strategies, both in terms of land use planning and in terms of other policy areas (for example Transport, Public Health, Ecology etc.). As such while there is the potential for cumulative impacts these will be mitigated by the process of document development having due regard to the impacts of existing policies and strategies.

The LDS has a normal lifespan of three years, however it's progress and factors that may led to the need to review it earlier than this are monitored through the Council's Authorities Monitoring Report which is produced on an annual basis. If issues are identified through this process then an early review of the LDS will be triggered.

The LDS will be adopted subject to approval by Cabinet and will be taken through the Council's standard approval process for Cabinet level decisions. This includes appropriate consultation and briefings with the relevant Cabinet members and senior officers prior to Cabinet meeting to determine whether or not to approve adoption of the LDS.

4 Review Date

15/06/18

5 Action Plan

There are no relevant issues, so no action plans are currently required.

PUBLIC REPORT

Report to: CABINET
Report of: Corporate Director, Economy
Date of Decision: 12 December 2017
SUBJECT: FORMER CURZON ST STATION REFURBISHMENT AND DISPOSAL TO HS2 LTD
Key Decision: Yes Relevant Forward Plan Ref: 002536/2016
If not in the Forward Plan: Chief Executive approved ☐
 (please "X" box) O&S Chairman approved ☐
Relevant Cabinet Members: Councillor Ian Ward – Leader of the Council
 Councillor Majid Mahmood - Commercialism,
 Commissioning and Contract Management
Relevant O&S Chairman: Councillor Zafar Iqbal - Economy, Skills and Transport
 Councillor Mohammed Aikhlaq – Corporate Resources
 and Governance
Wards affected: Nechells

1. Purpose of report:

- 1.1 To seek approval to implement a funding, disposal and management package created through a partnership with HS2 Ltd to refurbish the former Curzon Street Station building and help to secure its long-term future as part of the regeneration of the area under the Curzon Masterplan.
- 1.2 To seek approval to enter into a funding agreement and accept £2m of Enterprise Zone funding from the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP).
- 1.3 To seek approval to enter into a funding agreement and make a grant of £2m to HS2 Ltd to carry out the refurbishment of Curzon Street Station.
- 1.4 The exempt matters for consideration are contained in the accompanying report on the private agenda.

2. Decision(s) recommended:

That Cabinet:-

- 2.1 Approves the funding, disposal and management package created through a partnership with HS2 Ltd to refurbish the former Curzon Street Station building as detailed in this report.
- 2.2 Authorises the Corporate Director, Economy to accept a £2m capital grant from the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) Enterprise Zone (EZ).
- 2.3 In its capacity as Accountable Body for the Greater Birmingham and Solihull Local Enterprise Partnership, approves City Council prudential borrowing of £2m for this scheme in accordance with the City Centre Enterprise Zone and Curzon Investment Plan approved by Cabinet on 20th September 2016.
- 2.4 Authorises the Corporate Director, Economy to enter into a funding agreement with, and to make a capital grant of £2m to HS2 Ltd to carry out the refurbishment of Curzon Street Station.
- 2.5 Authorises the City Solicitor to prepare, negotiate, execute and complete all relevant legal documentation to give effect to the above recommendations.

Lead Contact	Matthew Lynch	Richard Cowell
Officer(s):	Head of Service Investment	Assistant Director Development
Telephone No:	0121 303 3985	0121 303 2262
E-mail address:	Matthew.Lynch@birmingham.gov.uk	richard.cowell@birmingham.gov.uk

3. Consultation

3.1 Internal

- 3.1.1 Relevant ward members and District Chairs have been consulted and are supportive of the project.
- 3.1.2 The Corporate Director Place, Assistant Director of Property (Interim), Assistant Director Development and officers from City Finance and Legal and Governance, Birmingham Property Services, Transportation and Connectivity, Highways and Infrastructure and Planning and Development have been involved in the preparation of this report.

3.2 External

- 3.2.1 Consultation on the Curzon Masterplan took place in 2014. The aspirations for this area are clearly outlined in the Masterplan. Curzon Street Station is identified as a key asset and envisaged re-use/ refurbishment. Among the 6 identified key areas for growth were Learning and Research, Creative and Visit, to which the proposals for Curzon Street Station will contribute. The Curzon Masterplan was consulted on in 2014.
- 3.2.2 Consultation included a number of activities that sought to engage as wide a range of people, groups and organisations as possible. The wide publicity has gathered a good response from residents within the city and beyond. Both the Curzon Masterplan (2015) and Curzon Enterprise Zone Investment Plan (CEZIP) (2016) have been approved by the City Council and key stakeholders and Members have been consulted and are supportive of the project.
- 3.3.3 The grant funding of £2m was approved by the Enterprise Zone Board on 28th June 2017 and the offer letter is attached at Appendix 1.
- 3.3.4 In addition, the work has been subject to consultation with the Curzon Delivery Board with representation from DCLG, HCA, GBSLEP, HS2 and the Council ensuring it is aligned with the strategic requirements of the CEZIP.
- 3.3.5 Historic England (HE) have been involved with Atkins in the development of the proposed schedule of works which is outlined in para 5.3.

4. Compliance Issues:

- 4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?
 - 4.1.1 The decisions recommended in this report will support the priorities in the Council's Vision and Forward Plan 2017 for Birmingham by building upon our assets, talents and capacity for enterprise and innovation in bringing back into use an unused and historically important asset.
 - 4.1.2 The redevelopment of the Curzon Street Station forms part of the Curzon HS2 Masterplan, Curzon Investment Plan, HS2 Growth Strategy, Birmingham Development Plan, the Big City Plan, and the GBSLEP Enterprise Zone Investment Plan.
 - 4.1.3 The funding agreement with HS2 Ltd will require HS2 to comply with the Birmingham Business Charter for Social Responsibility. The Council will also ensure that all main and sub-contracted organisations involved in the re-development of the site maximise the employment outcomes for local people through the development of apprenticeship schemes and prioritising Birmingham's job seeking residents.

- 4.1.4 External service providers' compliance with the Birmingham Business Charter for Social Responsibility shall form part of the tender evaluation process. The City Council will be part of the procurement process for the refurbishment works ensuring it complies with City Council procurement practice.

4.2 Financial Implications

(Will decisions be carried out within existing finance and Resources?)

- 4.2.1 It is proposed that the City Council will dispose of Curzon Street Station to HS2 Ltd on a 125 year Lease. Further details of this proposed transaction are detailed in the private report. HS2 will provide a sub-lease to Birmingham City University (BCU) for the whole premises. A subsequent lease will be provided to Heritage England (HE) from BCU. BCU will take on the internal repairing liability for the building during the sub lease term as well as the ongoing running costs.
- 4.2.2 The cost of the delivery for refurbishment of the Curzon Street Station is estimated at £4m. Acting as the accountable body on behalf of the GBSLEP, the City Council will provide a capital grant of £2m funded from the EZ to HS2 Ltd specifically for the refurbishment works set out in para 5.3, which will be matched by £2m from HS2 Ltd. This refurbishment project will be delivered by HS2 Ltd in consultation with the City Council. Payment of the grant will be made retrospectively based upon 50% of expenditure evidenced by defrayal and is estimated to be spent in 2018/19.
- 4.2.3 The grant award of £2m by the GBSLEP is consistent with the CEZIP approved by Cabinet on the 20th September 2016. The period of prudential borrowing made by the Council as accountable body will be linked to the maximum 30 year life of the EZ, in accordance with the Council's debt repayment policy for the EZ. The prudential borrowing can be funded from the uplift in business rates within the EZ and in doing so will comply with the financial principles in relation to the CEZIP which were detailed in the report to Cabinet on 20th September 2016. Revenue costs associated with the borrowing will be repaid through the business rates uplift.
- #### 4.3 Legal Implications
- 4.3.1 The Council has a duty to efficiently manage its assets and has the power to hold and dispose of land under Section 123 of the Local Government Act 1972 for best consideration. Section 1 Localism Act 2011 sets out the Council's general power of competence. Section 111 of the Local Government Act 1972 empowers local authorities to do anything (whether not involving the borrowing, expenditure or lending of money or the acquisition or disposal of any of its property) which, is calculated to, or is conducive or incidental to the discharge of any of their functions. The disposal terms represent best consideration.
- 4.3.2 The City Council on behalf of the GBSLEP will require HS2 Ltd to complete a funding agreement to provide a maximum of £2m grant funding. On the basis that the GBSLEP grant does not contain any specific outputs other than the refurbishment of the station and the grant will be paid retrospectively based upon defrayal then a legal charge is not required. The City Council will ensure that the project does not overspend by placing conditions in the funding agreement with HS2 Ltd that the grant from the EZ is capped and that no further funding will be provided to complete the project from the City Council.

4.4 Public Sector Equality Duty (see separate guidance note)

- 4.4.1 An equality analysis has been undertaken and no adverse implications have been identified from the actions recommended in this report. The analysis (ref EA002512) can be found in Appendix 2 to this report.

5. Relevant background/chronology of key events:

- 5.1 The Curzon Street Station (previously the British Rail Goods Office) is a Grade I listed building of national architectural significance. Designed in 1837 by Charles Hardwick as the boardroom and office for the London and Birmingham Railway, the neo-classical station was at the time the counterpart of Euston Station and Arch in London. The Curzon Street Station building is the world's oldest surviving piece of monumental railway architecture. It sits at the heart of the Curzon regeneration area, is part of the EZ and stands next to the location for the High Speed 2 City Centre Terminus station. The area is set to undergo transformation over the next 15-20 years.
- 5.2 The City Council owned building has remained vacant for 16 years, due to the costs and complexities associated with bringing the building back into beneficial use coupled with the lack of critical mass within the area necessary to stimulate the private sector interest in this Grade I Listed Building. Previous proposals have been unviable due to revenue costs and management. Whilst HS2 is a key driver for the area the building will continue to remain commercially unattractive throughout the HS2 construction phase and thus this proposal provides an opportunity to showcase the building and create a base from which future commercial opportunities can be potentially realised.
- 5.3 In 2016, HS2 proposed a refurbishment scheme and a working group was formed between the City Council, HS2, BCU and HE to explore the scheme. HS2 Ltd commissioned Atkins to produce a report on the condition and proposed works. These works will ensure that the building is weatherproof, safe and fully operational with appropriate renewed utilities and equipment. The proposed £4m scheme will create consultation and exhibition space, visitor centre, café, as well as providing conference facilities and meeting rooms on the ground floor. The first and second floors will provide office accommodation for BCU post graduate start up units and HE Midland office.
- 5.4 To deliver this scheme HS2 Ltd are committing £2m of funding and will deliver the refurbishment works; BCU will manage the building and take on the internal repairing liability for the building for a period of 10 years. The City Council will grant a 125-year lease to HS2, who as leaseholder would sub-let for a 10 year period to BCU on a peppercorn rent and BCU will sub-let to HE on a peppercorn rent. The City Council and HS2 Ltd jointly procured Lambert Smith Hampton to undertake an independent valuation of the building to ensure that both parties can arrive at a mutually agreeable position.
- 5.5 The City Council acting as the Accountable Body for the EZ will provide a capital grant to HS2 Ltd to match their commitment. As the Accountable Body the City Council will ensure that a public procurement process is undertaken to ensure value for money in the delivery of the construction works, which will be the responsibility of HS2, and that the grant expenditure is paid based upon evidence of defrayal.
- 5.6 The scheme addresses the significant challenge of funding a refurbishment and overcoming the negative images associated with the building sitting vacant within a major regeneration zone. The refurbishment of Curzon Street Station will create a regenerated iconic building that will act as a catalyst for longer term investments to the wider EZ and Curzon area.

- 5.7 The project has secured planning permission/ Listed Building consent on 6th July 2017. HE has been involved early on in the process as a partner to help steer the proposals with the City Council, BCU and HS2. HE have given their approval to the HS2 planning consent for the refurbishment works.
- 5.8 The timescales for delivery of the project are as follows:

Milestone	Date*
Royal Assent Granted for High Speed 2	23/02/2017
HS2 Change and Investment Panel approval	21/06/2017
Listed Building Consent and Change of Use Consent agreed	25/07/2017
Detailed design and refurbishment contract let to contractor by HS2 Ltd.	18/10/2017
Agree Heads of Terms between BCC and High Speed 2	30/11/2017
Cabinet Approval of Proposal	12/12/2017
Works to start on site	02/02/2018
Main refurbishment works complete	31/10/2018
Project and financial closedown	30/11/2018

6. Evaluation of alternative option(s):

6.1 Option 1 - Do Nothing.

- a) The City Council will not be able to bring forward the refurbishment of the building and attract private sector investment in a coherent way that provides best value for money.
- b) The funding being made available from HS2 Ltd and EZ for the scheme now, will not be available in the future thus losing the opportunity to bring the building back into use.
- c) Birmingham Property Services will be left with an ongoing property management liability with risk of significant costs to avoid further deterioration. Due to the complexities outlined in 5.2 and the impending HS2 construction site immediately adjacent, Birmingham Property Services are of the opinion that there will continue to be no financially viable demand for the property until the construction works are complete.

6.2 Option 2 – Minor repairs.

The City Council could continue carrying out minor repairs to keep the building in its current condition. However the building would continue to sit vacant detracting from the wider areas regeneration.

6.3 Option 3 – The City Council does the work itself.

The City Council provides capital funding as match against the GBSLEP capital grant. The City Council would have to manage the refurbishment programme and identify the funding from its limited financial resources. This option would provide the City Council with an ongoing management issue of the building.

7. Reasons for Decision(s):

- 7.1 Without external funding, this project cannot move forward and the opportunity and benefits will be lost. The refurbishment of Curzon Street Station will create a regenerated iconic building that will act as a catalyst for longer term opportunities and investments to the wider EZ and Curzon area.
- 7.2 To bring one of Birmingham's Grade I listed buildings back into use with a funding package from HS2 and EZ thus securing the management of the building for a 10 year period.

Signatures

Date

Councillor Ian Ward –
Leader of the Council

.....

Councillor Majid Mahmood
Cabinet Member, Commercialism,
Commissioning, and Contract
Management

.....

Waheed Nazir
Corporate Director, Economy

.....

List of Background Documents used to compile this Report:

1. Big City Plan 2010
2. Birmingham Development Plan (BDP) - January 2017
3. Greater Birmingham and Solihull Local Enterprise Partnership EZ Investment Plan 2014
4. Council's Financial Plan 2017+
5. Birmingham Curzon Masterplan - July 2015
6. City Centre Enterprise Zone Extension and Curzon Investment Plan - Cabinet report 20th September 2016
7. Old Curzon Street Station RIBA Stage 3 Report - Atkins dated 17th March 2017

List of Appendices accompanying this Report (if any):

1. Solihull Local Enterprise Partnership (GBSLEP) Funding Offer Letter
2. Equality analysis
3. Consultation Summary



Birmingham City Council
Planning and Regeneration
PO Box 28
2nd Floor Lancaster Circus
Birmingham
B1 1TU

Email: jane.smith@birmingham.gov.uk
Tel: 0121 464 5404

Mr Nick Matthews
Birmingham City Council
Planning and Regeneration
PO Box 28
2nd Floor Lancaster Circus
Birmingham
B1 1TU

03 November 2017

Dear Nick

Enterprise Zone Funding Approval – Curzon Street Station

Following evaluation by the Enterprise Zone Executive Board (EZEB) on 01 November 2017 for the above project, this letter confirms that your request for grant has received full approval. The decision on this funding approval is predicated upon the detail contained in the Application Form and associated Appendices.

As part of the approval, the Enterprise Zone (EZ) will provide a maximum capped funding contribution of **£2m** paid as capital grant towards the cost of Curzon Street Station refurbishment. Birmingham City Council, as the grant recipient, is solely responsible for meeting any expenditure over and above this maximum amount.

The award of **£2m** will be approved under terms and conditions detailed in the forthcoming Service Level Agreement. Acceptance by Birmingham City Council of the award is acceptance of those terms and conditions.

This approval is **subject to the following conditions:**

- The project lead is required to provide the drafted BCC Gateway report to the EZ Programme Manager to ensure that wording within is inclusive of all necessary approvals.
- That Birmingham City Council enters into a Grant Agreement with HS2 Ltd.
- The EZ contribution to the project to be advertised in all publicity information produced.

Please complete the monthly monitoring report and submit to the EZ Programme Manager until completion of the refurbishment work. The Grant award will also be monitored against outputs and outcomes declared within the funding application and associated documentation.

The funding has been approved in accordance with the following milestones, spending and output profiles:

Description	Outputs/Outcomes Date
Heads of terms agreed	October 2017
EZ approve funding	October 2017
Building licence agreed and completed	November 2017
HS2 commence works	November 2017
BCC Obtain authority	December 2017
Contractual Documentation completed	January 2018
Building Works Complete	August 2018

EZ Capital Expenditure		2017/2018	2018/2019	TOTAL
<i>Purchase of Land/ Building</i>	Cap			
<i>Building and Construction</i>	Cap	£1m	£1m	£2m
<i>Fees</i>	Cap			
<i>Equipment</i>	Cap			
	Cap			
(a) Total EZ Capital		£1m	£1m	£2m

	2017/18	2018/19	2019/20	Total
Jobs Created		15	20	35
Jobs Safeguarded	4	35		39
Floor Space Refurbished (sq.m.)	1,239			1,239
Refurbished Grade I Listed structure of great historic significance in the heart of Birmingham		1		1
Show a public presence, to showcase HS2 works in and around Birmingham	1			1
Highlight the positive regeneration of a historic but rundown building	1			1
Demonstrate the protection of national and local heritage	1			1
provide direct evidence that HS2 is the engine for growth in support of BCU's steam-house project		1		

If you have any queries about the contents of this letter then please contact Jane Smith on 0121 464 5404 or by email at: jane.smith@birmingham.gov.uk.

Yours Sincerely

Simon Marks

Chair of Enterprise Zone Executive Board

Equality Analysis

Birmingham City Council Analysis Report

EA Name	Refurbishment And Disposal Of Listed Curzon Street Station
Directorate	Economy
Service Area	Economy - Birmingham Property Services
Type	New/Proposed Policy
EA Summary	This proposal seeks to bring the Grade 1 listed building of Curzon Street Station back into economic use, which will require its repair and refurbishment to bring it up to acceptable modern day standards in accordance with its Listed Building status.
Reference Number	EA002512
Task Group Manager	felicia.saunders@birmingham.gov.uk
Task Group Member	
Date Approved	2017-11-30 00:00:00 +0000
Senior Officer	eden.ottley@birmingham.gov.uk
Quality Control Officer	eden.ottley@birmingham.gov.uk

Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Initial Assessment

This section identifies the purpose of the Policy and which types of individual it affects. It also identifies which equality strands are affected by either a positive or negative differential impact.

Relevant Protected Characteristics

For each of the identified relevant protected characteristics there are three sections which will have been completed.

- Impact
- Consultation
- Additional Work

If the assessment has raised any issues to be addressed there will also be an action planning section.

The following pages record the answers to the assessment questions with optional comments included by the assessor to clarify or explain any of the answers given or relevant issues.

1 Activity Type

The activity has been identified as a New/Proposed Policy.

2 Initial Assessment

2.1 Purpose and Link to Strategic Themes

What is the purpose of this Policy and expected outcomes?

The Curzon Street Station (previously the British Rail Goods Office) is a Grade I listed building of national architectural significance. Designed in 1837 by Charles Hardwick as the boardroom and office for the London & Birmingham Railway, the neo-classical station was at the time the counterpart of the Euston Arch in London.

The Curzon Street Station building is the world's oldest surviving piece of monumental railway architecture. It sits at the heart of the Curzon regeneration area, is part of the EZ and stands next to the location for the High Speed 2 City Centre Terminus station.

For each strategy, please decide whether it is going to be significantly aided by the Function.

Children: A Safe And Secure City In Which To Learn And Grow	No
Health: Helping People Become More Physically Active And Well	No
Housing : To Meet The Needs Of All Current And Future Citizens	Yes
Jobs And Skills: For An Enterprising, Innovative And Green City	Yes

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	Yes
Will the policy have an impact on employees?	No
Will the policy have an impact on wider community?	Yes

2.3 Relevance Test

Protected Characteristics	Relevant	Full Assessment Required
Age	Not Relevant	No
Disability	Not Relevant	No
Gender	Not Relevant	No
Gender Reassignment	Not Relevant	No
Marriage Civil Partnership	Not Relevant	No
Pregnancy And Maternity	Not Relevant	No
Race	Not Relevant	No
Religion or Belief	Not Relevant	No
Sexual Orientation	Not Relevant	No

2.4 Analysis on Initial Assessment

In 2016, HS2 proposed a refurbishment scheme and working group was formed between the City Council, HS2, Birmingham City University (BCU) and Historic England (HE) to explore the scheme. This has resulted in the proposed scheme to bring the building up to modern day standards.

The building will be refurbished creating consultation and exhibitions space, visitor centre, café, as well as providing

conference facilities and meeting rooms on the ground floor. The first and second floors will provide office accommodation for BCU STEAMHouse project and HE Midland office.

The scheme addressing the significant challenge of funding a refurbishment and overcoming the negative images associated with the building sitting vacant within a major regeneration zone.

The refurbishment of Curzon Street Station will create a regenerated iconic building that will act as a catalyst for longer term investments to the wider EZ and Curzon area.

The purpose of the EA relates to securing funds to refurbish the Curzon Street Station. Subject to the funding being secured, and at this stage there are no equality implications with regard to obtaining the funds. Any refurbishment works undertaken will need to be assessed for equality implications prior to the commencement of the works.

3 Full Assessment

The assessment questions below are completed for all characteristics identified for full assessment in the initial assessment phase.

3.1 Concluding Statement on Full Assessment

The relevant Ward Members and District Chairs have been consulted and are supportive of the project.

The Corporate Director Place, Assistant Director of Property (Interim), Assistant Director Development and officers from City Finance and Legal and Governance, Birmingham Property Services Transportation and Connectivity, Highways and Infrastructure and Planning and Development have been involved in the preparation of this report.

Consultation included engagement with a wide range of people, groups, residents, organisations and stakeholders. The wide publicity has gathered a good response from residents within the city and beyond. Both the Curzon Masterplan (2015) and Curzon Enterprise Zone Investment Plan (CEZIP) (2016) have been approved by the City Council and key stakeholders and Members have been consulted and are supportive of the project.

The regeneration of an iconic building will bring this site back into use for future generations and job creation.

The purpose of the EA relates to securing funds to refurbish the Curzon Street Station. Subject to the funding being secured, and at this stage there are no equality implications with regard to obtaining the funds. Any refurbishment works undertaken will need to be assessed for equality implications prior to the commencement of the works.

4 Review Date

29/05/18

5 Action Plan

There are no relevant issues, so no action plans are currently required.

APPENDIX 3 – CONSULTATION RESPONSES TO FORMER CURZON STREET REFURBISHMENT AND DISPOSAL TO HS2

Stakeholder	Ward	Site	Response to consultation via email on required by 29th November 2017
Councillor T Chatfield Councillor Y Mosquito Councillor T Ali Councillor C Rashid	Cabinet Member Nechells Nechells Nechells	Former Curzon Street Station	28.11.17 – Contents are fine Email sent 27.11.17 – No reply as of 29.11.17 Email sent 27.11.17 – No reply as of 29.11.17 Email sent 27.11.17 – No reply as of 29.11.17

**BIRMINGHAM CITY COUNCIL
PUBLIC REPORT**

Report to:	CABINET
Report of:	Corporate Director, Economy
Date of Decision:	12 December 2017
SUBJECT:	DRIVING HOUSING GROWTH – FULL BUSINESS CASE FOR DEVELOPMENT OF HOUSING AT YARDLEY BROOK
Key Decision: Yes	Relevant Forward Plan Ref: 001895/2016
If not in the Forward Plan: (please "X" box)	Chief Executive Approved <input type="checkbox"/>
Relevant Cabinet Members:	O&S Chairman Approved <input type="checkbox"/>
	Councillor Peter Griffiths Housing and Homes
	Councillor Majid Mahmood Commercialism, Commissioning, and Contract Management
Relevant O&S Chairmen:	Councillor Victoria Quinn, Housing and Homes
	Councillor Mohammed Aikhlaq, Corporate Resources and Governance
Wards affected:	Shard End

1. Purpose of report:

- 1.1 To present to Cabinet proposals for an exciting regeneration opportunity to lead a major housing development programme on part of the former sewage works site in Yardley and to advise on the strategy for the procurement process for the scheme. Working with the Homes and Communities Agency (HCA) and the West Midlands Combined Authority (WMCA), the programme will provide a mix of up to 273 new homes – 143 for rent and 130 for sale on the site in Cole Hall Lane in the Shard End Ward of Birmingham.

2. Decisions recommended:

That Cabinet:

- 2.1 Approves the full business case (appendix 2) for the remediation and development of the Yardley Brook site at a total estimated capital cost of £32.9m and gives authority to commence the procurement process for the remediation of the site and the development of housing including the development of associated access infrastructure using the Homes and Communities Agency Delivery Partner Panel 3 (DPP3) Framework Agreement.
- 2.2 Delegates approval of the award of a contract and the placing of orders for the remediation of the site and the development of housing to the Cabinet Member for Housing and Homes and the Cabinet Member for Commercialism, Commissioning, and Contract Management, jointly with the Corporate Director, Economy.
- 2.3 Notes that prior to planning permission being granted, the full capital cost of the project cannot be determined accurately, and that if this varies by more than 10% a further report will be presented to Cabinet.
- 2.4 Subject to confirmation, approves acceptance of grant funding from the Homes and Communities Agency (HCA) and the West Midlands Combined Authority (WMCA) in respect of the cost of development of this site for housing.

- 2.5 Authorises the Corporate Director, Economy to submit and process all necessary highway closure applications and notices required to facilitate the development of the site and to enter into any appropriate agreements to facilitate alterations to highway access to the site.
- 2.6 Delegates to the Corporate Director, Economy the power to amend or vary the development boundaries of the site.
- 2.7 Authorises the Corporate Director, Economy to seek consent under Section 174 of the Localism Act 2011 to exclude the new properties delivered under this development agreement from the Right to Buy pooling arrangements, to ensure that any capital receipts generated from the sale of homes under the Right to Buy are retained by the Council.
- 2.8 Authorises the Corporate Director, Economy to receive the result of any consultations regarding the loss of Public Open Space notices in accordance with Section 123 (2A) of the Local Government Act 1972 and to decide whether to proceed under Section 122(2A) in consultation with the Cabinet Member for Housing and Homes.
- 2.9 Delegates authority to the Cabinet Member for Clean Streets, Recycling and Environment, and the Cabinet Member for Commercialism, Commissioning, and Contract Management, jointly with the Corporate Director, Place to approve the future detailed design proposals and procurement strategy for the development of the remediated open space subject to available funding.
- 2.10 Approves the submission of planning applications for the development of housing and for the remediation of the site.
- 2.11 In the event that the Yardley and District North Rugby Club is able to confirm that it has secured the additional external funding required for it to relocate, approves the Corporate Director of Finance to authorise a grant from the Council of up to £250,000 towards its relocation.
- 2.12 Delegates authority to the Corporate Director, Economy to appoint Acivico to provide technical services relating to the remediation of the site up to £50,000.
- 2.13 Authorises the making of appropriate agreements or the exercising of powers under the Highways Act 1980 (including but not limited to Section 38 and Section 278 agreements if required) and the submission of applications under Section 247 of the Town and Country Planning Act 1990 to stop up highway as well as make appropriate Traffic Regulation Order (TRO) under Section 1 of the Road Traffic Regulation Act 1984 as necessary for the Yardley Brook development.
- 2.14 Authorises the City Solicitor to negotiate, execute and complete all necessary documentation to give effect to the above recommendations including the execution and completion of the appropriate way leaves and easements and highway agreements required for this development on the land identified within the planned development area at Appendix 1.

Lead Contact Officer(s):

Clive Skidmore, Head of Housing Development
Shahid Iqbal, Principal Housing Development Officer

Telephone No:

0121 303 1667 / 0121 303 6474

E-mail address:

Clive.skidmore@Birmingham.gov.uk
Shahid.s.iqbal@birmingham.gov.uk

3. Consultation

3.1 Internal

- 3.1.2 The Corporate Director, Place and the Service Director Housing Transformation have been consulted regarding the contents of this report and support the recommendations coming forward for an executive decision.
- 3.1.3 The Cabinet Member for Transport and Roads, and the Cabinet Member for Clean Streets, Recycling and Environment have been consulted regarding the content of this report and support the recommendations.
- 3.1.4 Shard End Ward Councillors and the District Chair for Hodge Hill have been consulted in the preparation of this report and support the recommendations (see Appendix 7).
- 3.1.5 Officers in Legal Services, City Finance, Procurement, Birmingham Property Services Transportation, and Housing Development have been involved in the preparation of this report.

3.2 External

- 3.2.1 This site was identified for housing development in the Birmingham Development Plan (BDP) which was subject to citywide consultation and was formally adopted by the Council on 10 January 2017. No concerns were raised regarding the proposal to bring this site forward for housing development.
- 3.2.2 Residents will be consulted as part of the statutory planning application process and their comments taken into account in the determination of future planning applications.
- 3.2.3 The Member of Parliament for Hodge Hill, the Right Hon. Liam Byrne MP has been consulted regarding the contents of this report and no comments were received.

4. Compliance Issues:

Are the recommended decisions consistent with the Council's policies, plans and strategies?

- 4.1.1 The development of new homes for a growing city is a key objective of the City Council. The development of new affordable housing within the City is in accordance with the objectives of the Housing Revenue Account (HRA) Business Plan 2017+.
- 4.1.2 The development delivers on the core objectives of the Birmingham Development Plan (BDP) which was adopted by the Council on 10 January 2017. The Planning Context for this scheme is set out at Appendix 6. The design of the transport infrastructure will be aligned to the Council's long term transport plan, Birmingham Connected, supporting the take up of sustainable travel including access to public transport, walking, and cycling where possible.
- 4.1.3 The development will work in line with the Council's emerging, 'A Waste Strategy for Birmingham' policy document by developing plans that aim to reduce the amount of

waste that is created, reusing and recycling what we can, and recovering energy from any remaining waste where possible.

- 4.1.4 **Children;** new homes will be developed which will provide a safe, warm, sustainable and connected neighbourhood in which our children can thrive.
- 4.1.5 **Housing;** - the Council is committed to the development of enough high quality new homes to meet the needs of a growing city, and the proposals within this report seek to accelerate housing growth in the city by providing up to 273 new homes for rent and sale.
- 4.1.6 **Jobs and Skills;** activity within the construction sector will create jobs and apprenticeships in the city, and activity in the supply chain industries, supporting the local economy through the Birmingham Business Charter for Social Responsibility. It is anticipated that up to 27 training / apprenticeships could be provided based on the contract sum.
- 4.1.7 **Health;** the links between health and housing are well recognised. New thermally efficient, economical to run new homes which are designed to high standards of quality and internal space standards will be more affordable for residents and will offer a higher quality of life leading to better health outcomes.

4.2 Financial Implications

- 4.2.1 The estimated total cost of the proposal is £32.92m, including a commuted sum for Public Open Space circa £0.28m. The remediation cost will be funded from either grant from Homes and Communities Agency and/or grant from the WMCA. The new build development costs will be funded from the sale of properties on the development, Housing Revenue Account (HRA) revenue contributions, 1-4-1 Right To Buy receipts, general Right To Buy receipts and Affordable Housing Section 106. The summary financial analysis is set out in Appendix 2.
- 4.2.2 The future running costs of the properties and areas of public realm retained within the HRA will be met from on-going rental income to be derived from the new build properties. This will result in an overall revenue surplus to the Housing Revenue Account over 30 years of £5.82m.
- 4.2.3 The financial viability of the proposal is based on the social housing rent policy that was outlined by the Chancellor of the Exchequer on 2nd July 2015 (i.e. that rents will be reduced by 1% per annum from 2016-17 to 2019-20). The Government has indicated that rents will then revert back to Consumer Price Index +1% after 2019-20 (currently projected at 3% per year). However, should rents not increase at this rate, it is anticipated that efficiency savings within the Housing Revenue Account will be needed to ensure that the scheme remains financially viable.
- 4.2.4 If new highway is required to enable these sites to be redeveloped to support the housing construction described in this report then such development and on-going maintenance costs that do not form a part of the existing highways base costs will form

a part of the overall scheme costs (including the developer element associated with market sale housing). Appropriate permissions to construct highway will also be required. Opportunities will be explored to align any changes to the highway as a consequence of each new development to the Highways Management and Maintenance PFI (HMMPFI) programme of works to minimise costs of delivery to the schemes.

4.3 Legal Implications

- 4.3.1 As the Housing Authority, the relevant legal powers relating to the discharge of the Council's statutory function to provide for its housing need are contained in section 9 of the Housing Act 1985. Section 174 of the Localism Act enables the Council to retain 100% of the receipts generated from the sale of the new rented homes sold under the Right to Buy. In addition to the Highways Act 1980 are the relevant legal powers for adoption of new roads and changes to existing highway.
- 4.3.2 The legal power to dispose of land held within the Housing Revenue Account is contained within Section 32 of the Housing Act 1986, General consent A.
- 4.3.3 The site affected by this report is in the Council's ownership and can be identified by Fixed Asset Reference numbers 02251 and 02725.
- 4.3.4 Section 19 of the Local Government (Miscellaneous Provisions) Act 1976 gives powers to provide recreational facilities.
- 4.3.5 Section 122(2A) of the Local Government Act requires that where land is existing open space, notice of change of use must be advertised and any objections considered prior to the appropriation taking place. Section 123(2A) contains a similar requirement for advertisement and consideration of objections in respect of disposals of open space.
- 4.3.6 The site is a cleared site and no compulsory purchase powers are required.
- 4.3.7 Powers contained within the Highways Act 1980, the Road Traffic Regulations Act 1984, and the Town and Country Planning Act 1990 provide the necessary powers to develop the transport infrastructure and associated operations.

4.4 Public Sector Equality Duty

- 4.4.1 There are currently around 13,000 people on the Council's waiting list for affordable housing. Many of these people live in overcrowded conditions across the housing sector. Evidence from allocating properties previously developed under the Birmingham Municipal Housing Trust (BMHT) banner has revealed the extent of this problem, many families being allocated from accommodation that was too small for their needs.
- 4.4.2 Through the BMHT programme, the Council provides homes that reflect the Strategic Housing Market Assessment for Birmingham with an emphasis on 2 bedroom houses and 4+ bedroom houses. Whilst there is a clear driver for family homes (and these make up the majority of the new development programme) the programme also looks to meet other needs, such as people without children and elderly residents who wish to down-size from under-occupied homes. Local need, site restrictions and financial

viability are taken into account when determining the exact mix of homes and typologies to build on each site.

- 4.4.3 The BMHT Delivery Plan for 2015-20 included an Equality Impact Analysis and was agreed by Cabinet in December 2014 which operates city-wide. It includes areas where different cultural requirements will need to be reflected in the design of the homes provided. Feedback from previous schemes delivered has been utilised and these will be used in developing the schemes outlined within the BMHT Delivery Plan. New property archetypes need careful consideration in terms of construction affordability and value for money and have now been refined into the BMHT Standard House Types catalogue. The Council's house building programme represents a unique opportunity to break the mould of repetitive market house types and meet the specific needs of its diverse population.
- 4.4.4 An Equality Assessment (EA 001885) has been completed and is attached as Appendix 3. The EA has shown that there are no negative impacts on the protected characteristic groups.

5. Relevant background/chronology of key events:

- 5.1 The site for development is part of the former Yardley sewage works which is located on Cole Hall Lane within the Cole Valley and is located approximately 7.5km east of the city centre. The sewage works fell into disuse and became derelict and was subsequently acquired by the Council in the early 1970s and a basic remediation of the site was undertaken at that time. Part of the sewage works site has been brought forward for employment uses; however because of the considerable contamination this site was left as open space and became part of the greenbelt. The site was appropriated to the HRA following Cabinet approval in November 2013.
- 5.2 There are a number of key features that add significant environmental value to the site and will be considered as part of the design solution for the scheme and connectivity to the wider area. These include, the River Cole runs along the northern boundary of the site and beyond; the surrounding woodland is designated as a site of importance for nature conservation (SINC); a small portion of the site is occupied by the Yardley District North Rugby Club clubhouse; the site is relatively isolated from any other buildings but a new development will create its own unique character and sense of place; the existing Poachers Pocket pub and Cole Hall Farm and adjoining barn at the southern edge of the site are both Grade II listed buildings (though they do not form any part of the site proposed for development); and there is the opportunity to investigate safe and convenient walking and cycle routes to Shard End local centre, local railway stations, schools, and recreational facilities including the Cole Valley.
- 5.3 The Yardley Brook site was identified for housing development in the Birmingham Development Plan (BDP) and the plan was formally adopted by the Council on 10 January 2017. The site is covered by Policy GA8 – Eastern Triangle.
- 5.4 It is estimated that this approach will enable the housing development on the site to provide up to 273 new homes (143 for rent and 130 for sale) and the remediation for the site will be met through grant funding from the Homes and Communities Agency and/or the West Midlands Combined Authority (WMCA). The number of new homes is less than anticipated in the Project Definition Document approved by Cabinet in December 2014, due to the nature of the remediation proposed.

- 5.5 The remediation of the site and its subsequent development with new homes are proposed to be undertaken by a single contractor. This is to ensure that the engineering solution for the remediation and the development rest with one organisation and this will ensure less risk to the developer from any building warranties requirement.
- 5.6 The open space for the site will be located on the mound that will be created by the remediation to the south eastern end of the site. The proposal is to create appropriate facilities on the mound with links to the Cole valley as partial compensation for the loss of public open space. It is proposed that the final design solution and procurement of a contractor for the open space is managed by Landscape Practice Group.
- 5.7 The Yardley and District North Rugby Club is seeking to secure additional funding to enable relocation of its current building to the opposite side of Cole Hall Lane. The relocation of the clubhouse would enable the development of this site with up to 10 – 12 new Council homes and the Council would make a contribution of £250,000 towards the cost of a new clubhouse if the Club succeeds in obtaining the additional funding. If however, it is unable to secure the additional funding required for the move, it will remain in its current location under the existing lease agreement and this will result in a net loss of between 10 – 12 units to the development. The current lease agreement is due to expire on 25 December 2028.
- 5.8 Acivico has extensive knowledge of the site and has acted on behalf of the Council to provide technical input during the treatability tests to allow a remediation methodology to be identified for this site. Acivico will continue to act on behalf of the Council to provide technical input into the remediation strategy, the technical brief for the remediation and monitoring during the remediation itself. The Acivico costs will be based on time spent on the project at agreed hourly rates.
- 5.9 Details of the procurement strategy for the site are as follows:

5.9.1 Procurement Options

A condition of funding from the Homes and Communities Agency (HCA) is that the housing developer and remediation company is appointed using the HCA Delivery Partner Panel 3 (DPP3) Framework Agreement. The DPP3 panel is a framework agreement that has been established by the HCA on behalf of the Government to allow the wider public sector to tender housing schemes to accelerate and facilitate development.

5.9.2 HCA Delivery Partner Panel 3 Framework Agreement

The DPP3 commenced on 01 April 2017 for a period of four years and permits projects procured through the framework agreement to run for up to 10 years beyond its expiry. The Midland Lot will be used to procure a contractor, via a mini competition which will require compliance with the BCC4SR and the Council's Living Wage Policy, to undertake the remediation and housing development and it is anticipated that the duration of the contract will be for a period of up to 8 years commencing from September 2018.

5.9.3 Scope and Specification

- Develop and deliver the full remediation of the site to the agreed specification.
- Work with the Council on the overall plan for the area and develop detailed design

- proposals.
- Apply for detailed planning permissions for individual plots for new housing infrastructure and discharge all planning conditions and obtain other statutory approvals.
- Liaise with the Council's Employers Agents appointed for this scheme. Build the Council's affordable housing and open market sale properties in line with the agreed specification.
- Market and sell the open market sale properties on behalf of the Council.
- Provide training and employment opportunities including apprenticeships along with other Social Value outcomes as per the requirements of the BBC4SR.
- Co-ordinate alongside other works which may run concurrent with the proposed development in the area.
- Provide new adoptable standard highway infrastructure which will be adopted by the Highways Authority.

5.9.4 Tender Structure

The tender structure for the competition exercise is in line with the protocol of the HCA DPP3 framework agreement.

5.9.5 Evaluation and Selection Criteria

Tenders will be evaluated against the specification in accordance with a pre-determined evaluation model as shown below.

Assessment A – Quality – Written Proposals (Weighting 40%).

Criteria 40%	Overall Weighting	Sub-Weighting
Technical Experience and Competency – Build programmes	100%	40%
Design Quality and Specification		20%
Management of programme		20%
Organisational Management and resources		20%

An interview with tenderers may take place to clarify their understanding of the requirements and the scoring adjusted accordingly, as appropriate. Tenderers who score more than the quality threshold of 60% i.e. a score of 300 out of a maximum quality score of 500 will proceed to Assessment B – Social Value.

Quality assessment also includes consideration of the overall design of waste and recycling facilities and designing a scheme that works closely with the principles / requirements of the Birmingham Future Waste Strategy.

Assessment B – Social Value (Weighting 10%)

Social Value Proposals (10% Weighting)		
Local Employment	100%	30%
Buy Birmingham First		10%
Partner in Communities		25%
Good Employer		10%
Green and Sustainable		15%
Ethical Procurement		10%

Tenderers who score more than the social value threshold of 40% i.e. a score of 200 out of a maximum quality score of 500 will proceed to Assessment C – Pricing

Assessment C – Pricing (Weighting 50%)

Tenderers will be expected to state their proposed cost for remediation of the site, and the cost for constructing the new council properties together with the guaranteed minimum price to be paid to the Council for the land on which the successful developer will construct and sell the homes for outright sale.

Overall Evaluation

The evaluation process will result in comparative quality, social value and price scores for each tenderer. The maximum score for quality will be awarded to the tender that demonstrates the highest for quality and the highest score for social value will go to the tenderer whose response is considered to provide the most social value. Similarly the maximum price score will be awarded to the lowest price. Other tenderers will be scored in proportion to the maximum scores in order to ensure value for money. The contract will then be awarded to the tenderer with the highest aggregate score. The evaluation of tenders will be undertaken by officers from the City Council, Acivico, the Employers Agent, and the HCA.

5.11 The indicative timescales for this project are as follows:

Cabinet approval	12 December 2017
Planning application submission	March 2018
Planning approval	June 2018
Issue Tender Documentation	June 2018
Tender return deadline	July 2018
Evaluation Period	August 2018
Contract Award	October 2018
Remediation planning application	November 2018
Remediation planning approval	April 2019
Start on site remediation	September 2019
Complete remediation	November 2020
Start on site housing	September 2020
First completed rented property	April - June 2021
First completed sale property	April – June 2021
Development complete	December 2025

6. Evaluation of alternative option(s):

- 6.1 The land could remain undeveloped as public open space; however this would leave an on-going maintenance liability to the HRA and not contribute to the housing growth required in Birmingham.
- 6.2 The remediation and housing development could be undertaken through separate contracts however, a housing developer is unlikely to accept the warranties provided by the remediation contractor.
- 6.3 To carry out the procurement for a housing developer and remediation contractor using an alternative process (e.g. Construction West Midlands framework) would be non-compliant with HCA funding conditions and therefore remove the opportunity for grant funding.
- 6.4 The option to dispose of the land on the open market would be unlikely to deliver a significant capital receipt (if any) due to the very substantial expenditure required to remediate the site.
- 6.5 The option to develop the site exclusively for sale has been considered; however, this option would not be consistent with Planning Policy and would only deliver a one-off capital receipt as opposed to an on-going revenue stream for the HRA. It is also unlikely that the HCA would fund the remediation works under this scenario.
- 6.6 The option to dispose of land to Housing Associations has been considered. This approach would produce a limited capital receipt for the Council and homes developed by Housing Associations would provide nomination rights at 100% on first letting and up to 75% thereafter. However, this option is discounted as the approved HRA Business Plan relies on a development programme of new general needs homes across its 30 year life. In December 2014 Cabinet approved the 5 year development programme for the BMHT new build scheme which included development of the Council homes at Yardley Brook. The development of new homes for rent and sale through BMHT will generate both capital receipts and a long term revenue stream.

7. Reasons for Decision(s):

- 7.1 The recommended approach will enable this challenging site to be brought forward for development and provide up to 273 new high quality homes to the City and also facilitate employment and skills opportunities and to enable the commencement of the procurement process for the scheme.
- 7.2 The development will provide an appropriate mix of house types and tenures that better meet the housing needs of Birmingham and contribute to housing growth.

Signatures:

Councillor Peter Griffiths
Cabinet Member for Housing and Homes

..... Dated:.....

Councillor Majid Mahmood
Cabinet Member for Commercialism, Commissioning, and Contract Management

.....Dated:.....

Waheed Nazir
Corporate Director, Economy

..... Dated:

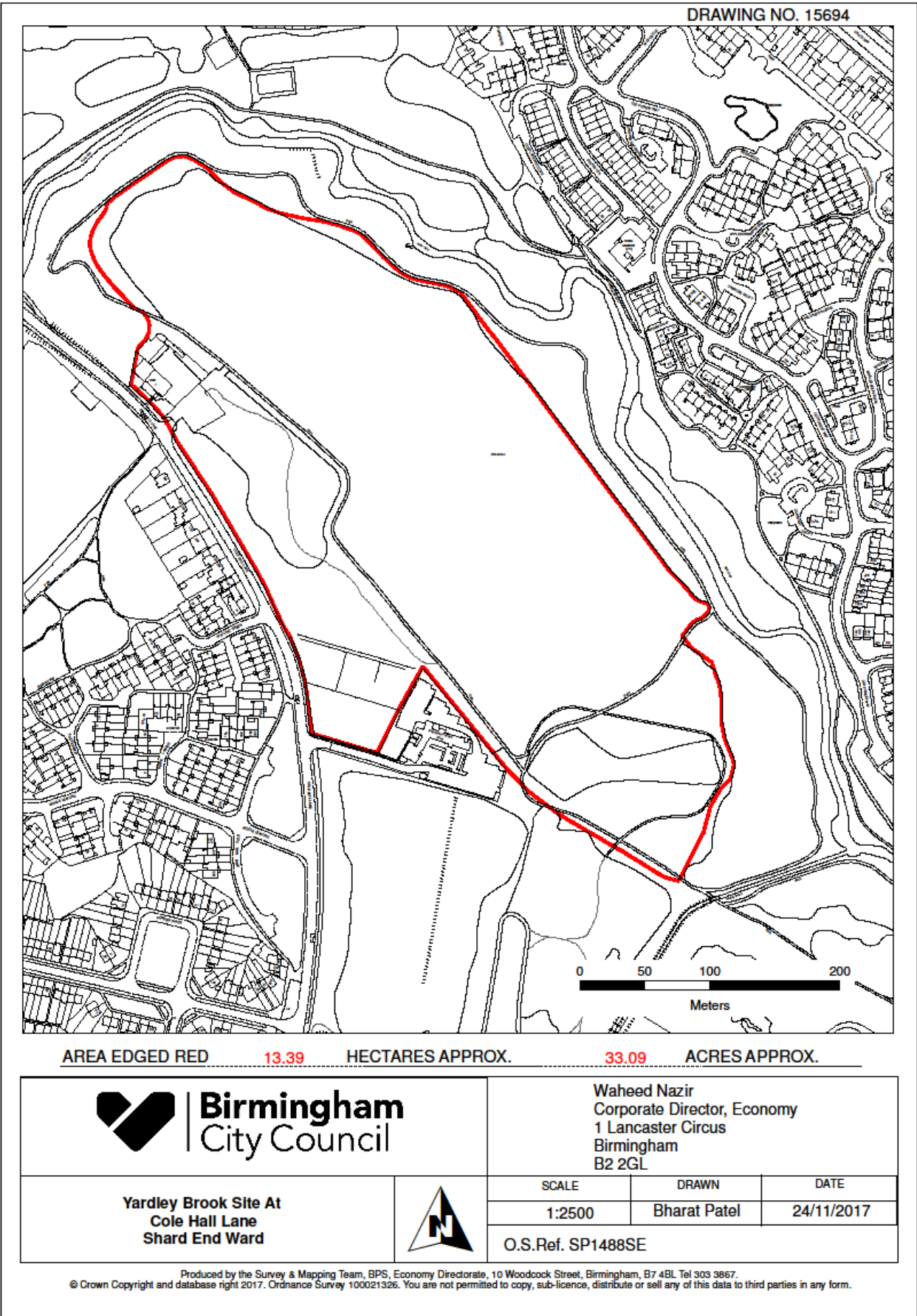
List of Background Documents used to compile this Report:

Birmingham Development Plan (adopted 10 January 2017)
Council Financial Plan 2017+
HRA Business Plan 2017+
BMHT 5 Year Delivery Plan 2015 – 2020 – Cabinet Report (December 2014)
Unlocking additional housing growth through the City Deal Public Asset Accelerator – Cabinet Report (October 2013)

List of Appendices accompanying this Report (if any):

1. Site Plan
2. Full Business Case
3. Equality Analysis
4. Risk Register
5. Stakeholder Analysis
6. Planning Context
7. Consultation Responses

APPENDIX 1 – SITE PLAN



APPENDIX 2 – FULL BUSINESS CASE

Full Business Case (FBC)			
1. General Information			
Directorate	Economy	Portfolio/Committee	Housing & Homes
Project Title	<i>Yardley Brook FBC for Remediation and Development</i>	Project Code	CA-02336-46-1CDO
Project Description	<p>In December 2014, Cabinet approved a five-year development programme of around 2,000 new homes as part of the council's commitment to delivering new homes across the city. The Housing Revenue Account Business Plan 2017+ is based upon the delivery of new council stock, replacing homes lost due to planned clearance and Right to Buy.</p> <p>This proposed development site (Yardley Brook) is part of the former Yardley sewage works which is located on Cole Hall Lane within the Cole Valley and is approximately 33 acres in size.</p> <p>Because of the considerable contamination, the site was left as public open space and became part of the greenbelt but is included in the Birmingham Development Plan (BDP) in order to remove it from the green belt and take forward development.</p> <p>Further to site investigations carried out by Acivico in previous years, the Homes and Communities Agency (HCA) has funded additional extensive site investigations on this site under the City Deal, Public Asset Accelerator fund arrangements to determine which remediation technique is the most appropriate for this site to enable housing development. The report from Celtic Technologies Ltd has concluded that the most effective and financially viable remediation solution is the relocation of the sewage sludge within the site. This is a technique which has been used successfully elsewhere in the UK and is more reliable than other techniques which rely on impermeable membranes or bio digestion.</p>		

	<p>The remediation of the site will be met through grant funding from the Homes and Communities Agency under the City Deal Public Asset Accelerator funding stream and funding from the WMCA.</p> <p>It is estimated that this approach will enable the site to provide up to 273 new homes.</p> <p>This report seeks approval for the remediation of the proposed development site and the development of up to 273 new homes for rent and sale and all associated infrastructure and POS requirements where possible.</p>		
Links to Corporate and Service Outcomes	<p>This project will make a direct contribution to both Corporate and Directorate outcomes, including the following:</p> <ul style="list-style-type: none"> • Children; new homes will be developed which will provide a safe, warm, sustainable and connected neighbourhood in which our children can thrive. • Housing; - the Council is committed to the development of enough high quality new homes to meet the needs of a growing city, and the proposals within this report seek to accelerate housing growth in the city by providing up to 273 new homes for rent and sale. • Jobs and Skills; activity within the construction sector will create jobs and apprenticeships in the city, and activity in the supply chain industries, supporting the local economy through the Birmingham Business Charter for Social Responsibility. It is anticipated that up to 27 training / apprenticeships could be provided based on the contract sum. • Health; the links between health and housing are well recognised. New thermally efficient, economical to run new homes which are designed to high standards of quality and internal space standards will be more affordable for residents and will offer a higher quality of life leading to better health outcomes. 		
Project Definition Document Approved by	<i>Cabinet</i>	Date of Approval	<i>8 December 2014(BMHT Delivery Plan 2015-2020)</i>
Benefits Quantification- Impact on Outcomes	Measure		Impact
	New homes built for affordable and social rent that will be made available to meet demand across the City.	143 properties will be built for social rent.	
	New homes for sale.	130 new homes will be built for sale.	

	Training and employment opportunities secured through the developments.	Up to 27 training /apprenticeship opportunities based on an assumption of £1m of contract value per full time apprenticeship.
	Improved public open space	3 acres of high quality POS with play facilities
	Potential relocation of Rugby Clubhouse	New sporting facility generating community and health benefits
	Land remediated and brought into use for housing development.	The remediation will enable up to 33 acres of undeveloped / under-utilised land to be used for new housing.
Project Deliverables	The project will deliver up to 143 new homes for social rent and 130 new homes for sale. It will also provide up to 27 training / apprenticeship opportunities, and bring up to 33 acres of land forward for housing development.	
Scope	<p>The project scope includes the following – some of which have already been achieved:</p> <ul style="list-style-type: none"> • The appropriation of the land to enable development (already completed). • The authority to proceed to remediation and development ensuring all consents are obtained from the appropriate stakeholders. • The appointment of a contractor to remediate the site and complete the housing development. • Financial and human resources to enable the development. • Working closely with the client during the duration of the contract up until the completion of the scheme to ensure all properties are built to standard and quality. 	
Scope exclusions	The project does not consider the detailed arrangements for the management or on-going maintenance of the Council housing once built, which will be dealt with under the existing arrangements for HRA dwellings.	
Dependencies on other projects or activities	<p>Key dependencies include:</p> <ul style="list-style-type: none"> • Confirmation of funding from the HCA/WMCA for remediation. • Completion of all legal agreements/ building contracts. • Obtaining all Planning consents. 	
Achievability	<p>Birmingham City Council is an award winning developer of mixed use residential housing developments through Birmingham Municipal Housing Trust (BMHT).</p> <p>BMHT was set up by the Council in 2009 to build new council homes. Since 2009, the BMHT has developed over 2500 new homes for rent and for sale. BMHT has a proven</p>	

	track record on delivery and established itself as the biggest house builder in Birmingham in 2015-2016 by completing 318 properties which is 20-25% of all new homes built each year in Birmingham.		
Project Manager	Andrew Hood, Development Manager, Economy Directorate. T: (0121) 303 7879. Andrew.hood@birmingham.gov.uk Shahid Iqbal, Development Project Manager, Economy Directorate, T: (0121) 303 6474, Shahid.s.iqbal@birmingham.gov.uk		
Budget Holder	Clive Skidmore, Head of Housing Development. T: 303 3341 clive.skidmore@birmingham.gov.uk		
Sponsor	Waheed Nazir Corporate Director, Economy waheed.nazir@birmingham.gov.uk		
Project Accountant	Nick Ward, Finance Manager, City Finance 464 4282) nick.ward@birmingham.gov.uk		
Project Board Members	Waheed Nazir Corporate Director, Economy waheed.nazir@birmingham.gov.uk John Jamieson, Head of Asset Management and Maintenance, 303 9420) john.jamieson@birmingham.gov.uk Clive Skidmore, Head of Housing Development. T: 303 3341 clive.skidmore@birmingham.gov.uk Tracey Radford, Head of Housing Management, T: 303 5683 tracey.radford@birmingham.gov.uk Guy Olivant, Head of City Finance T: 303 4752 guy.olivant@birmingham.gov.uk		
Head of City Finance (HoCF)	Guy Olivant, Head of City Finance - T: 303 4752 guy.olivant@birmingham.gov.uk	Date of HoCF Approval:	

Key Inputs			
Construction		Running Costs, etc.	
		Weekly rent	£89-£128
HCA/WMCA Grant -	£(8.60)m	Rent loss - voids / arrears	3.0%
Total Build Costs (including fees and pre contract costs, but excluding Infrastructure Costs)	£21.12m	Annual rent increase	-1.0% until 2019/20 then 3.0% ongoing
Other Costs (including Infrastructure, Land Remediation, Contribution to Rugby Club, POS and Commuted Sums)	11.80m	Management Costs	£955
RTB Activity	None	Repairs Costs	£662
Key Outputs		Capital Works (5-yearly)	£4,484
Revenue (Surplus) / Deficit after 30 years	£(16.41)m	Annual Cost Increase	2.0% (CPI 2.0%)

HRA Extract	2017/18	2018/19	2019/20	2020/21	2021/22	Total Year 0 to Year 30
	Year 1	Year 2	Year 3	Year 4	Year 5	
	£m	£m	£m	£m	£m	
Rental Income	0.00	0.00	0.00	(0.16)	(0.43)	(30.21)
Voids and arrears	0.00	0.00	0.00	0.00	0.01	0.91
Repairs and Maintenance	0.00	0.00	0.00	0.01	0.03	3.37
Management Costs	0.00	0.00	0.00	0.01	0.04	4.87
Cash-backed Depreciation	0.00	0.00	0.00	0.02	0.06	4.65
HRA Deficit / (Surplus) Contribution	0.00	0.00	0.00	(0.12)	(0.29)	(16.41)
Revenue contributions from wider HRA	0.00	0.00	0.00	(1.30)	(9.29)	(10.59)
Net HRA Impact (Surplus)/Contribution	0.00	0.00	0.00	1.18	9.00	(5.82)

Capital Account	2017/18	2018/19	2019/20	2020/21	Later Years	Total Year 0 to Year 30
	Year 1	Year 2	Year 3	Year 4		
	£m	£m	£m	£m		
Pre Contract Costs	0.31	0.00	0.00	0.00	0.00	0.31
Build Costs (including Remediation and Fees)	0.00	0.00	6.27	5.52	17.62	29.41
Other Costs (including Infrastructure / Contribution to Rugby Club / POS and associated commuted sum)	0.05	0.18	0.14	0.70	2.13	3.20
Total Development Costs	0.36	0.18	6.41	6.22	19.75	32.92
Capital Investment / Renewals ¹	0.00	0.00	0.00	0.00	0.77	4.65
Total Costs	0.36	0.18	6.41	6.22	20.52	37.57
Grant Contributions (HCA / WMCA)	0.00	0.00	(6.16)	(2.30)	(0.14)	(8.60)
Receipts from property sales	0.00	0.00	0.00	0.00	(4.42)	(4.42)
Revenue contributions from wider HRA	0.00	0.00	0.00	(1.30)	(9.29)	(10.59)
Other Capital Financing (RTB 1-4-1 / Affordable Housing S106 / General RTB receipts)	(0.36)	(0.18)	(0.25)	(2.62)	(5.90)	(9.31)
Cyclical Maintenance Reserve Release	0.00	0.00	0.00	0.00	(0.77)	(4.65)
Total Capital Income	(0.36)	(0.18)	(6.41)	(6.22)	(20.52)	(37.57)
Capital Account (Surplus) / Deficit	0.00	0.00	0.00	0.00	0.00	0.00

Balance Sheet Extract	2017/18	2018/19	2019/20	2020/21	2021/22	2046/47
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 30
	£m	£m	£m	£m	£m	£m
Land & Buildings	0.00	0.00	0.00	2.78	8.50	40.01
Cyclical Investment Reserve	0.00	0.00	0.00	0.02	0.08	1.11
Capital Reserve	0.00	0.00	0.00	(2.80)	(8.58)	(41.12)
Net	0.00	0.00	0.00	0.00	0.00	0.00

Properties	2017/18	2018/19	2019/20	2020/21	Later Years	Total Year 0 to Year 30
	Year 1	Year 2	Year 3	Year 4		
Social Rent Properties	0	0	0	20	123	143
Sale Properties	0	0	0	0	130	130
Total Properties	0	0	0	20	253	273

Note:

1. Formal approval to the ongoing capital investment / renewals programme (at a total value of £4.65 million over the coming 30 years) will be sought in due course as a part of the overall HRA capital programme as details of elemental investment needs emerge over time.

3. Checklist of Documents Supporting the FBC		
Item	Mandatory attachment	Number attached
Financial Case and Plan		
<ul style="list-style-type: none"> Detailed workings in support of the above Budget Summary (as necessary) 	Mandatory	Included in FBC
<ul style="list-style-type: none"> Statement of required resource (people, equipment, accommodation) – append a spreadsheet or other document 	Mandatory	Included in FBC
<ul style="list-style-type: none"> Whole Lifecycle Costing analysis (as necessary) 	Mandatory	Included in FBC
<ul style="list-style-type: none"> Milestone Dates/ Project Critical Path (set up in Voyager or attached in a spreadsheet) 	Mandatory	Included in FBC
<ul style="list-style-type: none"> 		
Project Development products		
<ul style="list-style-type: none"> Populated Issues and Risks register 	Mandatory	Appendix 4
<ul style="list-style-type: none"> Stakeholder Analysis 	Mandatory	Appendix 5
<ul style="list-style-type: none"> Site Plan 		Appendix 1
<ul style="list-style-type: none"> Equalities Assessment 		Appendix 3



Equality Analysis

Birmingham City Council Analysis Report

EA Name Yardley Brook Development

Directorate Economy

Service Area Economy - P&R Planning And Development

Type New/Proposed Function

EA Summary This EA will look at the proposed major housing development on part of the former sewage works in the Shard End Ward of Birmingham, as per the BCC Cabinet Report and FBC for the same development.

Reference Number EA001885

Task Group Manager shahid.s.iqbal@birmingham.gov.uk

Task Group Member

Date Approved 2017-02-28 00:00:00 +0000

Senior Officer andrew.hood@birmingham.gov.uk

Quality Control Officer richard.woodland@birmingham.gov.uk

Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Initial Assessment

This section identifies the purpose of the Policy and which types of individual it affects. It also identifies which equality strands are affected by either a positive or negative differential impact.

Relevant Protected Characteristics

For each of the identified relevant protected characteristics there are three sections which will have been completed.

Impact

Consultation

Additional Work

If the assessment has raised any issues to be addressed there will also be an action planning section.

The following pages record the answers to the assessment questions with optional comments included by the assessor to clarify or explain any of the answers given or relevant issues.

1 Activity Type

The activity has been identified as a New/Proposed Function.

2 Initial Assessment

2.1 Purpose and Link to Strategic Themes

What is the purpose of this Function and expected outcomes?

The purpose of the function is to develop 33 acres of part of a former sewage works in the Shard End Ward of Birmingham. The sewage works site discontinued over 40 years ago and the site was put into greenbelt. The site was identified for housing development in the Birmingham Plan and the Birmingham Plan was adopted by BCC in January 2017.

It is a heavily contaminated site that will require significant remediation to allow housing development, however, with grant funding support from the Homes and Communities Agency towards the remediation, it is possible to build up to 273 new homes (140 for social rent and 133 for sale) on the site. This will not only contribute to the housing needs of the City, but will also create employment and training opportunities during the several years of the build out of the development. The site will be developed by the Birmingham Municipal Housing Trust (BMHT).

For each strategy, please decide whether it is going to be significantly aided by the Function.

Children: A Safe and Secure City In Which To Learn And Grow. Yes.

Health: Helping People Become More Physically Active And Well. Yes.

Housing: To Meet The Needs Of All Current And Future Citizens. Yes.

The development will provide a mixed typology of homes for rent and sale which will include a range of 2, 3, and 4, bedroom homes. All homes are built to lifetime homes standard, built with key fuel poverty reducing features in line with the code for sustainable homes, and are built to secured by design status.

Jobs and Skills: For an Enterprising, Innovative and Green City Yes

There is a mandatory requirement for all contracts to comply with BBC4SR. Tenderers will submit an action plan with their tender that supports the local economy and creates much needed jobs, including the development of apprenticeship schemes relevant to the development of housing within their tender. Successful tenderers will be monitored during the contract period to ensure compliance.

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders? Yes.

A number of stakeholders have been consulted. This included the Ward Members for Shard End Ward who are fully supportive of the proposal for new housing on the site. Public consultation was undertaken as part of the Birmingham Development Plan which included this site and there was no concern raised by the local community. Further consultation will be undertaken as the scheme develops.

Will the policy have an impact on employees? No.

Will the policy have an impact on wider community? Yes.

Public consultation was undertaken as part of the Birmingham Plan which included the former sewage works site and there was no concern raised by the local community. Further consultation will be undertaken as the scheme develops.

2.3 Relevance Test

Protected Characteristics Relevant Full Assessment Required

Age. Not Relevant No

Disability. Not Relevant No
Gender. Not Relevant No
Gender Reassignment. Not Relevant No
Marriage Civil Partnership. Not Relevant No
Pregnancy And Maternity. Not Relevant No
Race Not Relevant. No
Religion or Belief. Not Relevant No
Sexual Orientation. Not Relevant No

2.4 Analysis on Initial Assessment

The development of up to 273 new homes through BMHT on part of the former sewage works in Shard End Ward will provide a number of positive opportunities for residents of Birmingham.

There are currently around 20,000 people on the Council's waiting list for affordable housing. Many of these people live in overcrowded conditions across the housing sector. Evidence from allocating properties previously developed under the BMHT banner has revealed the extent of this problem, many families being allocated from accommodation that was too small for their needs.

Through the BMHT programme, the Council provides homes that reflect the Strategic Housing Market Assessment for Birmingham with an emphasis on 2 bedroom houses and 4+ bedroom houses. Whilst there is a clear driver for family homes (and these make up the majority of the new development programme) the programme also looks to meet other needs, such as people without children and elderly residents who wish to down-size from under-occupied homes. Local need, site restrictions and financial viability are taken into account when determining the exact mix of homes and typologies to build on each site.

The BMHT Delivery Plan for 2015-20 included an Equality Impact Analysis and was agreed by Cabinet in December 2014 which operates city-wide. It includes areas where different cultural requirements will need to be reflected in the design of the homes provided. Feedback from previous schemes delivered has been utilised and these will be used in developing the schemes outlined within the BMHT Delivery Plan.

New property archetypes need careful consideration in terms of construction affordability and value for money and have now been refined into the BMHT Standard House Types catalogue. The Council's house building programme represents a unique opportunity to break the mould of repetitive market house types and meet the specific needs of its diverse population.

The new 2, 3, and 4 bedroom housing will cater for those that want to either downsize to smaller accommodation or move to larger housing and their needs change. The new housing will be built to lifetime homes standards so this should provide long term sustainability for those that are successful in applying for the new council housing. Furthermore, the energy efficiency measures and secured by design elements will not only help to reduce fuel poverty, but will also provide the safety and security and peace of mind for occupiers.

The market sale homes will also provide the elements listed above as well as providing a wide choice for those looking to get onto the property ladder. On completion of the development, the new Council housing be advertised in line with the Council's allocation policy allowing all residents the opportunity to bid for the new housing, therefore, ensuring the widest possible coverage.

As stated earlier, the successful developer will be contractually obliged to provide a set number of employment and training opportunities which will be built into the development contract which will provide life changing opportunities for residents of Birmingham.

The wider benefits to the community will include a much better use of what is currently a significantly under used piece of land, and as part of the final design solution, play facilities or equivalent will be provided as part of the development for the benefit of the wider community.

Following this initial assessment, the development will provide many positive opportunities to all of the protected characteristic groups as highlighted above, and therefore, a full assessment is not required.

3 Full Assessment

The assessment questions below are completed for all characteristics identified for full assessment in the initial assessment phase.

3 Concluding Statement on Full Assessment

Following this initial assessment, the development will provide many positive opportunities to all of the protected characteristic groups and therefore, a full assessment is not required.

4 Review Date

03/04/17

5 Action Plan

There are no relevant issues, so no action plans are currently required.

APPENDIX 4 - Risk Register

Description of Risk	Impact	Probability	Score	Mitigation Measures	Adjusted risk	Risk Owner
Difficulty in appointing a Housing Developer / remediation contractor.	4	3	12	Soft market testing has already been undertaken and received positive feedback. The Council has experience of procuring and successfully delivering housing development schemes through the HCA's DPP framework contract.	4	Project Officer / Employer's agent
Costs exceed approval levels / resources available	4	3	12	Robust project monitoring will be undertaken throughout to keep spend in line with approvals.	6	Project Officer / Employer's agent
Remediation of the site to a suitable end standard not achieved.	4	4	16	Comprehensive tests have been conducted to find suitable remediation methodology to remediate the site.	4	Project Officer / Employer's agent / developer
Planning permissions not obtained.	4	3	12	Planning has been engaged early on and is supportive of housing development on the site.	4	Project Officer / Employer's agent / Planning officer
Infrastructure and other costs are estimates.	4	2	8	Work closely with highways and use costs from other schemes.	4	Project officer / Highways
HCA/WMCA Funding not coming forward for this project.	4	3	12	HCA and BCC working jointly to ensure report are running side by side.	4	HCA / Project Officer
Local community objections.	4	2	8	The site was publicised as part of the city wide BDP and no objections were received.	4	Project officer / developer

Rugby Club not able to secure funding sources to facilitate re-location	2	3	6	Council will make grant available to assist relocation. The scheme can proceed regardless of whether or not the relocation occurs.	4	Project Officer
IMPACT	Probability		SCORE			
1 - Insignificant	1 - Unlikely		1 - 4			
2 - Minor	2 - Possible		5 - 8			
3 - Moderate	3 - Likely		9 -12			
4 - Major	4 – Almost Certain		13 -16			

APPENDIX 5 - Stakeholder Analysis

Stakeholder	Stake in project	Potential impact on project	What does the project expect from the stakeholder	Perceived attitudes and/or risks	Stakeholder management strategy	Responsible
Elected Members	Link with local residents	High	Consultation with community and support for the project	Objections from local residents	Provide information and keep informed	Client officers and project manager
Project officer team	Design, delivery and responsibility for project	High	Design to meet the requirements. Expertise in delivery. Project management.	Unforeseen delays Unforeseen costs	Co-ordinate team and contractor	Client officers and project manager
Contractors	Construction work / delivery	High	Works to be completed to the client brief and delivered on time and in budget.	Sub-standard work Delays on site due to inclement weather or sub-contractors not being available and unforeseen ground conditions	Contractors have pre-qualified on a Government framework. Specialist contractors will be closely monitored and obligated contractually.	Project manager and quantity surveyor
Rugby Club	Leaseholder on site	Low	Relocation subject to funding	Objections	Joint dialogue and close working	Project manager
Local Community	Impact on local area / quality of life	Medium	Progress updates and ensuring minimal disruption to everyday life	Objections and / or complaints during construction / delivery	Provide regular information and updates access to site manager as appropriate	Project manager and developer

APPENDIX 6 Planning Context

PLANNING AND POLICY CONTEXT

The Birmingham Plan (Adopted 10 January 2017)

Yardley Brook is covered by Policy GA8 – Eastern Triangle. It is proposed that the Eastern Triangle will deliver regeneration and growth for around 1000 new homes. This will be across a number of locations offering a range of housing types. The potential for the redevelopment of further unsuitable housing stock as well as the more efficient and effective use of existing land and buildings where practical and particularly at locations that are close to local centres, accessible by public transport and on or close to main transport corridors will be explored.

The development is expected to provide high quality new housing environment that will ensure wider housing choice within the Shard End area in line with the principles in Policy TP27. This will include broader housing opportunities and associated community facilities.

National Planning Policy Framework (NPPF) (2012)

The NPPF promotes sustainable growth and development, seeking positive improvements in the quality of the built environment including the improvement of conditions in which people live, work, travel and take leisure.

The Framework recognises the importance of town centres and how local authorities should consider policies that address management and growth.

The Framework also aims to significantly boost the supply of housing – and guidance is provided in achieving a wide choice of high quality homes and the creation of sustainable, inclusive and mixed communities.

The NPPF also promotes healthy communities, which includes recognising the importance of open space and playing fields. Any proposed development of open space or playing fields should only be undertaken if an assessment has been undertaken that shows the land to be surplus.

Appendix 7 - Consultation Responses

Stakeholder	Ward	Site / Scheme	Response to consultation
Cllr Ian Ward	Shard End Ward Leader Birmingham City Council	Yardley Brook Development	Fully supportive of this development during briefing at Council House. <ul style="list-style-type: none"> • Raised general points about the different elements of the remediation and development, including highway, Rugby club, infrastructure, links to wider area, etc. which have all been responded to.
Cllr Marge Bridle	Shard End Ward	Yardley Brook Development	I am supportive.
Councillor John Cotton	Shard End Ward	Yardley Brook Development	Supportive of the scheme. <ul style="list-style-type: none"> • Raised a number of questions regarding, the remediation, the Rugby club, training / employment, mix of housing, maintenance issues, which have all been responded to.
Councillor Uzma Ahmed	Hodge Hill District Chair	Yardley Brook Development	No comments received.
RT Hon Liam Byrne MP	MP for Hodge Hill constituency	Yardley Brook Development	No comments received.
Environment Agency	Statutory Consultee	Yardley Brook Development	In principle support. Consultation on-going as part of the Environmental Impact Statement for the site, including, Natural England, Historic England, and Birmingham City Council.

BIRMINGHAM CITY COUNCIL**PUBLIC REPORT**

Report to: CABINET
Report of: Corporate Director of Economy
Date of Decision: 12th December 2017
SUBJECT: COUNCIL HOUSE COMPLEX WORKS – PHASE 2

Key Decision: Yes
Relevant Forward Plan Ref: 004220/2017
If not in the Forward Plan: Chief Executive approved ☐
 (please "X" box) O&S Chair approved ☐
Relevant Cabinet Member(s) or Councillor Ian Ward, Leader of the Council
Relevant Executive Member:
Relevant O&S Chair: Councillor Mohammed Aikhlaq – Corporate Resources and Governance
Wards affected: All

1. Purpose of report:

1.1 This report seeks approval for additional funding required, and orders to be placed, to progress the proposed scheme for the Council House Complex (Council House and Extension) to reach Full Business Case; enabling a detailed report to be presented to Cabinet in the summer of 2018 in relation to the works required. This will conclude Phase 2 of the works process (Phase 1 comprised of the Options Appraisal Document reported to Cabinet on 18th October 2016). Whilst the works are predominantly to the mechanical and electrical infrastructure within the complex they may also include alterations to the Birmingham Museum and Art Gallery to improve access and circulation (subject to options appraisal in the Full Business Case). The request for additional funding is based on detailed work undertaken by the design team and all required works to get to FBC will be accommodated within this request.

1.2 To update Cabinet on progress to date in relation to initial findings based on the work undertaken by the Design Team.

2. Decisions recommended:

That the Cabinet:-

- 2.1. Authorises the release of funding of £500,000, from corporate capital resources, to inform and progress the detailed Full Business Case for the proposed works to the Council House complex.
- 2.2 Authorises the Corporate Director, Economy to instruct Acivico to place the necessary orders for the Stage 3 design works via the approved Constructing West Midlands framework for major projects up to the value of £490,000.
- 2.3 Note that under Chief Officer delegations the Corporate Director Economy will place an order with Service Birmingham up to the value of £10,000 to provide ICT design input.

2.4. To note progress made to date by the design team.

Lead Contact Officer: David Fletcher, Head of Corporate Landlord

Telephone No: 0121 303 2007, 07766 925159 (mobile)

E-mail address: david.fletcher@birmingham.gov.uk

3. Consultation

Consultation should include those that have an interest in the decisions recommended

3.1 Internal

Ongoing consultation with Members and key stakeholders will be undertaken as the Full Business Case is further developed. Property Services, Finance, Procurement, Place Directorate and Legal Services have been involved in the preparation of this report. The Council House Building Management Team and the Conservation Officer have also been engaged. Liaison with the Corporate Health and Safety team is planned.

3.2 External

Birmingham Museums Trust have been engaged in the proposals to refurbish the Council House complex; Service Birmingham has also been engaged with regards to the IT Infrastructure within the complex.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

- 4.1.1 The proposals in this report contribute to the Council's Vision and Business Plan as agreed by Cabinet in May 2017. The strategy is designed to support the Council's Vision and Priorities covering:

Children – a great City to grow up in,
Housing – a great City to live in,
Jobs and Skills – a great City to succeed in,
Health – a great City to grow old in.

The decision to progress to Full Business Case will help ensure that the Council House continues to remain at the core of local democracy for the citizens of Birmingham.

4.2 Financial Implications (How will decisions be carried out within existing finances and Resources?)

- 4.2.1 In order to progress the scheme design to Full Business Case (FBC) £500,000 is required to fund the following packages of additional work. A financial overview is included at Appendix 1.

Element of Work	Cost £000's
Contractor's Design including architect, conservation architect, mechanical and electrical consultant and structural engineer	436
ICT Design Input (Service Birmingham)	10
Essential surveys and investigations (including asbestos)	54
Total £000's	500

- 4.2.2 Designs are being progressed in accordance with the Royal Institute of British Architects (RIBA) Plan of Work stages and have reached the end of RIBA Stage 2 (Concept Design). RIBA Stage 3 (Developed Design) is considered to be the minimum level of detail to support a robust Full Business Case (FBC) and the funding now requested will enable the

design to be developed to this level and costed by summer 2018. The options outlined in section 6.1 of this report will continue to be appraised during development of the FBC.

- 4.2.3 This requirement will be funded from corporate capital resources. It is expected that this will be prudential borrowing for costs which can be capitalised, or resources in the Capital Fund for costs which cannot be capitalised.
- 4.2.4 The development of the project funding and governance will need to take account of complex implications for VAT, in order to avoid damaging the Council's and the project's ability to recover VAT costs.

4.3 Legal Implications

- 4.3.1 The primary functions of the City Council are contained in various statutes and Local Government Act 1972. The appropriate powers relevant in this matter are:-
Section 132 of the Local Government Act 1972 which gives power to the council to acquire or provide and furnish halls, offices and other buildings, whether within or without the area of the authority, for use for public meetings and assemblies; and
Section 1 of the Localism Act 2011 which gives a Local Authority a general power to do anything that individuals generally may do.

4.4 Public Sector Equality Duty

- 4.4.1 An initial Equalities Assessment (EA) has been carried out and concluded there is no adverse impact on the wider community therefore a full EA is not currently required. A Public Sector Duty Statement and a Stage 1 Equality assessment is not required at this stage. The EA, number EA 002400 is annexed as Appendix 2.

5. Relevant background/chronology of key events:

- 5.1 During 2016 the Council House Complex electrical installation was subjected to the required five yearly Electricity at Work Act testing. This together with previous technical reports confirmed the poor condition of the electrical installation. A review was undertaken to assess the condition and life expectancy of services infrastructure, particularly electrical and mechanical installations, across both the Council House and the Extension. The report concluded that the electrical installations are in an unsatisfactory condition and recommended replacement in the near future with a more frequent testing regime in the interim, this is the key driver for the proposals to undertake the works. On the 18th October 2016 Cabinet authorised the release of £500,000 of funding to develop a Full Business Case (FBC) for the replacement of time expired services infrastructure with an expectation that this would be reported back to Cabinet in summer 2018. This included the commitment to explore potential disposal opportunities (by way of lease) of parts of the Council House Extension. Additionally, there was a commitment to review and consider opportunities and co-ordination of proposals to improve the Birmingham Museum and Art Gallery (BMAG) in conjunction with Birmingham Museums Trust (BMT).
- 5.2 Place Directorate additionally sought funding to develop the BMAG proposals and on 21st March 2017 Cabinet authorised an allocation of up to £500,000 to support the development work on the capital proposals for BMAG. It was agreed that this work would form an integrated part of the Council's project for the redevelopment of the Council House complex and would be managed through the Council House Works Project Board. The funding, allocated to the Place Directorate, was to be used to support the preparation of a Stage 1 Heritage Lottery Fund (HLF) bid.

- 5.3 Following further discussions and negotiations with BMT, work to progress the Stage 1 HLF application on behalf of the City Council has been commissioned up to the value of £337,500. The target is for this to be submitted in accordance with the HLF bidding process for major schemes by October 2018; the outcome of the HLF Stage 1 bid will not be known until April/May 2019. The Stage 2 HLF submission is timetabled to be made by October 2019, subject to a Stage 1 pass, with the HLF decision being made in April/May 2020.
- 5.4 It has been agreed by the Council House Project Board (supported by Place Directorate), that £162,500 (the balance of £500,000 made available by Cabinet to the Place Directorate) be used to supplement the design team scope of work to include an option for changes to the layouts and alterations to improve access and circulation through the museum and reflect revised BMAG occupancy. This includes material alterations to the main visitor entrance off Chamberlain Square, adaptation of the vehicular entrance into the Council House courtyard for deliveries, alterations to improve vertical circulation and flow through the Museum; re-purposing of the Waterhall to serve as the main restaurant, conversion of the Edwardian Tea Rooms to gallery space and construction of a new build circulation core within the Council House courtyard. The assumption is that the core design team appointed by the Council for the Council House complex works will progress designs incorporating changes to BMAG's footprint to Royal Institute of British Architects (RIBA) Stage 2. Whilst the minimum standard for an HLF bid is RIBA Stage 1 due to the very competitive bidding process in place it is considered desirable to progress to RIBA Stage 2 to improve the chances of success.
- 5.5 In order to progress the proposed scheme a Find it in Birmingham tender process to appoint a Project Director was undertaken in November 2016; with expressions of interest and subsequent interviews taking place in December 2016. Following evaluation of the submissions the Project Director (Invigour) was appointed in January 2017 to lead the scheme. The Invigour fees will be contained within their original tendered figure and be met from the original October 2016 Cabinet allocation.
- 5.6 Following a competitive tender process via mini competition under Lot 7 of the Construction West Midlands (CWM) framework, Bouygues have been appointed via a Pre-Construction Services Agreement (PCSA) to work through the pre contract stages of the Council House works. It should be noted that the PCSA does not guarantee that Bouygues will be appointed to carry out the works if and when a contract is let. Bouygues have in turn appointed a design team comprising Hoare Lea (Mechanical and Electrical Engineers) who were part of Bouygues initial tender and Associated Architects (working in conjunction with conservation architects Rodney Melville and Partners) who were appointed via a subsequent competitive tender process in conjunction with BCC and in consultation with BMT.
- 5.7 Upon receipt of the above competitive tenders it became clear that the funding originally approved by Cabinet would be insufficient to progress the scheme designs to a level required to support the preparation of an FBC report (RIBA Stage 3) for Cabinet in summer 2018. Original estimates were based on very limited information, were prepared before a procurement strategy had been decided and made very little allowance for site surveys and investigations. The decision to appoint the CWM framework contractor via a pre-construction services agreement has resulted in payment for the contractor's expertise during the early design stages whereas the contractor would usually work speculatively at this stage but on the basis of a significant abortive payment (up to 10% of the overall fee) in the event that the scheme fails to proceed. A pre-construction services agreement was deemed appropriate in this instance to ensure the project was adequately

resourced and to retain flexibility for the Council when it comes to placing the final contract to carry out the works. An allowance for site investigations and surveys during RIBA Stage 3 has also been incorporated to reduce uncertainty and risk in the FBC. The scheme design has currently been progressed as far as available funding allows which is the end of RIBA Stage 2 (Concept Design).

- 5.8 On the basis that designs are progressed for the entire complex to RIBA Stage 3 for the FBC the total extra pre contract costs are estimated to be £500,000 (see schedule in paragraph 4.2.1). During this stage of development of the proposed scheme the detailed implications of the phasing of the works and how they will fit in with the HLF bidding process will be considered. The further design works will be procured by Acivico via the approved CWM framework contract for major projects.

Commercial Opportunities

- 5.9 The October 2016 Cabinet report also contained a commitment to seek potential disposal opportunities to support the business case and the proposed changes to the footprint of the area to be occupied, post contract, by BMAG. This enables the opportunity to consider certain areas of the Council House Extension to be offered to third parties for commercial letting. The area comprises the majority of the ground and first floors of the Extension, together with the whole of the Margaret Street offices.
- 5.10 Layouts have been developed that potentially provide a solution for BCC and BMAG while generating space for disposal (by way of lease) and revenue generation. However, the reduced space for BMAG is predicated on the basis that certain of their functions will be accommodated off site in a new build headquarters/collection store. There will be a net loss of space of circa 4,000 m² for BMT across the complex as a result of the proposed new layouts, essentially relating to storage and back office functions. While leased accommodation off site might be an option, BMT's clear preference is to construct a new store as an initial phase of a potentially much larger development in keeping with the vision for a publicly accessible collections store/HQ that would replace the current museum collections centre at Dollman Street. This could also provide a collaborative storage solution for other cultural sector organisations within the West Midlands.

New Store

- 5.11 The capacity and costing of a new build headquarters/collections store as referred to above remains an option under discussion.
- 5.12 Due to the intrusive nature of the works at the Council House complex, a full decant of both buildings is likely to be required. A first phase new build store, if delivered in time, could form part of the decant strategy for the Museum. A new store is not currently within scope of the Council House works project but it is recognised that the decant arrangements are a critical dependency. This means that there will need to be a decant and temporary accommodation cost factored into the FBC for the collection and BMAG functions in the event that a new HQ/store is not available to fit in with the timescales of the Council House works programme. This new facility will be funded by external sources with the Council assisting to identify a suitable site.

Infrastructure Scheme Costs

- 5.13 The original Cabinet approval was based upon an estimated overall cost for the infrastructure works (mechanical and electrical and other required works) of £21-24m

depending upon phasing. This proposed the renewal of the time expired infrastructure across both the Council House and the Extension assuming that layouts and occupancies would remain broadly as they were at that time.

- 5.14 The current emerging estimates, as part of the feasibility design, indicate that the cost of replacing the services across the Council House complex (including making good finishes etc.) is now likely to be in the region of £37m. Whilst this is significantly higher than the original estimates that formed the basis of the October 2016 Cabinet report, the original estimates were based upon costs per square metre without the benefit of site surveys or a proposed design solution.

Additional works to re-configure space for BMAG and create Commercial Opportunities

- 5.15 As indicated earlier in the report, the revised Council House layouts include an option for a new accessible entrance to BMAG, formed from Chamberlain Square with a new build circulation core constructed within the Council House courtyard. This requires other physical alterations to the building fabric and services that will not be required if the proposal is simply to renew the services infrastructure together with making good finishes as contemplated within the 2016 Cabinet report. Initial cost estimates provided by the contractor suggest that costs of re-configuring the building layouts and services infrastructure to improve access and circulation and achieve the disposal/revenue generating opportunity will add circa £10m to the overall costs increasing the total to £47m (excluding decant costs).
- 5.16 As part of evaluating the possible commercial opportunities, Savills UK Ltd have been appointed to undertake a high level assessment of future alternative uses together with an indication of potential revenue income. The initial advice from Savills is that there are a number of options for the vacated space from a commercial letting viewpoint. These include hotel/serviced apartments, café/bar uses and some elements of office use. Discussions are taking place with BMT to identify potential synergies recognising the potential for the Museum to attract further significant footfall.
- 5.17 Advices as to the likely value of space that could be made available will be an important factor in determining the preferred option for the FBC.

Overall costs including Museum redevelopment and Phase 1 New Build Store

- 5.18 The costs in paragraph 5.14 above do not include for costs associated with redevelopment of the Museum beyond re-configuring the buildings to create revised demise layouts. Costs associated with alterations and improvements within the existing BMAG demise, museum fit out and the construction and fitting out of a phase 1 new store all sit outside the current costings and are subject to further definition. It is anticipated that these could amount to circa £30 million including £12 million for the phase 1 store and would be funded from other (non-Council) external funding sources (HLF, Appeals Trust etc.).

Funding

- 5.19 In addition to an HLF application, revenue from commercial opportunities and future running cost reductions, consideration is also being given to establishing an Appeals

Trust. This Trust would be independent of both the City Council and Birmingham Museums Trust to enable funding to be sought to undertake major improvements to the Birmingham Museum and Art Gallery. As required, a separate report will be presented on this proposal.

6. Evaluation of alternative options:

- 6.1 The alternative options to progressing the scheme to FBC are limited and whilst there is a “Do Nothing” option this is not seen to be viable if the Council House complex is to be retained to provide core civic and democratic services. This needs to be also considered in the context of continuing to provide BMAG as a major cultural visitor attraction in the city centre. Therefore, the option of not proceeding to detailed design is not considered viable at this stage.
- 6.2 The renewal of the infrastructure creates an opportunity to improve the existing layouts and other museum improvements, in the context of the opportunity to pursue a major HLF grant to remodel and update the BMAG offer to meet changing visitor aspirations and contribute towards financial sustainability. The additional £500k will enable the Full Business Case to fully establish and appraise the options which might include the following:
1. Proceed with the infrastructure works only;
 2. Add the accommodation reconfiguration and release commercial space;
 3. In addition to 1 and 2, make further improvements to the museum facilities and create an offsite store and HQ.
- 6.3 The intention is that the additional costs of options 2 and 3 would need to be funded from external grants in order to keep costs to an affordable level for the Council. The Full Business Case will review the potential options and recommend a way forward.
- 6.4 The development of the design will therefore need to be kept under review, to take account of the success (or not) of the HLF bidding process and what other fund raising initiatives, including commercial opportunities referred to above, may contribute towards the cost of the scheme. The scheme that is brought forward as a Full Business Case in summer 2018 will take account of such risk factors.

7. Reasons for Decision(s):

- 7.1 To seek approval to progress the proposed scheme of works to the Council House complex to Full Business Case for a programme of investment which will enable the Grade 2* listed Council House complex to continue to be functional in the longer term.

Signatures

Councillor Ian Ward
Leader of the Council

Date

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Waheed Nazir
Corporate Director, Economy

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List of Background Documents used to compile this Report:

- Report to Cabinet, 18th October 2016 – Council House Complex – Options Appraisal
- Cabinet authorisation, 21st March 2017 allocating £500,000 to Place Directorate to progress Stage 1 HLF bid.

List of Appendices accompanying this Report (if any):

- Appendix 1 – Financial Overview of Expenditure to Full Business Case
- Appendix 2 - Equalities Assessment (number EA 002400)
- Appendix 3 - Ward Councillor Consultation

Report Version: 12

Dated 4th December 2017

Summary Financial Overview for Cabinet Report

	RIBA Stages 1&2	RIBA Stage 3	Total
Clientside consultants <i>Project Director (Invigour), Project Manager, QS (Acivico)</i>	£ 126,666	£ 105,334	£ 232,000
Framework Contractor & Design Team <i>Architect, Conservation Architect, M&E Engineer, Structural Engineer</i>	212,612	536,618	749,230
Surveys and investigations	10,000	80,000	90,000
BCC other workstreams <i>Service Birmingham IT, Commercial Property advice etc</i>	32,000	32,500	64,500
Contingency	26,770	0	26,770
Sub-Total	408,048	754,452	1,162,500
Add			
BMT commission for preparation of HLF Stage 1 bid	337,500	0	337,500
Total	£745,548	£754,452	£1,500,000

Funding confirmed to date	Further funding request	Total	Notes
£ 232,000	£ 0	232,000	No further funding required - original amount approved adequate
312,612	436,618	749,230	Contractor & Design Team costs - original amount approved insufficient
36,618	53,382	90,000	Further surveys and investigation required to reduce risk at Stage 3 FBC
54,500	10,000	64,500	Further amount required to cover Service Birmingham input at Stage 3
26,770		26,770	No further funding required - contingency adequate for Stage 3
662,500	500,000	1,162,500	
337,500	0	337,500	Specialist activities and outputs required for HLF Stage 1 bid
£1,000,000	£500,000	£1,500,000	

Equality Analysis

Birmingham City Council Analysis Report

EA Name	Council House Complex
Directorate	Economy
Service Area	Economy - Birmingham Property Services
Type	New/Proposed Function
EA Summary	To seek approval for additional funding required to progress the proposed scheme for refurbishment and modernisation of the Council House Complex to reach Full Business Case.
Reference Number	EA002400
Task Group Manager	felicia.saunders@birmingham.gov.uk
Task Group Member	
Date Approved	2017-10-31 00:00:00 +0000
Senior Officer	eden.ottley@birmingham.gov.uk
Quality Control Officer	eden.ottley@birmingham.gov.uk

Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Initial Assessment

This section identifies the purpose of the Policy and which types of individual it affects. It also identifies which equality strands are affected by either a positive or negative differential impact.

Relevant Protected Characteristics

For each of the identified relevant protected characteristics there are three sections which will have been completed.

- Impact
- Consultation
- Additional Work

If the assessment has raised any issues to be addressed there will also be an action planning section.

The following pages record the answers to the assessment questions with optional comments included by the assessor to clarify or explain any of the answers given or relevant issues.

1 Activity Type

The activity has been identified as a New/Proposed Function.

2 Initial Assessment

2.1 Purpose and Link to Strategic Themes

What is the purpose of this Function and expected outcomes?

The retention of the Council House complex will require a programme of investment in the medium term particularly, to the electrical and mechanical infrastructure which is starting to fail and approaching the end of its useful life. The programme would also see the continuation of repairs to the fabric of the building together with further work on other services (lifts, alarm systems etc.) and full redecoration. The scheme will also include the installation of energy saving measures (LED lights etc.) to reduce running costs and seek to provide a better overall working environment enabling opportunities to support agile working.

For each strategy, please decide whether it is going to be significantly aided by the Function.

Children: A Safe And Secure City In Which To Learn And Grow	No
Health: Helping People Become More Physically Active And Well	No
Housing : To Meet The Needs Of All Current And Future Citizens	No
Jobs And Skills: For An Enterprising, Innovative And Green City	Yes

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	Yes
Will the policy have an impact on employees?	No
Will the policy have an impact on wider community?	No

2.3 Relevance Test

Protected Characteristics	Relevant	Full Assessment Required
Age	Not Relevant	No
Disability	Not Relevant	No
Gender	Not Relevant	No
Gender Reassignment	Not Relevant	No
Marriage Civil Partnership	Not Relevant	No
Pregnancy And Maternity	Not Relevant	No
Race	Not Relevant	No
Religion or Belief	Not Relevant	No
Sexual Orientation	Not Relevant	No

2.4 Analysis on Initial Assessment

The costs of works are currently estimated to range from circa £21m up to £24m, this cost reflects the extent and nature the of works required and the complexity of working on a Grade II* Listed building. The costs are high level feasibility costings based on very limited survey or intrusive testing works. Due to the nature of the works, a full decant of both buildings is likely to be required.

On 18 October 2016, Cabinet approved funding of £0.5m to progress to Full Business Case and appoint a Project

Director and wider design team.

3 Full Assessment

The assessment questions below are completed for all characteristics identified for full assessment in the initial assessment phase.

3.1 Concluding Statement on Full Assessment

Ongoing consultation with Members and key stakeholders will be undertaken as the Full Business Case is further developed. Property Services, Finance, Procurement, Place Directorate and Legal Services have been involved in the preparation of this report. The Council House Building Management Team and the Conservation Officer have also been engaged. Liaison with the corporate Health & Safety team is planned.

Birmingham Museums Trust have been consulted in the preparation of this report and support the content and recommendations. Service Birmingham have also been engaged with regards to the IT Infrastructure within the complex.

The retention of the Council House Complex as a major City Centre Landmark has the potential to commercialise identified surplus space in the Council House Extension generating a revenue stream, with improvements in energy efficiency.

There has been ongoing consultation with Members of their respective constituency, who have as representation been consulted on issues of relevance.

There have been no issues raised which impact the wider community negatively, therefore a full equality assessment is not required at this design stage.

4 Review Date

12/04/18

5 Action Plan

There are no relevant issues, so no action plans are currently required.

**Council House Complex Works – Phase 2
Ward Councillors Consultation Responses**

Stakeholder	Ward	Site (if report relates to multi sites)	Response to consultation (sent 22/11/17)
Councillor Albert Bore	Ladywood	Council House Complex	No response received
Councillor Carl Rice	Ladywood	Council House Complex	Ok with the report – 22/11/17
Councillor Kath Hartley	Ladywood	Council House Complex	No response received

BIRMINGHAM CITY COUNCIL**PUBLIC REPORT**

Report to:	CABINET
Report of:	Corporate Director – Place
Date of Decision:	12 December 2017
SUBJECT:	REVIEW OF HOUSE IN MULTIPLE OCCUPATION LICENCE FEE AND PROPOSALS FOR SELECTIVE LICENSING FEE.
Key Decision: Yes	Relevant Forward Plan Ref: 004109/2017
If not in the Forward Plan: (please "X" box)	Chief Executive approved <input type="checkbox"/>
Relevant Cabinet Member(s)	O&S Chairman approved <input type="checkbox"/>
Relevant O&S Chairman:	Councillor Peter Griffiths – Housing and Homes
Wards affected:	Councillor Victoria Quinn – Housing and Homes
	All

1. Purpose of report:

- 1.1 To review the current House in Multiple Occupation (HMO) licence fee and determine a new fee based on improvements to the application process
- 1.2 Consider a licence fee structure for the proposed Selective Licensing scheme to allow inclusion in the consultation process

2. Decision(s) recommended:

That the Cabinet :-

- 2.1 Approves the new HMO licence fee as set out in paragraph 5.9 of this report
- 2.2 Approves the proposed Selective Licensing fee structure as set out in paragraph 5.11 of this report to enable officers to include the detail in the forthcoming formal consultation in target wards

Lead Contact Officer(s):	Rob James, Service Director – Housing
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3. Consultation

3.1 Internal

Officers from City Finance and Legal & Democratic Services have been involved in the preparation of this report. The proposal has been discussed with the Councillor Peter Griffiths, Cabinet Member for Housing and Homes, who is supportive of the need to improve the efficiency of license approvals and implement an effective on-line application solution as well as to have the fee better represent the Council's costs of administering the scheme.

3.2 External

This proposal has been discussed at the Landlord Forum Steering Group, a partnership meeting with private landlords who represent a range of providers and includes the regional representative of the National Landlords Association. In general the LFSG is critical of the existing level of HMO licence fee and support a reduction as well as supporting a discount for responsible landlords who are members of an accreditation scheme. They wish to see a simpler application process on-line and an effective low cost renewal process where there is no change of circumstance.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

HMO licensing is a mandatory requirement for certain types of property and the use of licensing to target worst landlords in worst areas is consistent with the Housing Birmingham Strategy Statement. The Council is able to charge the costs of administering a licence and the fee structure seeks to ensure the reasonable costs are recovered in compliance with legislation and guidance. Charging a fee ensures that there is not a financial burden on the Council for delivering this enforcement approach to improving standards in the private rented sector

4.2 Financial Implications (Will decisions be carried out within existing finance and Resources?)

Licence fees for either HMOs or Selective Licensing are required to be set at such a level that does not exceed the costs incurred in administration, investigation and inspection of licensable properties (including both direct and indirectly apportioned costs).

This proposal supports the delivery of savings proposal HN4 within the Council's approved budget for 2017/18 and future years, proposed to deliver an additional net contribution to overheads of £250k in 2017/18, increasing to £500k per annum in subsequent years.

The Council has received licence fees totalling £1.725million over a full 5 year cycle from 2012 (an average of £345,000 per annum), which includes discounts to responsible landlords.

The following table estimates gross license fee income to be generated as a result of the proposed improved on-line operating system and the proposed revised fee basis. The Government have indicated that they intend to extend the scope of statutory HMO licensing in April 2018 and it is estimated this will add an additional 3-4,000 other properties to the licensing programme.

	2018/19	2019/20	2020/20	2021/22	2022/23	Total
HMO Licensing						
Licences Issued	1,500	1,000	1,000	1,000	1,000	5,500
Ave Licence Fee (£)	625	665	635	665	665	650
Total Income (£'000)	937	665	635	665	665	3,567
Selective Licensing						
Licences Issued	2,000	1,500	500	500	500	5,000
Ave. Licence Fee (£)	365	365	365	365	365	365
Total Income (£'000)	730	548	182	182	183	1,825
Overall Total Income	1,667	1,213	817	847	848	5,392

The Council can charge the costs of administering the licence and the associated activities (including overheads) and so the revenue costs for this service are equivalent over time to the income received, making the service cost neutral.

4.3 Legal Implications

The Council is required under the Housing Act 2004 Part 2 s55 to licence certain HMOs. It also has the power under Part 2 Section 56 to use Additional Licensing for other HMOs or Part 3 Section 79 to use Selective Licensing for other PRS properties where the criteria are met.

Data Protection

The Council uses personal details of landlords or agents as part of the licence application and in accordance with the requirements of the Housing Act 2004. The requirements of the Data Protection Act 1998 and Human Rights Act 1998 have been taken into consideration in terms of the processing and management of data involved in these proposals.

It is a requirement to publish the list of licensed properties however the personal details of landlords or agents are not included on the register which is available on the Council's website.

4.4 Public Sector Equality Duty

A copy of the Equality Act 2010 – Public Sector Duty statement is appended – Appendix 2A together with the initial equality assessment screening – Appendix 2B. The screening concludes that in relation to the HMO licence fee the changes do not significantly impact on any particular group and that it is a statutory duty to enforce licensing for certain categories of HMO.

In relation to Selective Licensing it concludes that there is no evidence that any particular group will be disproportionately affected by licensing in the target wards but that it will impact financially on all landlords operating in Stockland Green and Soho.

Should the Council decide to proceed with Selective Licensing following formal consultation and charge a fee, a full impact assessment will be done at that time.

5. Relevant background/chronology of key events:

HMO LICENSING

- 5.1 The Council has a duty to license certain private rented Houses in Multiple Occupation (HMO). At present there are 1,900 properties on the Council's HMO licence register. The Council charges a fee for the administration of the licence and the current fee structure is set out below. The fee is for a 5 year period. The Council started licensing HMOs in April 2006 when the original fee was £500 as an introductory fee level to encourage landlords to apply early. It was increased to £800 in 2008 and was increased to the current level in 2012. Discounts were introduced for accredited landlords (MLAS, NLA and RLA) in 2013. In the last 5 year period (when the fee was £1,150) the Council has received £1.725m in licence fee income. Between 1 April and 31 October 2017, the Council has received 523 licence applications, of which 90% were entitled to a discount. The Council supports responsible renting and currently provides substantial discounts to landlords who are members of accredited organisations and demonstrate good practice. It should be noted that a landlord who is a member of both MLAS and NLA/RLA would be entitled to both discounts.

How much should I pay? Licence fees

A first application for a licence for a property. **£1150**

For the renewal of an existing licence made before the current licence expires **£850**

Where an application for the renewal of an existing licence is made after the expiry of the current licence. **£1150**

*Please Note: There is an additional charge of **£100** for incomplete applications. If further information is required, the application will not be processed until this additional fee has been paid.*

The proposed Licence Holder may claim any of the following discounts for membership of the following landlord organisations:

Midland Landlord Accreditation Scheme (MLAS) a discount for each HMO licence. **£300**

National Landlord's Association (NLA) or the Residential Landlord's Association (RLA) - a discount for each HMO licence. **£150**

- 5.2 The fee is based on the activities and costs associated with processing and approving the licence, carrying out an investigation and inspection to ensure compliance and to cover reasonable overhead costs such as traveling, IT and premises. The Council has used a Toolkit developed by the Local Government Association to help determine the fee. The Toolkit ensures that relevant activities by officers are included and the level of salary and time is applied to each activity. The Toolkit also includes provision for the inclusion of relevant overheads and on-costs associated with the activities undertaken.
- 5.3 A review of the processing of licences has been carried as there are a number of emerging pressures
- The Government is intending to extend existing mandatory HMO licensing in 2018, which may add another 4,000 HMOs to the register and this will create significant demand on the current system. The implementation date for this extension has not yet been confirmed, but is anticipated to be April 2018.
 - The current system involves considerable processing of paperwork and is staff intensive and requires storage facilities for paper files.
 - The Council is consulting over the potential use of Selective Licensing powers in target areas which may substantially increase the volume of licence applications to be processed.
 - The Council may consider the use of Additional Licensing powers under the Housing Act 2004, for other HMOs in the city and this fee structure will need approval to apply to the use of this power.
- 5.4 This review is based on a move to processing applications using an on-line system that has been procured by the Council. This improvement has been proposed for some time and is supported by the Landlord Forum. This move aims to improve the efficiency of the scheme and reduce processing times. This is consistent with the channel shift of Council services to the website portal.
- 5.5 The Council has been criticised by the National Landlords Association (NLA) and the Landlord Forum Steering Group about the level of fee, in particular with regard to comparative costs across the West Midlands local authorities. Appendix 1 shows comparative costs of an HMO licence in other local authorities in the region and other core cities. Overall the Council's fees are higher than in the West Midlands area but are similar to (or below) those of larger cities such as Bristol, Leeds and Nottingham.
- 5.6 The Council does, however, offer a larger discount for accredited landlords than in the other authorities in Appendix 1, which for responsible landlords would make the fees more competitive. Discounts are currently available based on membership of a number of organisations, including Midland Landlord Accreditation Scheme -MLAS (which is a West Midlands landlord accreditation scheme that provides advice and training to members as part of registration as a member to ensure compliance with legal duties and promotes good practice), National Landlords Association – NLA and Residential landlords Association RLA (which are both professional membership bodies representing landlords). The Midland Landlord Accreditation Scheme (MLAS - <https://mlas.org.uk/>) is part of the partnership of HOMESTAMP (<https://homestamp.com/>) of which the Council is a member. HOMESTAMP and MLAS promote good practice and provide advice and guidance to landlords and agents, as well as tenants through the new phone app "Check before you Rent".

5.7 MLAS

The following is an extract from the MLAS website which explains the scheme.

*“MLAS membership is an **individual membership**. As an individual you will be required to have completed the Application form, Accreditation Day Seminar and have signed up to MLAS Terms and Conditions including our Code of Conduct and Fit and Proper Person agreements....*

*To become a Member of the MLAS you must either attend our **Accreditation Day Seminar** at a cost of **£150.00 per person** or, **if you are an existing member of another Accreditation Scheme**, you may be eligible to join at no charge via our **PASSPORT service**.”*

The Council is working with MLAS to promote membership and support information to tenants on the benefit of using an MLAS accredited landlord.

5.8 It is proposed to amend the fees as shown below, with licences continuing to be valid for a 5 year period. The new fee level has taken account of the following

- The introduction of streamlining through the new on-line process
- Stronger enforcement of failure to comply with standards through the service of relevant statutory notices where costs can be recovered. This will impact on irresponsible landlords
- Simplification of fee structures to remove additional costs for larger properties and to remove discounts for portfolio owners as the Council has to complete the same level of checks and approvals for each property.
- Consolidation of discounts for members of accreditation and professional bodies. The MLAS scheme is seen as an important element of recognising responsible renting and is relevant to the way local authorities in the West Midlands (who are part of HOMESTAMP) are targeting enforcement on the worst landlords. It is no longer considered necessary to offer additional discounts for membership of NLA or RLA as this duplicates the MLAS scheme and NLA and RLA members can passport to the MLAS scheme if necessary.
- The discount is provided in recognition of the need not to carry out a routine inspection of the property within the 5 year term of the licence as it is expected that any complaint is first resolved by referral to MLAS. The discount better reflects the cost to the Council of inspecting HMOs and completing associated health and safety rating assessments and updating systems and records.

5.9 Proposed Fee Structure

HMO LICENCE BASIC FEES FOR ALL APPLICATIONS RECEIVED AFTER 1st April 2018	
Licence fee for an HMO	£950
For the renewal of an existing licence made before the current licence expires where no change of circumstances	£650
DISCOUNTS	
For applicants who are members of Midlands Landlords Accreditation Scheme (based on a deduction for non-inspection of properties at the average cost of inspection of HMOs)	£250

SELECTIVE LICENSING

- 5.10 The Council also has powers under Part 3 Housing Act 2004 to licence other private rented housing. At present the Council is proposing to consult in target Wards on the use of Selective licensing and this report is setting out the proposed fee structure. The principles are the same in that the fee is for the administration of the licence and the LGA toolkit has been used to calculate the fee for a 5 year licence.
- 5.11 With the HMO licensing scheme in place and the likelihood of the extension of the scheme to a wider range of properties it is anticipated that the majority of properties included in a Selective Licensing scheme will be smaller houses with simpler letting arrangements and less complex needs for compliance with housing standards. This is therefore reflected in the amount of work involved in approving a licence and the fee levels are lower than for larger HMOs. The Council will provide discounts for MLAS members as above, where a routine property inspection will not be required.

SELECTIVE LICENCE BASIC FEES FOR ALL APPLICATIONS RECEIVED AFTER 1st April 2018	
Licence fee for a property	£500
DISCOUNTS	
For applicants who are members of Midlands Landlords Accreditation Scheme (based on a deduction for non-inspection of properties at the average cost of inspection)	£150

6. Evaluation of alternative option(s):

- 6.1 The Council can charge a fee for HMO or Selective licensing to cover the cost of administration of the licence. The fee level has been calculated using a toolkit developed by the LGA. The Council could use an alternative method but this toolkit is felt to be robust should the fee level be challenged.
- 6.2 The Council could charge a reduced amount but this will not cover the costs of the service and would not be in line with the Council's overall approved Budget .

7. Reasons for Decision(s):

- 7.1 The Council is required to charge a fee for an HMO licence and can charge fees for Additional and Selective licensing schemes where implemented. The report seeks approval to a review of fees in the light of a new online operating model and the proposed implementation of Selective licensing in target areas.

Signatures

Date

Cabinet Member

.....
Councillor Peter Griffiths
Housing and Homes

.....

Corporate Director

.....
Jacqui Kennedy
Corporate Director - Place

.....

List of Background Documents used to compile this Report:

None

List of Appendices accompanying this Report (if any):

1. Comparison of HMO Licence Fees
2. 2A. Public Sector Equality Duty Statement and 2B. Equality Analysis

Report Version

Dated 23/ 11/ 17

Appendix 1

Comparison of HMO Licence Fees

Local Authority	Licence Fee	Renewal Fee	Discount offered
Sandwell	£700	£500	Up to £200 for accredited landlords
Wolverhampton	£650	£585 if made 3 months prior to expiry	Up to 15% for accredited landlords 25% for portfolio HMO owners making multiple applications at one time
Walsall	£750 (5-6 persons) ranging up to £1580 for 20+ persons	£350 where no change of circumstances	Minimum of £150 for accredited landlords
Coventry	£804.97 up to 7 lets additional £10.89 per unit/person over 7	Same	None
Sheffield	£750 plus £25 for every person over 5 people	£430 plus £10 for every person over 5 people	None
Leeds	£1,350 for 9+ persons £825 for 5-6 persons	Same	£150 to members of the Leeds Rental Standard
Bristol	£1,350 new application £1,550 for "unlicensed HMO"	Same	£250 "Reward" for complete application. No accreditation scheme in place
Manchester	£690.75 plus £40 fee for number of habitable rooms	£434.25 plus £40 fee for number of habitable rooms	None
Nottingham	£910	£830	£115 for membership of accreditation scheme £100 on renewal
Liverpool	£840	£790	£50 for membership of "CLASS" local accreditation scheme
Birmingham	£1,150	£850 where renewal made before expiry	Up to £450 for accredited landlords
London Borough of Newham	£500 Selective Licensing £800 Additional Licensing HMO licensing £1050-£1650	same	None
London Borough of Waltham Forest	£650 All PRS properties	same	None

Equality Act 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

1	<p>The Council must, in the exercise of its functions, have due regard to the need to:</p> <ul style="list-style-type: none"> (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
2	<p>Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
3	<p>The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.</p>
4	<p>Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> (a) tackle prejudice, and (b) promote understanding.
5	<p>The relevant protected characteristics are:</p> <ul style="list-style-type: none"> (a) Marriage & civil partnership (b) Age (c) Disability (d) Gender reassignment (e) Pregnancy and maternity (f) Race (g) Religion or belief (h) Sex (i) Sexual orientation

Equality Analysis

Birmingham City Council Analysis Report

EA Name	HMO And Selective Licence Fee Review
Directorate	Place
Service Area	Place - Housing Transformation
Type	Reviewed Policy
EA Summary	Proposed revision for the city of Houses in Multiple Occupation Licence Fee, and setting of the Selective Licensing Fee.
Reference Number	EA002499
Task Group Manager	james.martin@birmingham.gov.uk
Task Group Member	
Date Approved	2017-12-04 00:00:00 +0000
Senior Officer	lesley.ariss@birmingham.gov.uk
Quality Control Officer	placeequalitycontrol@birmingham.gov.uk

Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Initial Assessment

This section identifies the purpose of the Policy and which types of individual it affects. It also identifies which equality strands are affected by either a positive or negative differential impact.

Relevant Protected Characteristics

For each of the identified relevant protected characteristics there are three sections which will have been completed.

- Impact
- Consultation
- Additional Work

If the assessment has raised any issues to be addressed there will also be an action planning section.

The following pages record the answers to the assessment questions with optional comments included by the assessor to clarify or explain any of the answers given or relevant issues.

1 Activity Type

The activity has been identified as a Reviewed Policy.

2 Initial Assessment

2.1 Purpose and Link to Strategic Themes

What is the purpose of this Policy and expected outcomes?

The purpose is to review existing licence fee level where the Council has a statutory duty to licence certain houses in multiple occupation. The Council can only charge for the costs of administering the licensing scheme. The policy also considers setting the level of fee for Selective Licensing where the Council proposes to use its discretion to licence other Private Rented Sector properties in target areas.

For each strategy, please decide whether it is going to be significantly aided by the Function.

Children: A Safe And Secure City In Which To Learn And Grow	No
Health: Helping People Become More Physically Active And Well	No
Housing : To Meet The Needs Of All Current And Future Citizens	Yes
Jobs And Skills: For An Enterprising, Innovative And Green City	No

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	Yes
Will the policy have an impact on employees?	No
Will the policy have an impact on wider community?	No

2.3 Relevance Test

Protected Characteristics	Relevant	Full Assessment Required
Age	Not Relevant	No
Disability	Not Relevant	No
Gender	Not Relevant	No
Gender Reassignment	Not Relevant	No
Marriage Civil Partnership	Not Relevant	No
Pregnancy And Maternity	Not Relevant	No
Race	Not Relevant	No
Religion or Belief	Not Relevant	No
Sexual Orientation	Not Relevant	No

2.4 Analysis on Initial Assessment

The proposal involves a review of the level of fee charged where the Council has a statutory duty to licence certain HMOs in the PRS. The Council already charges a fee. The Council can only charge for the costs of administering the licensing scheme. This proposal will reduce this fee therefore it is felt not to significantly impact private landlords or tenants. The proposal to introduce a fee for Selective licensing will apply to all landlords in an area designated and is not likely to significantly impact people with protective characteristics. A full impact assessment will be carried out at the time of approving any reports designating areas for Selective Licensing. The overall aim is to improve standards in the PRS and ensure tenants live in safe and secure accommodation and landlords fulfil their legal duties.

3 Full Assessment

The assessment questions below are completed for all characteristics identified for full assessment in the initial assessment phase.

3.1 Concluding Statement on Full Assessment

The Council has a duty to licence certain HMOs in the PRS and can charge a fee. This proposal reviews the fee and reduces it due to improvements in processing applications. It seeks to set a fee for discretionary Selective Licensing which will be reviewed after 12 months. The Council can only charge for the costs of administering the licensing scheme.

4 Review Date

30/11/18

5 Action Plan

There are no relevant issues, so no action plans are currently required.

BIRMINGHAM CITY COUNCIL**PUBLIC REPORT**

Report to:	CABINET
Report of:	Corporate Director For Children and Young People
Date of Decision:	12th December 2017
SUBJECT:	REVIEW OF COUNCIL RUN DAY NURSERIES
Key Decision: Yes	Relevant Forward Plan Ref: 002307/2016
If not in the Forward Plan:	Chief Executive approved <input type="checkbox"/>
(please "X" box)	O&S Chair approved <input type="checkbox"/>
Relevant Cabinet Member(s)	Councillor Carl Rice – Cabinet Member for Children, Families and Schools
	Councillor Majid Mahmood – Cabinet Member for Commercialism, Commissioning and Contract Management
Relevant O&S Chair(s):	Cllr Susan Barnett - Schools, Children and Families
	Cllr Mohammed Aikhlaq- Corporate Resources & Governance
Wards affected:	Washwood Heath
	Nechells
	Lozells & East Handsworth
	Shard End
	Ladywood
	South Yardley
	Springfield
	Bournville
	Soho
	Bordesley Green

1. Purpose of report:

- 1.1 To report to Cabinet the outcome of the review of the council run day nurseries services (hereafter referred to as nurseries).
- 1.2 To seek approval to commence the consultation process on the future of the nurseries based on the information contained in this report, to ensure ongoing childcare sufficiency.

2. Decision(s) recommended:

That the Cabinet:-

- 2.1 Approves the commencement of a consultation process to include a proposal to close the fourteen council run nurseries as outlined in paragraphs 5.10, 5.11 and 5.12 with a

view to making the buildings available to the childcare market to ensure ongoing childcare sufficiency.

- 2.2 Notes the intention to report the outcome of the consultation to Cabinet for a final decision in April 2018.

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3. Consultation:

3.1 Internal

- 3.1.1 A recommendation to review the nurseries was first presented to the Cabinet Member for Children, Families and Schools at a briefing on 28th July 2016 and Cabinet Member for Commercialism, Commissioning and Contract Management on 1st August 2016 and 21st November 2017. Multiple briefings have taken place since with the Cabinet Member for Children, Families and Schools, the latest being 20th November 2017.
- 3.1.2 Senior managers from each of the fourteen nurseries have been consulted about the review as part of ongoing work to reduce financial pressures and improve quality of provision. Managers have advised their staff of the review of the day nurseries and kept them up to speed with the process.
- 3.1.3 A verbal report on the review of nurseries was shared with the Trade Unions. The proposals contained within the report were tabled and discussion was invited with an opportunity for written comments to be included within the report. An official dispute has been lodged by the GMB union which was received on the 1st November 2017 on the basis of a lack of consultation. This dispute was rejected on the basis that the report is seeking permission to consult. A meeting has been arranged to discuss this further with the GMB representatives on the 6th December 2017.
- 3.1.4 Discussion has been taking place with colleagues from the Early Help Service. This is in relation to the buildings which house Family Support and Safeguarding teams (FSSG) on the same site as house nurseries. The outcome of this is that in Park Road and Reameadow Children's Centres the FSSG teams have requested the use of additional space freed up following the novation of the contract to Birmingham Community Healthcare Trust (BCHCT). If the nurseries were to close then there will be a direct impact on the FSSG Teams as the full costs of the building would need to be picked up by these teams or they would have to relocate and the building would be re-utilised.
- 3.1.5 There have been ongoing discussions and visits to sites to look at the existing arrangements for the co-located FSSG. This has been to ensure space is available for

these teams to continue to operate from or to identify additional space for them to utilise once the children's centre is no longer operating from that building.

- 3.1.6 Officers from City Finance and Legal and Governance have been involved with the preparation of this report.

3.2 External

- 3.2.1 External consultation has not yet taken place. It is intended that a full public consultation will be undertaken to engage with key partners and stakeholders following approval from Cabinet.
- 3.2.2 Discussion is also ongoing with the BCHCT with regard to the Health and Wellbeing (H&WB) service as some of the sites they plan to use currently house nurseries. A closure of any of the nurseries may impact on the running costs for the H & WB services. The outcome of the discussions with BCHCT and any cost implications will be reported back to Cabinet in April 2018.

4. **Compliance Issues:**

- 4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

- 4.1.1 The Council of the future will be much smaller and more strategic and less about direct service delivery and more about supporting a wider range of partnerships and providers, including social enterprises and the contribution of voluntary effort and the community. By developing these relationships the provision of day care services will be effectively managed in the Private, Voluntary and Independent sector (PVI) and continue to support the wide ranging needs of our existing and any new customers.
- 4.1.2 With the Childcare Act 2006 clearly stating that the Local Authority will be the provider of last resort this is a strong factor in working more closely with the PVI sector (see section 4.3 for further detail)
- 4.1.3 The Children and Young People Directorate Education Delivery and Improvement plan 17-18 recognises Birmingham City Council's commitment to ensure Birmingham is a great city for children and young people to learn and grow up in. Underpinning the plan is the aim to narrow the gap in achievement between those groups performing highly, above national average, and those groups that have underperformed for a long time.
- 4.1.4 The directorate outcomes are:
1. Securing a good school place for children in the city
 2. Raising attainment and closing gaps for children across Birmingham
 3. Ensuring children and young people with SEND have their needs met in appropriate provision
 4. Ensuring children are safe and developing resilience
 5. Preparing young people with the skills they need for life

4.2 Financial Implications

(How will decisions be carried out within existing finances and Resources?)

- 4.2.1 The current sustainability issues affecting the nurseries have been a significant issue for several years and although some considerable improvement has been made during the last two financial years this has not led to a sustainable position. The current deficit forecast for all fourteen of the nurseries in 2017-18 is £686k. Compensatory in-year savings have been identified to mitigate this pressure of £485k from the Early Years, Childcare and Children's Centre service (EYCC) funding. Additional savings are being made in year by the nurseries, through renegotiating contracts for services and increasing the number of places available where possible. The current situation is not financially sustainable and therefore through consultation we can explore the following areas:
- 4.2.2 Continue to operate any nurseries that are financially self-sustaining within two years and close the remaining nurseries.
- 4.2.3 Full closure of all fourteen of the nurseries and release the buildings for the childcare market to continue provision of a service and generate a rental income. The one off cost of keeping the nurseries open until closure is included within the budget planning process for 2018/19. In closing the nurseries there could be redundancy costs and a pension strain that need to be considered. Redundancy costs are estimated at £310k for twelve of the nurseries; this includes the two nurseries in which staff are employed by schools. The remaining two nurseries are employed by third sector providers.
- 4.2.4 Continue to operate any nursery that is situated within an area of need for sufficiency where an alternative provider to the Council cannot be identified (provider of last resort) and close the remaining nurseries where they are either not required or there is an appetite for the childcare market to deliver. This will require a maximum funding of £0.5m to be identified and committed on an ongoing basis (as identified in appendix 3).
- 4.2.5 As some of these nurseries are linked to children's centres there is a potential capital claw back of £2.167m (see appendix 3 for the amounts per building), unless the buildings continue to be utilised for under-fives provision. This will be explored further with the Department for Education (DfE) to ascertain future building use following the consultation. We are looking at the options to mitigate the clawback by for example making the nurseries available to the childcare market.
- 4.2.6 There are four nurseries that also have FSSG teams housed in the same building as the nurseries. The future of these teams has been looked at by property services and Early Help service in order to mitigate any future risks to their occupation in these buildings. They are proposing to locate more staff in two of these buildings and remove the teams from the other two. The Council owns thirteen of the nursery buildings with one being a primary school. The buildings are currently part of the Early Years services portfolio and therefore any rental from these buildings would be part of the service areas income.

4.3 Legal Implications

- 4.3.1 Section 8 of the Childcare Act 2006 describes the 'Powers of local authority in relation to the provision of childcare' as (3) An English local authority may not provide childcare for a particular child or group of children unless the local authority are satisfied that (a) that no other person is willing to provide the childcare (whether in pursuance of

arrangements made with the authority or otherwise), or (b) if another person is willing to do so, that in the circumstances it is appropriate for the local authority to provide the childcare. This does not affect the provision of childcare by the governing body of a maintained school, or the provision of day care for children in need in accordance with section 18 of the Children Act 1989.

4.3.2 Early Education and Childcare Statutory guidance for local authorities refers to the Sufficiency Duty. This guidance refers to the Childcare Act 2006, specifically:

- Section 6, which places a duty on English local authorities to secure sufficient childcare for working parents.
- Section 7 (as substituted by section 1 of the Education Act 2011), which places a duty on English local authorities to secure early years provision free of charge. Regulations made under section 7 set out the type and amount of free provision and the children who benefit from the free provision.
- Section 7A (as inserted by the Children and Families Act 2014). Regulations made under section 7A make provision about how local authorities should discharge their duty under section 7.
- Section 9A (as inserted by the Children and Families Act 2014). Regulations made under section 9A limit the requirements local authorities can impose when they make arrangements to deliver early education places for two-, three- and four-year-olds.
- Section 12 which places a duty on English local authorities to provide information, advice and assistance to parents and prospective parents.

In relation to staff, the TUPE regulations may apply if, following the proposed consultation and further Cabinet decision, there are new providers of the nursery services.

4.4 Public Sector Equality Duty

4.4.1 The initial assessment was updated in October 2017 (Reference number EA002393). This identifies that the proposed closure is likely to have a significant impact on the current services (Appendix 4). A full assessment of the impact will be undertaken alongside the public consultation.

4.4.2 The potential impacts to closing the nurseries are:

- Loss of provision locally for children under five and their families in the named wards across Birmingham if the childcare market does not see a sustainable model for delivery;
- Accessibility of services to existing families if they are moved or relocated to other nursery providers;
- One hundred and twenty staff redundancies across the fourteen nurseries if the childcare market does not see a sustainable model for delivery;
- Potential for not meeting the sufficiency duty – which requires the Local Authority to secure sufficient early years provision;

- Implications for other services currently co-located in council buildings currently delivering nursery services.

5. Relevant background/chronology of key events:

- 5.1 The council run nursery provision was introduced in 1994 by Social Services and was formally known as community day nurseries. They were developed to provide consistency of service provision across the city, support our council employees and to support our vulnerable children. Included in this was the introduction of 150 full time fee paying places, and priority for these places was given to children of staff who worked for the City Council.
- 5.2 This policy was continued when nurseries transferred from Social Services to Education in 1998 when the nurseries were either designated as children's centres or became linked to local children's centres since 2007. They now form part of a complex landscape in Early Years.
- 5.3 Nursery provision operates from fourteen sites across Birmingham, and provides a range of fee-paying and Early Education Entitlement (EEE) funded places for children under 5. (See Appendix 5 for a map of locations.) All 3 to 4-year-olds in England can access 570 hours of free early education entitlement or childcare per year. If this is taken during term-time only, this works out as 15 hours a week over 38 weeks of the year. From September 2017, the government has increased the free early education or childcare for families who meet certain criteria to 30 hours a week (if used over 38 weeks a year).
- 5.4 The nurseries currently employ one hundred and twenty staff. Seventy of whom are employed directly by the council, eighteen by schools and the remainder (thirty-two) by partner organisations - Spurgeons and South & City College. On average six hundred children attend the fourteen nurseries each week.
- 5.5 The nurseries have had the following deficits over the last three years which have been funded from a centrally held sustainability pot in 2014/15 and from the trajectory grant for two-year olds in 2015/16 and 2016/17. The trajectory funding was fully utilised and is not available for this purpose in 2017/18:-
 - 2014/15 = £744,989
 - 2015/16 = £578,813
 - 2016/17 = £638,719
- 5.6 The forecast deficit for 2017-18 is currently approximately £686k- despite an increase in fees from January 2017. Compensatory in-year savings of £485k has been identified within the EYCC to cover this pressure. Additional work on making further savings in-year to reduce this forecast is ongoing. See appendix 2 for a detailed current financial position.
- 5.7 Given the unsustainable financial position a review has been undertaken by Early Years Officers on the way forward. The review has taken account of the current occupancy levels, financial positions, potential increases in occupancy and income, and restructuring of the staff teams. This has generated the areas outlined above.

- 5.8 To date the following work has been undertaken in order to improve the current business model:-
- Review of current staffing levels, hours of work and identifying the FTE;
 - Update of the organisational structures with HR to ensure staff details are correct to support the redesign;
 - Developed a new Grade 2 Nursery Officer post to support any restructure;
 - Establish clear overview of occupancy levels and vacancies;
 - Financial efficiency reviews of individual nurseries to establish clear overview of essential costs and where savings can be achieved;
 - Increase in fees rates and EEE funding rates to support an increase in income;
 - Review of Ofsted arrangements and centralising responsibilities for this, to ensure consistency of oversight;
 - Reviews of quality and impact - undertaken by council Early Years consultants and Locality Resource Officers to ascertain areas of strengths and weakness and develop plans for improvement.
- 5.9 Despite these actions thirteen of the fourteen nurseries remain financially unviable and do not reach a break-even point. They are therefore not self-sustaining and will always require support of £0.5m per year (see appendix 3 for the detail). The current situation is not financially sustainable and therefore through consultation we can explore the following areas:
- 5.10 **Continue to operate any nurseries that are financially self-sustaining and close the remaining nurseries.** Detailed work has been done prior to the consultation process to make the nurseries self-sustainable going forward. Whilst this has not been achieved the formal consultation process will provide a further opportunity for this to be achieved. However, should this not be possible there is one nursery that shows a financially sustainable model. This nursery will need a small increase in nursery places and sufficient time to allow for these places to be filled. The remaining thirteen nurseries could be offered to the childcare market.
- 5.11 **Closure of all nurseries and release the buildings for the childcare market to continue provision of a service and generate a rental income** - This would require a scoping of the market potential for releasing the buildings and generating income.
- 5.11.1 In particular where the buildings are only partially utilised as the building currently accommodates a children's centre this would create an additional increase in running and premises costs for BCHCT the new provider for H&WB Service. The impact of this for the new Health and Well Being contract (if any) will be reviewed and reported back in April 2018.
- 5.11.2 Full closure would mean that the buildings would need to be disposed of if the city did not have a future need for the buildings. There would potentially be approximately one hundred and twenty staff redundancies and a potential claw back of £2,167m. There are two ways that this option could be explored:-
- (i) Commission the service 'As Is' which will allow for the transfer of staff to a new provider (TUPE);

- (ii) Or immediate closure with staff redundancies and an opportunity to offer the buildings via lease or sale to the childcare market at a later date.
- 5.11.3 In recommending closure, consideration will be given to seek alternative local delivery of the nursery services from existing providers such as PVI and schools. This will form part of the consultation following the Cabinet decision. This should enable capital claw back to be mitigated.
- 5.11.4 Commissioning the service 'as is' will enable TUPE transfer of staff and ongoing access to childcare for current service users.
- 5.11.5 In total the staffing assignment is one hundred and twenty across all fourteen nurseries. Eighty-eight of the staff are Council employees with the remainder (thirty-two) being employees of South and City College and Spurgeons as third sector partners, the remaining twelve nurseries are either corporate or schools employed staff.
- 5.11.6 Discussions are taking place to ensure that the staff from South and City College and Spurgeons are considered fairly as part of any service redesign process. The total redundancy costs for the council staff is estimated at £0.3m. In addition there will be a cost associated to the Pension Strain.
- 5.11.7 Full closure of the nurseries would be required to take place by the end of August 2018 in order to be achievable within current budget allocations. Parents of the children currently accessing a service will be signposted to alternative provision with support from the Early Years, childcare and children's centres service.
- 5.12 **Continue to operate any nursery that is situated within an area of need for sufficiency where an alternative provider to the Council cannot be identified (provider of last resort) and close the remaining nurseries where they are either not required or there is an appetite for the childcare market to deliver.** This will be explored as part of the consultation. If any of the nurseries are identified as being required to meet the Sufficiency Duty but the consultation does not demonstrate that an alternative provider could be found, the statutory duty would not be met and the Council would become the provider of last resort. This will require a maximum funding of £0.5m (as identified in appendix 3) but will only be quantifiable following consultation. This would require an ongoing financial commitment and the need to allocate additional funding to the Early Years budget as the nurseries cannot reach a level of being self-sustaining.
- 5.13 It is proposed to undertake formal consultation on all areas commencing in January 2018. The outcome of the consultation will be brought to Cabinet in April for further consideration and decision.
- 5.14 The Statutory Duty within the Childcare Act is quite explicit that Local Authorities should be the provider of last resort. Closure of the nurseries would enable quality buildings to be available to the local childcare market and still enable the statutory duty of Sufficient Childcare places to be provided. The consultation will enable us to identify the level of interest from alternative providers to confirm that the Council's role as a provider is not required.

6. Evaluation of alternative option(s):

- 6.1 Do nothing – There will be an ongoing financial dependency as has been evidenced historically and specified in 5.5 of this report. Funding will need to be identified outside of the current Early Years budget.

7. Reasons for Decision(s):

- 7.1 To mitigate the expected budget pressures within the overall Early Years budget, and to commence consultation on those proposals.
- 7.2 To ensure that the council can continue to meet the statutory duties for Sufficient Childcare and Early Education as outlined within section 4.3 of this report

Signatures

Date

Councillor Carl Rice
Cabinet Member for Children,
Families and Schools

.....

Councillor Majid Mahmood
Cabinet Member for Commercialism,
Commissioning and Contract Management.....

Colin Diamond
Corporate Director
Children and Young People:

.....

List of Background Documents used to compile this Report:

1. Childcare Act 2006.
2. DfE: EYFS – Early Years Foundation Stage 2014
3. Early Education and Childcare – Statutory Guidance for Local Authorities, 2017

List of Appendices accompanying this Report (if any):

1. EYCC Overview
2. Current Financial Position
3. Financial Models for Break-Even
4. Equalities Assessment – Stage 1
5. Map of locations of the 14 nurseries

Appendix 1

Early Years, Childcare and Children's Centres – An Overview of a Complex Landscape

The current landscape that Early Years is operating within is complex and has inter-dependencies and variables that all overlap leading to changes in one area having a significant impact on others. It is therefore important to have an understanding of the overall position to allow for robust decision making.

The complexity comes as a number of providers deliver services that are in all 3 key areas and are sat in the central space in the Venn diagram below.

High quality early education and childcare provision is an important element in the menu of services that enhance the life chances of children in the city. The long-term benefits of high quality pre-school childcare, where children are supported to develop and learn are well documented.

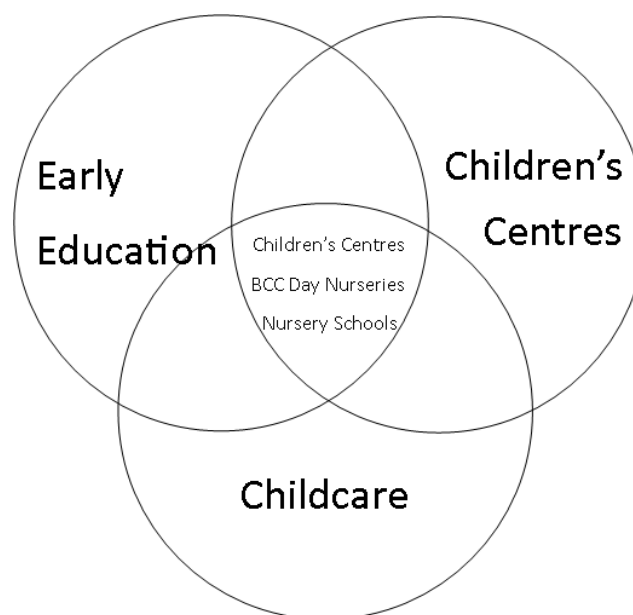
Access to affordable and flexible childcare, where it is needed, can also remove barriers to some parents accessing work, potentially reducing the number of children living in poverty in workless households. There are currently an estimated 1,346 settings providing over 30,000 places in Birmingham. These are split between:

- Private, Voluntary and Independent (PVI) settings – including Child Minders, Day Nurseries and Pre-school Playgroups.
- Local authority settings – including Nursery Schools and Nursery Classes.

From September 2017 three and four year olds living in working families will be eligible for up to 30 hours per week of state-funded childcare. This represents a major expansion in the 'free entitlement', building on the existing universal three and four year old Early Education Entitlement (EEE); and the two year old entitlement for disadvantaged children. The objectives of childcare provision:

- To offer high quality, affordable childcare;
- To provide additional EEE capacity (notably for two year olds);
- To help to identify and support vulnerable families; and
- To be financially self-sustaining.

There are 3 key areas that make –up the early years landscape as demonstrated in the Venn diagram below:-



Appendix 1

Within this there are a number of partners that are involved in delivery of services in each of the key areas. These are:-

Children's Centres - Early Years Health and Well-Being

Work to restructure the way that key Early Years services are delivered in Birmingham has been underway since 2014 with the aim to a) Improve outcomes for children and families; and b) to reduce the cost of the service. A new operating model for the service has been developed and approved which brings together children's centre services alongside health visiting services, and parenting support into a single integrated service.

The contract has been awarded to Birmingham Community Healthcare Trust who are now working with us on the transition to the new contract which will most likely now take place in January 2018.

Within the current provision of Children's Centres services are 14 Nursery Schools and 11 Primary Schools. In addition all 14 of the BCC day nurseries are incorporated with the delivery of CC services, either though being located within the main CC building, or being a satellite venue that some CC services are offered from.

Early Education – Nursery Schools

In Birmingham there are 27 maintained nursery schools. Of these, 14 are currently also designated as Children's Centres, and 10 have integrated childcare for under 3's. Recent changes to the national funding formula for early education has created a financial pressure for nursery schools as there is now a government requirement to fund all early education providers with a universal rate whereas previously nursery schools have received a much higher level of funding.

In addition, the removal of the BCC policy to provide a full-time funded early education place for some vulnerable 3 and 4 year olds has had an impact on the level of occupancy in some nursery schools.

The changes to the Children's Centres delivery will also have a negative impact for some of the nursery schools as this will be another loss of income that has previously contributed to the running costs of the building of the school.

BCC Day Nurseries

There are currently 14 children's day nurseries that are operated and staffed by BCC employees that come within the team structure for Early Years. Changes are required as the 14 centres are not financially viable at the moment and the EY service has contributed over £0.5m per year to support their operation. They were originally Community Day Nurseries (CDN's) which were historically within Children's Social Care, although the CDN's transferred to Education back in 2000.

The Statutory duty for childcare sufficiency within the Childcare Act 2008 requires LAs to ensure sufficiency, but the legislation is specific that the LA should be a provider of last resort. In other words, the role is to manage the market to ensure adequate supply.

Some of the buildings have received Capital funding in the past as part of Children's Centres, so work is being undertaken with Birmingham Property Services to establish what the sale/rental value for each building is, in order to make decisions over disposal or lease of the buildings.

Some of the buildings are in-scope for the new model delivery of the EYHWP contract so the impact of the potential closure of the day nursery is being explored with BCHT currently. This may make some outreach venues not viable. Buildings that have been identified as in the new EYHWP model as outreach venues that will not be viable are:-

Appendix 1

- Birchfield
- Oaklands
- Golden Hillock (but this is currently leased from South and City College and a reduction in space could be negotiated)

There are 5 buildings that have been identified as Hub venues and would therefore possibly not be available for the market to utilise. However, the new EYHWB provider will need to pick up the additional costs for the buildings which may not have been factored into their original costs. The buildings are:-

- Anthony Road
- Soho
- Ladywood
- Bertram
- Kitts Green (although the building is a standalone nursery unit and as such could be considered separately from the CC building itself)
- Lime Tree

Buildings that have been identified as not in scope for the new model could be made available either for sale or rental to the childcare market include:-

- Park Road
- Cherry Tree
- Summerfield
- Reameadow
- St Benedict's – NB this is part of the school and EdSI have plans to develop the school to meet Basic Need requirements so this area would be absorbed by the school

Further discussions are now being taken forward with BCHT as the lead provider for the EYHWB contract.

Lindsey Trivett

Head of Early Years, Childcare and Children's Centres

2nd October 2017

Description	Budget	Actuals	Variance

***** Totals		6,166.03	6,166.03

CBP620 - Corporate Monitoring Report - Revenue

		Current Budget	Actuals to date	Variance
		£	£	£
Funds Center				
Anthony Road CC	4000/REH48	1,072,738	1,049,032	(23,706)
Bertram CC	4000/REH49	250,885	242,165	(8,720)
Early Years - DSG	4000/REH4B	1,590,006	1,325,005	(265,001)
Birchfield CC	4000/REH50	80,591	71,080	(9,511)
Bordesley Village CC	4000/REH51	77,675	55,728	(21,947)
Cherry Tree CC	4000/REH52	108,564	101,009	(7,555)
Doddington CC	4000/REH53	486,700	449,575	(37,125)
Golden Hillock CC	4000/REH54	1,373,895	1,324,801	(49,094)
Ladywood CC	4000/REH55	172,814	163,714	(9,100)
Lime Tree CC	4000/REH56	527,015	517,352	(9,663)
Oaklands CC	4000/REH57	114,635	138,279	23,644
Park Rd CC	4000/REH58	236,892	211,580	(25,312)
Reameadow CC	4000/REH59	44,708	48,721	4,013
Rookery CC	4000/REH60	374,593	335,359	(39,234)
Shard End CC	4000/REH61	613,893	562,211	(51,682)
Soho CC	4000/REH62	1,164,301	975,852	(188,449)
Sparkbrook SS CC	4000/REH63	557,329	553,949	(3,380)
St Thomas CC	4000/REH64	283,292	246,517	(36,775)
Summerfield CC	4000/REH65	288,163	176,030	(112,133)
Tame Valley CC	4000/REH67	275,479	274,140	(1,339)
Tennyson CC	4000/REH68		0	0
Keystone CC	4000/REH69	410,128	397,234	(12,894)
Allens Croft CC	4000/REH70	409,283	409,283	0
Bham Settlement CC	4000/REH71	86,803	87,923	1,120
Bush Babies CC	4000/REH72	66,475	66,475	0
Chinnbrook CC	4000/REH73	371,219	371,219	0
Deanery CC	4000/REH74	18,798	18,799	1
Arthur Terry CC	4000/REH75	154,383	154,383	0
Fox Hollies CC	4000/REH76	908,521	883,700	(24,821)
Highbury CC	4000/REH78		51	51
Kings Norton CC	4000/REH80	263,503	263,503	0
Leaps and Bounds CC	4000/REH81	0		0
Maypole CC	4000/REH83	357,602	340,826	(16,776)
Muath CC	4000/REH84	126,000	126,000	0
South Yardley CC	4000/REH85		0	0
Springfield CC	4000/REH86	841,194	839,700	(1,494)
Balsall Heath CC	4000/REH87	961,478	959,874	(1,604)
CC Schools Spend	4000/REH89	5,056,670	4,526,958	(529,712)
Four Dwellings CC	4000/REH99		394	394
Erdington Hall CC	4000/REH9B	18,204	18,204	0

6 Ways Childrens Ctr	4000/REHB0	170,075	65,437	(104,638)
Barneys Children Ctr	4000/REHB5	0	53	53
Allenscroft & Druid	4000/REHC0	80,999	81,000	1
Waverley at Bertram	4000/REHD0	243,127	225,473	(17,654)
Overall Result		20,238,630	18,658,587	(1,580,043)

	0
	0
	0
	0
	(260,000)

PROJECTED BUDGET PRESSURE 2016/17

	0	0	0	£ -	£ -
	0	0	0	£ -	£ -
	-6024	-6,024	-6,024	£ 32,314.00	-£ 6,024.00
No childcare	-6,024	-6,024	-6,024	Final Figure Period 11 £ 32,314.00	-£ 6,024.00

18,346.00

Appendix 3 - Financial Models for breakeven – Key assumptions

Fig 2 Breakeven point for all Nurseries based on new model – from August 2017 to July 2019

	SETTING	FINANCIAL SUPPORT NEEDED AT THE END OF YEAR 17/18 TO BREAKEVEN	FINANCIAL SUPPORT NEEDED AT THE END OF YEAR 18/19 TO BREAKEVEN	MONTHS TO BREAK EVEN	CLAWBACK
1	Bertram	-£69,741.78	-£30,824.72	*	£163,035.24
2	Birchfield	-£67,406	-£58,104	*	£233,542.62
3	Cherry tree	-£89,402.64	-£88,589	*	£123,164.38
4	Golden Start	-£49,473	-£25,463	*	£437,929.64
5	Kitts Green	-£34,199.57	-£19,782	*	0
6	Ladywood	-	-	**	£15,419.67
7	Lime Tree	-£37,133	-£29,328.96	*	£327,722.74
8	Oaklands	-£68,966.38	-£60,896	*	£185,818.99
9	Park Road	-£65,451.91	-£38,628	*	£1,077,119.06
10	Reameadow	-£64,068	-£32,682	*	£343,852.47
11	Soho	-£47,455	-£57,299	*	£336,540.67
12	St Benedicts	-£34,373	-£32,113	*	0
13	Summerfield	-£70,887	-£37,741	*	0
14	Sunshine	£8,278.32	£12,230.08	4	£135,857.53
	TOTALS	-£690,278.96	-£499,220.60		£2,167,026.42

* Breakeven unachievable due to high or increased premises/running costs (direct impact of CC closing or becoming an outreach site only)

** Ladywood is not currently operating

Fig 3 Breakeven point for Nurseries that are sustainable based on new model – from August 2017 to July 2019

	SETTING	FINANCIAL SUPPORT NEEDED AT THE END OF YEAR 17/18 TO BREAKEVEN	FINANCIAL SUPPORT NEEDED AT THE END OF YEAR 18/19 TO BREAKEVEN	MONTHS TO BREAK EVEN
1	Sunshine	£8,278.32	£12,230.08	4
	TOTALS	£8,278.32	£12,230.08	

Equality Analysis

Birmingham City Council Analysis Report

EA Name	Review Of Council Run Day Care
Directorate	People
Service Area	Children - Early Years Service
Type	New/Proposed Function
EA Summary	<p>As part of the Cabinet Report - 002307/2016 , this EA focuses on the proposed changes to the Birmingham City Councils (BCC) Daycare services</p> <p>. Provides a review of the current daycare provided by Birmingham City Council (BCC)</p> <p>. Explores a range of proposals for the future delivery of this service, including any daycare currently managed by schools and third sector partners from buildings owned by BCC.</p>
Reference Number	EA002393
Task Group Manager	chris.n.atkins@birmingham.gov.uk
Task Group Member	
Date Approved	2017-11-03 00:00:00 +0000
Senior Officer	lindsey.trivett@birmingham.gov.uk
Quality Control Officer	clare.m.nankivell@birmingham.gov.uk

Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Initial Assessment

This section identifies the purpose of the Policy and which types of individual it affects. It also identifies which equality strands are affected by either a positive or negative differential impact.

Relevant Protected Characteristics

For each of the identified relevant protected characteristics there are three sections which will have been completed.

- Impact
- Consultation
- Additional Work

If the assessment has raised any issues to be addressed there will also be an action planning section.

The following pages record the answers to the assessment questions with optional comments included by the assessor to clarify or explain any of the answers given or relevant issues.

1 Activity Type

The activity has been identified as a New/Proposed Function.

2 Initial Assessment

2.1 Purpose and Link to Strategic Themes

What is the purpose of this Function and expected outcomes?

BCC day care provision operates out of fourteen sites across Birmingham, and provides a range of fee-paying and Early Education Entitlement (EEE) funded places for children under 5.

The Nurseries are staffed by 120 staff. 70 of these are employed directly through BCC, 18 by Schools and the remainder (32) by Spurgeons and South & City College.

The Nurseries have had the following deficits over the last three years:

2014/15 = £744,989

2015/16 = £578,813

2016/17 = £638,719

The forecast deficit for 2017-18 is currently approximately £750,242k. There is an identified budget of £485k to cover this shortfall. Work on making savings in-year is ongoing.

Nursery fees were increased in January 2017 from the previous rate of £170 per week to a three-tier fee structure of £200 per week for under twos; £190 per week for two - three year olds; and £180 per week for over threes.

A reduction in funding available in Early Years led to a strategic decision to try and improve the operation and viability of the nurseries, through a review of the current business and the development of future models of delivery as part of an overall service redesign.

The review that has been undertaken has taken account of the current occupancy levels, financial positions, potential increases in occupancy and income, and restructuring of the staff teams. This has generated a number of models for each of the fourteen nurseries that shows a possible point of breakeven. Where this is not possible consideration around closures of key sites that are no longer viable or sustainable has been made.

To date the following areas of work have been undertaken:

- . Review of current staffing levels, hours of work and identifying the FTE;
- . Update of the organisational structures with HR to ensure staff details are correct to support the redesign;
- . Develop a new staffing structure in each nursery to develop a more effective structure that meets EYFS requirements. This also supports the quality for the nurseries and establishes a clear progression route for staff;
- . Create a new GR2 Job Description to enable a more effective staffing structure to be created, that is more in line with the marketplace.
- . Establish clear overview of occupancy levels, and vacancies;
- . Financial efficiency reviews of individual settings to establish clear overview of essential costs and where savings can be achieved;
- . Increase in fees rates and EEE funding rates to support an increase in income.
- . Develop future financial models for sustainability.
- . Review of Ofsted arrangements and centralising responsibilities for this to ensure consistency of oversight;
- . Reviews of quality and impact - undertaken by BCC Early Years consultants and Locality Resource Officers to ascertain areas of strengths and weakness and develop plans for improvement;
- . Sought advice from legal services regarding:
 - which centres can be redesigned;
 - contractual issues that may exist with third party organisations including possible secondment arrangements;
 - a reduction in GR3 Nursery Officer role and pay protection issues that may occur if staff apply

for GR2 posts instead;

- closing nurseries and offering the service out to the childcare market.

During the review a number of factors have become apparent; the first is that the buildings that are currently occupied by the nurseries are in children's centres all except for St Benedicts which is a school. Seven of these sites are proposed to change, five will no longer be full children's centres and two will close. As a result in order to create a sustainable model for these sites I have had to factor in the full running costs for the buildings. These have had a significant and detrimental impact on the costs and as such render these seven buildings as not viable.

Options and next steps:

1. Option One: Continue to operate the nurseries that can become self-sustaining within 2 years - This will require the implementation of the service redesign with a view to increasing the occupancy levels and allowing sufficient time for these places to be filled. This will require subsidising any shortfall during this period of growth. Work required to reach a sustainable point will include:-

- . Close 6 of the existing nurseries that cannot demonstrate financial break-even within 2 years.

- . A further reduction in staffing by deleting the GR3 Nursery Officer posts. If staff choose to take a GR2 post then their salary is protected for 6 months and costs approximately £4000 per staff member for the total 6 month period.

- . Increasing the proportion of GR2 and Apprentices to counter the removal of the GR3 Nursery Officer post;

- . A further increase in fee rates (this could have an impact on the take up of places in some areas of the city as it would lift the costs to the higher end, whereas some areas are still below market average and could take an increase).

- . A significant increase in places - which is challenging in some areas given the wards sufficiency data.

A business case has been prepared to support a service redesign but requires funding to underpin. The DSG funding that has been centrally retained has released the Early Years General Fund allocation which could be used to support this area if desired but this would reduce the amount of savings possible.

The challenges faced in trying to make the provision sustainable would only be achievable given enough time to bring in the additional customers to increase occupancy levels. If this was the desired option then it would be necessary to continue to subsidise the nurseries.

The current cash flow forecast shows a current in year deficit of £65,230 to the end of July 2017. In Fig 2 the breakeven point from Aug 2017 to March 2018 is £519,630.36 therefore the total is £584,860.36 for the financial year April 2017 to March 2018. This is the total amount required to cover the shortfall in moving towards a more sustainable model of delivery. An additional amount of £174,544 will be required to support towards breakeven by the end of the year in 18/19.

2. Option 2: Closure of all nurseries and release the buildings for the childcare market to generate a rental income - This option would require a scoping of the market potential for releasing the buildings and generating income. In particular where the buildings are only partially utilised as the building is currently as children's centre this would create an additional increase in running and premises costs for any new provider. Full closure would mean that buildings would need to be disposed of along with approximately 126 staff redundancies. There are two ways that this option could be explored:-

- a. Commission 'As Is' which will allow for transfer of staff (TUPE);

- b. Or immediate closure with staff redundancies.

Further Considerations:-

Staffing and redundancy

The total number of BCC staff employed is 88 across twelve of the fourteen nurseries. Golden Start and Sunshine staff are not included in this as they are employed by third sector employers.

A discussion with Legal is taking place to ensure that these staff are considered fairly as part of any service redesign process. The total redundancy costs for the BCC staff will be £309,937.93. In addition there will be a cost associated to the Pension Strain. This is being identified currently and is work in progress. In total the staffing assignment is 126 for all fourteen nurseries.

In order to achieve the savings the biggest impact can be made in changing the staffing assignment and in particular deleting the GR3 Nursery Officer post to be replaced with a GR2 post. This will affect 62 GR3 Nursery Officers. However the redesign will create 4 GR3 Deputy Nursery manager roles and 9 GR3 Senior Nursery Officers which will mitigate 13 possible redundancies.

There will also be 26 new GR2 Nursery Officer posts available which the remaining 49 GR3 Nursery Officers could take up further potentially reducing the redundancy risk to 23. There is an additional financial risk to staff taking post at a grade lower as we will need to protect their salaries for up to 6 months. This is factored in to the fact sheets for the potential total costs as a maximum and may be reduced dependent on the number of staff able to apply for GR2 posts and any staff who may wish to take VR instead.

Timescales

The timescales to realise these savings and create a viable model would be between August 2017 to July 2019, with any settings that do not breakeven within a 24 month period have been excluded. It is expected that with a significant marketing strategy and a much improved business model that these savings and increases in profitability could be realised in the 12 month period. Full closure of the day nurseries would be required to take place by the end of August 2018 in order to be achievable within current budget allocations.

Currently the nurseries do not hold responsibility for the management and oversight of the buildings as this is overseen by the Children's Centre. For the sites that become Outreach venues or are closed as part of the new EY Health and Wellbeing Service then consideration to who is responsible should be identified and where possible any additional financial support factored in to cover these premises and running costs along with the Duty Holder responsibility.

Consultation

There will be a requirement to undertake public consultation on both options. As either option will require closure of some/all of the settings, it is likely to be contentious with the Trade Unions. Given the position we are in with the TUs in respect of the EYHWP contract, it is suggested that the cabinet report is taken forward with a recommendation subject to consultation.

For each strategy, please decide whether it is going to be significantly aided by the Function.

Children: A Safe And Secure City In Which To Learn And Grow	Yes
Health: Helping People Become More Physically Active And Well	No
Housing : To Meet The Needs Of All Current And Future Citizens	No
Jobs And Skills: For An Enterprising, Innovative And Green City	No

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	Yes
Will the policy have an impact on employees?	Yes
Will the policy have an impact on wider community?	Yes

2.3 Relevance Test

Protected Characteristics	Relevant	Full Assessment Required
Age	Not Relevant	No

Disability	Not Relevant	No
Gender	Relevant	No
Gender Reassignment	Not Relevant	No
Marriage Civil Partnership	Not Relevant	No
Pregnancy And Maternity	Relevant	No
Race	Not Relevant	No
Religion or Belief	Not Relevant	No
Sexual Orientation	Not Relevant	No

2.4 Analysis on Initial Assessment

The proposed changes may impact on any of the 9 protected characteristics. The level of impact will be based on the outcome of further consultation with services users and staff following agreement of the preferred option given by cabinet.

Staff could potentially be affected by the proposed changes, and they may be expected to work from an alternative site in relocating some of the services or as a result of the services being closed. Further impact on staff will be ascertained as part of the consultation.

Service users may see an improvement in the availability and quality of the current provision if places were to be increased as part of the sustainability driver.

Partners may experience changes in that there may be an opportunity for them to expand and/or offer a new provision where there is an identified need.

There may be an impact on services if they are to be tendered out, as new providers may want to make changes to the services delivered.

Some of the Nursery sites may close due which may have an impact on stakeholders.

This identifies that the proposed closure is likely to have a significant impact on the current services. A full assessment of the impact will be undertaken alongside the public consultation.

The potential impacts to closing the nurseries are:

- . Loss of provision locally for children under five and their families in the named wards across Birmingham;
- . Accessibility of services to existing families if they are moved or relocated to other nursery providers;
- . One hundred and twenty staff redundancies across the fourteen nurseries;
- . Potential for not meeting the sufficiency duty - which requires the Local Authority to secure sufficient early years provision;
- . Implications for other services currently co-located in council buildings currently delivering nursery services.

3 Full Assessment

The assessment questions below are completed for all characteristics identified for full assessment in the initial assessment phase.

3.1 Concluding Statement on Full Assessment

External consultation has not yet taken place. It is intended that a full public consultation will be undertaken to engage with key partners and stakeholders following approval from Cabinet.

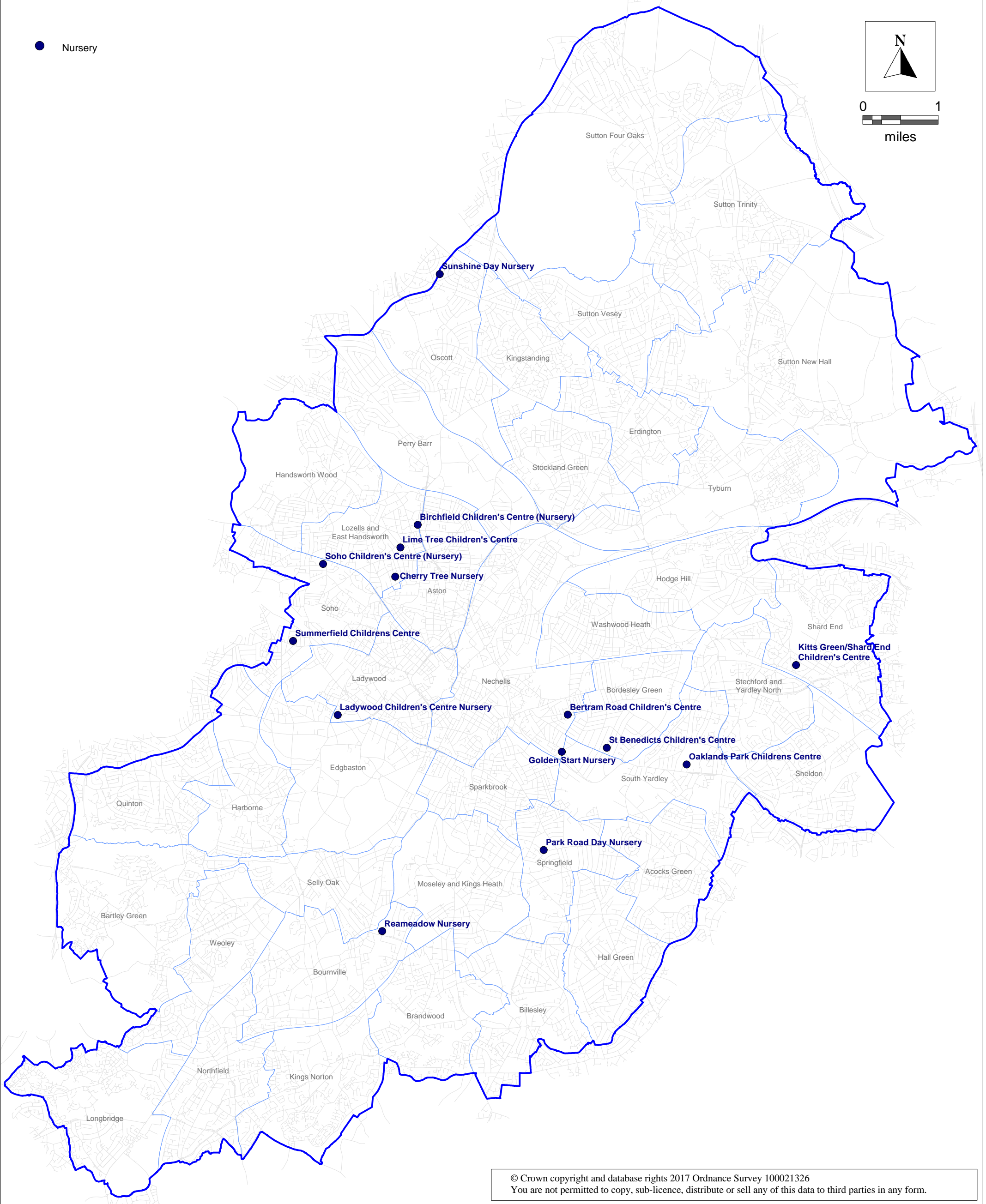
4 Review Date

10/10/17

5 Action Plan

There are no relevant issues, so no action plans are currently required.

Day Nurseries in Birmingham



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BIRMINGHAM CITY COUNCIL**PUBLIC REPORT**

Report to:	CABINET
Report of:	Interim Corporate Director for Adult Social Care & Health
Date of Decision:	12 December 2017
SUBJECT:	WHOLE OF LIFE DISABILITY STRATEGY
Key Decision: Yes	Relevant Forward Plan Ref: 004432/2017
If not in the Forward Plan: (please "X" box)	Chief Executive approved <input type="checkbox"/> O&S Chair approved <input type="checkbox"/>
Relevant Cabinet Member(s)	Cllr Paulette Hamilton - Health and Social Care Cllr Carl Rice - Children, Families and Schools Cllr Tristan Chatfield - Community Safety & Equalities
Relevant O&S Chair:	Cllr John Cotton - Health, Wellbeing and the Environment Cllr Susan Barnett - Schools, Children & Families Cllr Mohammed Aikhlaq - Corporate Resources & Governance
Wards affected:	All

1. Purpose of report:

To seek approval for the Whole of Life Disability Strategy for Birmingham and its implementation.

2. Decision(s) recommended:

That Cabinet:-

- 2.1 Approves the Strategy for Whole of Life Disability as contained in **Appendix 1**, which will be effective from the date of the decision.
- 2.2 Notes that the implementation of the Strategy would mean the development of:
 - 2.2.1 Data sources being brought together to enable a single shared understanding to be secured of the needs of the people with disabilities and facilitate improved service planning, forecasting and commissioning.

- 2.2.2 An integrated Transitions Team by drawing together resources from across Children's, Adults and Health services to work with young people with whole of life disabilities and their families.
- 2.2.3 A review of specialist support services to be undertaken across Children's, Adults and Health Services with recommendations being made for either directly delivered or commissioned services.
- 2.2.4 A Whole of Life Disability Commissioning Strategy to set out our service requirements across Children's, Adults and Health services.

Lead Contact Officer(s): Graeme Betts
Interim Corporate Director for Adult Social Care & Health

Telephone No: 0121 303 2992

E-mail address: graeme.betts@birmingham.gov.uk

3. Consultation

3.1 Internal

- 3.1.1 The Adult Social Care and Health Directorate Leadership Team (DLT) and the Corporate Leadership Team (CLT) have been consulted and agreed the Strategy to go forward for an Executive decision.
- 3.1.2 Officers from City Finance, Legal & Governance, Human Resources and Corporate Procurement Services have also been involved in the preparation of this report.

3.2 External

The Executive Team from the Children's Trust have been consulted and are in agreement with the Strategy and its recommendations.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

- 4.1.1 The Whole of Life Disability Strategy is consistent with the Council's Vision and Forward Plan 2017 and supports the three priorities of i) Children – A great city to grow up in, ii) Health – A great city to grow old in, and iii) Jobs and Skills – A great city to succeed in.

- 4.1.2 Priority i) includes: an environment where our children have the best start in life; our children and young people are able to realise their full potential through great education and training; our children and young people are confident about their own sense of identity; families are more resilient and better able to provide stability, support, love and nurture for their children; and our children and young people have access to all the city has to offer.
- 4.1.3 Priority ii) includes: promoting independence of all our citizens; joining up health and social care services so that citizens have the best possible experience of care tailored to their needs; and preventing, reducing and delaying dependency and maximising the resilience and independence of citizens, their families and the community.
- 4.1.4 Priority iii) includes: Birmingham residents will be trained and up- skilled appropriately to enable them to take advantage of sustainable employment.
- 4.1.5 The Whole of Life Disability Strategy provides an overview of how Adult Social Care Services will contribute towards the corporate priority of Health focusing specifically on those with lifelong disabilities.
- 4.1.6 The Whole of Life Disability Strategy is consistent with Birmingham's approved Vision and Strategy for Adult Social Care Services and with the draft Strategy for SEND and Inclusion.
- 4.2 Financial Implications
(How will decisions be carried out within existing finances and Resources?)
 - 4.2.1 Currently the budgets and resources which support this cohort are split across Children's and Adult Services. The proposal contained within this report is to undertake further work to seek to bring the key budgets together into a single pot.
 - 4.2.2 Approval of the Strategy does not commit the local authority to additional service delivery expenditure. Where, during implementation, a need for additional expenditure is identified which cannot be accommodated within existing budgets, a further report to Cabinet will be produced as appropriate.
 - 4.2.3 The implementation stage of the strategy will identify budgets across partners that relate to this strategy. This will also include a partnership framework which will set out in detail an overall financial plan and budget, a shared implementation plan and a formal governance process for the overall approach including how savings and risks will be shared across partners.
 - 4.2.4 The Implementation of this strategy will enable the effective use of resources across the Council and in conjunction with our partner agencies; thereby contributing to the delivery of the Council's approved budget savings requirement of £10m programmed for 2019/20 against spend on children with special educational needs and disabilities. A further report will be prepared for Cabinet in April 2018 to provide further detail on the delivery of this savings target and the contribution that is projected as an outcome of the approach which is set out in the attached strategy document.

- 4.2.5 Additional capacity will be required to implement the strategy and its key proposals. A one off contribution of £0.11m has been identified by the Children and Young People's Directorate's Future Council budget to fund this additional capacity. This funding will be used to secure on an interim basis an experienced Operational Lead to mobilise the strategy working between Children's and Adult Services.

4.3 Legal Implications

- 4.3.1 The Whole of Life Disability Strategy supports the delivery of the Council's duties under the Children's Act 1989. It sets out an improved framework for working with children and families to support safeguarding, their welfare and the upbringing of children with disabilities by their families.
- 4.3.2 The proposals within this report also comply with the Children and Families Act 2014 by ensuring that there is effective integration between educational provision and health and social care provision.
- 4.3.3 The Whole of Life Disability Strategy complies with the requirements of the Care Act 2014 which defines the primary responsibility of local authorities in the promotion of individual wellbeing.
- 4.3.4 It is consistent with responsibilities of a local authority under Part 1 of the Care Act 2014 to:
- Promote the individual's physical, mental and emotional wellbeing (Section 1);
 - Promote integration of care and support provision with health and health-related provision (Section 3) and co-operate with key partners to promote the wellbeing of adults and improve the quality of care and support (Section 6);
 - Provide or organise services that prevent or delay the need for care and support (Section 2);
 - Establish and maintain a service for providing information and advice relating to care and support for adults and carers (Section 4);
 - Promote diversity and quality in the provision of services for meeting care and support needs (Section 5);
 - Assess an adult's needs for care and support (Section 9) and assess a carer's needs for support (Section 10);
 - Adopt a person-centred approach to planning and supporting care (Sections 24-25);
 - Safeguard adults at risk of abuse or neglect (Sections 42-47).

4.4 Public Sector Equality Duty (see Appendix 2)

- 4.4.1 A stage 1 Equality Assessment (EA) has been completed in respect of the proposed strategy. As the strategy is framed to improve the citizen experience and promote a more integrated service model for those with lifelong disabilities no adverse implications have been identified.
- 4.4.2 The Whole of Life Disability Strategy is relevant to all protected characteristics. By enabling the outcomes to be delivered, the Strategy will have a positive impact on citizens, service users and carers and we will continue to meet our responsibilities under the Care Act 2014.

5. Relevant background/chronology of key events:

- 5.1 In October 2017 the Vision and Strategy for Adult Social Care Services acknowledged that there are a number of challenges facing the Council in providing effective support to people with lifelong disabilities. As the life expectancy of people with significant complex disabilities increases there is a need to develop a new more integrated service model which crosses the boundaries between children's and adult services.
- 5.2 The desired outcomes for adults and older people in Birmingham are that they should be resilient, live independently whenever possible, and exercise choice and control so they can live good quality lives and enjoy good health and wellbeing. The Vision and Strategy for Adult Social Care Services addresses potential barriers and obstacles to delivering these outcomes. It also provides a framework for the actions required to modernise Adult Social Care Services in Birmingham.
- 5.3 The challenges faced by Council budgets to deliver high quality services in the most effective and efficient way has never been greater.
- 5.4 The advances in medicine mean that the life expectancy for those born with significant lifelong disabilities is increasing. With this the length of time over which services are delivered increases and a radical reconsideration of the role and purpose of support services delivered to this group is required.
- 5.5 As advances in medicine open up opportunities for more young people with significant disabilities to survive into adulthood, social care services need to reconfigure themselves to help people to plan for their futures, have choice and control over their lives, and maximise their independence.
- 5.6 Reorganising services in this way brings with it considerable challenges for the cultures, practices and services provided by both Children's and Adult services.
- 5.7 The development of a Birmingham Whole of Life Disability Strategy is crucial to ensure that services are continued to be developed and provided at the time that the citizen needs them. To underpin the development of a new approach it is critical that a framework is established against which current practice can be reviewed and barriers identified and addressed to deliver improved outcomes for the citizens of Birmingham. Recognising and enabling the potential of people with lifelong disabilities, to live happy and fulfilled lives.

- 5.8 Specifically we want to make a contribution to enabling people with lifelong disabilities to:
- Achieve maximum emotional, financial and physical independence
 - Have the opportunities to share their knowledge, skills and make a contribution
 - Enjoy good personal health and wellbeing
 - Learn and grow
 - Access employment, work and volunteering
 - Be safe
 - Have choice and control over their lives
- 5.9 To achieve this, a new framework is proposed, based on a life course approach and a proportionate, graduated response. It should be noted that this framework is grounded on the broader principles, which underpin effective practice across health and social care, of personalised support and co-production, effective use of resources and a partnership approach to delivery.
- 5.10 The strategy highlights a number of concerns with the way that services for people with whole of life disabilities are currently planned, organised and delivered. It presents a framework for reviewing this practice and identifying areas for improvements.
- 5.11 To support the delivery of this implementation of this Strategy and the new approach it is therefore proposed that:
1. Current data sources are brought together to enable a single shared understanding to be secured of the needs of the people with disabilities and facilitate improved service planning, forecasting and commissioning
 2. An integrated Transitions Team is created by drawing together resources from across Children's, Adults and Health services to work with young people with whole of life disabilities and their families
 3. A review of specialist support services is undertaken across Children's, Adults and Health Services with recommendations being made for either directly delivered or commissioned services.
 4. A Whole of Life Disability Commissioning Strategy is developed to set out our service requirements across Children's, Adults and Health services.
- 5.12 A dedicated lead officer will be identified to oversee the implementation of the Whole of Life Disability Strategy. To reflect the integrated nature of the proposals the work of the lead officer will be overseen by the Corporate Director for Adult Social Care and Health, the Corporate Director for Children and Young People and the Chief Executive of the Birmingham Children's Trust, or their delegates. The Cabinet Members for Health and Social Care, Children, Families and Schools, and Community Safety & Equalities will be updated on a regular basis.

6. Evaluation of alternative option(s):

Do nothing – This would not deliver the actions required to modernise Social Care Services for those citizens with disabilities in the light of cost pressures facing the Council.

7. Reasons for Decision(s):

To adopt a Whole of Life Disability Strategy for Birmingham, which is in line with the Vision and Strategy for Adult Social Care Services.

Signatures

Date

Cllr Paulette Hamilton:.....
Cabinet Member for
Health and Social care

Cllr Carl Rice
Cabinet Member for
Children, Families and Schools

Cllr Tristan Chatfield:.....
Cabinet Member for
Community Safety & Equalities

Graeme Betts.....
Interim Corporate Director – Adults Social Care and Health

List of Background Documents used to compile this Report:

1. Council Vision and Forward Plan 2017
2. Care Act 2014

List of Appendices accompanying this Report (if any):

1. Birmingham City Council's Strategy for Whole of Life Disability
2. Equality Analysis

Equality Act 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

- 1 The Council must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 2 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 3 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- 4 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - (a) tackle prejudice, and
 - (b) promote understanding.
- 5 The relevant protected characteristics are:
 - (a) marriage & civil partnership
 - (b) age
 - (c) disability
 - (d) gender reassignment
 - (e) pregnancy and maternity
 - (f) race
 - (g) religion or belief
 - (h) sex
 - (i) sexual orientation

A Strategy for Whole of Life Disability

Introduction

A small but significant percentage of people born in Birmingham are born with a disability which could have a life-long and substantial impact on their ability to do normal daily activities.

Currently there is clear and consistent evidence that many people with lifelong disabilities achieve poor outcomes across the full range of health, social and economic indicators as well as being more likely to be victims of crime and anti-social behaviour.

Birmingham City Council has a key role to play in enabling people with life-long disabilities to realise their hopes, dreams and aspirations and in ensuring that their opportunities and life chances are not restricted as a consequence of the way we organise or deliver services.

This a Corporate Role which crosses all Directorates and functions and requires the needs of people with lifelong disabilities to be considered within our approach to, amongst other issues, housing, transport, leisure, economic development, community safety and safeguarding

People with lifelong disabilities are likely to require additional support from health and social care services to enable them to maintain their health and wellbeing and maximise their independence. This report focuses on how the services provided by the Children and Young People Directorate, Children's Trust and the Adult Social Care and Health Directorate by:

- Considering how services are currently organised across these areas
- Making recommendations to improve the way that services are planned and delivered to enable people with lifelong disabilities to achieve the best possible outcomes.

Operating Context

The challenges faced by Council budgets to deliver high quality services in the most effective and efficient way has never been greater.

Advances in medicine mean that the life expectancy for those born with significant lifelong disabilities is increasing. With this the length of time over which services are delivered by public sector services to include the Local Authority increases and a radical reconsideration of the role and purpose of support services delivered to this group is required.

As advances in medicine open up opportunities for more young people with significant disabilities to survive into adulthood, social care services need to reconfigure themselves to help people to plan for their futures, have choice and control over their lives, and maximise their independence.

Reorganising services in this way brings with it considerable challenges for the cultures, practices and services provided by both Children's and Adult services.

Children's services are typically characterised by a culture of nurture and protection, particularly for those with significant disabilities. Safety considerations are often at the forefront of planning

decisions, with the consequence that unnecessarily high care and support packages may be agreed to allay parental concerns and ensure that children are robustly protected from harm. The service offer for disabled children and young people is, as a consequence, insufficiently developed with respect to early help and does not contain sufficient options to promote independence.

Adult Services, by contrast, are typified by a culture of enabling and empowerment, with services being delivered at a minimum level, to enable people to retain their independence. Decisions about the level of support package are framed against a context of positive risk taking. The majority of support delivered by Adult Services is to older people who are well used to making choices and exerting control over their lives, but are now struggling to do so as a consequence of age. The service offer provided by Adult Social Care is, as a consequence, underdeveloped in terms of services for younger adults and does not always contain options which help people achieve independence, as opposed to helping them retain it.

The differences between the cultures and service planning approaches taken by these service areas leads to a citizen experience of transitioning between the two, which has been described as similar to falling off a cliff. This citizen experience often places families into a position where they feel they need to 'fight' the Council, to secure and retain the services they feel they need. This in turn compromises the delivery of a planned, life course based approach and increases the likelihood of specialist services being offered.

To be more effective there is a need for Children's and Adults services to work together in partnership with citizens and their families to deliver services in a radically different way.

A New Approach

To underpin the development of a new approach it is critical that a framework is established against which current practice can be reviewed and barriers identified and addressed to deliver improved outcomes.

The narrative behind this new approach is that we want to recognise, acknowledge and enable the potential of people with lifelong disabilities, to live happy and fulfilled lives, within wherever possible their families and communities of their choice.

Specifically we want to make a contribution to enabling people with lifelong disabilities to:

- Achieve maximum emotional, financial and physical independence
- Have the opportunities to share their knowledge, skills and make a contribution
- Enjoy good personal health and wellbeing
- Learn and grow
- Access employment, work and volunteering
- Be safe
- Have choice and control over their lives

To achieve this, a new framework is proposed, based on a life course approach and a proportionate, graduated response. It should be noted that this framework is grounded on the broader principles,

which underpin effective practice across health and social care, of personalised support and co-production, effective use of resources and a partnership approach to delivery.

1) A Life Course Based Approach

People tend to think about their lives in terms of a series of phases, or stages, which relate either to their development, or with the role that they will be playing. People with lifelong disabilities are no different. These stages are typically defined as being;

Age (Years)	Stage
0 – 5	The Early Years
5 – 14	School Years
14 – 25	Preparation for Adulthood
25 – 40	Young Adulthood
40 – 65	Adulthood
65+	Growing Older

To deliver upon this principle the way that services are currently delivered and organised across Children's and Adult services will need to change.

Plans for children during their Early Years and School Years will need to be comprehensive drawing together in a single and coherent way educational, health and social care needs. To support this, the resources associated with these areas, both budgetary and staffing related, will need to be brought together into a single integrated system, which can be focused on the needs of the child and their family.

Services will need to be reconfigured to support young people during the critical phase of preparing for adulthood. Preparation for adulthood is a challenging time for all young people and for their families as the locus of control changes from the parent to the young person. It is for many, as a consequence, an exciting time, characterised by new opportunities and increasing choice. For those with lifelong disabilities this is not currently the case and this time is typically one of heightened anxiety and uncertainty, as responsibility for the delivery of support services passes in a truncated and sometimes poorly co-ordinated way, from Children's to Adult Services.

Key to this service reconfiguration will be the bringing together of current resources to re-establish a dedicated integrated Transitions Team, with a specific remit to support young people with lifelong disabilities, to prepare for adulthood. The team will work closely with young people and their families, to develop a single plan which recognises the changing role of the parent carer and helps the young people to achieve their aspirations for the future.

Consideration will also need to be given to developing new ways of working with and supporting young adults. There needs to be an acknowledgement that many of the services developed to meet the needs and preferences of older adults with significant disabilities, are not appropriate for young adults who are at a different life stage, keen to continue their journey towards independence, whilst

making a contribution to their community. Supported living, shared lives placements and employment focused day opportunities will be key to delivery of this.

Throughout the phases of adulthood and older adulthood the fledgling work to achieve better integration between health and social care services will need to continue to ensure that planning is coherent, meaningful and comprehensive for individual citizens.

To enable support planning across the life course it is proposed that work be undertaken to draw together the internal data and intelligence currently held within numerous systems to create a single understanding of current and future need, at both an individual and population level. It is further proposed that this data be used to support the development of an integrated approach to commissioning services, at both an operational and strategic level.

2) A Proportionate Graduated Response

Currently much of our service offer for people with lifelong disabilities is specialist in nature. This needs to change if we are to enable people with lifelong disabilities to realise their potential and live happy and fulfilled lives, within communities of their choice. We need to acknowledge that specialist service provision often disconnects people from their families and communities and places them in a situation within which sustainable social and supportive networks cannot be readily established. This is a situation which in turn reduces the individual's personal resilience and perpetuates a need for specialist service provision. This is particularly the case for specialist social care and education services, which places people with lifelong disabilities outside of Birmingham.

A change of approach is needed which sees services planned to promote resilience and independence thereby reducing demand for specialist service provision. Within this, planning at the following levels is essential:

a) Accessible universal services for all

Delivered to prevent demand for specialist statutory services, accessible universal services must form part of our forward approach.

High quality advice and information is commonly identified as the highest service priority by those with a lifelong disability and their families, many of whom report a need to plan further ahead than most, as a consequence of the barriers and uncertainties they face in securing access to services.

The provision of positive, accurate information, for both people with disabilities and their families and carers, can help to allay concerns at an early stage, set expectations and provide information about choices. This in turn will help people to feel more in control, which as a consequence will create resilience.

The provision of high quality advice and information is especially relevant during a child's early years, when most lifelong disabilities will be identified. Significant work is currently underway to transform the way that key Early Years services are delivered in Birmingham, and we need to ensure that we maximise this opportunity to get it right from the start.

In addition to advice and information we also need to consider how accessible or appropriate other universal services, delivered by Children's and Adult services are for people with lifelong disabilities. Specifically, consideration should be given to Early Education and Childcare Services, Schools and our commissioned Public Health Services.

b) Effective early help services for some

Delivered to reduce a need for specialist services, for those who require short term support to quickly address a problem or concern.

The experience of living with or caring for someone with a lifelong disability can be difficult. For many the twists and turns of the journey can create dips in resilience, which if not responded to quickly, can soon spiral into a more significant problem or need. Currently our early help offer to support those living with lifelong disabilities is underdeveloped and requires review. It is critical that this review considers both the needs of the person with the disabilities and their parent/carer.

Both those with lifelong disabilities and their carers are more prone to mental ill health problems and substance misuse. Proactive identification and response to these issues is key.

In other cases more practical help may be required. For example, where attendance levels in schools drop, as a consequence of a change in need or profile of the disability, measures need to be put in place quickly to facilitate a return. This may require a review of allocation of funding to meet the needs of high needs children with more being devolved to the school for their use.

Alternatively where carers are struggling to meet the ongoing demands placed on them, a more consistent offer should be put in place. At present short break services are available to parent carers and are highly valued, but are not available to support adult carers.

c) Community based support for some

Many of those who need additional support, want to it be able to continue to live, with maximum independence, in a family or community environment of their choice. It is critical that we are able to support the choices and preferences of this group.

Many people with lifelong disabilities living in communities already access a range of voluntary and community services, which provide them with flexible and responsive support. A number also choose to use their skills and make their contribution via volunteering within community groups. The provision of support to develop this sector is important as part of our overall approach with a link being made to our work, to develop a vibrant and thriving third sector in the city.

To complement this more organic community provision, a more formal review of our community based support should be undertaken, to understand how the range of services commissioned and directly delivered come together to create a coherent and comprehensive network. Within this the role of evidence based practice models, such as supported housing, shared lives schemes, enablement and assistive technology should be confirmed.

d) High Quality specialist support for a few

Some people with lifelong disabilities will require lifelong support services to help them to achieve good quality lives. For this group integrated case management and planning will be critical, alongside the development of high quality, outcome based services.

The current system of assessment and case planning is disjointed with elements sitting within Education, the Children's Trust, Health and Adult Social Care. To ensure that the way we organise services does not place additional complexity into the system, consideration needs to be given to joining up these elements and via the creation of a single function. This will achieve a positive life course based approach, underpinned by a partnership between the person with a disability, their family and services.

Similarly, whilst a range of specialist services are already delivered, or commissioned, a clear opportunity exists to undertake a comprehensive review of specialist service provision, to ensure that quality standards are good, practice is outcome focused, costs are reasonable and the service options available are in line with need.

Priorities for Action

This paper highlights a number of issues of concern with the way that services for people with whole of life disabilities are planned, organised and delivered by the Children's and Adult services. It presents a framework for reviewing current practice and highlights areas for improvement.

The paper recommends a more strategic integrated approach and highlights a more pressing need to develop effective transition services, to support young people with disabilities to prepare for adulthood. To support the delivery of this new approach it is therefore proposed that:

1. Data sources be brought together to enable a single shared understanding to be secured of the needs of the people with disabilities and facilitate improved service planning, forecasting and commissioning
2. An integrated Transitions Team be created by drawing together resources from across Children's, Adults and Health services to work with young people with whole of life disabilities and their families
3. A review of specialist support services be undertaken across Children's, Adults and Health Services with recommendations being made for either directly delivered or commissioned services.
4. A Whole of Life Disability Commissioning Strategy be developed to set out our service requirements across Children's, Adults and Health services.

Governance Arrangements

A dedicated lead officer will be identified to oversee the implementation of the Whole of Life Disability Strategy. To reflect the integrated nature of the proposals the work of the lead officer

will be overseen by the Corporate Director for Adult Social Care and Health, the Corporate Director for Children and Young People and the Chief Executive of the Birmingham Children's Trust, or their delegates. The Cabinet Members for Health and Social Care, Children, Families and Schools, and Community Safety and Equalities will be updated on a regular basis.

DRAFT

Equality Analysis

Birmingham City Council Analysis Report

EA Name	A Strategy For Whole Of Life Disability
Directorate	People
Service Area	Adults - Public Health
Type	New/Proposed Policy
EA Summary	<p>Birmingham City Council has a key role to play in enabling people with life-long disabilities to realise their hopes, dreams and aspirations and in ensuring that their opportunities and life chances are not restricted as a consequence of the way we organise or deliver services.</p> <p>A paper being taken to Cabinet recommends a more strategic integrated approach and highlights a more pressing need to develop effective transition services, to support young people with disabilities to prepare for adulthood. To support the delivery of this new approach it is proposed that:</p> <ol style="list-style-type: none"> 1. A single database be created to enable a single shared understanding to be secured of the needs of the people with disabilities and facilitate improved service planning, forecasting and commissioning 2. An integrated Transitions Team be created by drawing together resources from across Children's, Adults and Health services to work with young people with whole of life disabilities and their families 3. An review of specialist support services be undertaken across Children's, Adults and Health Services with recommendations being made for either directly delivered or commissioned services. 4. A Whole of Life Disability Commissioning Strategy be developed to set out our service requirements across Children's, Adults and Health services.
Reference Number	EA002507
Task Group Manager	daniel.brown@birmingham.gov.uk
Task Group Member	
Date Approved	2017-11-29 00:00:00 +0000
Senior Officer	pip.mayo@birmingham.gov.uk
Quality Control Officer	kay.dhansey@birmingham.gov.uk

Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Initial Assessment

This section identifies the purpose of the Policy and which types of individual it affects. It also identifies which equality strands are affected by either a positive or negative differential impact.

Relevant Protected Characteristics

For each of the identified relevant protected characteristics there are three sections which will have been completed.

- Impact
- Consultation
- Additional Work

If the assessment has raised any issues to be addressed there will also be an action planning section.

The following pages record the answers to the assessment questions with optional comments included by the assessor to clarify or explain any of the answers given or relevant issues.

1 Activity Type

The activity has been identified as a New/Proposed Policy.

2 Initial Assessment

2.1 Purpose and Link to Strategic Themes

What is the purpose of this Policy and expected outcomes?

Birmingham City Council has a key role to play in enabling people with life-long disabilities to realise their hopes, dreams and aspirations and in ensuring that their opportunities and life chances are not restricted as a consequence of the way we organise or deliver services.

This a Corporate Role which crosses all Directorates and functions and requires the needs of people with lifelong disabilities to be considered within our approach to, amongst other issues, housing, transport, leisure, economic development, community safety and safeguarding

People with lifelong disabilities are likely to require additional support from health and social care services to enable them to maintain their health and wellbeing and maximise their independence.

This report focuses on how the services provided by the Children and Young People Directorate, Children's Trust and the Adult Social Care and Public Health Directorate by:

- . Considering how services are currently organised across these areas
- . Making recommendations to improve the way that services are planned and delivered to enable people with lifelong disabilities to achieve the best possible outcomes.

The challenges faced by Council budgets to deliver high quality services in the most effective and efficient way has never been greater. Advances in medicine mean that the life expectancy for those born with significant lifelong disabilities is increasing. With this the length of time over which services are delivered increases and a radical reconsideration of the role and purpose of support services delivered to this group is required. As advances in medicine open up opportunities for more young people with significant disabilities to survive into adulthood, social care services need to reconfigure themselves to help people to plan for their futures, have choice and control over their lives, and maximise their independence.

To underpin the development of a new approach it is critical that a framework is established against which current practice can be reviewed and barriers identified and addressed to deliver improved outcomes. The narrative behind this new approach is that we want to recognise, acknowledge and enable the potential of people with lifelong disabilities, to live happy and fulfilled lives, within wherever possible their families and communities of their choice. Specifically we want to make a contribution to enabling people with lifelong disabilities to:

- . Achieve maximum emotional, financial and physical independence
- . Have the opportunities to share their knowledge, skills and make a contribution
- . Enjoy good personal health and wellbeing
- . Learn and grow
- . Access employment, work and volunteering
- . Be safe
- . Have choice and control over their lives

Services will need to be reconfigured to support young people during the critical phase of preparing for adulthood. Preparation for adulthood is a challenging time for all young people and for their families as the locus of control changes from the parent to the young person. It is for many, as a consequence, an exciting time, characterised by new opportunities and increasing

choice. For those with lifelong disabilities this is not currently the case and this time is typically one of heightened anxiety and uncertainty, as responsibility for the delivery of support services passes in a truncated and sometimes poorly co-ordinated way, from Children's to Adult Services.

Key to this service reconfiguration will be the re-establishment of a dedicated integrated Transitions Team, with a specific remit to support young people with lifelong disabilities, to prepare for adulthood. The team will work closely with young people and their families, to develop a single plan which recognises the changing role of the parent carer and helps the young people to achieve their aspirations for the future.

Consideration will also need to be given to developing new ways of working with and supporting young adults. There needs to be an acknowledgement that many of the services developed to meet the needs and preferences of older adults with significant disabilities, are not appropriate for young adults who are at a different life stage, keen to continue their journey towards independence, whilst making a contribution to their community.

Currently much of our service offer for people with lifelong disabilities is specialist in nature. This needs to change if we are to enable people with lifelong disabilities to realise their potential and live happy and fulfilled lives, within communities of their choice. We need to acknowledge that specialist service provision often disconnects people from their families and communities and places them in a situation within which sustainable social and supportive networks cannot be readily established. This is a situation which in turn reduces the individual's personal resilience and perpetuates a need for specialist service provision.

A change of approach is needed which sees services planned to promote resilience and independence thereby reducing demand for specialist service provision. Within this, planning at the following levels is essential:

a) Accessible universal services for all

The provision of positive, accurate information, for both people with disabilities and their families and carers, can help to allay concerns at an early stage, set expectations and provide information about choices. This in turn will help people to feel more in control, which as a consequence will create resilience.

b) Effective early help services for some

Delivered to reduce a need for specialist services, for those who require short term support to quickly address a problem or concern.

The experience of living with or caring for someone with a lifelong disability can be difficult. For many the twists and turns of the journey can create dips in resilience, which if not responded to quickly, can soon spiral into a more significant problem or need. Currently our early help offer to support those living with lifelong disabilities is underdeveloped and requires review. It is critical that this review considers both the needs of the person with the disabilities and their parent/carers.

c) Community based support for some

Many people with lifelong disabilities living in communities already access a range of voluntary and community services, which provide them with flexible and responsive support.

To complement this more organic community provision, a more formal review of our community based support should be undertaken, to understand how the range of services commissioned and directly delivered come together to create a coherent and comprehensive network.

d) High Quality specialist support for a few

The current system of assessment and case planning is disjointed with elements sitting within Education, the Children's Trust, Health and Adult Social Care. To ensure that the way we organise services does not place additional complexity into the system, consideration needs to be

given to joining up these elements and via the creation of a single function. This will achieve a positive life course based approach, underpinned by a partnership between the person with a disability, their family and services.

For each strategy, please decide whether it is going to be significantly aided by the Function.

Children: A Safe And Secure City In Which To Learn And Grow	Yes
Health: Helping People Become More Physically Active And Well	Yes
Housing : To Meet The Needs Of All Current And Future Citizens	No
Jobs And Skills: For An Enterprising, Innovative And Green City	Yes

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	Yes
Will the policy have an impact on employees?	Yes
Will the policy have an impact on wider community?	Yes

2.3 Relevance Test

Protected Characteristics	Relevant	Full Assessment Required
Age	Relevant	No
Disability	Relevant	No
Gender	Not Relevant	No
Gender Reassignment	Not Relevant	No
Marriage Civil Partnership	Not Relevant	No
Pregnancy And Maternity	Not Relevant	No
Race	Relevant	No
Religion or Belief	Not Relevant	No
Sexual Orientation	Not Relevant	No

2.4 Analysis on Initial Assessment

The narrative behind this new approach is that we want to recognise, acknowledge and enable the potential of people with lifelong disabilities, to live happy and fulfilled lives, within wherever possible their families and communities of their choice.

Specifically we want to make a contribution to enabling people with lifelong disabilities to:

- . Achieve maximum emotional, financial and physical independence
- . Have the opportunities to share their knowledge, skills and make a contribution
- . Enjoy good personal health and wellbeing
- . Learn and grow
- . Access employment, work and volunteering
- . Be safe
- . Have choice and control over their lives

To achieve this, a new framework is proposed, based on a life course approach and a proportionate, graduated response. This framework is grounded on the broader principles, which underpin effective practice across health and social care, of personalised support and co-production, effective use of resources and a partnership approach to delivery.

The premise of taking "A Whole of Life approach to Disability" will address individual needs, rather than targeting specific groups based on a generic diagnosis or their protected characteristics as defined in the Equality Act 2010. Age, race, gender and disability will be key characteristics that are considered and responded to when services are commissioned and provided, following implementation of the new strategy. We know that currently individuals and

groups within these characteristics are more likely to be excluded or not engage with services. The primary focus will be on the needs of individuals so it is intended that no one will be adversely impacted on by this new approach, on the basis of their protected characteristics.

At this point a full equality analysis is not required. As the strategy and ensuing work commences this EA will be reviewed and a further assessment will be carried out as required.

3 Full Assessment

The assessment questions below are completed for all characteristics identified for full assessment in the initial assessment phase.

3.1 Concluding Statement on Full Assessment

The initial analysis stage identified that a full assessment is not required until further work around the strategy and it's full implementation commences.

4 Review Date

31/03/18

5 Action Plan

There are no relevant issues, so no action plans are currently required.

BIRMINGHAM CITY COUNCIL**PUBLIC**

Report to: **CABINET**

Report of: **Corporate Director – Children & Young People**

Date of Decision: **12th December 2017**

SUBJECT: **SMALL HEATH SCHOOL CONVERSION FROM FOUNDATION SCHOOL TO ACADEMY STATUS**

Key Decision: **Yes** **Relevant Forward Plan Ref: 003489 / 2017**

If not in the Forward Plan: **Chief Executive approved** ☐
(please "X" box) **O&S Chair approved** ☐

Relevant Cabinet Member(s) or Relevant Executive Member: **Cllr Carl Rice, Children, Families and Schools**

Relevant O&S Chair: **Cllr Susan Barnett, Schools, Children and Families**

Wards affected: **Nechells**

1. Purpose of report:

- 1.1 To provide an update to Cabinet to ensure Members are fully aware of the financial implications associated with the academisation of Small Heath School. Specifically that under current legislation the cumulative projected deficit of £1.8m falls on the Local Authority to fund.
- 1.2 This report also seeks approval for the execution and completion of the commercial and legal documentation associated with the conversion, substantially in the form required by the Department for Education (DfE).

2. Decision(s) recommended:

That Cabinet :-

- 2.1 Notes that Small Heath School, Muntz Street, Small Heath, Birmingham B10 9RX is proposing to convert to Academy status on or after 1st January 2018. Small Heath School is to become a Sponsored Academy and will be sponsored by the Tauheedul Education Trust (TET).
- 2.2 Notes that at the point of conversion Small Heath School will have a cumulative deficit balance of £1.8m and this will remain with the Local Authority at the point of conversion as outlined in the DfE Guidance entitled 'Treatment of surplus and deficit balances when maintained schools become Academies.'
- 2.3 Notes that from 1st September 2017 Small Heath School has been known as Small Heath Leadership Academy. Although the school will not convert to an Academy until 1st January 2018 the Interim Executive Board (IEB) of the school made a decision to

change the name of the school in advance of the conversion at the beginning of the school year.

- 2.4 Notes that Small Heath School became a single site school from 1st September 2017 and the lower School Site (Waverley Road, Small Heath B10 0EG) will remain with the Local Authority when the school converts on 1st January 2018.
- 2.5 Notes that as Small Heath School is a Foundation School there is no requirement on the Local Authority to enter into the usual 125 year lease arrangement with the Academy Trust. As the freehold for the site is already vested with the IEB it will transfer to TET at the point of conversion.
- 2.6 Authorises the completion of a Commercial Transfer Agreement (CTA) in respect of Small Heath School relating to the existence of an IEB and the requirement for all responsibilities of the IEB to transfer to TET at the point of conversion. The school site being transferred is identifiable as shown on the accompanying redline plans (see Appendices 1a, b, and c).
- 2.7 Authorises the City Solicitor to negotiate, execute and complete all necessary documents to give effect to the above recommendations.

Lead Contact Officer(s): Jaswinder Didially – Head of Education Infrastructure

Telephone No: 303 8847

E-mail address: jaswinder.didially@birmingham.gov.uk

3. Consultation:

Consultation should include those that have an interest in the decisions recommended

3.1 Internal

The Cabinet Member for Children, Families and Schools and Senior Officers in the Directorate for Children & Young People are aware of the conversion and have been involved in discussions relating to the transfer. Ward Councillors for Nechells, the Executive Member and the Service Integration Head for Ladywood and Senior Officers from Legal and Finance have also been consulted and any outcomes have been noted in the report.

3.2 External

The Secretary of State has issued the Academy Order attached as Appendix 2 requiring the conversion of Small Heath School.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

4.1.1 The Academies Conversion Programme is a Central Government Policy.

4.2 Financial Implications

(How will decisions be carried out within existing finances and Resources?)

- 4.2.1 The recommendations in this report will enable Small Heath School to transfer as required by the DfE. Resourcing for corporate legal costs and potentially external legal costs arising from this conversion and the wider Academy conversion programme will be met from school contributions and earmarked resources within the Education & Skills Infrastructure Budget for the purposes of the Academy conversion process.
- 4.2.2 In accordance with the Academy Conversion Charging Policy schools pay a contribution towards the legal costs associated with the conversion of the school and owing to the nature and volume of work anticipated for this conversion the contribution for Small Heath School will be £4,500.
- 4.2.3 At the point of conversion (01.01.18) the cumulative deficit balance at Small Heath School will be £1.8m this includes the pension strain costs of approx. £57,000 and this will remain with the Local Authority at the point of conversion as outlined in 2 above. The deficit will be funded from a contingency within the Dedicated School Grant which includes utilising DSG carried forward from 2017/18. Redundancy costs will be funded separately from a allocated budget held in DSG.

4.3 Legal Implications

- 4.3.1 The Secretary of State for Education has issued the Order under the Academies Act 2010 which requires all concerned parties to facilitate the creation of the Academy.

4.4 Public Sector Equality Duty (see separate guidance note)

- 4.4.1 The Academies Conversion Programme is a Central Government Policy.
- 4.4.2 An initial Equality Analysis was undertaken in February 2014 (EA000046) and the outcome indicated that a Full Equality Analysis was not required.

5. Relevant background / chronology of key events:

- 5.1 The Academies Act 2010 empowered the Secretary of State for Education to create Academies through Academy Orders. A Directive Academy Order for Small Heath School was issued in April 2016 following Ofsted inspections; the school is required to be sponsored by a Multi Academy Trust.
- 5.2 On 27th March 2015 an Interim Executive Board (IEB) was put in place at Small Heath School. This was chaired by King Edward VI Foundation who was the potential sponsor at the time. Following a due diligence exercise the King Edward VI Foundation decided not to proceed with the sponsorship of Small Heath School and the members resigned from the IEB.
- 5.3 On 28th January 2016 a new IEB was put in place to replace the original Board. The new IEB worked on stabilising the leadership of the school and securing school improvement during a prolonged period of industrial action within the school causing general unrest amongst the community.
- 5.4 In September 2016 the IEB began their own due diligence process to enable them to progress conversion with a suitable trust once one was identified. This due diligence

exercise identified that a significantly large proportion (93%) of the overall school budget was made up of staffing costs. Although the school had declared a balanced budget in March 2016, it was clear that due to the high level of staffing costs it was rapidly moving into a deficit position.

- 5.5 In October 2016 TET expressed an interest in sponsoring Small Heath School and in December 2016 consultations began with staff, Trade Unions and the wider community. During this period TET in partnership with the Council undertook a robust due diligence exercise which uncovered the true extent of the financial issues facing the school.
- 5.6 TET in conjunction with the Council developed a Business Case which was submitted to the DfE in February 2017 outlining the financial issues and requesting support from the DfE to resolve this. A response was received from the Regional Schools Commissioner confirming that any deficit should remain with the Local Authority and that the Local Authority would be expected to share the responsibility for costs related to any necessary staff redundancy and restructuring as it could be deduced that these costs have increased due to a lack of intervention on the part of the Local Authority. The lack of timely intervention was in large part constrained by the school being in special measures and industrial action by staff during the 2016 summer term.
- 5.7 The land and assets occupied and used by the school will transfer under the arrangements prescribed by the DfE and as outlined in 2.5 above. The transfer will be subject to the land being used for the provision of educational services and any community and recreational use ancillary to the school's educational use. The staff will also transfer under the Transfer of Undertakings (Protection of Employment) Regulations 2006 to the Academy Trust. The consultations for Small Heath School took place on 09.03.17 with Staff and Unions and further consultations and discussions with unions are ongoing.
- 5.8 In order to support a long term sustainable financial solution and ensure a 'standards driven' agenda remains a key priority, a staffing restructure based on the school operating from a single site was implemented by the IEB for September 2017. During the summer period temporary modular accommodation was installed on the site and the lower school site relocated to the Muntz Street site.
- 5.9 The Council in partnership with TET are required to provide a permanent solution for the site within 18 months of the conversion in line with the current planning permission for the temporary modular accommodation. This will involve remodelling of the current site and a small amount of new build will be required to provide appropriate space to accommodate the additional footfall on the site. These works will be delivered using Local Authority's Basic Need grant funding. Further details will be identified as a schedule to the CTA and a separate report will follow in line with BCC's approval Gateways.

6. Evaluation of alternative option(s):

- 6.1 A do nothing option is not available, as the Secretary of State has made an Academy Order which requires Small Heath School to become an Academy.

7. Reasons for Decision(s):

- 7.1 To allow the completion of the transfer of Small Heath School in accordance with the Academy Order granted by the Secretary of State.

Signatures

Date

Cabinet Member Children, Families & Schools:

Cllr Carl Rice:

Corporate Director Children & Young People:

Colin Diamond:

List of Background Documents used to compile this Report:

1. Relevant Officer(s) Files

List of Appendices accompanying this Report (if any):

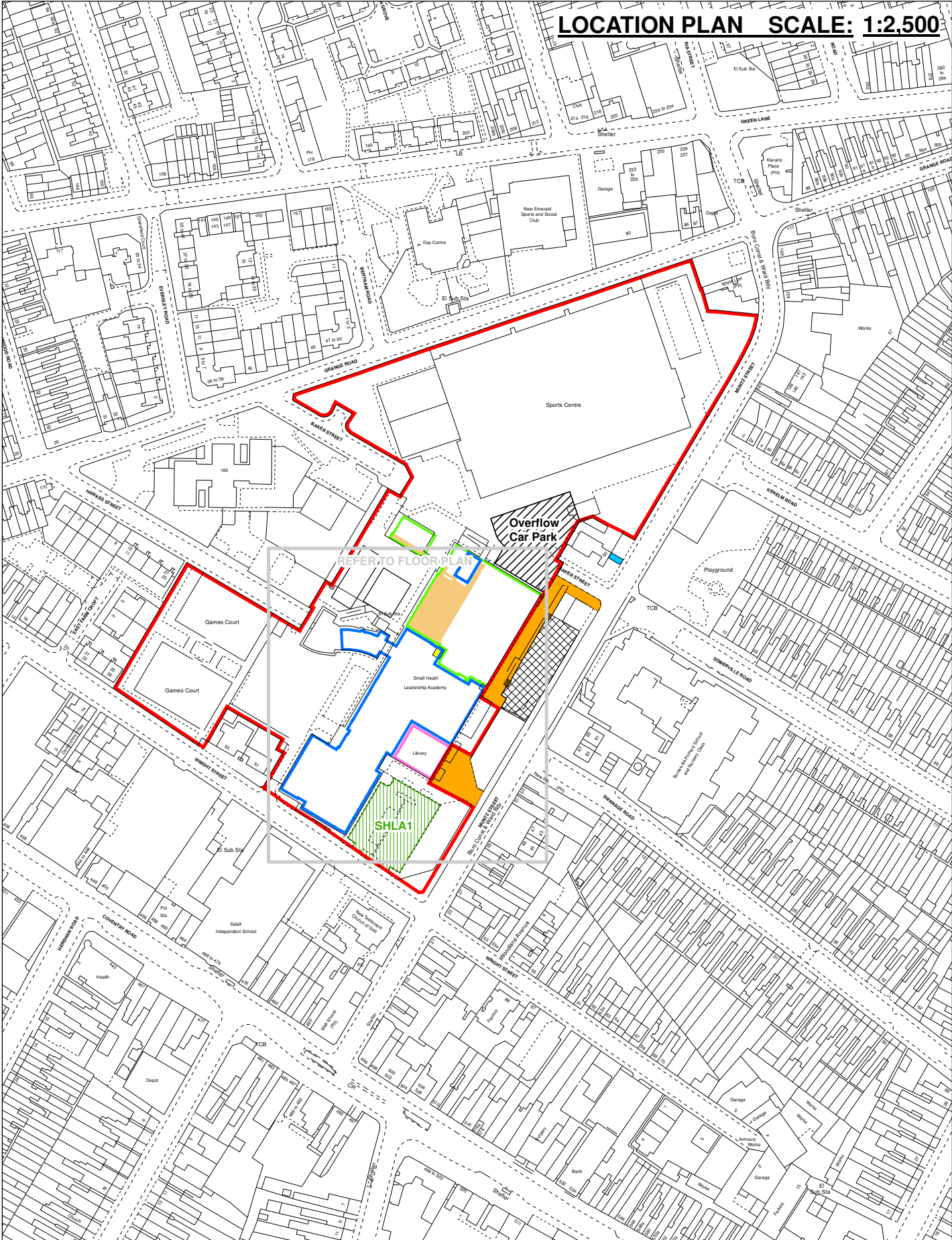
- 1a. Small Heath Upper School and Library – Ground Floor
- 1b. Small Heath Upper School and Leisure Centre – Ground Floor
- 1c. Small Heath Upper School and Leisure Centre – First Floor
2. Academy Order for Small Heath School

Report Version v5 Dated 30.11.17

FLOOR PLAN



LOCATION PLAN SCALE: 1:2,500



PLAN A:

Small Heath Leadership Academy, Library & Health & Well Being Centre
Muntz Street
Small Heath

- Small Heath Leadership Academy Site
- Library Occupancy
- Main Electrical Plant Room
- Health & Well Being Centre Occupancy
- Small Heath Leadership Academy Occupancy
- Shared Access With School
- SHLA Car Park 1
- H&WBC & LS Parking
- H&WBC and LS Pedestrian Access
- Services Entry Point To Site (60 Muntz St)
- Overflow Car Park

Waheed Nazir
Corporate Director, Economy
1 Lancaster Circus
Birmingham
B2 2GL

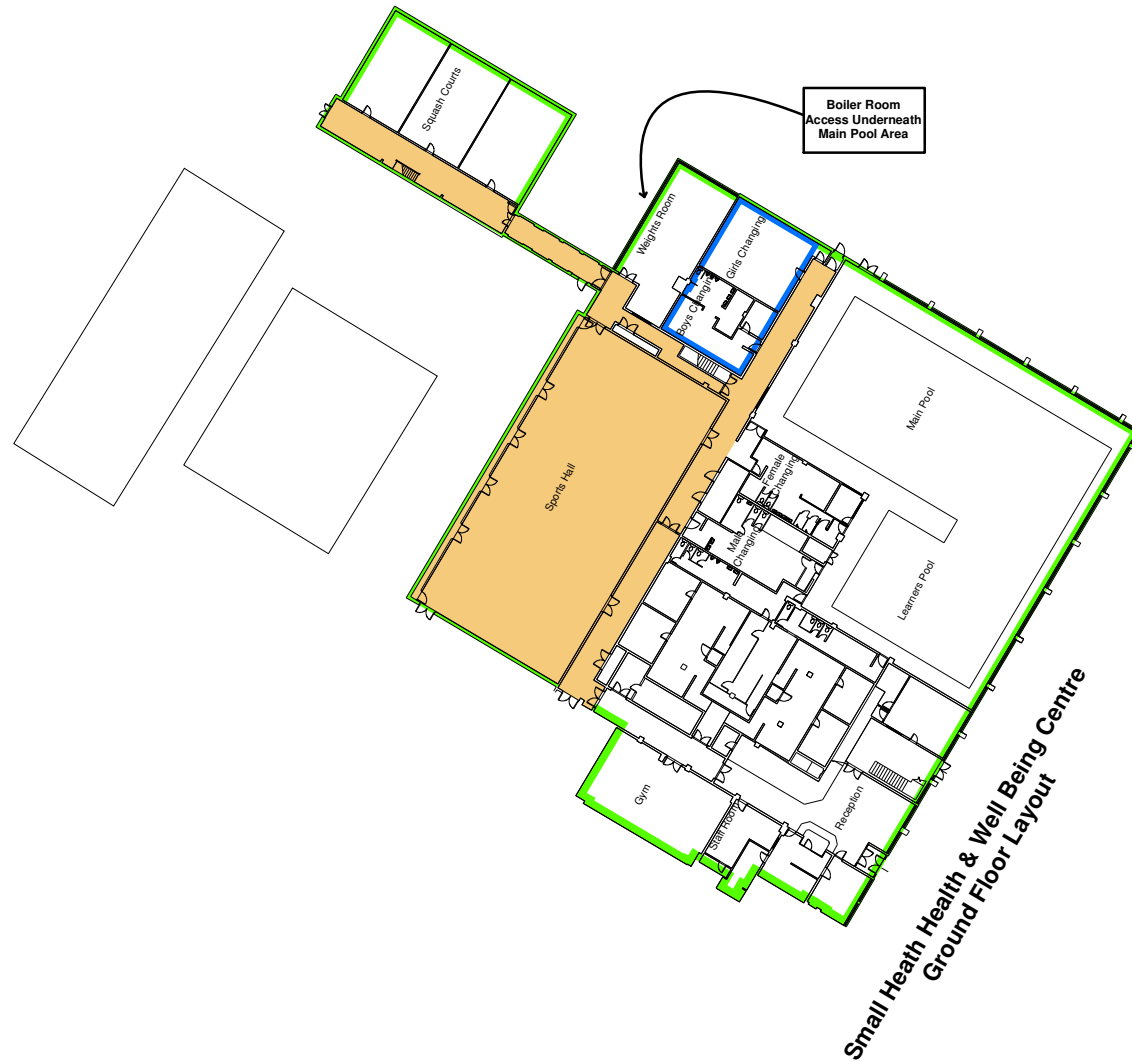


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Date 03/10/2017

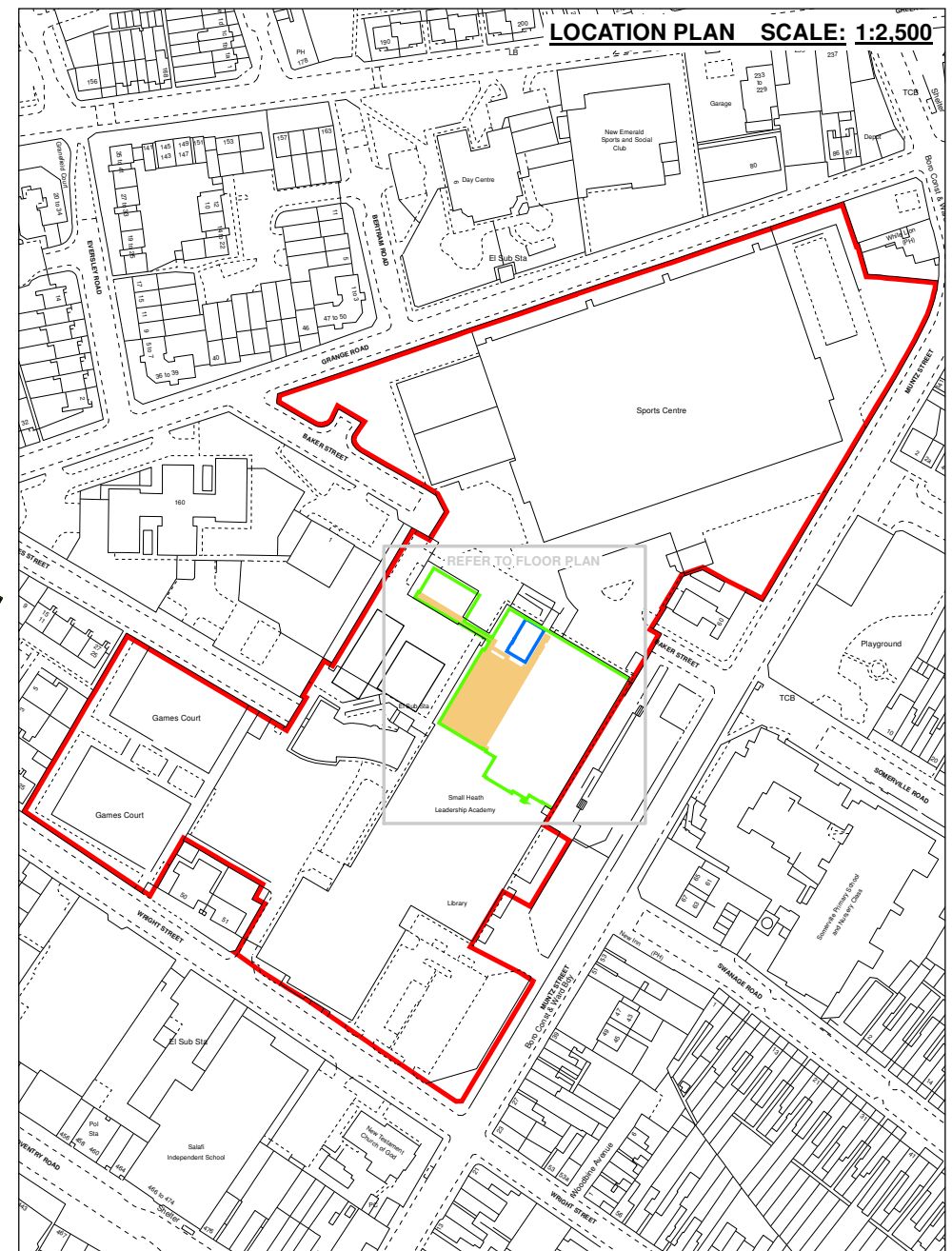


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FLOOR PLAN



LOCATION PLAN SCALE: 1:2,500



PLAN B:

Small Heath Leadership Academy &
Health & Well Being Centre
Muntz Street
Small Heath



- Small Heath Leadership Academy
- Health & Well Being Centre Occupancy
- Small Heath Leadership Academy Occupancy
- Shared Access With School

Waheed Nazir
Corporate Director, Economy
1 Lancaster Circus
Birmingham
B2 2GL



Birmingham
City Council

Scale 1:700 @A4

Drawn	MI
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Date	03/10/2017
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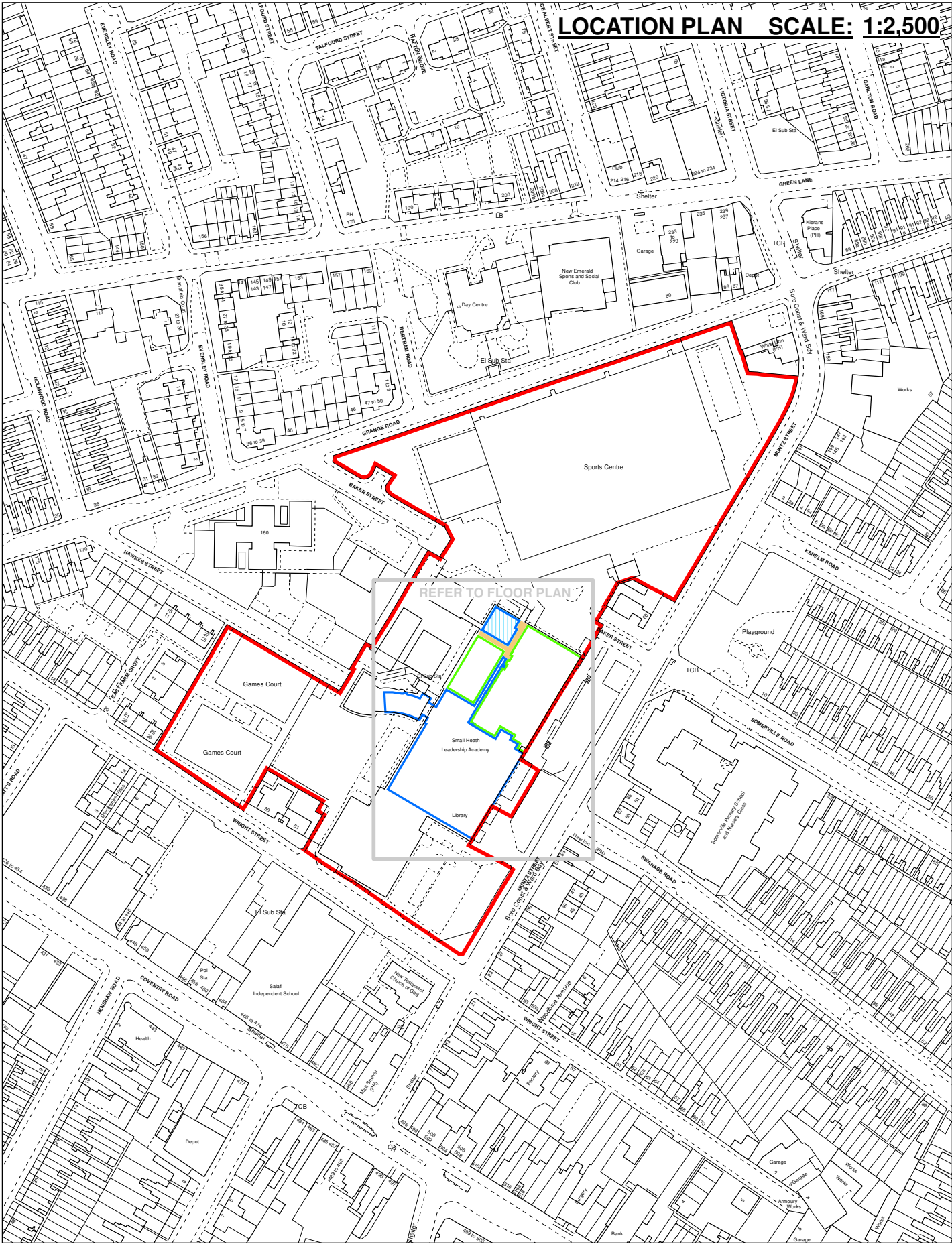
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FLOOR PLAN








1st Floor Layout

LOCATION PLAN SCALE: 1:2,500



PLAN C:
Small Heath Leadership Academy &
Health & Well Being Centre
Muntz Street
Small Heath

-  Small Heath Leadership Academy
-  Small Heath Leadership Academy Occupancy
-  Health & Well Being Centre Occupancy
-  Shared Access With Health & Well Being Centre
-  Dance Studio

Waheed Nazir
Corporate Director, Economy
1 Lancaster Circus
Birmingham
B2 2GL



Scale 1:500 @A3
Drawn MI
Date 03/10/2017



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Rt Hon Nicky Morgan MP
Secretary of State for Education

Sanctuary Buildings Great Smith Street Westminster London SW1P 3BT
tel: 0370 000 2288 www.education.gov.uk/help/contactus

To: The Chair of Governors of Small Heath School

Birmingham City Council

ACADEMY ORDER

1. This is an Academy Order made further to section 4(A1) of the Academies Act 2010.
2. I hereby order that on the conversion date Small Heath School shall be converted into an Academy.
3. The conversion date shall be the date that the school opens as an Academy further to and as provided for in Academy arrangements made further to section 1 of the Academies Act 2010.
4. On the conversion date Birmingham City Council shall cease to maintain Small Heath School.
5. The independent school standards (as defined in section 157(2) of the Education Act 2002) are to be treated as met in relation to the Academy on the conversion date.

Signed on behalf of the Secretary of State for Education by:

Signed:.......... Date: 28 April 2016

Pank Patel,
Regional Schools Commissioner

PUBLIC REPORT

Report to:	CABINET
Report of:	DIRECTOR OF COMMISSIONING & PROCUREMENT
Date of Decision:	12 DECEMBER 2017
SUBJECT:	PLANNED PROCUREMENT ACTIVITIES (FEBRUARY 2018 – APRIL 2018)
Key Decision:	No
If not in the Forward Plan:	Relevant Forward Plan Ref: n/a
(please "tick" box)	Chief Executive approved <input type="checkbox"/>
Relevant Cabinet Member(s) or	O&S Chair approved <input type="checkbox"/>
Relevant Executive Member	Cllr Majid Mahmood – Commercialism, Commissioning and Contract Management
Relevant O&S Chair:	Cllr Mohammed Aikhlaq, Corporate Resources and Governance
Wards affected:	All

1. Purpose of report:

- 1.1 This report provides details of the planned procurement activity for the period February 2018 – April 2018. Planned procurement activities reported previously are not repeated in this report.

2. Decision(s) recommended:

That Cabinet

- 2.1 Notes the planned procurement activities under officer delegations set out in the Constitution for the period February 2018 – April 2018 as detailed in Appendix 1.

Lead Contact Officer (s):

Nigel Kletz
Corporate Procurement Services
Strategic Services Directorate

Telephone No:

0121 303 6610

E-mail address:

nigel.kletz@birmingham.gov.uk

3. Consultation

3.1 Internal

This report to Cabinet is copied to Cabinet Support Officers and to Corporate Resources and Governance Overview & Scrutiny Committee and is the process for consulting with relevant cabinet and scrutiny members. At the point of submitting this report Cabinet Members/ Corporate Resources and Governance Overview & Scrutiny Committee Chair have not indicated that any of the planned procurement activity needs to be brought back to Cabinet for executive decision.

3.2 External

None

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies

4.1.1 Details of how the contracts listed in Appendix 1 support relevant Council policies, plans or strategies, will be set out in the individual reports.

4.1.2 Birmingham Business Charter for Social Responsibility (BBC4SR)

Compliance with the BBC4SR is a mandatory requirement that will form part of the conditions of the contracts. Tenderers will submit an action plan with their tender that will be evaluated in accordance with the agreed evaluation criteria and the action plan of the successful tenderers will be implemented and monitored during the contract period. Payment of the Living Wage, as set by the Living Wage Foundation, is a mandatory requirement of the BBC4SR and will apply for all contracts in accordance with the Council's policy for suppliers to implement the rate.

4.2 Financial Implications

Details of how decisions will be carried out within existing finances and resources will be set out in the individual reports.

4.3 Legal Implications

Details of all relevant implications will be included in individual reports.

4.4 Public Sector Equality Duty

Details of Risk Management, Community Cohesion and Equality Act requirements will be set out in the individual reports.

5. Relevant background/chronology of key events:

- 5.1 At the 1 March 2016 meeting of Council changes to procurement governance were agreed which gives Chief Officers the delegated authority to approve procurement contracts up to the value of £10m over the life of the contract. Where it is likely that the award of a contract will result in staff employed by the Council transferring to the successful contractor under TUPE, the contract award decision has to be made by Cabinet.
- 5.2 In line with the Procurement Governance Arrangements that form part of the Council's Constitution, this report acts as the process to consult with and take soundings from Cabinet Members and the Corporate Resources and Governance Overview & Scrutiny Committee.
- 5.3 This report sets out the planned procurement activity over the next few months where the contract value is between the EU threshold (£164,176) and £10m. This will give members visibility of all procurement activity within these thresholds and the opportunity to identify whether any procurement reports should be brought to Cabinet for approval even though they are below the delegation threshold.
- 5.4 Individual procurements may be referred to Cabinet for an executive decision at the request of Cabinet, a Cabinet Member or the Chair of Corporate Resources and Governance Overview & Scrutiny Committee where there are sensitivities or requirements that necessitate a decision being made by Cabinet.
- 5.5 Procurements below £10m contract value that are not listed on this or subsequent monthly reports can only be delegated to Chief Officers if specific approval is sought from Cabinet. Procurements above £10m contract value will still require an individual report to Cabinet in order for the award decision to be delegated to Chief Officers if appropriate.
- 5.6 A briefing note including financial information is appended to the Private report for each item on the schedule.

6. Evaluation of alternative option(s):

- 6.1 A report approved by Council Business Management Committee on 16 February 2016 set out the case for introducing this process. The alternative option is that individual procurements are referred to Cabinet for decision.

7. Reasons for Decision(s):

- 7.1 To enable Cabinet to identify whether any reports for procurement activities should be brought to this meeting for specific executive decision, otherwise they will be dealt with under Chief Officer delegations up to the value of £10m, unless TUPE applies to current Council staff.

Signatures:

Date:

.....
Nigel Kletz – Director of Commissioning & Procurement

.....

.....
Councillor Majid Mahmood - Commercialism, Commissioning and Contract Management

List of Background Documents used to compile this Report:

List of Appendices accompanying this Report (if any):

Appendix 1 - Planned Procurement Activity February 2018 – April 2018

Report Version 1 **Dated** 30/11/2017

APPENDIX 1 – PLANNED PROCUREMENT ACTIVITIES (FEBRUARY 2018 – APRIL 2018)

Type of Report	Title of Procurement	Ref	Brief Description	Contract Duration	Directorate	Portfolio Value for Money and Efficiency Plus	Finance Officer	Contact Name	Planned CO Decision Date
Approval To Tender Strategy	Syrian Vulnerable Person's Resettlement Scheme (SVPRS): Year 3 Programme	TBC	To commission a range of services, projects and activities to support Syrian refugees entering their third year in Birmingham, in order to help them to integrate and settle in the City. This is particularly focused on developing and delivering activity which can provide and/or support English for Speakers of Other Languages, community networks, community cohesion, mental health and wellbeing, as well as education and employment.	1 year	Adults Social Care & Health	Health and Social Care	Shabir Ladak	Austin Rodriguez / Gina Dimarco	08/01/2018
Strategy / Award	Estate Professional Services	TBC	To provide the Council with access to the Crown Commercial Services Estates Professional Services framework (RM3816) to compliment the in-house capacity in providing property and estates related professional services.	3 years, 8 months	Economy	Deputy Leader	Simon Ansell	Eden Ottley / Charlie Short	08/01/2018
Approval To Tender Strategy	Enforcement Agency Services – Unauthorised Encampments	TBC	Provision of Enforcement Agency Services for Unauthorised Encampments is required to ensure the council is able to support the management of unauthorised encampments (the removal of illegal encampments on Council owned land).	2 years plus 1 year option to extend and a further 1 year extension	Economy	Deputy Leader	Parmjeet Jassal	Lisa Haycock / Brigitte Kershaw	08/01/2018
Approval To Tender Strategy	Debt Collection and Bailiff Services	P0202	Debt collection and bailiff service is required to ensure the council fulfils its statutory obligation to manage the financial affairs of the city and actively pursue debts owed by citizens. The framework agreement will be split into 2 lots as follows: <u>Lot 1:</u> Lot 1A – Annual service charges, major works service charges, ground rent, interest and court costs Lot 1B – Rent arrears and sundry housing debts Lot1C – Housing benefit overpayment debt collection Council and Private tenants (current and former) Lot 1D – Sundry debts <u>Lot 2:</u> Lot 2A - Highways (Penalty Charge Notices) Lot 2B - Commercial Rent Arrears	4 years	Economy	Deputy Leader	Thomas Myers	Lisa Haycock / Brigitte Kershaw	08/01/2018
Approval To Tender (SCN)	Young People's Substance Misuse Treatment Service	TBC	The purpose of the service is to reduce the harm of substance misuse. The service provides both brief and extended interventions and structured treatment. The service works closely with the Youth Offending Service.	1 year	Adult Social Care and Health	Health and Social Care	Shabir Ladak	John Freeman / Gina Dimarco	22/01/2018
Approval To Tender Strategy	Maintenance and Replacement of Non-PFI Lighting Assets on Housing Land	TBC	Provision of lighting maintenance and replacement services to around 3,000 non-PFI lighting assets, which are located City-wide on Housing land.	4 years	Economy	Transport and Roads	Guy Olivant	Paul Laythorpe / Charlie Short	22/01/2018
Approval To Tender Strategy	Integrated Community Equipment Services	TBC	Provides community equipment free of charge, on loan or for single issue, to citizens in Birmingham who meet the agreed criteria. ICES aims to promote discharge from hospital and re-enablement, and also seeks to support people to remain in their own homes.	4 years	Adults Social Care & Health	Health and Social Care	Anil Nayyar	Andrew Wright / Gina Dimarco	08/01/2018

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to: CABINET
Report of: City Solicitor
Date of Decision: 12 December 2017
SUBJECT: APPOINTMENTS TO OUTSIDE BODIES

Key Decision: No
If not in the Forward Plan: Relevant Forward Plan Ref:
 (please "X" box) Chief Executive approved ☐
 Relevant Cabinet Member(s): O&S Chairman approved ☐
 Relevant O&S Chairman: Cllr Ian Ward, Leader of the Council
 Cllr Mohammed Aikhlaq, Chairman of Corporate
 Resources and Governance Overview and Scrutiny
 Committee
Wards affected: City Wide

1. Purpose of report:

The report seeks the approval of the Cabinet to the appointment of representatives to serve on outside bodies detailed in the appendix to this report.

2. Decision(s) recommended:

That Cabinet agrees to appoint representatives to serve on the Outside Bodies detailed in the appendix to this report.

Lead Contact Officer(s): Celia Janney
 Committee Services
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3. Consultation

3.1 Internal

Councillor Ian Ward, Leader of the Council.

For appropriate items, the Secretaries to the Political Groups represented on the Council.

3.2 External

There has not been a requirement to consult with external parties in respect of matters set out in this report.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

The appointments are consistent with the legal and constitutional requirements of the City Council.

4.2 Financial Implications (Will decisions be carried out within existing finances and Resources?)

There are no additional resource implications.

4.3 Legal Implications

As set out in paragraph 4.1 above.

4.4 Public Sector Equality Duty

The main risk of not making appointments might lead to the City Council not being represented at meetings of the bodies concerned. It is always important in making appointments to have regard to the City Council's equal opportunities policies.

5. Relevant background/chronology of key events:

At a meeting of all Councillors on 11 July 2017, the City Council approved changes to the Constitution that set out those appointments that are reserved to the full City Council to determine. All other appointments of Members and officers to outside bodies shall be within the remit of Cabinet to determine and the proportionality rules will not automatically apply.

6. Evaluation of alternative option(s):

These appointments are a matter for the Cabinet to determine, in accordance with the City Council's current Constitution.

7. Reasons for Decision(s):

To approve the appointment of representatives to serve on Outside Bodies.

Signatures

Date

Leader of the Council

City Solicitor

List of Background Documents used to compile this Report:

1. Report of the Council Business Management Committee to City Council on 11 July 2017 "Revised City Council Constitution"; along with relevant e-mails/ file(s)/correspondence on such appointments.

List of Appendices accompanying this Report (if any):

1. Appendix to Report to Cabinet 12 December 2017 – Appointments to Outside Bodies

APPENDIX TO REPORT TO CABINET 12 December 2017
APPOINTMENTS TO OUTSIDE BODIES

1. Summary of Decisions

On 15 August 2017, Cabinet resolved under decision number 004096/2017 that the practice be continued of contacting each representative when their term of office is due to expire to ascertain whether they are willing to be re-appointed and that, unless indicated otherwise in the report to Cabinet, it will be understood that such representatives are not willing to be re-appointed.

2. The Lord Mayor of Birmingham's Charity

Cllr Phil Davis has advised he does not want to continue. One Nominated Trustee, who may or may not be a Member (or an officer of the City Council) and are appointed for two years.

Therefore, it is

RECOMMENDED:-

That Cabinet agrees to the appointment of Cllr Diane Donaldson (Lab) from 18 January 2018 until 17 January 2020.

3. LEADER AND DEPUTY LEADER APPOINTMENTS

The Leader and Deputy Leader have proposed the following appointments:

Performances Birmingham - to be confirmed.

Finance Birmingham - to be confirmed.

Innovation Birmingham - Cllr Ian Ward (Lab) as Director and Cllr Brigid Jones (Lab) as Alternate Director.

Greater Birmingham and Solihull LEP Cllr Ian Ward (Lab) as Director and Cllr Brigid Jones (Lab) as Alternate Director.

Birmingham Airport Holdings Ltd (Main Board) Cllr Tristan Chatfield (Lab) in place of the Leader.

Jewellery Quarter Development Trust Cllr Brigid Jones (Lab) as Representative (in place of the Leader).

Colmore Business District Ltd Cllr Brigid Jones (Lab) as Stakeholder (in place of the Leader)

Millennium Point Trust Company - Cllr Karen McCarthy (Lab) as Trustee.

Service Birmingham Joint Partnership Board - Cllr Brigid Jones (Lab) as Representative.

The Regional Employers Organisation - Cllr Brigid Jones (Lab) as Representative.

The appointment to the E-learning Foundation is no longer required.

All the above appointments are Annual appointments and are for the remainder of the period i.e. 12 December 2017 until 26 June 2018.

Therefore, it is

RECOMMENDED:-

That the above appointments be confirmed.