

## **BIRMINGHAM CITY COUNCIL**

## **BIRMINGHAM CITY COUNCIL**

**TUESDAY, 05 FEBRUARY 2019 AT 14:00 HOURS**  
**IN COUNCIL CHAMBER, COUNCIL HOUSE, VICTORIA SQUARE,**  
**BIRMINGHAM, B1 1BB**

## **A G E N D A**

### **1 NOTICE OF RECORDING**

Lord Mayor to advise that this meeting will be webcast for live or subsequent broadcast via the Council's Internet site ([www.civico.net/birmingham](http://www.civico.net/birmingham)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

### **2 DECLARATIONS OF INTERESTS**

Members are reminded that they must declare all relevant pecuniary and non pecuniary interests arising from any business to be discussed at this meeting. If a disclosable 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.

### **3 MINUTES**

To confirm and authorise the signing of the Minutes of the meeting of the Council held on 15 January 2019.

### **4 LORD MAYOR'S ANNOUNCEMENTS**

**(1400-1410)**

To receive the Lord Mayor's announcements and such communications as the Lord Mayor may wish to place before the Council.

### **5 PETITIONS**

**(15 minutes allocated) (1410-1425)**

To receive and deal with petitions in accordance with Standing Order 9.

As agreed by Council Business Management Committee a schedule of outstanding petitions is available electronically with the published papers for the meeting and can be viewed or downloaded.

**5 - 90**

6 **LEADER'S ANNOUNCEMENT OF A NEW CABINET MEMBER**

7 **QUESTION TIME**

**(90 minutes allocated) (1425-1555)**

To deal with oral questions in accordance with Standing Order 10.3

- A. Questions from Members of the Public to any Cabinet Member or Ward Forum Chairman (20 minutes)
- B. Questions from any Councillor to a Committee Chairman, Lead Member of a Joint Board or Ward Forum Chairman (20 minutes)
- C. Questions from Councillors other than Cabinet Members to a Cabinet Member (25 minutes)
- D. Questions from Councillors other than Cabinet Member to the Leader or Deputy Leader (25 minutes)

8 **APPOINTMENTS BY THE COUNCIL**

**(5 minutes allocated) (1555-1600)**

To make appointments to, or removal from, committees, outside bodies or other offices which fall to be determined by the Council.

9 **EXEMPTION FROM STANDING ORDERS**

Councillor Martin Straker Welds to move an exemption from Standing Orders.

**91 - 96**

10 **DEVOLUTION IN THE WEST MIDLANDS – UPDATE AND FUTURE PROSPECTS**

**(30 minutes allocated) (1600-1630)**

To consider a paper of the Leader of the Council.

**The Leader of the Council, Councilor Ian Ward, to move the following Motion:**

"This Council:

- Notes and welcomes the progress on devolution in the West Midlands since the first devolution agreement of November 2015, including the second devolution agreement of November 2017 and

- the subsequent deals on skills and housing.
- Notes the paper from the Leader of the Council attached.
- Supports the current work of the Combined Authority and its member authorities to secure further devolution, including through the Spending Review 2019.
- Believes that the UK needs stronger, more resilient cities and city regions and a more balanced economy if it is to prosper in the years ahead, and that this requires greater devolution and more sustainable public services. The popular desire to “take back control” must mean more powers for our city regions, cities and communities.
- Calls upon the Government, the Combined Authority and the Mayor of the West Midlands to adopt a “double devolution” policy, identifying opportunities for further devolution and flexibilities at the local authority level and below, and recognising the role of local authorities and their services in the delivery of a stronger economy and a fairer society.
- Calls upon the Government to renew its commitment to devolution and use the 2019 Spending Review to set out a bolder and more coherent approach which can provide for sustainable local government funding, locally controlled economic investment and joined up public services and which can restore civic pride to our great cities."

(break 1630-1700)

**97 - 160**

**11 BIRMINGHAM YOUTH JUSTICE STRATEGIC PLAN 2018/19**

**(45 minutes allocated) (1700-1745)**

To consider a joint report from the Cabinet Member for Children’s Wellbeing and Cabinet Member for Social Inclusion, Community Safety and Equality.

**Councillor Kate Booth to move the following Motion:**

"That Council adopts the Youth Justice Strategic Plan 2018/19, taking into account the financial implications and the priority actions identified."

**161 - 164**

**12 MOTIONS FOR DEBATE FROM INDIVIDUAL MEMBERS**

**(90 minutes allocated) (1745-1915)**

To consider the attached Motions of which notice has been given in accordance with Standing Order 4(I).





**MINUTES OF THE MEETING OF BIRMINGHAM CITY COUNCIL HELD  
ON TUESDAY, 15 JANUARY 2019 AT 1400 HOURS IN THE COUNCIL  
CHAMBER, COUNCIL HOUSE, BIRMINGHAM**

**PRESENT**:- Lord Mayor (Councillor Yvonne Mosquito) in the Chair.

**Councillors**

Muhammad Afzal	Mohammed Fazal	Mary Locke
Akhlaq Ahmed	Peter Fowler	Karen McCarthy
Mohammed Aikhlaq	Jayne Francis	Saddak Miah
Alex Aitken	Peter Griffiths	Gareth Moore
Deirdre Alden	Fred Grindrod	Simon Morrall
Robert Alden	Paulette Hamilton	Brett O'Reilly
Tahir Ali	Roger Harmer	John O'Shea
Olly Armstrong	Kath Hartley	David Pears
Gurdial Singh Atwal	Adam Higgs	Robert Pocock
Mohammed Azim	Charlotte Hodivala	Julien Pritchard
David Barrie	Jon Hunt	Chauhdry Rashid
Baber Baz	Mahmood Hussain	Carl Rice
Bob Beauchamp	Shabrana Hussain	Lou Robson
Matt Bennett	Timothy Huxtable	Gary Sambrook
Kate Booth	Mohammed Idrees	Kath Scott
Sir Albert Bore	Zafar Iqbal	Lucy Seymour-Smith
Nicky Brennan	Ziaul Islam	Shafique Shah
Marje Bridle	Morriam Jan	Mike Sharpe
Mick Brown	Kerry Jenkins	Sybil Spence
Tristan Chatfield	Meirion Jenkins	Ron Storer
Zaker Choudhry	Julie Johnson	Martin Straker Welds
Debbie Clancy	Brigid Jones	Sharon Thompson
Liz Clements	Nagina Kauser	Paul Tilsley
Maureen Cornish	Zaheer Khan	Lisa Trickett
John Cotton	Narinder Kaur Kooner	Ian Ward
Phil Davis	Chaman Lal	Mike Ward
Adrian Delaney	Mike Leddy	Suzanne Webb
Diane Donaldson	Bruce Lines	Ken Wood
Barbara Dring	John Lines	Alex Yip
Neil Eustace	Keith Linnecor	Waseem Zaffar

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**NOTICE OF RECORDING**

- 19131 The Lord Mayor advised that the meeting would be webcast for live and subsequent broadcasting via the Council's internet site and that members of the Press/Public may record and take photographs except where there are confidential or exempt items.

The Lord Mayor reminded Members that they did not enjoy Parliamentary Privilege in relation to debates in the Chamber and Members should be careful in what they say during all debates that afternoon

The Lord Mayor indicated that those Members who wished to speak should press their microphone button once and be patient whilst the operator switched the microphone on.

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**DECLARATIONS OF INTERESTS**

- 19132 The Lord Mayor reminded members that they must declare all relevant pecuniary and non-pecuniary interests arising from any business to be discussed at this meeting.
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**MINUTES**

The Lord Mayor to note that the date at the top of each page of the Minutes should read '4 December 2018'.

It was moved by the Lord Mayor, seconded and –

- 19133 **RESOLVED:-**

That, subject to the above amendment, the Minutes of the meeting held on 4 December 2018 having been circulated to each Member of the Council, be taken as read and confirmed and signed.

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**LORD MAYOR'S ANNOUNCEMENTS**

**A. Birmingham**

- 19134 The Lord Mayor indicated that Councillors would be aware that yesterday we celebrated a significant anniversary for our wonderful City.

The original Charter of Incorporation, dated 31 October 1838, was received in Birmingham on 1 November, and then read in the Town Hall on 5 November with elections for the first Town Council being held on 26 December. So, in 1838 Birmingham gained the status of a Municipal Borough and gained its first elected Town Council which took over the functions of the previous Street Commissioners. Sixteen Aldermen and 48 Councilor's were elected and the Borough was divided into 13 Wards.

William Scholefield became the first Mayor and William Redfern was appointed as Town Clerk.

The Lord Mayor continued that it was not until 51 years later on 14 January 1889 (130 years ago yesterday) that another Charter conferred the rank of City on Birmingham. In fact Birmingham became a City and a County Borough (Unitary Authority) at the time.

It is also interesting to note that our Birmingham Coat of Arms was awarded to the Corporation in 1889 (and was subsequently updated for the City Council in 1977). The dignity of a Lord Mayor was first conferred seven years later in 1896 and Sir James Smith Kt was appointed as the City's first Lord Mayor on 3 June 1896

The Lord Mayor indicated that, in recognition and celebration of the 130<sup>th</sup> Anniversary of the award of city status to Birmingham, it gave her great pleasure in introducing pupils from Hillstone Primary school in Shard End singing excerpts from 'The Birmingham Cantata'. This piece had been written by Keith Farr who is Assistant Head and Director of Arts at Hillstone Primary and Members will be interested to know that Keith was the Classic FM primary school music teacher of the year, a few years ago. The Lord Mayor understood that the school had recorded the Birmingham Cantata at Soho House and it had now been published.

The Lord Mayor advised the Children's performance would be followed by a short film produced by Culture Central and curated by Mohammed Ali MBE from Soul City Arts based here in Birmingham.

The longer version of this film was projected yesterday onto the front of the Council House to celebrate the actual day of the 130<sup>th</sup> Anniversary of the award of city status to Birmingham. The Lord Mayor had been informed that Mohammed spent time immersed in neighbourhoods across the city, filming people and places. The film goes beyond bricks and mortar to tell the stories of the people who make the City of Birmingham.

The Lord Mayor, handed over to children of Hillstone Primary School who gave their performance.

The Lord Mayor thanked the children invited those in the Chamber to join her in showing their appreciation for the wonderful performance.

The short film was then shown.

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## **B. Honorary Alderman Presentations**

- 19135 The Lord Mayor indicated that her first duty today is an extremely pleasant one, as we will be conferring the title of Honorary Alderman upon a number of our former colleagues. She indicated that she would present them in alphabetical order.

**Honorary Alderman Susan Mary Anderson**

The Lord Mayor reminded the Council that, at an Extraordinary Meeting held on 22 May 2018, it had agreed to confer upon Susan Mary Anderson the title of Honorary Alderman of Birmingham City Council in recognition of 30 years of service as a Councillor.

The Lord Mayor presented Honorary Aldermen Susan Mary Anderson with an engrossment of the Council's resolution to admit her to the Roll of Honorary Aldermen of the City.

**Honorary Alderman Susan Barnett**

The Lord Mayor reminded the Council that, at an Extraordinary Meeting held on 22 May 2018, it had agreed to confer upon Susan Barnett the title of Honorary Alderman of Birmingham City Council in recognition of 12 years of service as a Councillor.

The Lord Mayor presented Honorary Aldermen Susan Barnett with an engrossment of the Council's resolution to admit her to the Roll of Honorary Aldermen of the City.

**Honorary Alderman Randal Anthony Maddock Brew**

The Lord Mayor reminded the Council that, at an Extraordinary Meeting held on 22 May 2018, it had agreed to confer upon Randal Anthony Maddock Brew the title of Honorary Alderman of Birmingham City Council in recognition of 21 years and 11 Months of service as a Councillor.

The Lord Mayor presented Honorary Aldermen Randal Anthony Maddock Brew with an engrossment of the Council's resolution to admit him to the Roll of Honorary Aldermen of the City.

**Honorary Alderman Peter Ernest Douglas Osborn**

The Lord Mayor reminded the Council that, at an Extraordinary Meeting held on 22 May 2018, it had agreed to confer upon Peter Ernest Douglas Osborn the title of Honorary Alderman of Birmingham City Council in recognition of 16 years of service as a Councillor.

The Lord Mayor presented Honorary Aldermen Peter Ernest Douglas Osborn with an engrossment of the Council's resolution to admit him to the Roll of Honorary Aldermen of the City.

**Honorary Alderman Carol Julia Jones**

The Lord Mayor reminded the Council that, at an Extraordinary Meeting held on 22 May 2018, it had agreed to confer upon Carol Julia Jones the title of Honorary Alderman of Birmingham City Council in recognition of 15 years of service as a Councillor.



The Lord Mayor presented Honorary Aldermen Carol Julia Jones with an engrossment of the Council's resolution to admit her to the Roll of Honorary Aldermen of the City.

**Honorary Alderman Tony Kennedy**

The Lord Mayor reminded the Council that, at an Extraordinary Meeting held on 22 May 2018, it had agreed to confer upon Tony Kennedy the title of Honorary Alderman of Birmingham City Council in recognition of 15 years of service as a Councillor.

The Lord Mayor presented Honorary Aldermen Tony Kennedy with an engrossment of the Council's resolution to admit him to the Roll of Honorary Aldermen of the City.

**Honorary Alderman Ansar Ali Khan**

The Lord Mayor reminded the Council that, at an Extraordinary Meeting held on 22 May 2018, it had agreed to confer upon Ansar Ali Khan the title of Honorary Alderman of Birmingham City Council in recognition of 16 years of service as a Councillor.

The Lord Mayor presented Honorary Aldermen Ansar Ali Khan with an engrossment of the Council's resolution to admit him to the Roll of Honorary Aldermen of the City.

**Honorary Alderman Fergus Robinson**

The Lord Mayor reminded the Council that, at an Extraordinary Meeting held on 22 May 2018, it had agreed to confer upon Fergus Robinson the title of Honorary Alderman of Birmingham City Council in recognition of 16 years of service as a Councillor.

The Lord Mayor presented Honorary Aldermen Fergus Robinson with an engrossment of the Council's resolution to admit him to the Roll of Honorary Aldermen of the City.

**Honorary Alderman Dorothea Anne Underwood**

The Lord Mayor reminded the Council that, at an Extraordinary Meeting held on 22 May 2018, it had agreed to confer upon Dorothea Anne Underwood the title of Honorary Alderman of Birmingham City Council in recognition of 36 years of service as a Councillor.

The Lord Mayor presented Honorary Aldermen Dorothea Anne Underwood with an engrossment of the Council's resolution to admit her to the Roll of Honorary Aldermen of the City.

**Honorary Alderman Margaret Waddington**

The Lord Mayor reminded the Council that, at an Extraordinary Meeting held on 22 May 2018, it had agreed to confer upon Margaret Waddington the title of Honorary Alderman of Birmingham City Council in recognition of 36 years of service as a Councillor.

The Lord Mayor presented Honorary Aldermen Margaret Waddington with an engrossment of the Council's resolution to admit her to the Roll of Honorary Aldermen of the City.

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**B. New Year's Honours**

- 19136 The Lord Mayor asked those in the Chamber to join her in congratulating those mentioned in the New Year's Honours list for services to Birmingham or who lived in Birmingham as follows:-

**CBE**

Michelle Ann Bolger  
Professor Frederick Hobbs  
Nick Mason

**OBE**

Owen Burke  
Dr Malcolm McKinnon Dick  
Professor Raymond Lawrence Linforth  
Louisa Helen Rolfe  
Eleanor Poulson Tobin  
Abdul Kalam Azad Choudhury

**MBE**

Lynette Adjei  
Judy Anne Dyke  
Gordon Giltrap  
Rosie Kaur Ginday  
Mandeep Kaur  
Carol Ann Lyndon  
Faeza Vaid  
Lyril Berisford Rawlins  
Gail Helen Rothnie  
Jacqueline E Tyler  
Barbara Walker  
Joy Warmington

**BEM**

Norma Boyd  
Margaret Dickson  
Sonya Parnell  
James Whiskens

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**PETITIONS**

**Petition Relating to External Organisations Presented at the Meeting**

The following petition was presented:-

(See document No. 1)

In accordance with the proposal by the Member presenting the petition, it was moved by the Lord Mayor, seconded and -

19137 **RESOLVED:-**

That the petition be received and referred to the relevant external organisation.

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**Petitions Relating to City Council Functions Presented before the Meeting**

The following petitions were presented:-

(See document No. 2)

In accordance with the proposals by the Members presenting the petitions, it was moved by the Lord Mayor, seconded and -

19138 **RESOLVED:-**

That the petitions be received and referred to the relevant Chief Officer(s) to examine and report as appropriate.

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**Petitions Relating to City Council Functions Presented at the Meeting**

The following petitions were presented:-

(See document No. 3)

In accordance with the proposals by the Members presenting the petitions, it was moved by the Lord Mayor, seconded and -

19139 **RESOLVED:-**

That the petitions be received and referred to the relevant Chief Officer(s) to examine and report as appropriate.

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**Petitions Update**

The following Petitions Update had been made available electronically:-

(See document No. 4)

It was moved by the Lord Mayor, seconded and -

19140 **RESOLVED:-**

That the Petitions Update be noted and those petitions for which a satisfactory response has been received, be discharged.

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**QUESTION TIME**

19141 The Council proceeded to consider Oral Questions in accordance with Standing Order 10.3.

Following a question from Councillor Chaman Lal to the Cabinet Member for Health and Social Care, Councillor Hamilton relating to the Midland Metropolitan Hospital, Councillor Waseem Zaffar indicated he was a non - executive Director of the Sandwell and West Birmingham NHS Trust who was responsible for the building of the hospital.

Following a reply from the Leader, Councillor Ian Ward to Councillor Hunt relating to the Waste Service Industrial Action, Councillor Robert Alden rose on a point of order to ask the Leader if he wished to amend his reply as he (Councillor Alden) understood that the decision made at the Cabinet Meeting earlier that day was to invite both the Unite Union and UNISON to binding arbitration and to obtain a Court Order to prevent the Industrial action from continuing. The Leader clarified his reply.

Details of the questions asked are available for public inspection via the Webcast.

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**APPOINTMENTS BY THE COUNCIL**

Following nominations from Councillors Martin Straker Welds and Gareth Moore it was-

19142 **RESOLVED:-**

That appointments be made by the City Council for Members to serve on the Committee set out below:-

**Children's Social Care Overview and Scrutiny Committee**

Councillor Kath Scott to replace Councillor Lucy Seymour-Smith and Councillor Debbie Clancy to replace Councillor Charlotte Hodivala for the period ending with the Annual Meeting of City Council in May 2019.

**EXEMPTION FROM STANDING ORDERS**

It was moved by Councillor Martin Straker Welds, seconded and

19143 **RESOLVED:-**

That, pursuant to discussions by Council Business Management Committee, Standing Orders be waived as follows:

- Allocate 10 Minutes for item 9 (Annual Review of the City Council's Council Tax Support Scheme)
- Allocate 20 Minutes for item 10 (Gambling Act 2005 – Statement of Licensing Principles)
- Allocate 20 minutes for item 11 (City of Sanctuary Policy Statement 2018-22)
- Allocate 45 minutes for item 12 (Brexit)"

Council Business Management Committee also agreed that the time for the meeting be extended to 1935 if required.

The Lord Mayor requested that, in accordance with Standing Order 7 (Suspension of Standing Orders), a Leader or Deputy Leader (or their nominee) of one of the Party Groups to move that the meeting be extended to 1935 hours and that that be seconded by the Leader or Deputy Leader (or their nominee) of another Party Group.

**LENGTH OF COUNCIL MEETING**

Having been moved by Councillor Brigid Jones and seconded by Councillor Gareth Moore it was-

19144 **RESOLVED:-**

That the meeting be extended to 1935 hours.

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**ANNUAL REVIEW OF THE CITY COUNCIL'S COUNCIL TAX SUPPORT SCHEME**

The following report was submitted:-

(See document No. 5)

The Lord Mayor called upon the Deputy Leader, Councillor Brigid Jones, not the Leader, Councillor Ian Ward as indicated on the agenda, to move the motion.

The Deputy Leader, Councillor Brigid Jones moved the motion which was seconded.

A comment was made.

The Deputy Leader, Councillor Brigid Jones responded appropriately.

The Motion having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

It was therefore-

19145 **RESOLVED:-**

That approval be given to retain the current Council Tax Support Scheme for the next financial year (2019/20) notwithstanding any prescribed changes set by Government and/or annual uprating.

Where there is a recommendation subsequently made in future years, that there are no changes required to the scheme, for the preceding year that Delegated Authority is granted to the appropriate Senior Officers to authorise the scheme within the Benefit Service.

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**GAMBLING ACT 2005 - STATEMENT OF LICENSING PRINCIPLES**

The following report of the Licensing and Public Health Committee was submitted:-

(See document No. 6)

Councillor Barbara Dring moved the motion which was seconded.

A debate ensued.

Councillor Barbara Dring replied to the debate

The Motion having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

It was therefore-

19146 **RESOLVED:-**

That the City Council approves the Statement of Gambling Principles and authorises:-

- (i) the City Solicitor to update the list of Policy Framework Plans to include the same; and
- (ii) the Acting Director of Regulation and Enforcement to do what is necessary to publish and comply with the same.

**CITY OF SANCTUARY POLICY STATEMENT 2018-22**

The following report of the Cabinet Member Social Inclusion, Community Safety and Equality was submitted:-

(See document No. 7)

Councillor Tristan Chatfield moved the motion which was seconded.

A debate ensued.

Councillor Tristan Chatfield replied to the debate

The Motion having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

It was therefore-

19147 **RESOLVED:-**

That the City of Sanctuary policy statement (Appendix 1) is approved as the City Council's new commitment to supporting the resettlement and integration of asylum seekers, refugees and migrants in Birmingham. In addition that the Assistant Chief Executive and Corporate Director for Adult Social Care and Health be authorised to publish and disseminate the document as appropriate.

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**ADJOURNMENT**

It was moved by the Lord Mayor, seconded and

19148 **RESOLVED:-**

That the Council be adjourned until 1700 hours on this day.

The Council then adjourned at 1635 hours.

At 1700 hours the Council resumed at the point where the meeting had been adjourned.

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**BREXIT**

The following report of the of the Deputy Leader was submitted:-

(See document No. 8)

The Deputy Leader, Councillor Brigid Jones moved the motion which was seconded.

In accordance with Council Standing Orders, Councillors Matt Bennett and Gary Sambrook gave notice of the following amendment to the Motion:-

(See document No. 9)

Councillor Matt Bennett moved the amendment, during which he confirmed that he was removing the second point, which was seconded by Councillor Gary Sambrook.

The Deputy Leader, Councillor Brigid Jones, on a point of order, noted that Councillor Sambrook had named a Council Officer and brought their conduct in to question in the Chamber and she asked if that was appropriate. Councillor Sambrook explained that he had reported the matter several times as he felt the employee was in breach of their contract which was there to protect the employee and the employer. The Lord Mayor advised Councillor Sambrook to raise the matter with the appropriate officer and not name officers in the Chamber.

A debate ensued.

The Deputy Leader, Councillor Brigid Jones replied to the debate during which Councillor Robert Alden, on a point of order, indicated that he had sought to raise items for City Council agendas at Council Business Management Committee.

The amendment having been moved and seconded was put to the vote and by a show of hands was declared to be lost.

The Motion having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

It was therefore-

19149 **RESOLVED:-**

That the City Council: note the contents of the report.

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### **MOTIONS FOR DEBATE FROM INDIVIDUAL MEMBERS**

The Council proceeded to consider the Motions of which notice had been given in accordance with Standing Order 4(i).

#### **A. Councillor Morriam Jan and Baber Baz have given notice of the following motion.**

(See document No. 10)

Councillor Narinder Kaur Kooner declared a pecuniary interest.



Councillor Morriam Jan moved the Motion, which was seconded by Councillor Baber Baz.

In accordance with Council Standing Orders, Councillors Tristan Chatfield and Barbara Dring gave notice of the following amendment to the Motion:-

(See document No. 11)

At 1800 the Lord Mayor left the meeting and the Deputy Lord Mayor assumed the Chair.

At 1803 the Lord Mayor returned to the meeting and assumed the Chair.

Councillor Tristan Chatfield moved the amendment which was seconded by Councillor Barbara Dring.

A debate ensued.

Councillor Morriam Jan replied to the debate during which she noted that Councillor Barbara Dring had suggested, and she (Councillor Jan) agreed, that the following words be added to the motion:-

“Council requests that Licensing and Public Protection Committee carry on its efforts to support the Bleed Control Kit initiative by continuing to encourage licensed premises to equip themselves with the kit and the necessary training.”

The amendment as amended having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

The Motion as amended having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

It was therefore-

19150

**RESOLVED:-**

This Council notes with concern the increase in violent injuries arising from assaults in the city - including a reported increase of nearly 20% in cases of knife crime in the West Midlands.

Council also notes that low-cost bleed control first aid kits can help save lives, especially when used by trained bystanders.

Council supports efforts to improve access to first aid, and knowledge of first aid, and commends the work of the Daniel Baird Foundation in seeking to raise awareness of life-saving bleed control techniques.

It also commends and supports the pilot project in Lozells to be undertaken by the Foundation with local traders.

The Council commends the excellent work of the City Centre Local Community Safety Partnership, which agreed in November 2018 to purchase up to 200 bleed control kits following talks with the Daniel Baird Foundation. With support from the relevant Business Improvement Districts, the Community Safety Partnership will initially trial these kits at night time economy locations in the city centre and willing venues for the trial have already been identified.

Further, the Council is exploring the possibility of installing bleed control kits on police vehicles used within the city centre and is also working closely with West Midlands Ambulance Service (WMAS) to develop a kit that supports the work of WMAS and Trauma Centres.

In addition, the Council agrees that in its revised 'Good Practice for Licenced Premises' booklet, the Community Safety Partnership should state that it is recommended good practice for licenced premises to have bleed control kits on their premises.

The Council is keen to support the work of the Daniel Baird Foundation to make Birmingham the first 'Control the Bleed' city in the UK and agrees to build on the initial pilot by rolling out kits to day time economy venues across the wider city.

It further requests that the Cabinet Member for Education, Schools and Culture encourages schools and colleges to ensure they have appropriate first aid facilities, and staff able to apply first aid, in the event of major injury, together with encouraging the teaching of this aspect of first aid in PSHE (personal, social, health education) classes.

This should be done as part of broader awareness and prevention work with schools and colleges about the dangers of carrying knives and becoming involved with violent culture.

Council expects the Cabinet Member for Education, Schools and Culture and the Cabinet Member for Social inclusion, Community Safety and Equalities to report back progress on this initiative to the relevant Overview and Scrutiny Committee.

Council requests that Licensing and Public Protection Committee carry on its efforts to support the Bleed Control Kit initiative by continuing to encourage licensed premises to equip themselves with the kit and the necessary training.

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**B. Councillor Tristan Chatfield and Sharon Thompson have given notice of the following motion.**

(See document No. 12)

Councillor Tristan Chatfield moved the Motion which was seconded by Councillor Sharon Thompson.

In accordance with Council Standing Orders, Councillors Robert Alden and Alex Yip gave notice of the following amendment to the Motion:-

(See document No. 13)

Councillor Robert Alden moved the amendment which was seconded by Councillor Alex Yip.

A debate ensued.

Councillor Tristan Chatfield replied to the debate.

The amendment having been moved and seconded was put to the vote and by a show of hands was declared to be lost.

The Motion having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

It was therefore-

19151 **RESOLVED:-**

Birmingham has a long proud history of welcoming new arrivals from across the world, making this a vibrant and incredibly diverse city that is home to people who can trace their roots back to virtually every country in the world.

Our migrant communities are the very heart of the Birmingham's cultural identity, contributing a huge amount to the city - none more so than the African Caribbean community.

Over 60,000, or nearly 7 per cent, of the city's population is of African Caribbean heritage and many of those were part of the Windrush generation.

Birmingham City Council expresses dismay at the 'hostile environment' initiated by Prime Minister Theresa May in her time as Home Secretary and at the financial and emotional impact this has had on the Windrush generation and their families, including children and grandchildren.

Birmingham City Council resolves to:

- Call on the Government to end to all 'hostile environment' policy measures, stating opposition to the criminalisation of Windrush families
- Call on the Government to enable the Windrush generation to acquire British citizenship at no cost and with proactive assistance throughout the process.
- Welcome the Government's announcement to make 22 June each year an annual celebration to recognise and honour the enormous contribution of those who arrived between 1948 and 1973.

- Press the Prime Minister to call for an independent public enquiry into the Windrush scandal.
  - Demand the Government provides advice and support to all Birmingham residents of the Windrush generation (and compensation for all losses, injury and damages to date where necessary).
  - Review our existing migration work to ensure we support those affected.
  - Support the call for fees for naturalisation to be waived for all those who have been affected..
- 

**C. Councillor Deirdre Alden and Robert Alden have given notice of the following motion.**

(See document No. 14)

The Lord Mayor advised that Councillors be made aware of potential issues regarding elements of the Conservative Motion around the public disclosure of documents relating to the current dispute with Unite and the settlement of the Failure to Consult claims issued by GMB.

The Lord Mayor noted that even if the motion was carried as drafted, the Council may not be in a position to disclose the information as a result of current legal proceedings in the Employment Tribunal relating to claims brought by Unite.

The information is either:

- Confidential
- Subject to legal privilege
- Or was produced on a without prejudice basis as part of the original dispute brought by GMB

As Members will appreciate the Council needs to ensure that it does not compromise its position in relation to those proceedings.

Whilst the GMB have publicly stated that they would like the Council to publish as much information as possible, they have acknowledged that any such documents cannot be disclosed at this stage.

The Lord Mayor noted that any queries/questions can be raised with the City Solicitor outside the meeting.

**LENGTH OF COUNCIL MEETING**

Having been moved by Councillor Gareth Moore and seconded it was-

19152

**RESOLVED:-**

That the meeting be continues to be extended to 1935 hours.

3612

Councillor Deirdre Alden moved the Motion which was seconded by Councillor Robert Alden.

A debate ensued.

Councillor Deirdre Alden replied to the debate.

The Motion having been moved and seconded was put to the vote and by a show of hands was declared to be carried.

Here upon a poll being demanded the voting with names listed in seat number order was as follows:-

(See document No. 15)

N.B. The documents have been amended to show that Councillor Jayne Francis voted for the Motion.

The total results referred to in the interleave read:-

Yes – 78 (For the Motion)  
No – 0 (Against the Motion)  
Abstain – 0 (Abstentions)

It was therefore-

19151 **RESOLVED:-**

This Council believes that there is an overwhelming public interest in full transparency around the ACAS 'deal' done with the GMB Union for a 'failure to consult' over the agreement with the Unite Union to settle the 2017 waste collection strike.

Further this Council also believes that this issue highlights the inherent problems with the Executive's excessive use of delegated decision making which serves to obscure proper transparent and accountable decision making.

The Council therefore calls on the Executive to place into the public domain all documents relating to the GMB payment including, but not limited to:

- A copy of the ACAS deal itself
- Copies of all delegated decision reports
- Copies of any briefings or correspondence with any cabinet member, previous or current, regarding the deal
- Copies of any correspondence between the Council and GMB in the run up to and after the Unite settlement regarding the proposed settlement and any objections GMB had to that
- Copies of any correspondence concerning the decision to exclude GMB from talks after the Unite settlement

## **City Council – 15 January 2019**

- Copies of minutes from all meetings between the Council and any Union concerning implementation of the Nov 2017 settlement
- Full details of all costs involved, including the total payment itself and any legal costs
- Copies of any correspondence regarding how and why the deal should be kept secret and not included in usual processes such as the requirement to publish all spend over £500

The Council also calls for an immediate review into the use of delegated powers within the constitution, including comparisons with other local authorities and open discussions with all non-executive councillors. This should look at both the total levels of delegations as well as whether certain types of payment should be excluded. A full report detailing this work should be reported back to Full Council alongside the annual review of the constitution at the AGM. In the meantime the Council also calls on the Executive to publish all delegated decisions (including associated reports) on the council's website at least monthly.

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The meeting ended at 1935 hours.

**APPENDIX**

Questions and replies in accordance with Standing Order 10.2.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR  
JON HUNT**

**A1      Waste Strike 2017 - Improve Effectiveness of Cabinet**

**Question:**

**The Waste Service Governance Review of the handling of the 2017 strike made some searing criticisms of the governance of the Council. What steps does the Leader propose to take to improve the effectiveness of the Cabinet?**

**Answer:**

When I became Leader, I made it clear to all Cabinet Members what is expected of them, including the powers and limitations set by the Council's constitution and the law.

We are absolutely committed to learning from what happened during the summer of 2017 and we have already put in a range of measure to make our governance and decision making more robust.

This is not just about Cabinet and as you know we have reviewed our elected member induction programme which was rolled out after the May 2018 elections. In addition our member development programme is being improved as part of a four year plan and the findings of the review can be built into that programme.

Most importantly since April 2018 the Council has made a series of improvements to its Corporate Governance plan to address the issues highlighted in the review which is monitored monthly by the Birmingham Independent Improvement Panel and the Ministry of Housing, Communities and Local Government.

Details can be found within the plan and we have already recognised, as an example, the need for the Council to have an effective and proactive scrutiny function, the need to improve the joint working between members and officers, and to increase the depth of understanding of governance rules and standards.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR  
MIKE WARD**

**A2     Refuse Strike 2017 - Retain Same Cabinet Members?**

**Question:**

**Does the Leader consider it appropriate to retain the Cabinet Members found by the Waste Service Governance Review to have failed to mount effective challenges to the former Leader during the 2017 refuse strike, given the costs and implications of the actions taken in August 2017?**

**Answer:**

When I became Leader, I made it clear to all Cabinet Members what is expected of them, including the powers and limitations set by the Council's constitution and the law.



**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR  
ROGER HARMER**

**A3     Exit Payments JNC posts**

**Question:**

**Since 2012 what has been the total cost of exit payments made to employees in JNC posts who have left the Authority?**

**Answer:**

<b>Year</b>	<b>£'000</b>
<b>2012-13</b>	421.0
<b>2013-14</b>	1,057.4
<b>2014-15</b>	611.2
<b>2015-16</b>	2,132.9
<b>2016-17</b>	1,655.2
<b>2017-18</b>	1,331.7
<b>2018-19</b>	832.2
<b>Total</b>	<b>8,041.6</b>

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR MORRIAM JAN**

**A4 Commonwealth Games - Finance**

**Question:**

**Could the leader update the Council on arrangements to finance the Commonwealth Games?**

**Answer:**

The budget for the Commonwealth Games will be approved by HM Treasury's Major Projects Review Group (currently advised as first quarter of 2019/20) and the City's assumptions are based on the Games bid submitted in December 2017.

The City Council's commitment is to

- a. Finance the cost of developing the Commonwealth Games Village, of which approximately 32% of the gross cost is supported by government grant. The remainder will be financed by Prudential Borrowing, which will be repaid after the games through asset disposals;
- b. Finance 25% of the cost of the costs of the Organising Committee to include the refurbishment of the Alexander Stadium. It is estimated that up to 40% of the cost to the City will be met by local and regional partner contributions.

Of the net costs, approximately 75% will be capital expenditure financed by Prudential Borrowing. The remaining 25% will be revenue expenditure financed by Business Rates growth.

- c. Internal costs of Programme and Project Management

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR  
MEIRION JENKINS**

**A5     Obillex**

**Question:**

**How much has the Council invested in total in the company Obillex for its 21% share and what is this investment currently valued at?**

**Answer:**

The council has directly invested £1.125m in Obillex Ltd since May 2015 and holds in its own right 20.7% of the ordinary share capital. The investment is held on BCC's balance sheet at cost and is reviewed annually for impairment or increase.

In 2017 an independent body awarded equity funding to Obillex from a national fund for which BCC acts as accountable body. Consequently BCC holds a further 19% of equity in the company on behalf of this non-BCC fund. BCC will receive no benefit from this holding, will not be liable for any costs or losses (unless wilfully negligent) but manages the governance and shareholder relationship together with its own shareholding.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR  
BOB BEAUCHAMP**

**A6     Project Overspends**

**Question:**

**The response to written question A9 from December's Council meeting listed 3 projects where the approval for the revised business case was given as 'under investigation' – can you please provide an update on these investigations to either give the dates approval was given or an explanation for why this was not completed?**

**Answer:**

<b>Scheme</b>	<b>Revised Business Case Approved by</b>
Swimming Pool Facilities	Retrospective report to take to Cabinet in progress. Reported at quarterly Capital & Treasury Management Monitoring in 2017/18 and Outturn report.
Community Sport	Overspend was explained and approved in the Capital & Treasury Management Capital Monitoring Quarter 3 2015/16 report to Cabinet.
Community Development & Play	Bournville Baths overspend reported in 2016/17 Final Outturn report to Cabinet.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR  
SUZANNE WEBB**

**A7 Paradise Development repayment**

**Question:**

**Your response to written question A12 from December's Council meeting stated that there was no net impact on the council's revenue budget from the repayments to the additional £50m loan for the paradise development. This is because the loan would be repaid from growth in business rate income rather current income. However, given that growth was already projected to have taken place as part of the original business case, the additional £50m would be repaid from growth that would otherwise have come into the council's revenue account in future years. For transparency can you please be clear how much will need to be repaid in each year for this £50m?**

**Answer**

The additional borrowing required to complete phases 1 and 2 of the Paradise development will be met by borrowing using the City Council's prudential borrowing and the cost of debt repayment will be met by financial resources the GBSLEP using business rates growth within the Enterprise Zone.

Within the Enterprise Zone, all business rates growth until 2046 is retained by the GBSLEP to support projects within the wider GBSLEP area. To date all capital projects approved are in Birmingham.

All loans relating to the Paradise Development must be repaid by 2046 in line with the Enterprise Zone agreement and repayments will be structured according the cumulative debt incurred as the scheme progresses. This is not a fixed sum and will vary according to development spend.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR  
ADAM HIGGS**

**A8     GMB Acas Deal**

**Question:**

**When you were first made aware that GMB had taken a dispute over a ‘failure to consult’ to ACAS and that this had been settled with a cash payment? (if the date you were first aware of the dispute and the settlement were different please given both dates)**

**Answer:**

I was made are of the GMB dispute over a failure to consult on 8<sup>th</sup> January 2018.

I cannot recollect the date on which I was informed that a payment had been made.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR  
ADRIAN DELANEY**

**A9     Social Care Grant**

**Question:**

**Is any of the £15m social care grant made available to the Council for next year being paid to the Children's Trust for Children's Social Care?**

**Answer:**

No decision has yet been made on the use of this funding.

The allocation for Adult and Children's Social Care is split in two parts:

- Winter Pressures – in 2019/20 there is an additional £5.6m which is heavily ring-fenced and needs to be pooled through the Better Care Fund
- Social Care Support Grant – an additional £9.6m of un-ring-fenced grant will be allocated to BCC.

Final decisions on how this funding will be allocated will be taken at a meeting of Full Council on 26 February.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR  
GARY SAMBROOK**

**A10    Waste Management Governance Review**

**Question:**

**Were all Cabinet Members asked to contribute to the Waste Management Governance Review?**

**Answer:**

**No**



**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR  
PETER FOWLER**

**A11    QC Advice for Former Leader**

**Question:**

**The Waste Management Governance Review says that the Council paid the cost of the former Leader's external legal advice despite concerns over the way it was procured. Can you provide full details of these costs, including total cost, when it was paid and who approved it?**

**Answer:**

1. It was approved for payment on 21 May 2018.
2. £13,819.20 (includes solicitor's costs, Counsels fees and VAT).
3. Agreed by the City Solicitor/Monitoring Officer in conjunction with the Chief Finance Officer.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR  
RON STORER**

**A12    External Legal Advice**

**Question:**

**If a Member wishes to get legal advice to challenge a council decision, what is the council process for procuring that?**

**Answer:**

Any legal advice must be sought via the Council's internal Legal Services department with the prior consent of the City Solicitor/monitoring Officer.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR  
DAVID PEARS**

**A13    Union negotiations**

**Question:**

**On how many occasions have you spoken to ACAS or the Unions regarding an industrial dispute alone (either face to face or by phone) without any officer present?**

**Answer:**

I have had no formal discussions with ACAS or Trades unions alone, either face to face or by phone.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR  
SIMON MORRALL**

**A14    Union Membership**

**Question:**

**For clarity, given Executive Members frequently have to deal with employee related matters, can you please state which Trade Unions you have any affiliation with, including membership and sponsorship?**

**Answer:**

GMB  
Unison  
Unite

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR  
EDDIE FREEMAN**

**A15    External Legal Advice**

**Question:**

**If any elected member engages external legal advice without following the correct procedures, will the Council pay the cost anyway?**

**Answer:**

**No**

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR  
DAVID BARRIE**

**A16    Pool Cars**

**Question:**

**How many pool cars does the Council own\lease?**

**Answer:**

Twelve pool vehicles have been identified to date as part of the transport review.

2 cars are leased, 6 cars are owned

1 van is leased, 3 vans are owned.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR  
MAUREEN CORNISH**

**A17     Pool Cars Cost**

**Question:**

**How much have the Council spent on the running costs of pool cars in each of the last 3 years?**

**Answer:**

For the pool vehicles identified to date as part of the transport review:

- a. Two electric cars are operated for the out of hours homecare services during the evenings, 7 days a week and are used as pool vehicles by other departments during the day. These were part of a government programme that provided the vehicles for two years, including covering the cost of £2,812 per year (per vehicle) and installing the charging points. The cost to the Council was £500 per vehicle. When the leases expired in July/August 2018 they were extended for an additional year at a cost of £6,000 to continue to support the out of hours homecare services.

Running cost are approximately 7.5 pence per mile, Vehicle Excise Duty tax is zero and servicing is included in the lease cost. With an average mileage of around 8,000 per year, the annual electricity cost to charge the vehicles is approximately £1,200.

- b. Housing operate an electric van with a lease cost of £2,406 per year.
- c. Transport & Connectivity operate 4 cars and 3 vans. Annual operating costs are approximately £13,000 in total.
- d. Birmingham Property Services operate 2 pool cars. Cost information for these is being sought and will follow.

**WRITTEN QUESTION TO THE LEADER OF THE COUNCIL FROM COUNCILLOR  
CHARLOTTE HODIVALA**

**A18    Pool Cars Access**

**Question:**

**How many Officers and Councillors have access to council pool cars (divided between councillors and officers and by directorate)**

**Answer:**

Of the pool vehicles identified to date as part of the transport review:

Two electric cars are operated by the out of hours homecare services during the evenings, 7 days a week. These are also used by officers in Education, Adults and Legal Services, but can be booked by through a Homecare team contact.

One electric van is available to Housing officers.

Transport & Connectivity operate 4 cars and 3 vans, available to their officers.

Birmingham Property Services operate 2 cars that are available to their officers.



**WRITTEN QUESTION TO THE DEPUTY LEADER OF THE COUNCIL FROM COUNCILLOR  
RON STORER**

**B1     GMB ACAS Payment**

**Question:**

**It has been suggested that the payment for the failure to consult with ACAS was made directly to GMB who distributed it to their members rather through the payroll to individual employees. If this is the case, then the payment should appear on the Council's Open Data website under the figures for all spend over £500, in accordance with the Local Government Transparency Code but I cannot see a payment to 'GMB' listed. In which month was this published and who was listed as the 'vendor name' for the payment(s)?**

**Answer:**

A payment was not made by the Council to the GMB Union. The Council paid GMB Members in Waste Management in respect of their failure to consult claims. As a result, this payment was included as part of the Council's audited accounts under the budget line for Legal Services.

**WRITTEN QUESTION TO THE DEPUTY LEADER OF THE COUNCIL FROM COUNCILLOR SIMON MORRALL**

**B2     Union Membership**

**Question:**

**It is a requirement to declare union membership as an interest (and whether or not that membership is pecuniary), whilst Members have been asked to declare this at, or ahead of, previous council meetings it is not consistently listed on the declaration of interest forms currently published online. As this information have been collected, and is publicly disclosable, can you please publish here a full list of all declared interests concerning trade union membership for any city councillor?**

**Answer:**

This municipal year, there have been no occasions where full council has had to declare union membership interests. It would require a significant amount of officer resource to trawl the minutes of every other formal meeting.

Statutory Registers for all members are published on the website and available. If membership of a union falls within employment, office, trade, profession or vocation carried out for profit or gain then members would be required to declare it on the Statutory Register. The wording of the statutory register form is currently being reviewed to ensure openness and transparency of organisations declared under non-pecuniary interests.

It is a requirement for all members to ensure that their statutory register form is kept up to date, and if any member is uncertain of their requirement to declare such organisations then they should seek advice from the Monitoring Officer.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CHILDREN'S WELLBEING  
FROM COUNCILLOR SIMON MORRALL**

**C      Union Membership**

**Question:**

**For clarity, given Executive Members frequently have to deal with employee related matters, can you please state which Trade Unions you have any affiliation with, including membership and sponsorship?**

**Answer:**

National Education Union

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, WASTE AND RECYCLING FROM COUNCILLOR BABER BAZ**

**D1     Waste Collection - First Class Service**

**Question:**

**In a recent press quote, the Cabinet Member referred to waste collection in Birmingham being a "first class" service. Does he consider two outbreaks of serious industrial action in 18 months to be the kind of first class service to be expected from his far-left agenda?**

**Answer:**

I became Cabinet Member on 22 May last year and have work tirelessly with Officers and Trade Unions to build a first class service. I remain committed to this aim and will continue to work with Trade Union colleagues to resolve this dispute.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, WASTE AND RECYCLING FROM COUNCILLOR ZAKER CHOUDHRY**

**D2     Waste Collection - First Class Service (2)**

**Question:**

**In a recent press quote, the Cabinet Member referred to waste collection in Birmingham being a “first class” service. Does he consider it provided a first class service following the introduction of the new working arrangements last September?**

**Answer:**

I became Cabinet Member on 22 May last year and since then I have worked tirelessly with Officers and Trade Unions to build a first class service and whilst some challenges still exist I am committed to this aim and will continue to work with all to deliver a service that meets the needs of residents.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, WASTE  
AND RECYCLING FROM COUNCILLOR MORRIAM JAN**

**D3      Recycling - Working Arrangements Inadequate?**

**Question:**

**While Unite has been conducting its work to rule, the service has been unable to collect recycling. Does this suggest that the working arrangements introduced in September 2018 are inadequate for providing a full service of general and recycling collections?**

**Answer:**

Regrettably the current Industrial Action is impacting on all collections but I can confirm that during the consultation for the new service a number of pilots were carried out to ensure that the timings for collections were correct and that the rounds proposed were achievable.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, WASTE AND RECYCLING FROM COUNCILLOR MIKE WARD**

**D4     Waste Review - Continue as a Member of the Cabinet (2)**

**Question:**

**According to the Waste Service Governance Review, published last month, you were among a number of Cabinet Members who “collectively” failed to challenge the former Leader on his proposed ACAS settlement to the 2017 bin strike. Indeed, in September 2017 you confirmed in writing that you “agreed to support” a decision attributed to the Cabinet on 17th August 2017. In the light of the findings of the review and the detrimental impact of the actions taken by Cabinet Members on 17th August, and by the former Leader, do you consider it appropriate for you to continue as a member of the Cabinet?**

**Answer:**

**I refute the allegations made in the question and believe it is wholly appropriate for me to continue as a Cabinet Member.**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, WASTE AND RECYCLING FROM COUNCILLOR MAUREEN CORNISH**

**D5     WRCO interventions**

**Question:**

**Since the last Council meeting, how many interventions have been made by WRCOs with residents to improve recycling (broken down by type of intervention)?**

**Answer:**

There are two main data collection forms which are used by the WRCOs relating to recycling, F01 - Recycling Participation and F02 - Resident Engagement.

From 4 December 2018 to 8 January 2019:

- **F01:** 489 of the Recycling Participation forms have been completed. Of these 27 have identified specific streets as only presenting between 0-25% of their recycling bins for collection. All 27 have been referred to the Waste Prevention Unit to visit these streets and offer advice and education to residents.
- **F02:** 46 Resident Engagement forms have been completed. These forms document advice and information issued to individual residents by the WRCO.



**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, WASTE AND RECYCLING FROM COUNCILLOR BRUCE LINES**

**D6     WRCO Job Description**

**Question:**

**In the job description for Waste Reduction and Collection Officer, what is listed under the section for ‘Supervision Received’ including, supervising officer job title and level of supervision**

Answer:

**SUPERVISION RECEIVED**

**SUPERVISING OFFICER JOB TITLE:**

Daily supervision by Driver Team Leader  
Line Managed by Assistant Service Manager (WRCO Lead)

**LEVEL OF SUPERVISION**

1. Plan own work to ensure the meeting of defined objectives.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, WASTE AND RECYCLING FROM COUNCILLOR DAVID PEARS**

**D7     Driver Team Leader Job Description**

**Question:**

**In the job description for Driver Team Leader in the waste collection service, what is listed under the section for ‘Supervision Given’**

**Answer:**

POST TITLE	GRADE	NO OF POSTS	LEVEL OF SUPERVISION*
Leading Hand	GR3	1	3
Loader	GR2	2	2

\*Use 1,2 or 3 as in 3.2

This job description will be reviewed as part of the restructure of Waste Management to ensure that the terminology reflects current arrangements and job titles.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, WASTE AND RECYCLING FROM COUNCILLOR DAVID BARRIE**

**D8     Waste Disposal Contract**

**Question:**

**What is the net impact on the 19/20, 20/21, 21/22 and 22/23 budget of the decision to extend the waste disposal contract by 5 years?**

**Answer:**

The decision to extend the waste disposal contract will be reconsidered by Cabinet on the morning of 15 January 2019 following a call in by Scrutiny.

The budget for the service will be reflected in the proposed budget for 2019/20 which will be presented to Cabinet in February 2019.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, WASTE AND RECYCLING FROM COUNCILLOR CHARLOTTE HODIVALA**

**D9 Waste Staff Sickness**

**Question:**

**How many waste collection staff (total number and percentage) reported in sick on each day between 24 December 2018 and 11 January 2019?**

**Answer:**

As at January 2019, there are 417 staff in waste collection. The table below indicates the number of staff from this group who reported in sick on the days stated:

<b>Row Labels</b>	<b>Grand Total</b>	<b>Percentage of Workforce absent on each date</b>
24/12/2018	2	0.42%
27/12/2018	3	0.64%
28/12/2018	2	0.42%
31/12/2018	3	0.64%
02/01/2019	6	1.27%
03/01/2019	4	0.85%

Of the staff whose absence started on the 24 December 2018, both returned to duty on the 28 December 2018. Of the staff whose absence started on the 27 December 2018 one member of staff returned to duty on the 28 December 2018. All other absences at the time of writing are continuing.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, WASTE AND RECYCLING FROM COUNCILLOR DEBBIE CLANCY**

**D10     Hand washing facilities**

**Question:**

**During the 2017 industrial action, when the issue emerged of waste crews having to return to the depot for breaks for hygiene reasons, it was suggested by opposition members that the council looks to install hand washing facilities on the wagons, as happens elsewhere. Since then what has happened to explore this idea further?**

**Answer:**

The new vehicles purchased from 2013 to 2015 all have hand washing facilities to the vehicles (approximately 75% of our fleet) and all are currently operational.

All crews have been given toolbox talks on hand washing and hygiene.

All new vehicles will have hand washing facilities.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, WASTE AND RECYCLING FROM COUNCILLOR RON STORER**

**D11     Cabinet decision on Waste Management**

**Question:**

**A Cabinet report of 26 March 2012, entitled ‘FLEET AND WASTE MANAGEMENT – FUTURE OPERATING MODEL AND SERVICE REDESIGN’ set out proposed changes to the waste management and other council services that were agreed, by what date were all these fully implemented?**

**Answer:**

There were a number of recommendations contained within the private Cabinet report of March 2012. In 2012 the service trialled wheeled bins before moving to a full roll out across the City in 2013 which impacted on some of the recommendations. Since then the service has been through a number of redesigns to reflect the changing needs of the City Council and the residents of Birmingham culminating in the Memorandum of Understanding agreed and implemented in September 2017.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, WASTE AND RECYCLING FROM COUNCILLOR BOB BEAUCHAMP**

**D12    Acting-up 1**

**Question:**

**Within the waste collection service how many staff are currently ‘acting-up’ into roles above their substantive pay-grade?**

**Answer:**

A total of four staff are currently ‘acting-up’ within the waste collection service. Two of these staff have been successful following the recent recruitment in the service and are awaiting a formal start date.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, WASTE AND RECYCLING FROM COUNCILLOR MATT BENNETT**

**D13     Acting-up 2**

**Question:**

**Within the waste collection service how long has the member of staff currently ‘acting-up’ into a role above their substantive pay-grade for the longest being doing that enhanced role?**

**Answer:**

The longest ‘act-up’ in place in the waste collection service is approximately two years for two members of staff. However, they have been successful following the recent recruitment in the service and are awaiting a formal start date.



**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, WASTE AND RECYCLING FROM COUNCILLOR KEN WOOD**

**D14     Acting-up 3**

**Question:**

**Within the waste collection service how many staff have been ‘acting-up’ into a role above their substantive pay-grade for longer than 12 weeks, 6 months and 12 months?**

**Answer:**

A total of four staff are currently ‘acting-up’ within the waste collection service. Two for longer than 12 weeks and two for longer than 12 months. The two staff who have been in ‘act-up’ for more than two years have been successful following the recent recruitment in the service and are awaiting a formal start date.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, WASTE  
AND RECYCLING FROM COUNCILLOR ADRIAN DELANEY**

**D15    Acting-up 4**

**Question:**

**Within the waste collection service how many staff have been asked to ‘act-up’ into a role above their substantive pay-grade since the commencement of industrial action on 29 December 2018?**

**Answer:**

No new act ups have been put in place since the commencement of Industrial Action on 29<sup>th</sup> December 2018.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, WASTE AND RECYCLING FROM COUNCILLOR ADAM HIGGS**

**D16    Promotions**

**Question:**

**Within the waste collection service since the commencement of industrial action on 29 December 2018 how many members of staff have been permanently promoted, or offered promotion? (i.e. from G2 loader to G3 WRCO, or from G3 WRCO to G4 Driver)**

**Answer:**

No staff have been permanently promoted or offered promotion since the 29<sup>th</sup> December 2018.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, WASTE  
AND RECYCLING FROM COUNCILLOR SIMON MORRALL**

**D17    Union Membership**

**Question:**

**For clarity, given Executive Members frequently have to deal with employee related matters, can you please state which Trade Unions you have any affiliation with, including membership and sponsorship?**

**Answer:**

Unite  
GMB

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, WASTE AND RECYCLING FROM COUNCILLOR PETER FOWLER**

**D18     Collection Crew**

**Question:**

**What is the minimum requirement in terms of composition of different grades of staff that is needed for a waste collection vehicle to be able to go out on its round? (i.e. is it 1 driver, 1 WRCO and 1 loader or is there more flexibility to go with just 2 crew members or 2 loaders plus driver rather than an WRCO on each round?)**

**Answer:**

The Memorandum of Understanding states a refuse crew should be made up of 1x Driver, 1x WRCO and 1x Loader.

With container crews this consists of 1x Driver and 1x WRCO with no Loader.

We must comply with this legal requirement.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, WASTE AND RECYCLING FROM COUNCILLOR EDDIE FREEMAN**

**D19     Strike Contingency Plan**

**Question:**

Your email of 22 December to all members stated that “In the event of industrial action citizens will receive one collection of all waste types per week, rather than separate pick-ups for household rubbish and recycling on their current collection day” Public communication reiterated this point, but this was later amended to state that waste and recycling should still be separated by households and a number of ‘contaminated’ bins were not collected.

Given you presumably agreed the original contingency plan, and drafted the email to councillors referred to above, at what point did you change your mind (and why) and decide that recycling and residual waste should be kept separate?

**Answer:**

Prior to the commencement of the industrial action it was felt that in the event of strike action the most expedient way to reduce the amount of waste on the streets of Birmingham and for the most efficient use of additional resources would be for a single collection of residual and recycling.

What has transpired is that crews are working to rule meaning that they are still undertaking their normal duties and therefore the additional resources are being directed to non-collections irrespective of whether those are residual or recycling.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, WASTE  
AND RECYCLING FROM COUNCILLOR GARETH MOORE**

**D20     11 December Cabinet**

**Question:**

**I understand that at the Cabinet Meeting of 11 December, you had to leave the room during the decision on Council Run Day Nurseries for an important phone call. For the avoidance of doubt, can you clarify how you would have voted had you been present?**

**Answer:**

Given that the decision was taken by Cabinet and has been implemented, the way I would have voted is now irrelevant.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, WASTE AND RECYCLING FROM COUNCILLOR EWAN MACKEY**

**D21 Twixtmas Collections**

**Question:**

**Other than emailing council members what publicity took place to advise residents that collections would take place on weekend of 29/30<sup>th</sup> December to give them the chance to put their bins out?**

**Answer:**

The contingency plan was confirmed on 21 December 2018. To publicise the plan a press release was issued to local media (print, broadcast and online) and followed up with phone calls to reporters.

Messages publicising the plan were also issued through the corporate social media channels (Twitter and Facebook). This meant that c.90,000 people across the city received the message.

The Council's website hosted the details of the plan but because the site as a whole gets in excess of 2m unique visitors a month a link to the contingency plan was placed across the whole of the website. This received 6,913 clicks in the week after the information was published.

The message about the contingency plan was received and acted on by a significant number of people. For example the number of unique visitors to the page hosting the contingency plan increased from 3,728 unique visitors (w/c 10/12/18) to 15,230 unique visitors (17/12/18) to 49,518 unique visitors (w/c 24/12/18). This represents an increase of 1,328% from w/c 10/12/18 to w/c 24/12/18.

The plan continues to be promoted through the Council's corporate social media accounts and other communication channels such as the fortnightly email 'Birmingham Bulletin', which is sent to 82k subscribers. The last edition was sent on 28 December 2018.

A briefing was also shared with contact centre staff and information was published on the Council's Yammer site to help ensure as many people as possible were aware of the plan.



**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, WASTE AND RECYCLING FROM COUNCILLOR GARY SAMBROOK**

**D22    Hygiene on waste rounds**

**Question:**

**If, as part of ‘working to rule’, waste collections crews have to return to the depot for breaks in order to access hand washing facilities, does that mean that the rest of the time they are breaching health and safety requirements by not returning to the depot? If not then why not?**

**Answer:**

Prior to the industrial action crews were taking their breaks ‘on the patch’. By remaining out on the patch they are not breaching health and safety as they have the option of using sterile hand wipes, gels and sinks on vehicles, where available. Crews have also been issued with lists of Council properties where they are able to use the facilities if required. All crews have been given toolbox talks on hand washing and hygiene.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR CLEAN STREETS, WASTE  
AND RECYCLING FROM COUNCILLOR SUZANNE WEBB**

**D23    Clinical Waste**

**Question:**

**Can you please provide copies of all procurement decisions relating to Clinical Waste since 2012?**

**Answer:**

There have been no procurement decisions relating to Clinical Waste since 2012.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR EDUCATION, SKILLS AND CULTURE FROM COUNCILLOR ZAKER CHOUDHRY**

**E1      Waste Service Review - Time to Read Papers (2)?**

**Question:**

**According to the Waste Service Governance Review, decision makers must read all the papers that have been provided and that are relevant to the decision they are about to make. Failure to do so, out of laziness, insufficient time or a belief that they are irrelevant would be a breach of their duty.**

**Given that Cabinet agendas are typically 1,000 pages long – and often include significant reports that arrive late – could you inform Council of how much time you set aside in your diary to read these papers?**

**Answer:**

**As much time as is necessary.**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR EDUCATION, SKILLS AND CULTURE FROM COUNCILLOR SIMON MORRALL**

**E2     Union Membership**

**Question:**

**For clarity, given Executive Members frequently have to deal with employee related matters, can you please state which Trade Unions you have any affiliation with, including membership and sponsorship?**

**Answer:**

**None**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND RESOURCES  
FROM COUNCILLOR ZAKER CHOUDHRY**

**F1      Waste Service Review - Time to Read Papers (1)?**

**Question:**

**According to the Waste Service Governance Review, decision makers must read all the papers that have been provided and that are relevant to the decision they are about to make. Failure to do so, out of laziness, insufficient time or a belief that they are irrelevant would be a breach of their duty.**

**Given that Cabinet agendas are typically 1,000 pages long – and often include significant reports that arrive late – could you inform Council of how much time you set aside in your diary to read these papers?**

**Answer:**

**As much time as is necessary.**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND RESOURCES  
FROM COUNCILLOR BABER BAZ**

**F2      Waste Review - Continue as a Member of the Cabinet**

**Question:**

**According to the Waste Service Governance Review, published last month, you were among a number of Cabinet Members who “collectively” failed to challenge the former Leader on his proposed ACAS settlement to the 2017 bin strike. Indeed, in September 2017 you confirmed in writing that you “agreed to support” a decision attributed to the Cabinet on 17th August 2017. In the light of the findings of the review and the detrimental impact of the actions taken by Cabinet Members on 17th August, and by the former Leader, do you consider it appropriate for you to continue as a member of the Cabinet?**

**Answer:**

**I refute the allegations made in the question and believe it is wholly appropriate for me to continue as a Cabinet Member.**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND RESOURCES  
FROM COUNCILLOR SIMON MORRALL**

**F3      Union Membership**

**Question:**

**For clarity, given Executive Members frequently have to deal with employee related matters, can you please state which Trade Unions you have any affiliation with, including membership and sponsorship?**

**Answer:**

I am a member of University and College Union (UCU) and I am not sponsored by any Trade Union.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND RESOURCES  
FROM COUNCILLOR EWAN MACKEY**

**F4     Zero Hours Contracts**

**Question:**

**Is anyone in the Council employed on a zero hours contract?**

**Answer:**

Yes, in roles where the work is ad hoc, such as Adult Education Tutors and Clerks to Governing Bodies, however these are not exploitative zero hours contracts.



**WRITTEN QUESTION TO THE CABINET MEMBER FOR FINANCE AND RESOURCES  
FROM COUNCILLOR DEBBIE CLANCY**

**F5      Sickness Absence Policy during industrial action**

**Question:**

**Does the Council require any additional sickness absence reporting arrangements during periods of industrial action (e.g. a doctor's note from the first day of absence as is common elsewhere) and is this consistent across different council services and different disputes?**

**Answer:**

Yes, during strike action the council consistently applies that if employees are absent due to sickness a medical 'fit note' must cover the absence, even if it is for one day only.

If there is industrial action short of strike, then employees are not actually on strike.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND SOCIAL CARE  
FROM COUNCILLOR ZAKER CHOUDHRY**

**G1     Waste Review - Continue as a Member of the Cabinet (4)**

**Question:**

**According to the Waste Service Governance Review, published last month, you were among a number of Cabinet Members who “collectively” failed to challenge the former Leader on his proposed ACAS settlement to the 2017 bin strike. Indeed, in September 2017 you confirmed in writing that you “agreed to support” a decision attributed to the Cabinet on 17th August 2017. In the light of the findings of the review and the detrimental impact of the actions taken by Cabinet Members on 17th August, and by the former Leader, do you consider it appropriate for you to continue as a member of the Cabinet?**

**Answer:**

**I refute the allegations made in the question and believe it is wholly appropriate for me to continue as a Cabinet Member.**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND SOCIAL CARE  
FROM COUNCILLOR PETER FOWLER**

**G2     Fairways**

**Question:**

**Since the 16+ budget decision to close 2 day centres, one of which was later identified as Fairways, how much has been spent in total on the failed attempts to close the centre, including costs of the consultations, cost of legal action etc.**

**Answer:**

The exact costing relating to the Budget Decision Implementation work have not been tracked or recorded. Previous Cabinet Questions relating to previous Papers on the Younger Adult Day Centres Consolidation recorded the Officer time spent in Consultation and Meetings which was extensive. Costs have been through Officer time and established budgets in the main. The legal proceedings are not yet resolved and it is therefore not possible at this time to provide the cost associated to this.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND SOCIAL CARE  
FROM COUNCILLOR EDDIE FREEMAN**

**G3     Day Opportunities Strategy**

**Question:**

**Following the judicial review what is the net impact on the Council's revenue budget in both 18/19 and 19/20 of any changes or delays needed to the Day Opportunities Strategy and the Fairways Day Centre?**

**Answer:**

There has not been a Judicial Review.

On the 18th October 2018 the Council was issued with proceedings from a claimant preventing implementation of the Day Opportunity Strategy on the grounds of failure to consult. The Council accepted this position. There is no impact on the revenue budget of this.

On the 1st November 2018 the Council was issued with an Interim Order preventing the Council from taking any further action to close Fairway Day Centre or any action that may impact on closure such as staff redeployment or service user moves. The Claim was late but approved by the High Court pending a Judicial Review Challenge based on failure to Consult. The consequence of the order is that the Cabinet decision of July 2018 has been quashed by the Court.

There is no net impact on the revenue budget for 18/19 and 19/20 as a consequence of this decision.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND SOCIAL CARE  
FROM COUNCILLOR DEBBIE CLANCY**

**G4     Fairways**

**Question:**

**For how long can users of the Fairways Day Centre now be confident that it will remain open?**

**Answer:**

The work to close Fairway day centre has now stopped.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND SOCIAL CARE  
FROM COUNCILLOR EWAN MACKEY**

**G5     Enablement Service – Zero Hours**

**Question:**

**In order to put to rest troubling suggestions made in online forums, can the Cabinet Member confirm if any employees within the Enablement Service are currently on, or have been asked to move onto a zero hours contract?**

**Answer:**

There are no staff on zero hours contract and no plans to employ staff on zero contracts within Adult Social Care.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND SOCIAL CARE FROM COUNCILLOR GARETH MOORE**

**G6     Enablement Service – Benchmark of Costs**

**Question:**

**What is the hourly rate of the current and proposed enablement service compared to national benchmarks in the public and private sector?**

**Answer:**

The hourly rate for the current service is £62.02 per hour and £46.00 for the proposed enablement service. Benchmarking suggests that enablement costs range across the country from as little as £11 per hour for externally commissioned services in one authority and as much as £38 per hour for internal services in another.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND SOCIAL CARE FROM COUNCILLOR SIMON MORRALL**

**G7     Union Membership**

**Question:**

**For clarity, given Executive Members frequently have to deal with employee related matters, can you please state which Trade Unions you have any affiliation with, including membership and sponsorship?**

**Answer:**

GMB



**WRITTEN QUESTION TO THE CABINET MEMBER FOR HEALTH AND SOCIAL  
CARE FROM COUNCILLOR ADAM HIGGS**

**G8     Fairways and Day Opportunities Strategy**

**Question:**

**What were the full terms of the Council's settlement for the judicial review into the closure of the Fairways Centre and the Day Opportunities Strategy?**

**Answer:**

These matters are not yet finalised and therefore I am unable to report on these in full as requested.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR HOMES AND  
NEIGHBOURHOODS FROM COUNCILLOR SIMON MORRALL**

**H      Union Membership**

**Question:**

**For clarity, given Executive Members frequently have to deal with employee related matters, can you please state which Trade Unions you have any affiliation with, including membership and sponsorship?**

**Answer:**

Unison

**WRITTEN QUESTION TO THE CABINET MEMBER FOR SOCIAL INCLUSION,  
COMMUNITY SAFETY AND EQUALITIES FROM COUNCILLOR ZAKER CHOUDHRY**

**I1      Waste Review - Continue as a Member of the Cabinet (3)**

**Question:**

**According to the Waste Service Governance Review, published last month, you were among a number of Cabinet Members who “collectively” failed to challenge the former Leader on his proposed ACAS settlement to the 2017 bin strike. Indeed, in September 2017, you confirmed in writing that you “agreed to support” a decision attributed to the Cabinet on 17th August 2017. In the light of the findings of the review and the detrimental impact of the actions taken by Cabinet Members on 17th August and by the former Leader, do you consider it appropriate for you to continue as a member of the Cabinet?**

**Answer:**

**I refute the allegations made in the question and believe it is wholly appropriate for me to continue as a cabinet member**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR SOCIAL INCLUSION,  
COMMUNITY SAFETY AND EQUALITIES FROM COUNCILLOR SIMON MORRALL**

**I2      Union Membership**

**Question:**

**For clarity, given Executive Members frequently have to deal with employee related matters, can you please state which Trade Unions you have any affiliation with, including membership and sponsorship?**

Answer:

GMB

Sponsorship 2012 election from UNITE

**WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR JON HUNT**

**J1      Perry Barr Flyover - Costs Extensive Modelling Work**

**Question:**

**Could the Cabinet Member spell out the costs, explaining how it is funded, for the extensive “modelling” work that has been undertaken over the last six months in pursuit of the administration’s ambition to demolish the Perry Barr flyover?**

**Answer:**

An external consultant was commissioned in Spring 2018 to develop options for the A34/A453 junction that is required to be modified as part of the proposed residential development. The commissioned work included traffic modelling.

The cost of the modelling work, which is ongoing, is £37,000 and is funded from Government Infrastructure Grant. The modelling work is a key element of the options development work and necessary to provide traffic data outputs to enable Cabinet to decide which option to take forward.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR MIKE WARD**

**J2      Waste Service Review - Time to Read Papers (3)?**

**Question:**

**According to the Waste Service Governance Review, decision makers must read all the papers that have been provided and that are relevant to the decision they are about to make. Failure to do so, out of laziness, insufficient time or a belief that they are irrelevant would be a breach of their duty.**

**Given that Cabinet agendas are typically 1,000 pages long – and often include significant reports that arrive late – could you inform Council of how much time you set aside in your diary to read these papers?**

**Answer:**

**As much time as is necessary.**

**WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR MORRIAM JAN**

**J3      Bus Lane Scheme - Meet Ward Cllrs and Delivery - When and How?**

**Question:**

**In a press statement on 21st December, the Cabinet Member announced he had been in “regular” contact with Transport for West Midlands about a bus lane scheme on the A34 that would be “acceptable to local residents.” This was a welcome surprise to local residents given the answers he had given in public questions to them in the Council Chamber and, I understand, at a private meeting he attended at the Towers Public House on Saturday, 18th December. This followed my oral question at the Council meeting the previous Tuesday but, curiously, I was not notified of it. Given that he has stated he is unavailable to attend the ward forum later this month, when will he meet the Ward Councillors to discuss what sort of scheme will be acceptable to local residents and how is he going to deliver it?**

**Answer:**

The Sprint scheme on Walsall Road will be delivered by Transport for the West Midlands on behalf of the West Midlands Combined Authority. A legal agreement will be required between the City Council and WMCA prior to work commencing.

Meetings are to be arranged shortly with TfWM, to discuss how the scheme can be developed to mitigate residents’ concerns where possible, and the final proposals will be subject to a Full Business Case to Cabinet in Summer 2019. Ward Councillors and Residents’ Groups will be kept informed during the design development process.

A meeting is scheduled for 24 January to meet Councillor Jan regarding highway options for the CWG. This can include the Sprint scheme and Councillor Hunt is welcome to attend.

I am also attending the Perry Barr Ward Forum on 20 February 2019 when this will be discussed.

**WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR TIM HUXTABLE**

**J4      Highways PFI Milestones Payments**

**Question:**

**Could the Cabinet Member confirm that payments were made under the Highways Management and Maintenance PFI partnership with AMEY up to and including December 2012 (milestone 5) following the sign-off by city council officers managing the contract that the work under these milestones met the performance criteria and that it was only from June 2013 (milestone 6) that payment has been withheld because of performance issues under the contract?**

**Answer:**

1. Under the Highway Maintenance and Management PFI (HMMPFI) contract the completion of Milestones during the Core Investment Period is certified by an Independent Certifier (“IC” – which is WS Atkins). The IC determines whether a milestone is achieved contractually and both parties are bound by the contract to adhere to the IC’s certification.
2. The IC certified Milestones 1 to 9 following application by Amey Birmingham Highways Ltd (ABHL) between November 2010 and March 2015. Uplifts in payment were only made following the certification of Milestones.
3. In common with most contracts, the HMMPFI contract has provisions that enable the parties to dispute matters (the “Dispute Resolution Procedure” or “DRP”). The DRP is three stage:
  - a. For the parties to seek to agree the matter between themselves;
  - b. To appoint an Adjudicator to determine the matter; or
  - c. To refer the matter to either the courts (on points of law) or arbitration.
4. Payments have been withheld from ABHL for “performance issues” essentially in connection with two forms of performance issue:
  - a. Failure to complete Core Investment Milestones; and
  - b. Failure to meet performance targets for a range of non-investment-related matters.
5. Regarding the failure to complete Core Investment Milestones:
  - a. Following an adjudication outcome in July 2015 (which set aside Milestones 6 to 9) the council commenced withholding the uplift in respect of those four Milestones from the next payment (August 2015). This was in accordance with the contract.



**WRITTEN QUESTION TO THE CABINET MEMBER FOR TRANSPORT AND ENVIRONMENT FROM COUNCILLOR SIMON MORRALL**

**J5      Union Membership**

**Question:**

**For clarity, given Executive Members frequently have to deal with employee related matters, can you please state which Trade Unions you have any affiliation with, including membership and sponsorship?**

**Answer:**

I am a member of Unite union.

I do not receive any direct sponsorship.



## **Motion from the Leader of the Council:**

### **Devolution in the West Midlands**

This Council:

- Notes and welcomes the progress on devolution in the West Midlands since the first devolution agreement of November 2015, including the second devolution agreement of November 2017 and the subsequent deals on skills and housing.
- Notes the paper from the Leader of the Council attached.
- Supports the current work of the Combined Authority and its member authorities to secure further devolution, including through the Spending Review 2019.
- Believes that the UK needs stronger, more resilient cities and city regions and a more balanced economy if it is to prosper in the years ahead, and that this requires greater devolution and more sustainable public services. The popular desire to “take back control” must mean more powers for our city regions, cities and communities.
- Calls upon the Government, the Combined Authority and the Mayor of the West Midlands to adopt a “double devolution” policy, identifying opportunities for further devolution and flexibilities at the local authority level and below, and recognising the role of local authorities and their services in the delivery of a stronger economy and a fairer society.
- Calls upon the Government to renew its commitment to devolution and use the 2019 Spending Review to set out a bolder and more coherent approach which can provide for sustainable local government funding, locally controlled economic investment and joined up public services and which can restore civic pride to our great cities.

## **Devolution in the West Midlands – Update and Future Prospects**

### **Paper from the Leader of the Council**

**February 2019**

#### **Purpose**

This paper provides an update on the second West Midlands Devolution Agreement and the further progress on devolution made over the last year. It also outlines current work to take the devolution agenda forward and argues the case for further devolution and a “double devolution” approach.

#### **Background**

The government introduced its policy of agreeing devolution deals with combined authorities, including the creation of elected mayor posts in 2014, with the Greater Manchester deal. This built on the previous approach of growth deals and city deals and was given legal status in the Cities and Local Government Devolution Act, 2016, which enables powers to be devolved to local areas and elected city region mayors to be established. The first wave of deals also saw elected mayors and devolution deals for Liverpool City Region, West of England (Bristol area), Tees Valley and Cambridgeshire and Peterborough.

The leaders of the West Midlands local authorities published a [statement of intent](#) in the summer of 2015, declaring their intention to establish a combined authority. That statement contained the working principles for how the authorities would collaborate, including the key guiding principle that “all communities will benefit from growth, but not necessarily at the same time or in the same way”.

Following the creation of the West Midlands Combined Authority in July 2015, the [first devolution deal](#) was signed in November of that year. That deal included a thirty year investment fund and measures to begin the process of devolution on transport, skills and housing. The Mayor was elected in May 2017.

**Birmingham holds the Economic Growth portfolio** in the Combined Authority and this includes oversight of the Local Industrial Strategy - a key aspect of devolution that brings together work on skills, housing and infrastructure investment. It is therefore important that the City Council plays a leading role in shaping the agenda for devolution and collaborating across the region on both policy innovation and programme delivery.

## Progress in the last year

A [second devolution deal](#) was agreed in November 2017 and this set out a range of commitments to further joint work on employment and skills, transport, housing, a Local Industrial Strategy and public service reform. It agreed to further work on finance and borrowing powers for the CA. It provided £250m of additional infrastructure funding from a new Transforming Cities Fund. Proposals for the transfer of the Police and Crime Commissioner functions to the Mayor are also progressing.

The intention with the second agreement was to move the process on from a stop-start set of deals to a more continuous dialogue with government which would yield further progress across the agenda. During 2018 this has, to a large extent become a reality, with further work including:

- The first [Skills Deal](#) agreed with a combined authority, in July 2018
- The first [Housing Deal](#) agreed with a combined authority, including a £100m Land Fund and a West Midlands delivery partnership with Homes England.
- An extension to the Transforming Cities Fund in the autumn Budget 2018
- Additional funding announcements, including the Perry Barr Athletes Village funding, the 5G pilot, national resources for town centre regeneration and support to creative industries.

There are also ongoing discussions on:

- A social and affordable housing deal
- Financial reforms, including the future replacement for EU structural funds and the development of the Mayoral Combined Authority model, including capacity to deliver on shared ambitions across local partnerships
- The Local Industrial Strategy, which has been consulted upon and will be finalised in the near future.

Overall, the Combined Authority and the devolution deals have brought an additional £1.8bn of funding to the West Midlands and are supporting an £8bn investment programme (see attached table). Investment agreed or under delivery directly in Birmingham includes the Five Ways metro extension, housing investment for the Commonwealth Games athletes' village and regeneration in Perry Barr and the town centre programme in Bordesley Green. Birmingham is also engaged in the employment support pilots and much of the city is included in the 5G pilot area. Longer term investment plans include the Eastside metro extension, including the Curzon HS2 station and Sprint bus routes.

As the largest employment centre in the city region, Birmingham will of course also benefit from the wider infrastructure investment, e.g. the Wednesbury to Brierley Hill metro extension and UK Central and housing investment across the region. It is

strongly in the city's interest to be part of a strategic, region-wide approach to housing and transport investment.

At the national level, during the last year further devolution deals and mayors have been put in place in Sheffield City Region and the North of Tyne area (Mayoral election 2019).

### **Taking devolution forward**

Despite the progress outlined above (particularly in the West Midlands) there is a widely held perception that the devolution agenda has stalled or at least slowed considerably in the last year. In part this is due to the impact on government of the Brexit process, but it is also due to changed priorities since the change of Prime Minister in 2016 and the 2017 election.

However, there is no stated intention in government to abandon the current process and the actions outlined above suggest that further progress can still be made if other factors can be overcome. The Northern Powerhouse minister has recently made positive suggestions about fiscal devolution. The Government is also planning the following related steps and these will be progressed as government time allows:

- A **National Framework for Devolution** is expected to be published and is intended to set out a coherent approach to devolution for the whole country.
- As agreed in the second devolution deal, the West Midlands is one of a small number of areas piloting a **Local Industrial Strategy** and the Government has been refining its approach to these and how they will channel future investment in the regions. These will be led by mayoral combined authorities or by LEPs in areas where they don't exist
- The **review of Local Enterprise Partnerships** has sought to rationalise the boundaries of LEPs and strengthen their governance.
- There will be a public consultation on the proposed design of the **Shared Prosperity Fund** – the Government's proposed replacement for EU structural funds, on which private discussions with combined authorities and core cities have already taken place.

The Government also plans to conduct a **Spending Review** this year and (assuming it goes ahead) this provides an opportunity to make the case once again for a stronger approach to devolution.

In particular the Spending Review can be used to highlight the interconnections between spending across different departments and different local services and to argue that the economic growth agenda must be linked firmly to public service reform. Prosperous economies depend on sustainable, high quality public services, high education and skill levels and a healthy and secure population, as much as on infrastructure investment.

The above case has been made by the Core Cities in its publication [Core Cities UK 2030: Global Success, Local Prosperity](#).

The context of Brexit also provides an opportunity to make the case for more radical devolution, whatever the outcome of the process. **The political case** is based on the “take back control” sentiment that surrounded the referendum. It is thought that many people voted to leave the EU because of a general sense of disempowerment and exclusion from the economic and social life of the country. Clearly “take back control” meant a lot more than just moving powers from Brussels to Westminster. In order to tackle the profound economic and social exclusion experienced by many of our citizens we must move power further down, to a level that people can engage with and at which public agencies can better understand local needs and concerns.

**The economic case** is two-fold:

- Local areas will need additional resources and powers if we are to build greater resilience in regional economies to withstand the impact of change. At present local authorities do not have the capacity to respond to economic shocks as they have done in the past and the loss of EU funding will worsen that position
- Creating stronger city leadership is vital if we are to grasp the opportunities, rebalance the economy and create greater prosperity over the longer term.

There is also a need to develop an approach to devolution that reaches down to local authorities and the neighbourhoods within them – a so called “**double devolution**”. The complex nature of the public services and local leadership, particularly in the city regions, means that leadership and delivery cannot be at one level. It is therefore imperative that local government is empowered at all levels to deliver their part of the jigsaw.

Some functions are clearly local rather than city regional but even in those areas where there is a clear strategic role for the city region, there will be an important element of delivery that is local (for example skills, transport, employment, regeneration, housing). In reality there will be lots of areas where a strategic approach to growth corridors can be married with a local focus on regeneration.

In addition, as suggested above, devolution needs to be felt in local communities if it is to be meaningful and local authorities need to devolve further themselves to empower communities. Place matters in terms of people’s identity, the meaning they derive from their community and social solidarity.

## **Conclusion**

Government needs to develop **a comprehensive policy** for how devolution will enrich and revitalise our local democracy and public services, bringing together the currently separate localism, civil society and city region devolution strands. Such a comprehensive approach could bring together the economic and the social spheres of policy – infrastructure investment and public services – and bring a sense of inclusion and voice back to excluded communities.

## Appendix: Summary of Additional Government Funding Secured by the Combined Authority (to September 2018)

### WMCA: Additional government funding levered, pre and post Mayoral Election in May 2017

The following table provides a summary of the £1.8 billion worth of government funding levered to date by WMCA since its establishment in June 2016. The funding is separated to illustrate funding levered before and after the Mayoral Election in May 2017.

Funding source	Description & profile	£'000	£'000
<b><u>Secured pre Mayoral election</u></b>			
Gainshare	Devo 1 commitment to fund WMCA investment programme. £36.5m a year for 30 years.		1,095,000.0
<b><u>Secured post Mayoral election</u></b>			
Transforming Cities Fund	To fund local transport priorities (including Wednesbury to Brierley Hill metro extension) over 4 years.	250,000.0	
Mayoral Capacity Fund	To support Mayoral Housing Delivery Team over 3 years.	6,000.0	
Mayoral Capacity Fund (Housing)	To deliver local growth priorities/Industrial Strategy over 2 years.	2,000.0	
Office for Data Analytics	To deliver regional ODA over 2 years.	800.0	
Adult Education Budget	AEB Transition Funding (one-off for 2017/18).	220.0	
Housing First Pilot	To support rough sleepers over 3 years.	9,600.0	
Construction Training Fund	Construction Skills over 3 years.	5,000.0	
Devo 2 commitment	Regional Integrated Control Centre business case development (one-off)	250.0	
Devo 2 commitment	West Midlands Regional Energy Commission (one-off)	120.0	
One Public Estate	Sandwell MBC to transfer the cash they have received on behalf of the West Mids	490.0	
Clean Bus Technology Fund 2017 to 2019	To enable older vehicles to meet minimum emissions standards & contribute to better air quality over 2 years	3,000.0	
Black Country Growth Deal	Managing Short Trips	4,255.0	
Land Fund	To buy and clean up land around priority sites (one-off)	100,000.0	
Connected & Autonomous Vehicles	Connected Autonomous Vehicles (one-off)	5,675.0	
National Productivity Investment Fund	National Productivity Innovation Fund schemes over 2 years (Birmingham CC, Solihull MBC & Walsall)	11,267.0	
Skills Deal	To boost digital and technical skills	49,000.0	447,677.0
<b><u>Funding not yet fully secured</u></b>			
Housing Investment Fund	Development of priority sites - shortlisted		250,000.0
	<b>GRAND TOTAL</b>		<b>1,792,677.0</b>

Note: this table excludes further funding announced in the October Budget, including confirmation of funding for the Perry Barr Athletes Village (shown here within the Housing Investment Fund but subsequently funded from a different source) and an additional £70m of Transforming Cities Fund.



**Joint Report from the Cabinet Member for Children's Wellbeing and Cabinet Member for Social Inclusion, Community Safety and Equality**

**Birmingham Youth Justice Strategic Plan 2018/19**

**1. Introduction**

- 1.1 The attached strategy is the Local Authority's response to its statutory duty under Section 40 of the Crime and Disorder Act 1998 to consult with partner agencies to prepare and implement an annual Youth Justice Strategic Plan, setting out how Youth Justice Services are to be provided and funded and how the youth offending team or teams established by them are to be composed and funded, how they are to operate, and what functions they are to carry out, outlining the contributions of the City Council and its partners towards the principal aim for the youth justice system: 'the prevention of offending by children and young people'. The Youth Justice Service is provided on behalf of the Council by Birmingham Children's Trust.
- 1.2 The Birmingham Youth Justice Strategic Plan reviews the performance of the Service and its partners in 2017/18 in relation to the three national indicators: first time entrants into the criminal justice system; reducing reoffending and reducing the use of custody. The Service's Management Board also monitors the performance of other local indicators identified as significant contributors to achieving broader outcomes, including a young offenders' engagement in suitable full-time Education, Training and Employment (ETE). The plan identifies the barriers for these cohorts highlighting progress made and sets out priorities and on-going actions across partner agencies to address performance over the next 12 months.

**2. Background and Key Issues**

- 2.1 In the period 01/04/2017 to 31/03/2018, the Service worked with 968 young people on court ordered and preventative programmes. 549 (56.7%) of these were existing clients. This compares with 1138 young people, of whom 547 (48.1%) were existing clients, the previous year: a decrease of 14.9% from 2016/17.
- 2.2 Though the overall number of young people worked with by the Service has fallen, a significant number continue to present with complex needs and high risk behaviours and the Service has increased its intensive interventions from 17.2% in 2016/17 to 20% in 2017/18. In addition, the Service worked with approximately 1039 parents and siblings under its 'Think Family' responsibilities.
- 2.3 The first time entrant rate fell between April 2017 and March 2018 to 453 young people per 100,000 (541 young people), compared with 545 per 100,000 in 2016. This is an improvement of 16.8%, however Birmingham is performing less well compared to the national average and the majority of other Core Cities.
- 2.4 Birmingham has sustained one of the lowest re-offending rates of all core cities and is below the national average. Birmingham's reoffending cohort comprised of 1110 young offenders, the largest across the core cities, with 36.1% re-offending, which was one of the lowest percentages of reoffenders of all core cities and compared with 41.9% nationally.
- 2.5 Challenges remain in relation to the use of custody. Birmingham has a higher rate of custodial sentences than the national average, although within the range of other Core Cities. The number of custodial sentences in Birmingham decreased in the 2017/18 period to

94. This compares to 96 custodial sentences in 2016/17 and has been reducing year on year from the 253 young people sentenced in 2007/08.

- 2.6 The Service continues to monitor education outcomes as a local indicator in recognition of the importance of building and sustaining resilience and protective factors. School aged young people engaged in full time education at the end of their order has increased from 82.4% during 2016/17 to 84.4% in 2017/18. Post school aged engagement into full time training or employment has reduced from 73.03% to 69.2% however these young people continue to receive support from the Youth Promise Plus programme.
- 2.7 Black or Black British young people remain over-represented in the Criminal Justice System in relation to the general 10 - 17 population. The proportion of offenders from Black or Black British background increased slightly from 21.8% in 2016/17 to 23.7% in 2017/18. The Partnership continues to take action to reduce this over-representation including contributing to preventative work to reduce school exclusions and gang affiliation, which is significant to this agenda.
- 2.8 Children in Care (CIC) are an especially vulnerable group and their prevalence in the youth justice system is regularly monitored and reported upon. In 2016/17, 263 young people were currently or had previously been looked after at the point of receiving a substantive outcome.
- 2.9 The Youth Offending Service partnership's overall delegated funding for 2018/19 is £7,895,423, of which the City Council's contribution (£3,963,838) for staffing is funded from the Birmingham Children's Trust (BCT) approved budget. There are funding pressures in this area that the Children's Trust has to manage within its overall financial envelope

### **3. Strategy Approach and Themes**

- 3.1 The Plan is consistent with the Early Help Strategy and Safeguarding Improvement Plan for Birmingham Children's Trust and contributes to the Council Business Plan, which includes working together to make people safe, especially the most vulnerable; improving health and wellbeing and ensuring that young people are in employment, training or education. It focuses on how partners in Birmingham will ensure that services for children and young people in the City are delivered in a manner which reduces youth crime and re-offending, protects the public from harm, promotes safeguarding, takes into account the views of victims and utilises restorative justice where appropriate.

#### **Motion**

That Council adopts the Youth Justice Strategic Plan 2018/19, taking into account the financial implications and the priority actions identified.



## **Birmingham Youth Justice Strategic Plan 2018 - 2019**



**National  
Probation  
Service**



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# Introduction to the Youth Justice Plan

## Purpose of the Plan

There is a statutory requirement in the Crime and Disorder Act 1998, Section 40, for every local authority, after consultation with partner agencies, to produce and implement an annual youth justice plan. The plan must set out how local youth justice services are to be provided and funded. There is a requirement for the Plan to be submitted to the national Youth Justice Board and published in accordance with the directions of the Secretary of State.

The principal aim of the Youth Justice System, established by Section 37 of the Crime and Disorder Act 1998, is to prevent offending and re-offending by children and young people aged 10-17 years. Local Youth Justice Services are delivered and managed through Youth Offending Services, which are multi-agency partnerships with statutory representation from local authorities (specifically Social Care and Education), the Police, Probation and Health. The model brings together a range of agencies with expertise in welfare and enforcement practices to improve outcomes. The majority of the services are prescribed by statute or policy.

Birmingham Youth Offending Service is the largest metropolitan Youth Offending Service in the country and is identified as the most complex by the Youth Justice Board given its urban context. The service works in partnership to achieve the national Youth Justice strategic objectives which are to:

- Prevent offending
- Reduce re-offending
- Reduce anti-social behaviour
- Increase victim and public confidence
- Ensure the safe and effective use of custody.

This plan outlines the governance arrangements, including the role of the Youth Offending Service Management Board, which ensures the statutory requirements are met. The Board has responsibility for overseeing the performance of the Birmingham Youth Justice Partnership against national and local outcomes, maximising its collective resources and contributing to wider priorities as set out in Council and partnership plans. Strong partnership working is essential across criminal justice and children's welfare services to ensure continuous improvements in outcomes related to the prevention and reduction of offending by young people, public protection and the safeguarding of children and young people. The plan outlines our current performance benchmarked against comparators, outlines the latest evidence on what works and outlines the priorities for 2018/19 which have been informed by self-assessment surveys by young people.

## Background

Birmingham is a richly diverse city with a population of over a million people and has one of the youngest populations of any European city. The latest census figures identify that over 26% (274,135) of the population is under 18 years and 58% of these are from minority ethnic backgrounds. There are approximately 117,000 10-17-year olds. Birmingham is a city with areas of significant deprivation and as a result, although many children and young people achieve good outcomes, others face a range of challenges, particularly in terms of their wellbeing and staying safe.

Section 39 (1) of the Crime and Disorder Act 1998 requires the cooperation of the named statutory partners (Local Authority, Police, Probation and Health) to form a Youth Offending Service, which includes staffing contributions from those statutory partners. The Service must provide the main supervisory elements of statutory youth justice services:

- Assessment and management of risk and safeguarding;
- Effective interventions.

This supports:

- Appropriate Adult Services and Pre-Court Interventions, including Cautions and Community Resolutions;
- Young people subject to civil and criminal anti-social behaviour contracts and orders;
- Young people remanded in custody and local authority care, and those requiring intensive bail support in the community;
- Court orders managed in the community, including the provision of a lay youth panel to discharge the responsibilities of Referral Orders;
- Parenting Contracts and Orders;
- Restorative Justice to support victims;
- Sentence planning for young people in custody and their supervision on release.

The youth justice system works by addressing risk and vulnerability factors such as family breakdown, educational underachievement, substance misuse, mental illness, recent bereavement or loss within the family and building resilience as the best way to reduce a young person's risk of offending and re-offending.

The Service monitors the three Youth Justice Board national priorities: preventing young people entering the youth justice system; reducing re-offending; and reducing use of the secure estate. In addition to the three national youth justice indicators, the Service's Management Board monitors the performance of other local indicators identified as significant contributors to achieving broader outcomes. This includes a young offenders' engagement in suitable full-time Education, Training and Employment (ETE) at the end of their order. The Service also contributes to the Birmingham Community Safety Partnership Strategic Assessment and the West Midlands Combined Authority Youth Justice Strategic Needs Assessment

The first time entrant rate fell between April 2017 and March 2018 to 453 young people per 100,000 compared with 545 per 100,000 in 2016. This is an improvement of 16.8%. However, Birmingham is performing less well compared to the national average and the majority of other Core Cities.

Birmingham has sustained one of the lowest re-offending rates of all Core Cities and is below the national average. Birmingham's reoffending cohort comprised of 1110 young offenders, the largest across the Core Cities, with 36.1% re-offending, which was one of the lowest percentages of reoffenders of all core cities and compared with 41.9% nationally.

Challenges remain in relation to the use of custody. Birmingham has a higher rate of custodial sentences than the national average, although within the range of other Core Cities. The number of custodial sentences in Birmingham decreased in the 2017/18 period to 94. This compares to 96 custodial sentences in 2016/17 and has been reducing year on year from the 253 young people sentenced in 2007/08.

## What Works

HMIP research, interviews with young people in the youth justice system and local practitioner intelligence supports the adoption of the principles of desistance in supporting children and young people to move away from offending. This approach takes into account the wider social context of children and young people's behaviour and acknowledges the fundamental importance of trusted professional relationships as a medium for change. This includes offering personalised interventions to each young person to remove structural barriers, including exclusions from education, training and employment. It also promotes engagement with the wider social context especially the family but also peers, schools, colleges and work, creating opportunities for change enhancing social inclusion and promoting individual change, including addressing young people's sense of worth and identity whilst ensuring appropriate access to mental health and substance misuse services and developing skills to maximise opportunities.

Asset Plus, an assessment and planning framework, implemented nationally by the Youth Justice Board, contains materials premised on desistance theory and the practical application of desistance. The Service has implemented Asset Plus, which allows for the personalisation of desistance support for children and young people.

Addressing youth violence is a key target of the Youth Offending Service and its partners: understanding Risk and Protective factors is fundamental to our approach. Research has identified the risk and protective factors that make youth violence more or less likely to occur at the level of the individual, family and peer relationships, the community and society.

At the individual level, risk factors can include a history of involvement in crime, delinquency and aggressive behaviour; psychological conditions such as hyperactivity and conduct disorder; and the harmful use of alcohol and illicit drugs. At close relationships level, the risk factors include growing up with poor parental supervision, having experienced harsh and inconsistent discipline by parents, domestic abuse within the family, parental involvement in crime and associating with delinquent peers. Risk factors at community level include neighbourhood crime, gangs and a local supply of guns and illicit drugs, ease of access to alcohol; unemployment, high levels of economic inequality and concentrated poverty.

Protective factors may be distinct from risk and, as a result, can be considered to interact with risk factors to reduce their influence on the development of violent behaviour – for example a warm and supportive relationship with a parent will not address the family's low socio-economic status or parental substance misuse problem but it does buffer the child from the adverse effects of poverty or inconsistent parenting. Protective factors include low impulsivity, commitment of and to school, a warm and supportive relationship with a parent or carer or significant adult, positive peer relations and positive aspiration.

A comprehensive approach for preventing youth violence includes intervening at all levels to address risk factors and generate protective factors. Relationship based practice with young people and their families, effective parenting interventions, early childhood development, school-based life and social skills training, therapeutic approaches (such as cognitive behaviour therapies) and policies to reduce access to and the harmful use of alcohol and illegal substances have all shown promise in preventing youth violence. At community and societal level, community and problem-orientated policing, including reducing knife possession and the supply and distribution of drugs, effective approaches to reducing substance misuse and access to firearms aim to address wider risk factors.

## Evidenced-based practice

Birmingham Youth Offending Service and its broader partners deliver or commission a range of assessments, services and interventions informed by research and best practice. These include: Asset Plus, AIM2, Triple P Positive Parenting Teen, Multi Systemic Therapy, Restorative Justice, Family Group Conferencing; Good Lives; Cognitive Behavioural Therapy; Dialectical Behaviour Therapy; Female Gender Specific Interventions and trauma informed approaches. In the past year, the Service has offered an intervention 'Parents and Children Together' to respond to an increase in violence from young people to their parents.

These are embedded within a model focused on relationship-based practice which recognises the importance of a trusted relationship to support the engagement in evidence-based interventions and approaches.

The Service has adopted a whole family response under the city's 'Think Family' approach and delivering a systematic assessment of the young person within the context of the family. Across the Service, front-line practitioners have been trained in 'Working with Complex Families (Level 4, City and Guilds)' alongside an equivalent for front-line managers, to promote a consistent approach across the city. The Service is able to draw on the input of a range of disciplines through seconded staff (mental health, substance misuse, education link mentors, social workers and probation officers and police youth crime officers) and create or support access to opportunities (education / employment) for all family members.

We continue to gather evidence of impact through direct feedback from young people and their families, distance travelled tools, including pre and post Strengths and Difficulties Questionnaires (SDQ), alongside the regular case reviews and the intelligence developed within the Service.

It is widely recognised that there is a high prevalence of neurodevelopmental disorders amongst young people involved in the criminal justice system. In relation to special educational needs, research demonstrates that between 23 and 32% of young people in custody have a diagnosable learning disability (Hughes et al 2012) and research has remained consistent in identifying that approximately 1 in 5 young people who offend have an IQ of below 70. Furthermore, research has indicated that young people who engage in offending behaviour experience greater difficulties with executive functioning than their non-offending peers.

## Vulnerable Adolescents

Criminal exploitation, including "County Lines" and gang affiliation, are complex and developing areas of youth justice, social work and family support practice. Protecting children from risks outside the family home requires a different approach to how YOT workers, social workers, family support workers and multi-agency partners traditionally safeguard children. Children at risk of, or being, criminally exploited or those affiliated to gangs are influenced by their peer group and adults external to the family network and broader partnership work is required that addresses these extra-familial contexts that are often outside the control of their families including disrupting the exploitation. Factors within the home such as domestic violence can also lead to young people avoiding the home environment and becoming more vulnerable.

Many children may not relate to their experience as being abusive or exploitative. However, a number of children want to end their association with this activity but continue because of coercion and threats to them or their families and are unable to communicate this to professionals including police or their



families. Extensive evidence has established the importance of relational working for young people, as well as the work that is required with families, for addressing the impact of extra-familial risk on them.

The most effective method to prevent children becoming involved in gangs and/or criminal exploitation is early identification to help young people make positive life choices and distance themselves from gang-related activity. Right Help Right Time guidance and Birmingham's Front Door arrangements (CASS/MASH) have been strengthened to recognise the potential significant harm for these children. 'Contextual safeguarding' is a theory developed by Dr Carlene Firmin, MBE, of the University of Bedfordshire, which supports an approach to understanding and responding to children's experiences of significant harm beyond their families. It is recognised that the different relationships children form in their neighbourhoods, schools and online can feature violence and abuse. Parents and carers can have little influence over these contexts and young people's experiences of extra-familial abuse can undermine parent-child relationships and parent/carers capacity to keep them safe.

## Self-assessment surveys

The Partnership priorities have been informed by feedback from 681 recent self-assessment surveys completed by young people between 01 April 2017 and 31 March 2018:

- 93 (13.7%) reported living with others who got into trouble with the police.
- 267 (39.2%) had lost someone special from their life.
- 33 (4.8%) drank alcohol too much and 45 (6.6%) used drugs too much.
- 59 (8.7%) had thoughts about hurting themselves and 50 (7.3%) had thoughts about killing themselves.
- 440 (64.6%) get angry and lose their temper.
- 367 (53.9%) had friends who got into trouble.
- 112 (16.4%) wanted help with reading
- 123 (18.1%) wanted help with writing.
- 308 (45.2%) admitted to truanting from school.

## Case Management Plus

The Case Management Plus (CMP) service was recently established in response to the changing cohort of young people known to the Service where we are identifying an increase in the number of young people who are presenting with increasingly complex needs and more serious offending. The service is led by a Senior Forensic Psychologist, supported by an Assistant Psychologist and Trainee Psychologists on placement.

The primary focus is to support case managers in their assessments and interventions with young people, particularly those who have difficulty engaging or who are considered to be problematic and prolific young offenders. All case managers and managers have received 2 days training, which covered child development, attachment, trauma, clinical supervision and formulation. Partners including Forward Thinking Birmingham, Police, SOVA and Aquarius attended sessions.

Training was completed in March 2018 and feedback from the training was extremely positive and demonstrated a significant improvement in the understanding of staff in these key areas.

Since March 2018 area teams have selected young people who they feel would benefit from a detailed, multi-disciplinary approach to case planning. The case manager, team manager and other relevant professionals attend information-sharing meetings, facilitated by a member of staff from the CMP service, to develop genograms and timelines and build up a team formulation of the young person's difficulties and needs. This formulation is developed using psychological theory and allows for a holistic understanding of the young person and their family. Following this, a bespoke intervention plan is developed to meet these specific, identified needs.

A key feature of the CMP service is clinical supervision, and this is offered to case managers who are working with young people open to the CMP team. Clinical supervision provides a space for case managers to think about how the young person is experiencing the service they are receiving and to explore any potential impact of work on the case manager. This is an essential part of the service as case managers are often working with young people who have experienced significant trauma and other adverse childhood experiences and the nature of this work can be challenging.

To-date, the service has provided support to case managers working with a cohort of young people assessed as 'high risk of re-offending and /or high risk of serious harm to others', with at least six months remaining on their current order. These include young people with current or historic involvement with Children's Service on a Child in Need or Child Protection plan. Initial feedback has been positive with case managers reporting that the process helps them to feel well supported and aids their intervention planning. More detailed outcomes will be available in 2019 and it is anticipated that there will be a reduction in re-offending, a reduction in the number of breaches and improvements in the therapeutic relationship between case managers and young people with on-going improvements in management and partnership collaboration and oversight.

The Service is planning to continue developing its offer to expand its psychological assessments and therapeutic interventions.

## Structure and governance

Youth Offending Services were established under the statutory provisions of the Crime and Disorder Act 1998. The Act sets out the requirement for local Youth Offending Teams to comprise the four statutory agencies: The Local Authority (including Children's Services), Police, Probation and Health. The primary duty to ensure a Youth Offending Service, and appropriate youth justice services are in place, rests with the Chief Executive of the local authority.

Accompanying the Crime and Disorder Act 1998 was an inter-departmental circular on "Establishing Youth Offending Teams" that set out the requirements for a governing chief officer steering group. In 2004 the YJB published "Sustaining the Success: Extending the Guidance, Establishing Youth Offending Teams", which set down the requirements for steering groups to transfer into governing YOT Management Boards. The role and responsibilities of Youth Offending Teams and their governing Management Boards are regulated by National Standards.

**YOS Management Boards** are primarily responsible for:

- Providing strategic direction and delivering the principal aim of reducing offending and re-offending;
- Ensuring there is a collective response to preventing and reducing youth crime;

- Determining how appropriate youth justice services are to be provided and funded;
- Ensuring the effective delivery of justice services for children and young people;
- Ensuring that children and young people involved in the youth justice system have access to universal and specialist services delivered by partners and other key agencies;
- Ensuring that the services delivered reference the responsibility towards victims of youth crime.

Birmingham Youth Offending Service Management Board meets quarterly and is chaired by the Cabinet Member for Social Inclusion, Community Safety and Equalities, with the Head of National Probation Service, Birmingham, as Deputy Chair. Board members comprise representatives of each of the statutory partners, in addition to representation of the Chair of the Youth Bench, a community member and other local partners.

Cabinet approval was given in January 2017 to create a voluntary **Birmingham Children's Trust** in the context of developing and sustaining good practice, with a single focus on improving outcomes for Birmingham's most disadvantaged children and families. A shadow period from April 2017 to March 2018 was put in place to test the governance arrangements between the Council and the Trust prior to full transition, which took place in April 2018. Services that transferred into the Trust included the resources and BCC staff within the Youth Offending Service under TUPE arrangements. Staff continue to be well-managed and supported alongside targeted commissioning with a focus on delivery. The Council remains accountable for the welfare and wellbeing of children and young people and for improving outcomes. Through a Service Delivery Contract with the Council, the Trust is responsible for determining how those outcomes of most relevance to its work are achieved and for the day-to-day running of Children's Services. There are no current plans to make any major changes to the organisational structure of the Children's Services including the current YOS operating model. The Birmingham Safeguarding Children Board's current role is to ensure the effectiveness of co-operation between agencies in safeguarding and promoting the welfare of children and young people. This recognises that the development of the Trust sits within a wider outcomes framework that must have regard for the wellbeing of all Birmingham's children and young people and for the associated outcomes to which all agencies, including the Trust, will contribute.

The Assistant Director responsible for the Youth Offending Service is also the strategic lead for the Early Help Strategy and is joint chair of the **Birmingham Early Help and Safeguarding Partnership**, co-ordinating early help services across the partnership, Family Support and the 'Think Family' Programme (Birmingham's response to the national 'Troubled Families' programme). The Assistant Director is also one of the senior managers across agencies supporting the strategic responsibilities under the Community Safety Partnership.

**Birmingham Youth Offending Service** has five multi-agency Youth Offending Teams based across the city; a city-wide alternative to custody in its Intensive Supervision and Surveillance (ISS) Team, a Court, Bail and Remand Team and a Harmful Sexual Behaviour Team, which is targeted at children and young people aged 6 – 17 years. In addition to statutory partners based in the service (Probation, Social Care, Health and Police) there are co-located specialist staff supporting outcomes based in the Service, including: restorative practice workers supporting victims of crime; parenting workers offering individual and group work support; an accommodation officer (St Basils); specialist autism worker (Barnados); disrupting exploitation staff (Children's Society); substance misuse staff (Aquarius) and training and employment mentors (SOVA).

## Partnership arrangements

The Youth Offending Service is a member of, or represented in, key partnerships and forums, providing the opportunity to highlight the needs and risks of those young people involved in the youth justice system, or at risk of entering it. These include the following:

- Birmingham Early Help and Safeguarding Partnership
- Safeguarding Children's Board
- Birmingham Community Safety, Police and Crime Board
- NEET Action Group
- Strategic Child Sexual Exploitation Sub Group
- CASS/MASH Partnership Forum
- Police and Schools Panels
- Substance Misuse Strategy and Commissioning Group
- Integrated Offender Management Strategic Group
- Prevent Strategy Group
- Birmingham Guns, Gangs and Organised Criminality Strategic Group
- 0-18 Mental Health Transformation Board

During 2017/18 the Service has continued to build on partnership working by:

- Working collaboratively with partners in relation to gangs and serious violent crime to maximise opportunities to manage high risk offenders and increase interventions that reduce risk and vulnerability;
- Prioritising strategies to prevent and reduce anti- social behaviour and youth crime. The Service continues to support the city-wide School and Police Panels and working collaboratively with education colleagues in Birmingham City Council to improve school attendance and reduce exclusions.
- Fulfilling the requirements under the Service's 'Think Family' Investment Agreement, which includes achieving positive outcomes for families defined under the agreement, including Department of Work and Pensions staff, to promote training and employment opportunities for young adults and parents within families;
- Working closely with colleagues in the Economy Directorate of BCC to support the Youth Employment Initiative. In 2017/18 this enabled the deployment of eight intervention workers across the Service in addition to the introduction of enhanced innovative offers, including entrepreneurial support and engagement activities to develop healthy lifestyles and improve motivation and attitudes for the workplace.
- Delivering a restorative justice project with Centro aimed at young people who commit minor offences whilst on public transport;
- Continuing the secondment of a worker into the Special School Consortium to continue to develop work under the 'Pathfinder' programme with external funders and the University of Birmingham, aimed at preventing and reducing offending by this cohort.
- Resourcing managers from the Service into the partnership arrangements at the 'front-door' (Children's Advice and Support Service) to share information relating to risk and vulnerability and to joint plan.

# Review of 2017/2018 performance

## How we measure performance and quality

The Service monitors the three Youth Justice Board national priorities: preventing young people entering the youth justice system; reducing re-offending; and reducing use of the secure estate.

In addition to the three national youth justice indicators, the Service's Management Board monitors the performance of other local indicators identified as significant contributors to achieving broader outcomes. This includes a young offenders' engagement in suitable full-time Education, Training and Employment (ETE) at the end of their order. The Service also contributes to the Birmingham Community Safety Partnership Strategic Assessment and the West Midlands Combined Authority Youth Justice Strategic Needs Assessment.

The Service contributes data to the city-wide Children's Services data-sharing hub (Sentinel) which brings together, cleans and matches data from the Raise (Youth Offending), CareFirst (Social Care) and Impulse (Education) case management systems to provide a holistic 'single view' of a client's interaction with the various services. The range of data being collected and combined by Sentinel is currently being expanded to support the 'Think Family' agenda and the Service is engaged in this work.

The Youth Offending Service performance framework has been developed to support individual case workers and managers in delivering quality interventions to young people and their families. A number of individual strands underpin this and are supported by the Service's case management system:

1. Weekly workload sheets for individual case workers and managers, identifying pending and outstanding assessments, plans and reviews;
2. Monthly case file audits/practice evaluations;
3. Audits of all cases where the young person has been re-arrested;
4. Quarterly performance reviews;
5. Learning from Strength and Difficulties Questionnaires (SDQ);
6. Learning from feedback from young people and families;
7. Learning from Thematic inspections and serious incidents.

## Young people and their families

In the period 01/04/2017 to 31/03/2018, the Service worked with 968 young people on court ordered and preventative programmes. 549 (56.7%) of these were existing clients. This compares with 1138 young people, of whom 547 (48.1%) were existing clients, the previous year: a decrease of 14.9% from 2016/17. Though the overall number of young people worked with by the Service has fallen, a significant number continue to present with complex needs and high-risk behaviours and the Service has increased its intensive interventions from 17.2% in 2016/17 to 20% in 2017/18.

In addition, the Service worked with approximately 1039 parents and siblings under its 'Think Family' responsibilities

## Age and gender

The majority of young people worked with during 2017/18 were male (849, 87.7%). Females accounted for 119 clients (12.3%). 17 year olds were the most prevalent age in the Service's caseload. This is not significantly different from the previous year.

## Ethnicity

Those young people from a Black, Black British or Dual Heritage remain over-represented as a proportion of the clients of the Service, whilst the Asian or Asian British population is under-represented.

The Service's intervention programmes take into account the cultural and religious needs of the young person and their family observances as laid down in legislation and National Standards. The programmes promote better behaviour by young people, which is reinforced by the compliance and breach procedures. Group work establishes the opportunity for all young people to interact in a positive manner and Restorative Justice approaches ensure that victims are supported and young offenders can take responsibility for their actions. The Service engages translation services where necessary and has actively recruited staff with appropriate language skills to work with groups of young people who speak very little English.

The Service has taken a number of actions, including contributing to preventative work to reduce school exclusions and commissioning programmes to reduce gang affiliation, which are significant to this agenda, and is also working with faith-based organisations to address issues. The young black men's empowerment programme, 'The Journey', works with young black men by strengthening protective factors to enable desistance.

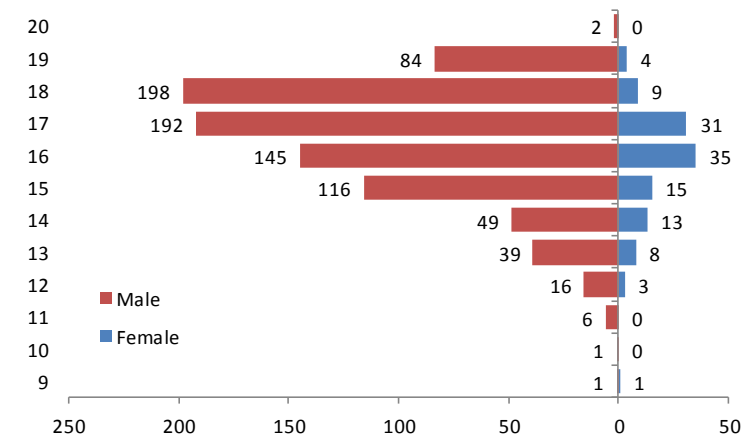


Figure 1: Number of clients worked with by Age and Gender, 01 April 2017 – 31 March 2018

The Service runs interventions which are specific to British Asian/Muslim boys, which are designed to prevent radicalisation and promote greater life chances. Work is also on-going to reduce extremism by white young people.

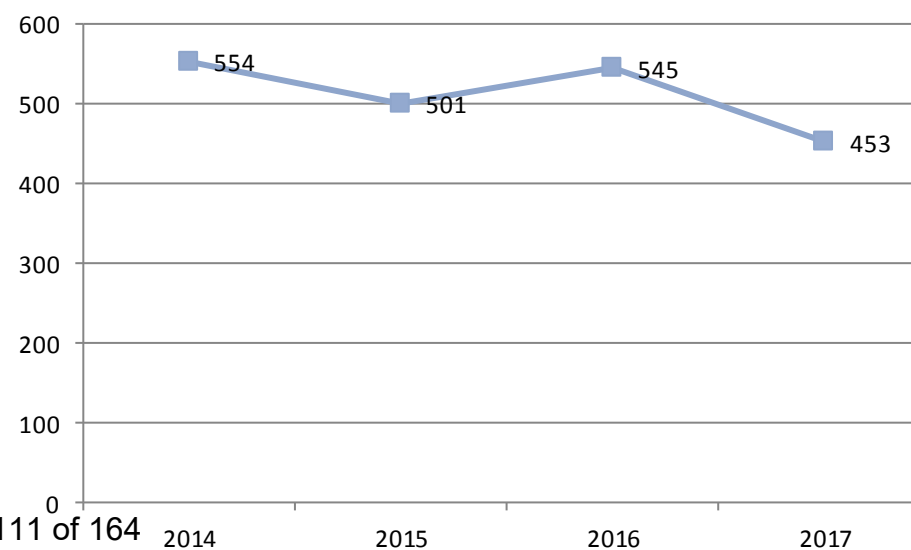
	Number of young people aged 10 -17	% of 10 - 17 population	Number of offenders worked with	% of 10 - 17 offending population
Asian or Asian British	39,459	33.5%	205	21.2%
Black or Black British	12,633	10.7%	230	23.7%
Chinese or other ethnic group	2,804	2.4%	24	2.5%
Mixed	9,936	8.4%	115	11.9%
White	53,042	45.0%	395	40.8%
<b>Total</b>	<b>117,874</b>		<b>969</b>	

Figure 2: Ethnicity of clients worked with, 01 April 2017 – 31 Mar 2018

## Performance against the three Youth Justice priorities

### Reducing the number of first time entrants

First time entrants (FTEs) are young people, resident in England and Wales, who received their first, caution or court conviction. The figures are presented as a number and as a rate per 100,000 of the 10-17 year local population.



The first-time entrant rate fell between April 2017 and March 2018 to 453 young people per 100,000 compared with 545 per 100,000 in 2016/17. This comprised 541 young people in 2017/18, down from 648 young people the previous year. This is an improvement of 16.8%.

The majority of the 541 young people who were first time entrants were aged 15-17, with 43% aged 16 or older. 84 (15.5%) of first time entrants were female. The most prevalent offences amongst first time entrants were Violence against the Person, Theft and Handling Stolen Goods, and Motoring

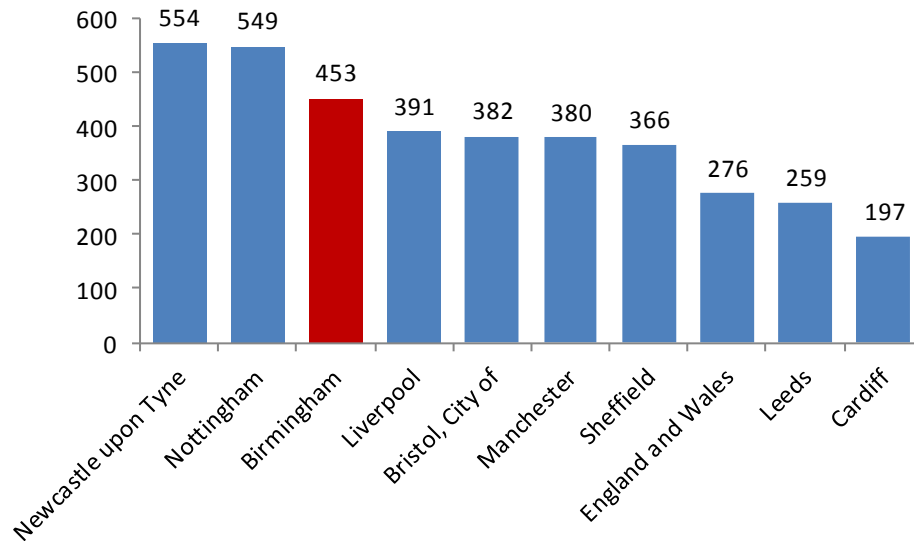


Figure 3: First-time entrants per 100,000 by year, 2014/15 – 2017/18

offences.

447 Community Resolutions were issued in the 12 month period; these do not count as substantive outcomes and therefore do not feature in the First Time Entrants figures. They are however, an alternative to the formal Youth Justice System. All Community Resolutions are assessed with the Police at a Joint Decision Making panel to identify whether the young person and/or their families need additional support provided through the Service's 'Think Family' responsibilities. This includes young people who have been

Figure 4: First-time entrants, rate per 100,000. Core cities comparison 2017/2018

excluded from school for significant behaviour problems. Of the 541 first

time entrants, 176 (32.5%) had an identified special educational need.

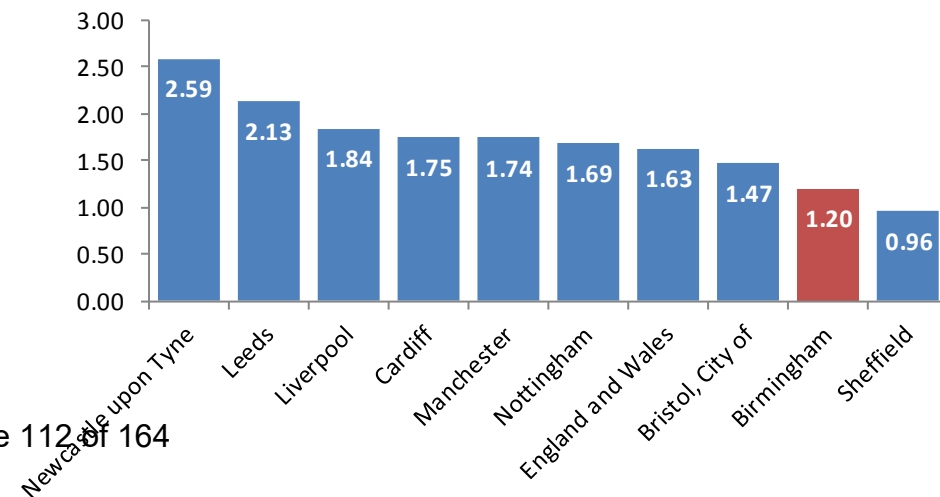
Of the outcomes given to first time entrants, 43.4% received pre-court outcomes, 47.0% first-tier outcomes, 6.8% community penalties, and 2.8% were sentenced to custody. 92 had previous Community Resolutions (17.0%).

## Reducing re-offending

A proven re-offence is defined as any offence committed in a one year follow-up period and receiving a court conviction, reprimand or warning in the one year follow up or a further six months waiting period.

Within this cohort were 1110 young offenders, the largest across the Core Cities, with 36.1% re-offending, which was one of the lowest

## Re-offending Rate per 100,000: Oct 2015 to Sep 2016 cohort





percentages of re-offenders of all Core Cities and compared with 41.9% nationally.

An analysis of Birmingham young people shows that those who re-offended were more strongly affected by the following risk factors than those who did not re-offend:

1. Lack of commitment including truancy;
2. Living in families under stress due to criminality, substance misuse, mental health issues;
3. Special Educational Needs;
4. Children in Care status;
5. Having a large number of previous outcomes;
6. Young people at risk of gang affiliation

Figure 5: Average number of re-offences per offender, October 2015 – September 2016

Positive interventions include: offending behaviour programmes with a cognitive behavioural therapy focus; restorative justice; evidence-based parenting programmes; young people supported to re-engage in education, training and employment and access to substance misuse and mental health treatment.

The Service delivers these interventions through their multi-agency staff and commission third sector specialist services for reducing gang affiliation (including support for Children in Care), services for young people on the autistic spectrum (including for those at risk of child sexual exploitation) and intensive mentoring to support engagement in education, training and employment. Robust transition arrangements with the Probation Trust for all young people approaching 18 are continuing to enable reductions in re-offending to be maintained into the adult system.

## Reducing the use of the secure estate

### Custodial sentences

Local Authority	Custodial sentences 01 April 2017 - 31 March 2018	10-17 population	Rate per 1,000 of the 10-17 population
Birmingham	94	117,343	0.80
Bristol, City of	14	34,983	0.40
Cardiff	14	29,082	0.48
Leeds	36	64,225	0.56

This indicator compares the number of custodial sentences against the 10 –17-year-old population of a local area.

Birmingham has a higher rate of custodial sentences than the national average, although within the range of other Core Cities. The number of custodial sentences in Birmingham decreased in the 2017/18 period to 94. This compares to 96 custodial sentences in 2016/17 and has been reducing year on year from the 253 young people sentenced in 2007/08.

The majority (74.5%) of young people sentenced to custody were aged 16-17 and young males of either Black or Black British ethnicity or dual heritage backgrounds remain over-represented in comparison with the general population. 1.06% of those sentenced to custody were female.

<b>Liverpool</b>	29	36,724	0.79
<b>Manchester</b>	48	44,101	1.09
<b>Newcastle upon Tyne</b>	18	22,939	0.78
<b>Nottingham</b>	32	25,766	1.24
<b>Sheffield</b>	10	48,475	0.21
<b>England and Wales</b>	1944	5,157,876	0.38

The offence categories most likely to lead to custody were Violence Against the Person (50, 53.2%); Robbery (26, 27.7%); and Drugs (12, 12.8%), which together accounted for 93.6% of custodial sentences during the period. The 94 custodial sentences made, 23 (24.4%) received up to 4 months detention, 51 (54.2%) from 4 months to 2 years and 20 (19.1%) over 2 years. This compares with 28 (29.1.6%), 60 (62.5%) and 18 (18.7%) respectively in the previous year.

Of the 94 custodial sentences made, 39 (41%) related to young people who had an identified special educational need.

The Service has an alternative to custody Intensive Supervision and Surveillance (ISS) programme, which is available to courts at bail and sentence stage and for young people released from custody and subject to licence. This programme includes 25 hours per week of intensive supervision and curfew enforced by electronic monitoring. Over the whole year, 178 young people were worked with by ISS on community-based programmes. This included 21 Intensive Bail packages, 32 Youth Rehabilitation orders and 61 Detention and Training Order licences.

Figure 6: Comparison of custody rates between Core Cities, April 2017 – March 2018.

## Remand bed nights

The Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012 introduced a new remand framework for 10 to 17 year olds in December 2012. The key changes made by the legislation were as follows:

- 10 to 17 year olds are treated according to the same remand framework (including remands to local authority accommodation or youth detention accommodation) regardless of their age and gender;
- 12-17 year olds can only be remanded to youth detention accommodation if their offending is serious enough to warrant a custodial sentence including murder, attempted murder, rape, firearms offences, drugs and aggravated robbery or there is a history of failing to attend court.
- every child or young person remanded to youth detention accommodation are now treated as “looked after” by their designated local authority; and

- placement of children and young people remanded to youth detention accommodation is a function of the Secretary of State for Justice, but this power is exercised concurrently and in practice by the Youth Justice Board for England and Wales (YJB).

A remand to youth detention accommodation is currently to either: a secure children's home (LASCH); a secure training centre (STC); or a young offender institution (YOI).

Between 01/04/2017 and 31/03/2018 a total of 73 young people were remanded to the secure estate which was an increase from 58 in the previous year (25.9%). Young people occupied 5363 remand bed nights This was an increase of 67.1% (3210 bed nights) in the same period the previous year.

Further analysis has identified that the use of bed nights for offences of violence against the person rose by 27.1% and that within the violence against the person category, wounding with intent rose by over 450%. The average number of bed nights spent during any single remand episode was 73.5. Young people placed in LASCHs spent significantly longer on remand (113.7 days) compared with STCs (90.8 days) and YOIs (66.98 days). Of the 73 young people remanded during the period 9 (12.33%) were Children in Care at the time of the remand. A further 8 were previously a Child in Care. 56 young people (76.7%) gained Child in Care status as a result of their remand.

## Asset Plus

The Service has been using the new national assessment framework 'Asset Plus' from September 2016. The framework is premised on desistance theory and the practical application of desistance. Given that 'Asset Plus' is a more comprehensive assessment tool than the previously used assessment, 'ASSET', all assessments now include not only indicators of the level of risk but also contextualises the impact of that risk. This allows for a more accurate assessment than was previously possible as it takes into account protective factors that could mitigate against the likelihood of committing similar offences again.

## Safeguarding

The Youth Offending Service continues to carry out its responsibilities under Section 11 of the Children Act (2004), which places a number of duties it (and the services contracted out to others) to ensure that the day to day business takes into account the need to safeguard and promote the welfare of children. The Service submits annual reports to the Birmingham Safeguarding Children's Board which indicates how safeguarding duties are being fulfilled.

Safeguarding training has been offered across the Service via the Birmingham Safeguarding Children's Board, as well as internal development and external training providers undertaking training across a range of vulnerabilities including:

- Safeguarding for Senior Managers;
- Child Protection and Early Help;
- Child Sexual Exploitation, Missing and Trafficked Children;
- WRAP3 and Prevent;
- ASSET Plus training
- Gangs;
- Responsibilities as a provider of services to Think Family and Early Help
- Child Development, Attachment and Trauma
- Female Genital Mutilation
- Harmful Sexual Behaviour

Children's Advice and Support Service (CASS) is a multi-agency front door using the principles of Right Help, Right Time. The Youth Offending Service provides daily on site YOS manager support to CASS which has seen an improvement in:

- Timeliness and quality of YOS safeguarding referrals;
- A greater understanding around Remands to Local Authority Accommodation and Youth Detention Accommodation;
- An Increase in early referrals to the Harmful Sexual Behaviour Teams;
- YOS attendance at peer on peer abuse strategy discussions;
- Understanding changing threats and risk, including child criminal exploitation and child sexual exploitation
- An increased understanding around the factors related to desistance in strategy discussions
- An increased understanding around YOS assessments and interventions

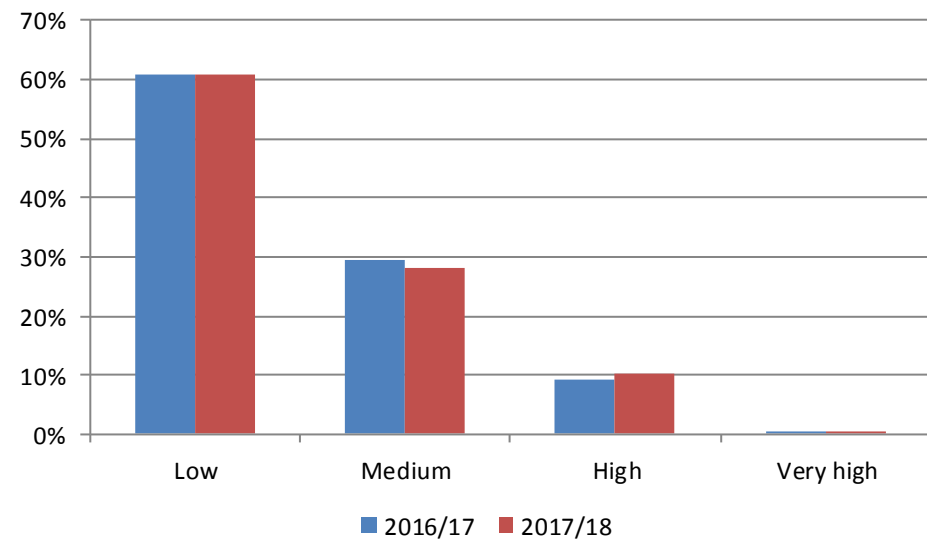


Figure 7: Assessed level of risk to safety and well-being, comparison 2016/17 - 2017/18.

Within the Youth Offending Service all young people are screened for issues of safety and well-being. Between 01/04/2017 and 31/03/2018, 969 young people were assessed for safety and well-being compared with 1138 young people in the previous year. 344 (35.5%) young people were identified as at having medium or high vulnerabilities, requiring an increased response to mitigate these, compared with 36.7% in the previous year. The proportion of those assessed with 'High' or 'Very High' vulnerabilities increased to 10.73% in 2017/18 compared with 9.67% in 2016/17. Responses include referrals to Children's Safeguarding Services, Child and Adolescent Mental Health, intensive family and mentoring interventions, increased offender management and intensive interventions, and substance misuse and alcohol treatment services.

The Head of Service has named responsibility for attending and supporting the work of key Birmingham Safeguarding Children's Board subgroups which include:

- Child Death Overview Panel;
- Performance and Quality Assurance;
- CSE and Missing Operational Groups.

The Performance and Development Manager has acted as the Joint Chair of the Learning and Development sub-group.

Certain risk factors may lead to a greater propensity to remain engaged in offending behaviour. By mapping data contained within the Asset Plus assessment, analysis has identified the incidence of the risk factors within the assessments completed.

For the young people assessed during the period April 2017 – March 2018, 5 risk factors were identified as each, in turn, affecting over 40% of the young people. The most common risk factors (Figure 8) showed some differences to those identified in 2016/17. Whilst some will be due to the change in assessment tools used between the two periods, the analysis shows a greater cognizance of other factors in the young person's life including education history and family circumstances.

Young people sentenced to custody between April 2017 and March 2018, showed a higher incidence of aggressive behaviour, family history of problem behaviour and poor parental supervision and discipline. In addition, alienation and lack of social commitment was shown in over 50% of the assessments compared with 35% of overall assessments.

Strengthening protective factors such as reasoning skills and employment prospects help mitigate against a young person remaining engaged in offending and diminish the effect of risk factors which are more difficult to change e.g. disadvantaged neighbourhood or family history of problem behaviour. Of the young people assessed between April 2017 and March 2018, 92.1% of those assessed were judged to have at least one protective factor.

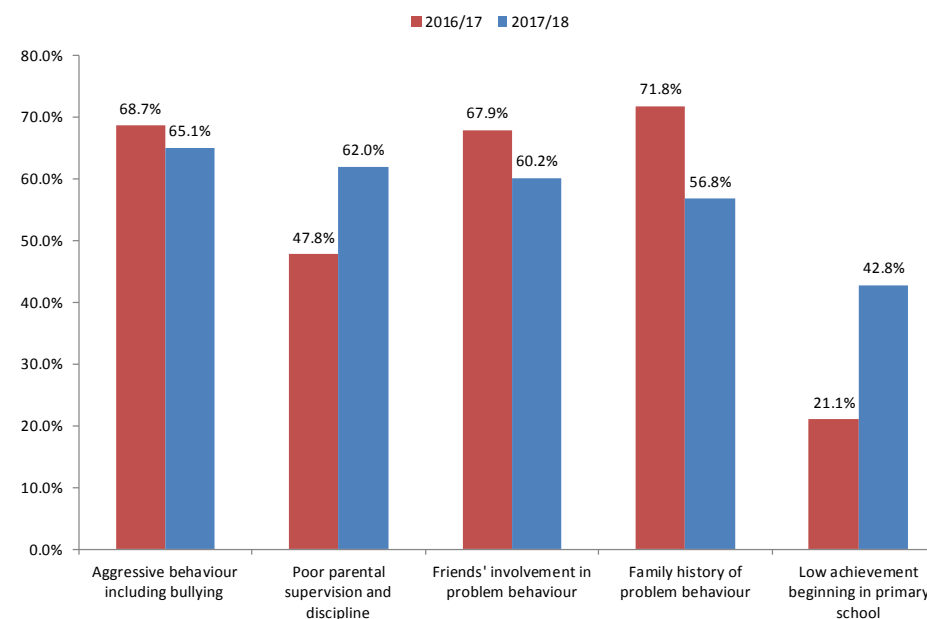


Figure 8: Significant risk factors, comparison 2016/17 – 2017/18

## Children in Care

National research has concluded that children in care are disproportionately represented in the criminal justice system and recommends the use of restorative justice as an alternative form of behaviour management for minor offences. The latest Local Authority returns<sup>1</sup> identified that 42 (4.6%) of the 912 children aged 10 or older who had been looked after for more than 12 months had a conviction or were made subject to a youth caution during the period 1st April 2016 - 31st March 2017, a small reduction from 54 (5.14%) in 2015/16. This compares with the national average of 4.50% and has been supported by Police and Crown Prosecution Service practices to reduce criminalisation of young people in care for minor offences such as criminal damage. This data will be refreshed by central government in December 2018.

Children in Care (CIC) are an especially vulnerable group and their prevalence in the youth justice system is regularly monitored and reported upon. 263 young people were currently or had previously been looked after at the point of receiving a substantive outcome in 2017/18.

Young people with a history of being looked after were more likely to be sentenced to custody, with custodial sentences comprising 17.9% (19 young people) of all CIC sentencing. Despite the high proportion being sentenced to custody, young people with a history of being looked after only constituted 5.2% of First Time Entrants during the period. However, young people with a history of being looked after were less likely to be in full time ETE at the end of their order (64.5%) than those who had never been looked after (76.9%). Of the young people remanded to the secure estate during the period, 10 (17.8%) were looked after at the time of remand. These young people accounted for 23.6% (661) of the 3187 remand bed nights during the period.

To ensure that children in care are not disadvantaged by being allocated to a new worker when a new placement moves them from one catchment area to another, the Service allocates a worker to them from their 'home' team and this worker is responsible for ensuring they receive the necessary support and intervention irrespective of where they are placed, either within the city or an out-of-city placement. In addition to Birmingham Children in Care, the Service also provides a service to other local authorities who place their young people within Birmingham.

A recent review of all Children in care cases who are known to the YOS identified that there was a lack of consistency between CiC planning and YOS intervention planning. The formation of the Trust and greater levels of communication between YOS staff and Social workers should lead to an increased level of congruency when planning with the young person.

In addition, work has been on-going to streamline the case review process across agencies into a single meeting to improve integrated working and avoid unnecessary duplication.

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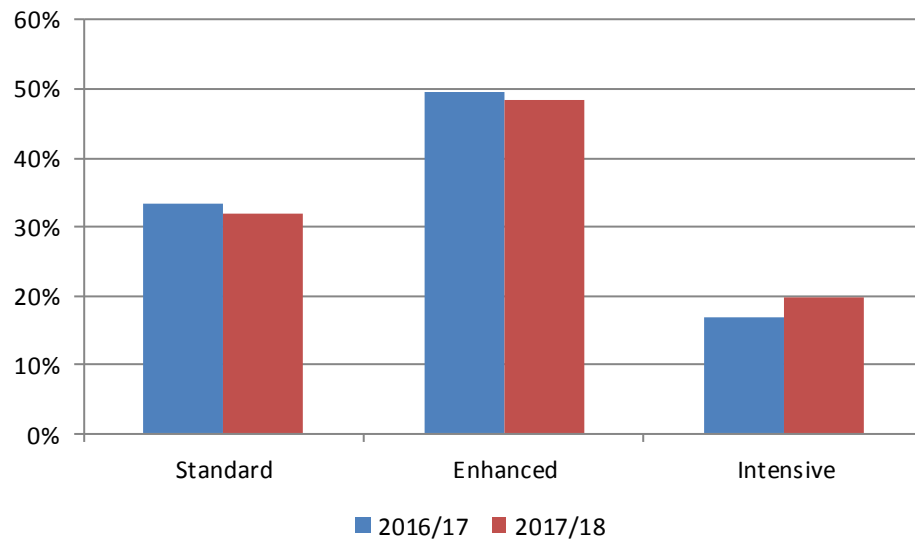
<sup>1</sup> <https://www.gov.uk/government/statistics/outcomes-for-children-looked-after-by-las-31-march-2017>

## Public Protection

The management of young offenders subject to court orders is a key responsibility of the Youth Offending Service. Those young people assessed as posing a higher risk to the public from re-offending or causing harm to others are subject to more intensive multi-agency arrangements to address concerns.

The Youth Offending Service continues to lead and chair local Risk and Vulnerability panels in each of the five area teams to discuss those young people assessed at medium to high risk of reoffending, harm and vulnerability. This allows the YOS to co-ordinate services for the young person to reduce risk and vulnerability.

The Service is responsible, within the Asset Plus framework, for completing assessments of the risk posed by young people and co-



requiring an Enhanced level of intervention remained fairly static. Those on an Enhanced and Intensive level require higher contact levels than the Standard intervention level.

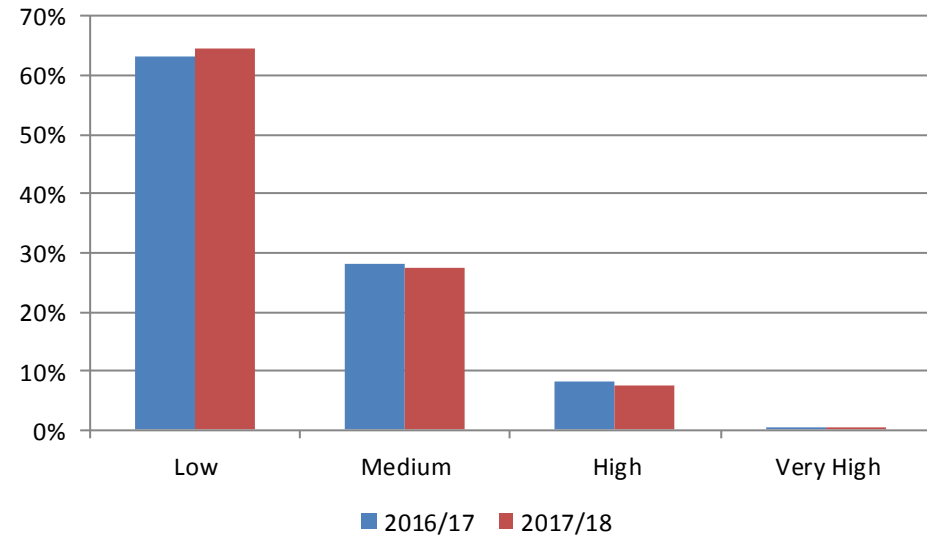


Figure 9: Assessed level of Risk to others, comparison 2016/17 – 2017/18

ordinates robust multi-agency plans for these young people. Compared with 2016/17, 2017/18 saw 344 (35.5%) assessed as medium or high risk to others compared with 418 (36.7%). There has been a decrease in the proportion of young people assessed as high or very high risk to others from 8.5% to 7.84%.

The Scaled Approach lays down, within National Standards, the levels of contact that each young person subject to a court order will receive and each young person is set an 'intervention level' which is regularly reviewed within the 'Asset Plus' framework. Compared with 2016/17, 2017/18 saw an increase in the proportion of young people within the Service's caseload assessed on the Intensive level of intervention. Those young people

Figure 10: Intervention levels, comparison 2016/17 – 2017/18

## Youth Justice Board Serious Incidents Procedures

During the past 12 months the YJB has gone through large scale organisational changes resulting in a wider review of how all statutory functions are applied; seeking minimal bureaucracy but maximum benefit. On the 8th May 2018 the Youth Justice Board ceased the requirement for YOT's to comply with the current Community and Safeguarding Public Protection Incidents (CSPPPI) process. Decisions about how to review incidents and relevant services being delivered to affected children are to be taken locally, following multi-agency discussions wherever appropriate.

Birmingham Youth Offending Service will continue to report on Community and Safeguarding Public Protection Incidents to the Birmingham YOS Management Board, and where applicable to the Birmingham Children's Safeguarding Board. This includes details of any child involved in a safeguarding or public protection incident whilst on a YOT caseload, or if they are charged with certain serious offences whilst not under YOT supervision or on a YOT caseload. The criteria for identifying community safeguarding and public protection incidents remains the same as those previously determined by the YJB on the 13th March 2017.

Any evaluation of the circumstances takes into account the interplay with any wider agencies. The approach to learning from serious incidents focuses on the journey of the child, rather than on the perspectives of individual service providers and therefore encourage joint working and learning wherever possible.

Between the 1st April 2017 and the 31st March 2018, the Service had four Public Protection Serious Incidents and one Serious Safeguarding Incident. Lessons learnt across the partnership were:

1. The majority of serious incidents are being committed by young people not previously known to the YOS or not currently open.
2. Greater collaboration must be encouraged between all services including youth services and community groups to identify and provide targeted early interventions that build resilience to those young people most at risk of engaging in violent behaviour
3. YOS and Partners should share information and investigate any correlation between knife, drugs, and driving offences to better understand links to gang affiliation and/or exploitation.
4. Escalate to the Youth Justice Board concerns about young people being released from custody without appropriate conditions on their licence.
5. Continue to identify Government funding or organisations with funded intervention programmes and projects that work with young people to prevent them from getting involved with gang violence, criminal exploitation and serious organised crime.

## Integrated Offender Management

Integrated Offender Management (IOM) brings a cross-agency response to the crime and reoffending threats faced by local communities. The most persistent and problematic offenders are identified and managed jointly by partner agencies working together.

The Service is represented within the Integrated Offender Management (IOM) Board, Strategic IOM Subgroup and IOM Operational meetings to ensure that the Youth ODOC (One Day One Conversation) case management meeting is steered within a pan-Birmingham Strategy, in line with adult offender management, but recognising the differences in managing the risk of children and young people. Police Offender Managers are closely aligned to the Service and work in partnership alongside the YOT case managers with those young people who require more intensive engagement and management.



The Youth ODOC is chaired by the Youth Offending Service and vice-chaired by West Midlands Police. The two current cohorts of Youth ODOC are those who are deemed “Persistent and Priority Offenders,” and those young people in the ‘Deter’ cohort to address concerns at an early stage and divert escalation into persistent offending and entrenchment.

The main interventions offered under the IOM Strategy are: drugs and alcohol, mental health services, education training and employment, accommodation and support, thinking attitudes and behaviour, family support and safeguarding and health.

### Multi-Agency Public Protection Panel

The Multi-Agency Public Protection Arrangements (MAPPA) are a key part of the government’s strategy in protecting the public and are intended to help manage the risks presented by serious violent and sexual offenders. The four key functions of MAPPA are to

- Identify all relevant offenders;
- Complete comprehensive risk assessments that take advantage of coordinated information sharing across agencies;
- Devise implement and review robust MAPPA management plans;
- Focus available resources in a way which best protects the public from serious harm.

A pan-Birmingham level 2 youth MAPPP (Multi agency Public Protection Panel) is chaired by a senior probation officer (Violent Offenders) and a senior Police officer (Sexual Offenders).

## Summary of 2017/18 priorities

Outcome	Measure	Target for 2017/18	Outcome (2017/18)	Target for 2018/19
<b>Reduce first time entrants (FTE) to the Youth Justice system</b>	First time entrants to youth justice system (per 100,000 children)	5% Improvement Required 487 per 100,000	453 per 100,000	5% improvement
<b>Reduce Recidivism 12 month post completion</b>	Reduction in re-offending Reduce or maintain national average	Maintain current performance	(Oct 2015 – Sep 2016) Binary Rate: 36.1% Frequency Rate:1.20  401 re-offenders in 1110 cohort	Maintain current performance
	Reduction in re-offending rates for ODOC/MAPPA clients	52 young people tracked for 12 months (April 2017 – March 2018)	46.1% Baseline	5% improvement
<b>Reduce the use of Custody</b>	Reduction in number of young people per 1,000 of 10 – 17 population sentenced to the secure estate	5% Improvement Required (0.78)	0.80 (2.4% improvement)	5% improvement
	Reduction in number of young people remanded to the Secure Estate	5% Improvement	76	5% improvement
<b>Reduce the number of CIC in the YJS and re-offending by this group</b>	Reduction in number of LAC who re-offend	LAC re-offending congruent with city population	City = 36.1% LAC = 31.6%	Maintain performance
	Young people looked after for more than 12 months given a substantive outcome.	Performance to be equal or better than national average.	Birmingham=5.14% National figure = 4.95% Core Cities =5.90%	Maintain performance
	Improvement in proportion of CiC with arranged accommodation before release	Maintain	100%	Maintain performance

Outcome	Measure	Target for 2017/18	Outcome (2017/18)	Target for 2018/19
<b>Increase the number of young people in the YJS engaged with ETE</b>	Percentage of young people of school age engaged in full time education at conclusion of order.	Increase performance to 82.4%	84.4%	Maintain performance
	Number of young people post-school age engaged in full time ETE at conclusion of order	Increase performance to 75%	69.2%	5% improvement
	Distance travelled (improved and maintained) measurements pre and post order	Maintain	Improved/maintained=93.0% Poorer=7.0%	Maintain performance
<b>Improved Youth Justice Outcomes for BME young people</b>	Reduce the over representation of Black and Black British and dual heritage young people in the youth justice system.	5% improvement. Target 10.5%	11.5%	5% improvement

## Offending Profile

The profile of young offenders in Birmingham is similar to the National Audit Office (2010) research, which identified that the risk factors most associated with those young people at risk of custody and re-offending were:

- Higher proportion had risks related to family relationships;
- Higher levels of truancy and NEET;
- Association with negative peers including gangs;
- Negative mind-set and attitude;
- High levels of substance misuse, including alcohol;
- Aggressive behaviour;
- Special Needs.

## Proven Offences

In the period 01 April 2017 to 31 March 2018, 1789 offences were proven against 808 young people. This resulted in 997 outcomes. In comparison with the same period in 2016/17, the number of offenders represented a decrease of 11.8% (from 916), offences a fall of 9.5% (from 1976) and outcomes a fall of 12.9% (from 1145).

## Community Resolutions

Changes in the criminal justice system have displaced the disposal of some crimes from formal action through the CPS and courts to more informal processes to deal with low-level crimes and ASB. Community Resolutions are one such avenue, which allows police officers to bring offenders and victims together to find an acceptable outcome. It is implemented by the police to support a restorative approach. This approach also prevents young people who commit minor offences from receiving a formal criminal record which may disadvantage them in the future e.g. employment opportunities. The Service receives all Community Resolutions and triages them at a joint-decision making pre-court panel comprising YOS case managers and Police who agree interventions for those young people who most need it.

In the period, 447 Community Resolutions were made for Birmingham young people. The top 3 crime categories for the 10 – 17 age range where a Community Resolution was used were Theft, Assault and Criminal Damage. Taking Community Resolutions and substantive outcomes as a whole (1444 disposals), Community Resolutions account for 30.9% of disposals relating to young people in this period. This is a decrease from 33.6% in the same period the previous year.

## Proven offences by type

The offence categories with the highest prevalence of offending were:

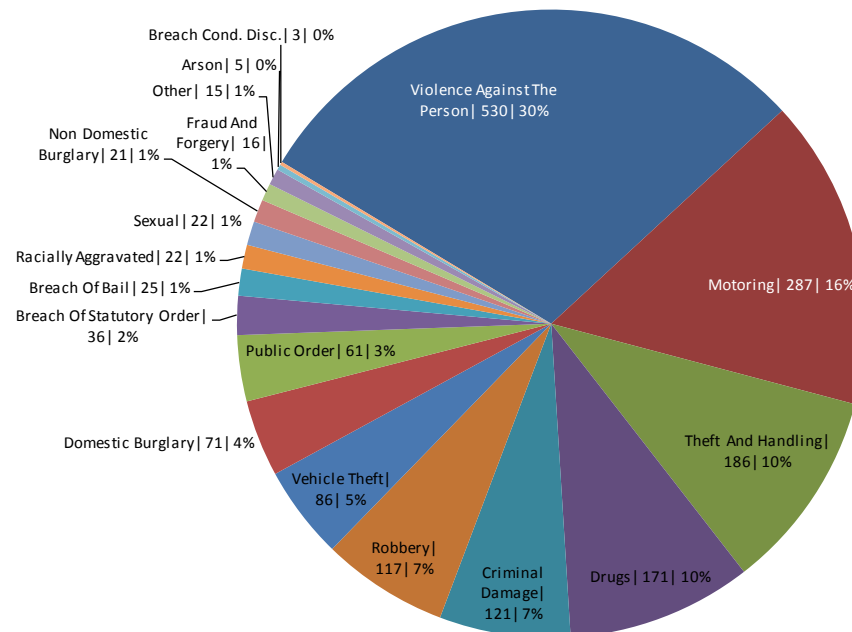
- Violence against the person
- Motoring
- Theft and Handling
- Drugs

Although the most prevalent crimes were the same as last year, theft and robbery continued to show a reduction in number and proportion, whilst violence against the person and drugs offences have shown an increase. Offences relating to drugs have seen an increase of 60.4%. Of the 170 drugs related offences, 121 were for possession of a controlled drug, mostly cannabis with 47 for offences relating to supply and production.

Overall, the 1789 proven offences were broken down as shown in Figure 11.

Offence Type	2016/17	2017/18	% change
<b>Violence Against the Person</b>	514	565	9.9%
<b>Motoring</b>	316	287	-9.2%
<b>Theft and Handling</b>	264	186	-29.5%
<b>Drugs</b>	106	170	60.4%
<b>Robbery</b>	156	117	-25.0%

Table 1: Offences with the highest prevalence, 2016/17 - 2017/18



## Age and Gender

It is well established that young people with a criminal record have a more difficult and less successful transition into adulthood. It has also been researched extensively that the earlier a young person becomes involved in offending, the higher the risk of persistence. Young offenders and those who are violent at a young age or have experienced violence within the family, also have an increased likelihood of becoming persistent, recidivist offenders and engaging in violent crime.

Children and young people are subject to criminal prosecution from the age of 10 and national figures show offending peaking at age 17, with a decrease thereafter. However, in 2017/18 local figures (Figure 12) show a peak at 16 years for both young men and women.

Offending remains a predominantly male activity. Young men accounted for 698 (86.4%) and young women 110 (13.6%) of the young people who had offences proven against them in 2016/17. In 2017/18, of the 1789 proven offences committed, 1580 (88.3%) offences receiving a substantive outcome were committed by young men and 209 (11.7%) by young women. This gives a rate of 2.26 offences per person for males and 1.90 for females.

There is a difference in the nature of offences committed by each gender. Though the number of young females involved in offences is much lower than young men, young females have a far higher proportion of offences in the violence against the person category. The difference between the genders in all offence categories is shown in Figure 13.

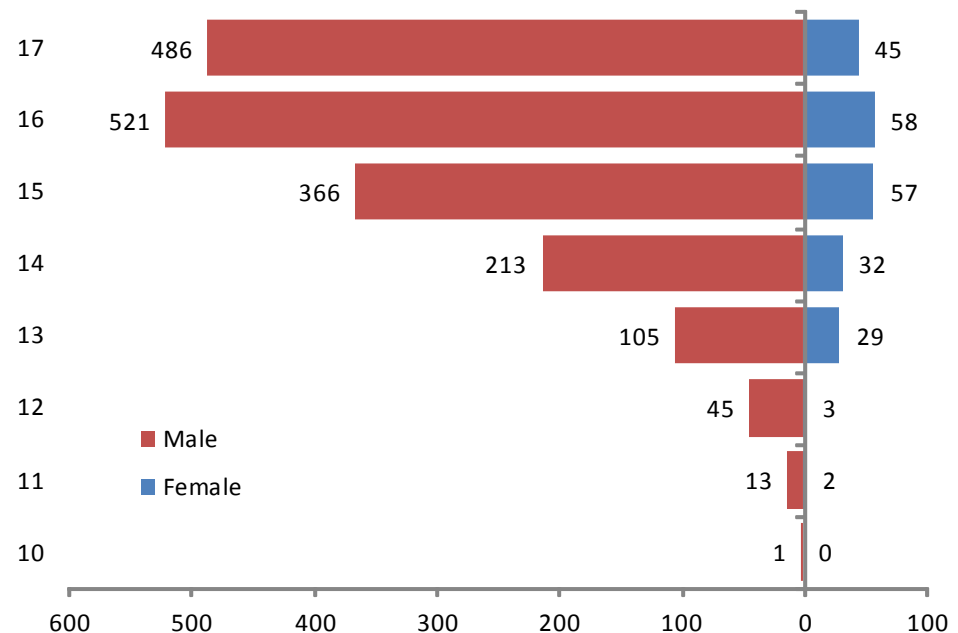


Figure 12: Proven offences by age, 01/04/2017 – 31/03/2018

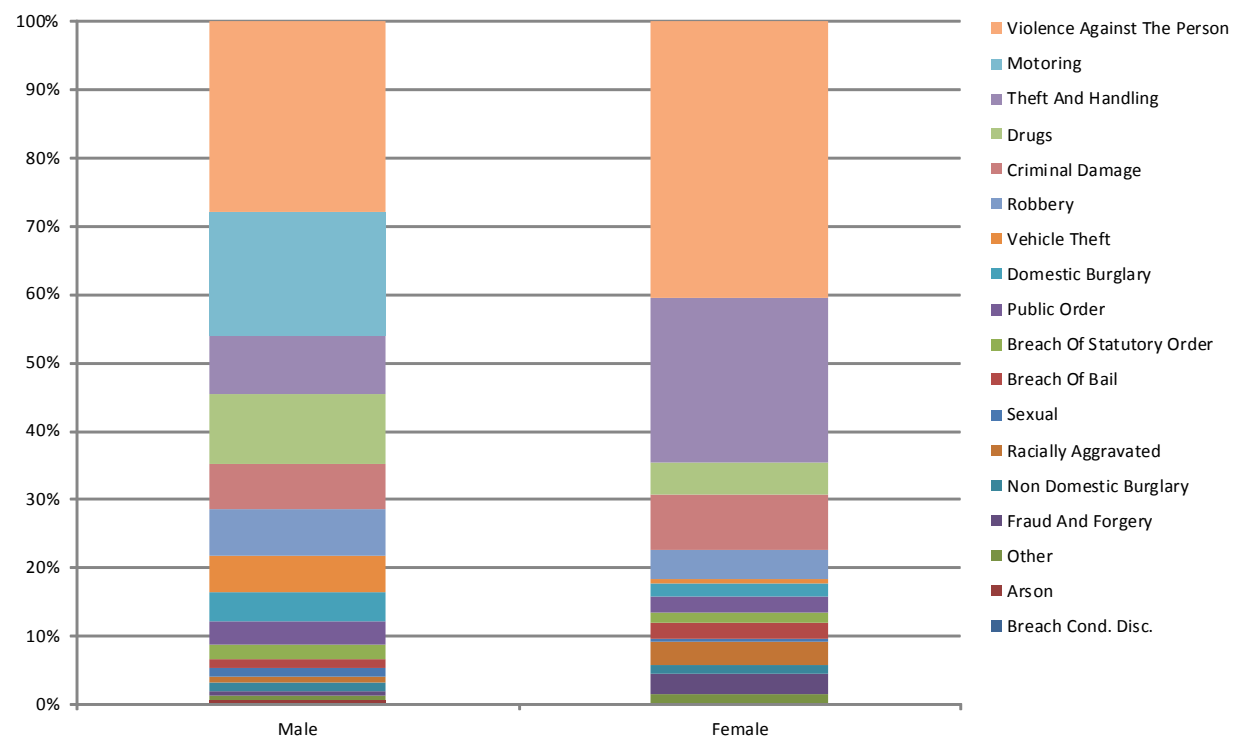


Figure 13: Proven offences by age and gender, 01 April 2017 – 31 March 2018

## Ethnicity

The most recent data<sup>2</sup> to breakdown the 10 – 17 population by ethnicity has been used to analyse the number of offenders with proven offences in 2017/18 in relation to the overall 10 – 17 population of the city.

The Service continues to place a high priority on reducing disproportionality, both in terms of young people engaged in the criminal justice system and the use of the secure estate.

Black or Black British young people remain over-represented in the Criminal Justice System in relation to the general 10 - 17 population. The proportion of offenders from Black or Black British background increased slightly from 22.2% in 2016/17 to 23.1% in 2017/18. The Partnership continues to take action to reduce this over-representation including contributing to preventative work to reduce school exclusions and gang affiliation which is significant to this agenda

	Number of young people	% of 10 - 17 population	Number of offenders	% of 10 - 17 offending population
<b>Asian or Asian British</b>	39,459	33.48%	175	21.63%
<b>Black or Black British</b>	12,633	10.72%	190	23.49%
<b>Chinese or other ethnic group</b>	2804	2.38%	21	2.60%
<b>Mixed</b>	9936	8.43%	84	10.38%
<b>White</b>	53,042	45.00%	322	39.80%
<b>Not Recorded</b>			13	1.61%
<b>Total</b>	117,874		809	

Table 2: 10 – 17 years of age population: Number of offenders with proven offences by ethnicity, 01 April 2017 – 31 March 2018

<sup>2</sup> Office of National Statistics Census 2010



## Outcomes

In respect of the 1789 offences proven between 01/04/2017 and 31/03/2018, 997 outcomes were made. Of those outcomes, 862 (86.5%) were made on young men and 135 (13.5%) on young women.

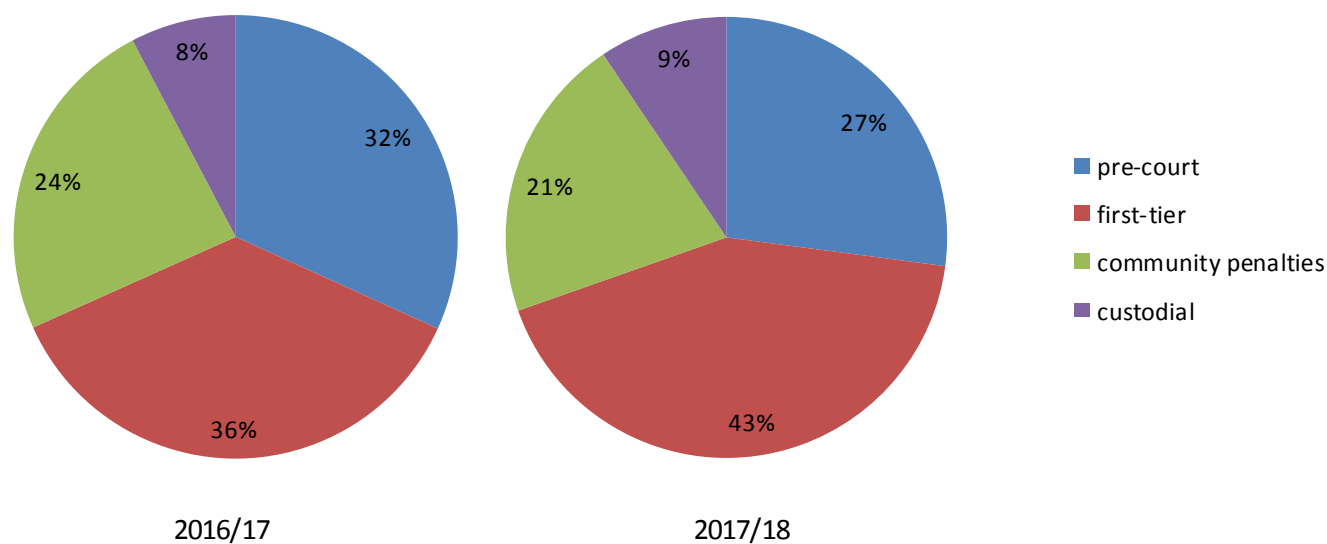


Figure 14: YJB Outcome Tier for proven offences comparison 2016/17 - 2017/18

The proportion of outcomes in each of the four tiers shows a small shift away from pre-court penalties towards increased rate of first-tier disposals, when comparing 2016/17 with 2017/18, as well as a reduction of community penalties. The proportion of custodial disposals remained relatively static.

## Priorities for 2018/2019

Priority	Why is this important	What do we know?	What will we do?	How will we know we are making a difference?
Reduce First Time entrants into the youth justice system	Involvement in offending is hugely detrimental to young people's ability to achieve, make a positive contribution and achieve economic well-being.	<ol style="list-style-type: none"> <li>1. Whilst First Time Entrants are falling, over 40% of First Time Entrants are receiving pre-court disposals, a proportion of which have received a Community Resolution however, some have not.</li> <li>2. The Service and partners offer targeted support for those young people subject of Community Resolutions who are most vulnerable or with complex needs. Children with special educational needs are over represented</li> <li>3. We have established multi - agency arrangements to support young people at risk of or affiliated to gangs and/or criminally exploited. We continue to align our work with the Office of the Police and Crime Commissioner.</li> <li>4. We have supported the SEMH Pathfinder aimed at meeting the complex needs of this group and the sustaining inclusion agenda to reduce exclusions.</li> </ol>	<ol style="list-style-type: none"> <li>1. Review decision making and guidance with Police and CPS for Community Resolutions and entry into formal youth justice system.</li> <li>2. Greater analysis on those most likely to enter the system including those young people on Education, Health and Care Plans or with Special Educational Needs.</li> <li>3. Support the OPCC's commissioning of intensive mentoring across the City and a broader community and faith offer for young people not in the formal youth justice system but at risk of gang affiliation and criminal exploitation</li> <li>4. Identify funding sources to wrap support around those young people subject to community resolutions, those at risk of exclusion and SEND young people.</li> </ol>	<p>Reduction in FTE to national averages.</p> <p>Reduction in young people with Community Resolutions.</p> <p>Reductions in young people with Community Resolutions who enter the youth justice system.</p> <p>Reduction in school exclusions temporary or permanent.</p> <p>Reduction in young people subject to Education, Health and Care Plans or with Special Educational needs and Children in Care entering the youth justice system.</p>

Priority	Why is this important	What do we know?	What will we do?	How will we know we are making a difference?
Robust Safeguarding and Risk Management Processes	<p>Many of the young people involved in the YJS have also been victims themselves and/or are vulnerable due to loss, mental health problems, and family violence. It is important to adopt approaches that are relationship based and trauma informed to ensure intervention plans address vulnerabilities, meet need and address risks to self and others.</p> <p>Effective offender management and safeguarding arrangements protect the public and young people in the YJS.</p>	<ol style="list-style-type: none"> <li>1. There has been an increase in the proportion of young people assessed with “High” and “Very High” risks for safety and well-being from 9.6% in 2016/17 to 10.7% in 2017/18</li> <li>2. The Case Management Planning tool is an effective approach to support greater understanding of YOS staff to understand the lived experience of young people and their families. All YOS staff have received 2 days training in this approach.</li> <li>3. New case planning guidance has been shared across the Service</li> </ol>	<ol style="list-style-type: none"> <li>1. Increase the roll out of the Case Management Planning arrangements across teams to increase support to front line staff.</li> <li>2. Ensure that the improved assessment framework, Asset Plus, is fully implemented and the benefits in relation to improved assessments and intervention planning are realised</li> <li>3. Continue to invest YOS resources into CASS (front door) to improve information sharing and joint planning</li> <li>4. Report and analyse the number of young people subject to Child in Need and Child Protection plans within the Youth Justice system.</li> <li>5. Adopt the Children’s Trust Practice Evaluation tools and align these with the current YOS thematic audits.</li> </ol>	<p>Reduced vulnerability and risk levels pre and post intervention amongst young people within the youth justice system</p> <p>Quality Assurance feedback identifies more tailored assessments and intervention plans with YOS staff trained in delivering effective interventions/</p> <p>Reduced re-offending.</p>
Reduce Recidivism	Lower re-offending rates protect the public and increase young people’s life chances.	<ol style="list-style-type: none"> <li>1. Offence categories with the highest prevalence are: violence, motoring offences and theft &amp; handling stolen goods.</li> </ol>	<ol style="list-style-type: none"> <li>1. Further develop and implement Birmingham’s ‘Think Family’ model.</li> <li>2. Continue to work with social</li> </ol>	Maintain current performance – below national average reoffending rate.

Priority	Why is this important	What do we know?	What will we do?	How will we know we are making a difference?
		<p>2. In 2017/18 there was a 60% increase in offences relating to drugs both possession and intent to supply. There is increase awareness of young people being criminal exploited and therefore victims of organised criminal groups.</p>	<p>work, police and offender manager colleagues to share intelligence and actions that safeguard young people against extra-familial risks</p> <p>3. Ensure that the highest risk young people receive our most intensive interventions and risk management arrangements (Inc. ISS, ODOC/MAPPA) and that safeguarding processes are supporting young people at risk of exploitation.</p> <p>4. Statutory partners to undertake a review of the broader universal offer for this cohort</p>	<p>Reduction in frequency.</p> <p>Reduction in risk factors at end of intervention</p> <p>Baseline re-offending rates of those young people leaving custody</p> <p>All young people most at risk of re-offending have access to partners' universal offer and where they do not bring to the attention of the YOS Management Board</p>
Reduce the use of custody	A decrease in the use of custody should be a direct result of reducing a young person's escalation through the YJS and/or a reduction in violent crime.	<p>1. Birmingham has a higher rate of custodial sentences than the national average though the number fell in 2017/18 to 94 compared to 96 in 2016/17</p> <p>2. The offences most likely to lead to custody are robbery, violence against the person and domestic burglary.</p> <p>3. Once in the criminal justice system, Children in Care (CIC) are more likely to receive a custodial sentence (17.9%) than</p>	<p>1. Continue to invest in the YOS Bail and Remand service to ensure that robust bail support packages are offered as an alternative to the use of YDA where appropriate.</p> <p>2. Ensure those identified as highest risk of re-offending receive intensive support, supervision and surveillance (ISS) and Integrated Offender Management to</p>	<p>Numbers of young people remanded and sentenced to custody</p> <p>Reduction in serious youth violence</p> <p>Successful completions of bail support packages</p> <p>Successful completion of ISS programmes</p> <p>Sentencer feedback on PSR's and 'alternative to</p>

Priority	Why is this important	What do we know?	What will we do?	How will we know we are making a difference?
		those who have never been CIC (7.5%)	minimise risk 3. Increase take up of non-secure accommodation, where appropriate, for purpose of PACE 4. Ensure that the Courts maintain confidence in the YOS ISS and understand the CMP approach and exploitation	custody' offers is good
Improve Youth Justice outcomes for BME young people	Being treated discriminately can have a significantly adverse impact on a young person's view of themselves and their outlook on life. This is compounded for those within the CJS who are more likely to receive negative outcomes.	1. Black or Black British and dual heritage young people remain over-represented in the CJS 2. There has been a review of data and interventions in relation to the BME cohort in order to improve our understanding of their journey through the YJS. Young black men are over represented in the excluded population and those at risk of gang affiliation and criminal exploitation 3. On behalf of the Community Safety Partnership, YOS has led the commissioning of specialist interventions for young people at risk of gang affiliation and/or serious youth violence and is supporting the OPCC to invest further in community and specialist based interventions.	1. YOS Management Board to review current partnership actions to reduce disproportionality, understanding the journey of black young men from childhood to entry into the YJ system. 2. YOS Board to support a broad review of the culture and practices of organisations to increase its responses to support these children and young people to achieve their full potential	Percentage reduction in BME young people entering the YJS and receiving custodial sentences to below average BME population  Increase in number of black young men sustaining inclusion in education, training and employment  Less black young men at risk of gang affiliation and criminal exploitation

Priority	Why is this important	What do we know?	What will we do?	How will we know we are making a difference?
Increase the number of young people in the youth justice system engaged in Education, Training and Employment	Being in education, training or employment helps to build resilience in young people, thereby reducing the likelihood of them offending/reoffending	<ol style="list-style-type: none"> <li>1. Young people with a history of being CIC are less likely to be in full time ETE at the end of their order 68.5% than those who had never been CIC (76.6%).</li> <li>2. 84.4% of school age young people worked with during 2017/18 were in ETE by the end of their order and 69.3% for those post-16.</li> <li>3. Youth Employment Initiative mentors support engagement with training and employment</li> <li>4. Education/Children's Trust triage arrangements have been put in place to improve ETE provision to YOS young people not receiving appropriate education</li> <li>5. YOS have recently won a Youth Justice Board Kitemark award on SEND/EHC Plans.</li> </ol>	<ol style="list-style-type: none"> <li>1. Ensure all young people without full time access to education or not attending are referred into the new triage arrangements and report regularly to the YOS Management Board on any themes or areas for the broader strategic partnership arrangements.</li> <li>2. Influence the Youth Promise Plus and PCC funding to ensure it continues to be targeted on those most at risk of offending and those within the youth justice system.</li> <li>3. Align actions with those in the SEND inspection action plan.</li> </ol>	<p>Number of young people post-school age engaged in full time ETE at conclusion of order</p> <p>Distance travelled (improved) measurements pre and post order</p> <p>All young people in the Youth Justice system have appropriate provision and are supported to attend.</p>

# Resources and Value for money

## Funding

The Youth Offending Service partnership's overall delegated funding for 2018/19 is £7,692,829.

For 2018/19 the BCT contribution for staffing includes an increase for a 2% pay award payable to all staff from April 2018 for BCT funded posts. No additional funding was made available for the pay award for grant funded posts. This created a turnover (shortfall in the staffing budget) of £51,542 for the service. In addition, there is also a further £216,587 turnover built into the 2018/19 staffing budget. This consists of a £109,041 budget reduction for workforce savings and £107,546 for increased pension costs (those staffing opting into the pension scheme from 1st April) and a reduction in budgeted grants since 2017/18.

Probation, Health and Police partners continue to second staff into the service. It is expected that following a change in the national formula, Probation funding will be reduced from 5.5 FTE Probation Officers to 4 for 2018/19. The cash contribution will also be reduced accordingly to £5,000 per Probation Officer. West Midlands Police are currently reviewing their staffing levels.

The Service continues to receive 'Think Family' funding of £646,862, as part of an Investment Agreement, to take on additional responsibilities related to whole family interventions and continuing engagement with families post the statutory order, where outcomes have yet to be met. This funding has continued at the same level as 2017/18. Whilst this has increased workloads, it provides significant opportunities to increase family resilience and improve outcomes. National funding for the Troubled Families programme is due to end March 2010, which will impact significantly on family support and YOS funding.

The Police and Crime Commissioner funding has been confirmed for 2018/19. The allocation has increased by £94,519 from 2017/18. The funding enables the Service to support restorative justice interventions, extended the Service's knife crime programmes and therapeutic work with young people engaged in sexually harmful behaviour.

The CAMHS Transformation Board have agreed to fund two posts on a permanent basis to extend the sexually harmful behaviour team to young people with communication difficulties who are not in the Youth Justice System.

Maintaining funding levels is becoming an increasingly difficult challenge for the Service in the current economic climate. All statutory partners are facing funding cuts within their own organisations. At this point it is not clear what, if any, savings the Service may be required to deliver in the future. The YJB

Partner	Staffing	Payments in Kind	Other Delegated Funds	Total
<b>Birmingham Children's Trust</b>	£3,223,097		£740,741	£3,963,838
<b>Police</b>	£322,000			£322,000
<b>Police &amp; Crime Commissioner</b>	£275,000			£275,000
<b>Probation</b>	£168,791		£30,000	£188,791
<b>Health</b>	£253,327			£253,327
<b>Youth Justice Board</b>	1,915,430		£300	£1,915,730
<b>Other sources of funding</b>	£711,348		£62,795	£774,143
<b>Total</b>	<b>£6,868,993</b>		<b>£833,836</b>	<b>£7,692,829</b>

grant has remained at the same level as 2017/18 and does not take account of the 2% pay award payable from 1st April 2018. This has to be funded out of the pooled budget and has created a turnover on staffing for the service..

## Remands to Custody

The total funding from the Youth Justice Board and the Local Authority for remands in 2018/19 is £715,615. The total cost of remands for 2017/18 was £1,611,230, a shortfall of £1,055,120. Overall the Youth Justice Board Remand Grant has been reduced by £239,632 in the last six years. For 2018/19 the Youth Justice Board grant has increased by £159,503 compared with 2017/18. The Service is currently holding six front line vacant posts, focused on our targeted prevention work, as a mitigation measure in response to this budgetary pressure.

Remand funding Partner	Funding 2018/19	Funding 2017/18	Variance
Birmingham Children's Trust	£147,997	£147,997	£0
YJB-Remands	£567,615	£408,113	£159,502
<b>Total Remands</b>	<b>£715,612</b>	<b>£556,110</b>	<b>£159,502</b>

There has been an increase in the cost of bed night prices of £12,234 for 2018/19. There continues to be increased usage in bed nights for Youth Offending Institutes, Secure Training Centres and Secure Children's Homes and these are adding to the pressure on the Remands budget. This in turn is having an

impact on the overall budget of the Service. Since 2016/17 the cost of Remands has increased by 72%. The 2018/19 projected overspend on the direct Remands budget based on analysis of the first two months of 2018/19 and a rolling average for the remaining ten months is £1,024,007

Establishment type	2016/17: Cost of bed nights	2017/18: Cost of bed nights	Difference in cost of bed nights from 2017/18 to 2016/17
Secure Children's Home	£185,402	£172,387	(£13,105)
Secure Training Centre	£318,600	£668,928	£350,328
Youth Offending Institute	£414,121	£739,552	£325,431
<b>Overall</b>	<b>£918,123</b>	<b>£1,580,867</b>	<b>£662,744</b>



## Value for money

The YOS Management Board is overseeing the allocations for 2018/19 on behalf of the Chief Executive in order to continue to deliver effective services to meet statutory responsibilities. Staffing costs make up a significant part of the YOS budget from statutory partner funding:

- Birmingham Children's Trust (BCT), Probation and the Youth Justice Board (YJB) contributions fund the statutory duties of the Service including: court officers, social workers, YOT officers and Probation Officers who risk assess, write court and Referral Order reports and carry out statutory interventions and enforcement activity with young people subject to court orders. This joint funding also funds specialist project staff required to provide statutory interventions and meet national standards.
- The YOS business support is provided through the Professional Support Service (PSS). Funding for 2018/19 is £439,270 and this is included in the BCT line. Birmingham Children's Trust also funds a statutory Appropriate Adult service including out of hours provision.
- Birmingham Children's Trust and the YJB Grant funds a Harmful Sexual Behaviour team, which works with young people from 6 years to 17 years, their parents and guardians, to reduce their risk to others and to themselves. This service has received additional funding of £60,000 from the Clinical Commissioning Group (CCG) via Forward Thinking Birmingham, and a further £59,077 which will be ensuring that the team can continue to meet the needs of this particularly vulnerable cohort of children. This additional funding is also being used to increase psychological assessments and interventions and develop services in relation to work with young people with learning difficulties.
- Police funding contributions enable the secondment of Youth Crime Officers who contribute significantly to offender management and support intelligence to reduce re-offending and identify and respond to vulnerability i.e. child exploitation or trafficking issues. Contributions also support the pooled management arrangements.
- Health contributions fund the secondment of clinical nurse specialists and access to psychiatry and educational psychology consultations. This ensures enhanced pathways to mental health screening and interventions for young people to reduce their risk of harm to others and to themselves i.e. self-harm. It also funds towards Multi Systemic Therapy provision.
- Birmingham, as a result of its size, has higher numbers of young people involved in the Youth Justice System or at risk of entering it. The Police and Crime Board therefore support a package of interventions that provide additional support to these children and young people. These interventions provide evidence based support including to young people not yet in the formal Youth Justice system. The interventions are commissioned or delivered by the Birmingham Youth Offending Service. This funding does not fund posts delivering the statutory YOS functions.

## Training, Learning and Development

The focus from 2017 into 2018 has been on consolidating practice using the combined assessment and planning tools of ASSET Plus and the Early Help assessment to give a more holistic planning provision to young people and their families

Early 2018 saw the introduction of the Case Management Plus system; Increasingly it has been identified that some young people who experience mental health difficulties as a result of trauma and other adverse childhood experiences, do not meet the criteria for mental health services, as they do not have a diagnosable mental illness. In order to address this gap in service provision, YOS staff have been given training to help them understand and respond to the

psychological needs of these young people, with a view to developing the evidence base for the interventions that the service can deliver. Young people who do meet the threshold for mental health services receive specialist assessments and interventions from the service's FTB staff.

YOS staff have continued to access the BSCB training on all aspects of safeguarding and there is a continued commitment to all staff enlisting on the rolling programme of Level 4; Working with Complex families.

The Parenting workers are currently working across teams to provide PACT groups for parents in order to enhance the skills and confidence of parents who struggle to maintain healthy relationships with their children. Additional training for staff in the PACT programme is being provided as part of the Trust's Learning and Development program

The Parenting workers are also providing training for all staff to assist in their work with parents. This is being done with the assistance of the 'Triple P Tip sheets' which are designed to provide guidance to both staff and parents on the resolution of problems within the home environment.

The Head of Service and several of the YOS managers have completed the "Systemic Supervision" training rolled out across Birmingham Children's Trust. Plans to support all managers to receive this or similar training and development are being pursued. This will ensure all YOS Managers work systemically and embed reflective supervision across the service.

## Quality Assurance

The Service provides interventions focusing on planned and systematic activities implemented in a quality system so that quality requirements for the service are fulfilled. In order to ensure that the service is working effectively it operates a series of systematic measurements, ranging from evaluation of performance in relation to National Standards, to monitoring of processes and audits of practice.

The Service implements these systems as part of a process, which ensures that strategy, training of staff, service delivery and evaluation are part of one method. Quality Assurance operates at a number of levels and as part of a cyclical process. In order to pull together all of the quality assurance strands, the YOS Quarterly Performance Meeting is used to provide the main focus. This in turn informs the YOS Management Board, the YJ Plan and the information supplied to the Youth Justice Board.

The Case Audit process was suspended for a period of time, to allow for the introduction of ASSET Plus and to give preference to the National Standards Audit for the YJB earlier in the year. The process was redesigned and reinstated as it was recognised that it would help to analyse and raise practice standards, by providing the opportunity to reflect on practice and measure the effectiveness of the work and intervention for both young people and their families. It was also realised that by adopting a reflective format it would give the opportunity for learning and reinforce a more consistent approach, which would challenge complacency, whilst at the same time further embed a culture of continuous improvement.

In preparation for the audits, work was undertaken to assess new and emerging information from both HMIP and the YJB in relation to desistance and trauma in order to provide underlying structures for the process. Discussion also took place with the BCC Practice Evaluation Team to look at their framework, with the view to creating a synergy with their process. As a consequence, two of their documents have been adopted; Views of Parents

(information gathered from parents by Team Managers) and the Case Reflection document (which allows workers to record their thoughts about each case).

## Findings

1. Most Case Managers knew their cases well and were able to justify their assessments in relation to the offending behaviour. However, it was recognised that there was a lack of knowledge about historical traumatic events and their effects on the child's behaviour. Much of this information was available on CareFirst
2. Whilst there were good examples of partnership working, this information was not always well recorded.
3. PSRs were of a good quality, mostly well analysed and contained appropriate proposals
4. Needs identified in assessments were sometimes not highlighted in intervention plans
5. Custodial plans and adjudications were not regularly cited on CareDirector, nor included in the assessment
6. Reviews were not always timely. In some cases, the Review stage was being used more as a case recording document, rather than a fixed point in the order.
7. Self-Assessments (Young people and Parents) were not routinely completed, particularly for those in custody.
8. Management oversight has tended to be limited to confirmation of 'documents countersigned' and contained little in reflection on the cases.

## Developments

1. The majority of YOS Managers and Case Managers have received CareFirst training and have read only access.
2. The Trauma Recovery Model and the Reflective Discussion and Audit Framework documents have been distributed to teams for discussion in Team meetings
3. The completed Audit tools (HMIP), the Views of Parents and the Reflective documents have been recorded on CareDirector for each case, as a prompt for individual supervision.
4. All teams have now received two days of Case Management Plus training in order to assist staff in understanding and identifying young people who experience mental health difficulties as a result of trauma and other adverse childhood experiences.
5. The Case Management Planning team has been established with the primary aim of supporting YOS case managers in their assessments of and interventions with young people with complex needs.
6. The Service will adopt the Birmingham Children's Trust Practice Evaluation framework and all managers will be supported to utilise this alongside thematic audits.

## Risks to future delivery

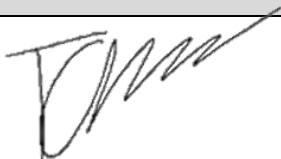

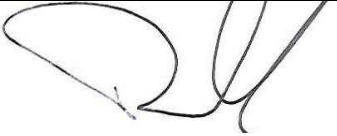



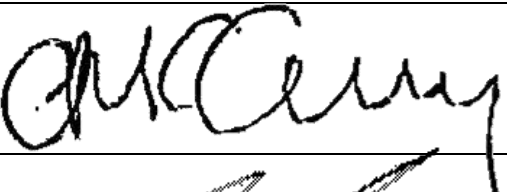
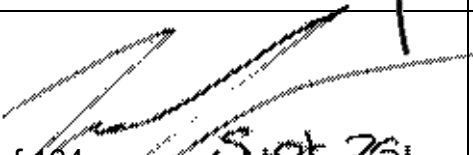
Service Objective	Risk Description	Controls to manage Risk
<b>Prevent children and young people from entering the criminal justice system.</b>	Further reduction in targeted prevention funding will have an impact on outcomes; in particular this will lead to an increase in First Time Entrants (FTE).	<p>The YOS Board monitors trends in FTEs on a quarterly basis to establish any themes for increased partnership working.</p> <p>Work collaboratively with schools and relevant partners to reduce exclusions and identify those young people most a risk of entering the Youth Justice System</p> <p>Good partnership working increases the Early Help offer to effectively target evidence-based interventions for those children in need and most at risk of offending.</p> <p>Police partnership to review the triaging of out of court disposals to identify and ensure that all opportunities to divert young people from the criminal justice system are pursued.</p> <p>YOS will continue to support the 'Think Family' Programme, encouraging Schools, Partners and Districts to identify families who meet the criteria and would benefit from early support.</p> <p>The Police and Crime Gangs Commission is commissioning additional interventions including mentoring and mediation to reduce the young people most at risk of exclusions, gang affiliation and criminal exploitation</p>
<b>Ensure children and young people are protected from harm and are helped to achieve.</b>	The poor economic outlook impacts on education and employment opportunities for young people.	<p>Increased safeguarding arrangements for those young people with extra-familial risks to ensure robust protection to reduce exploitation and additional support for them and their families.</p> <p>Improved partnership working with Children's Social Care and Family Support Services will reduce the negative impact on young people's lives and ensure that support is given to families to be successful and achieve.</p> <p>Vulnerability management plans are reviewed regularly and YOS Board take action to collectively support young people.</p>

Service Objective	Risk Description	Controls to manage Risk
<p><b>Reduce Re-offending by children and young people under the age of 18.</b></p>	<p>Reductions in funding will have a negative impact on outcomes.</p> <p>Reduction/instability in ETE team resources is likely to have an effect on the educational attainment of young people at risk of re-offending, thereby increasing the risk of re-offending.</p>	<p>YOS Board will continue to monitor outcomes data and ensure targeting and quality of work to reduce re-offending is robust by YOS and broader Partnership.</p> <p>YOS board to review and monitor the recidivism levels of young people exiting custody in order to identify and implement strategies to encourage desistence.</p> <p>New practice evaluation arrangements are implemented to support quality assessments and interventions across the service to reduce risks and vulnerabilities and increase effective interventions across the partnership.</p> <p>YOS identify all young people not in full time education or suitable provision and refer into the newly established Education/Trust triage and Panel arrangements to put in place education provision that will support resilience. YOS Board to review any themes that are barriers to ETE engagement</p> <p>Youth Employment mentors are funded by the Youth Promise Plus Programme to support post-16's into training and employment. This will increase the number of successful destinations, build resilience, thereby reducing the risk of re-offending</p> <p>YOS Board to review the reduced education hours for any young person within the Youth Justice System</p> <p>YOS to maintain its focus on identifying funding to support the engagement of young offenders in education, training and employment.</p>

Service Objective	Risk Description	Controls to manage Risk
<b>Minimise the use of Remand and Custody for children and young people.</b>	<p>Low level use of remand and custody is not maintained.</p> <p>An increase in gang activity and serious violence will increase the number of remands to custody</p>	<p>Service will maintain close liaison with sentencers in relation to sentencing options and the availability of YOS programmes and services and increase understanding of contextual safeguarding and extra-familial risks including exploitation.</p> <p>YOS Management Team reviews use of custody cases to identify partnership learning.</p> <p>Continued partnership work with Children's Services will minimise the impact, including enhancing the provision of alternatives to remand and custody.</p> <p>The YOS Board's continued work with its Community Safety Partners to address gangs and serious organised crime and to identify further opportunities for this to be supported by the community and 3<sup>rd</sup> sector interventions will mitigate the risks associated with this activity.</p> <p>'Think Family' interventions will provide enhanced support to complex family issues.</p>
<b>To improve victim satisfaction and public confidence.</b>	<p>Service and partners fail to learn from a serious incident.</p> <p>Reduced Public Protection.</p>	<p>Ensure lessons from serious incidents are shared with partners to increase preventative work and continue to be integrated into practice improvements in conjunction with relevant partners.</p> <p>YOS and partners' actions to learn lessons from serious incidents are monitored for completion at the YOS Management Board.</p>
<b>Reduced YOS funding across a range of statutory and non-statutory partners</b>	<p>Funding streams from statutory partners are reduced in line with partner savings. The Service fails to meet its investment agreement for 'Think Family' and the funding is reduced. There is a cumulative effect from reductions.</p>	<p>Ensure that contributions are targeted effectively to key priority areas and continue to demonstrate good outcomes and best value to all partners and funders.</p> <p>YOS board to identify opportunities to generate income through funding bids that support its aims and objectives. The Youth Offending Service Management Board monitors the impact of any reductions in savings.</p>

Service Objective	Risk Description	Controls to manage Risk
<b>Increase in complexity of case loads</b>	<p>Overall risk and complexity of cases managed by the Service is heightened leading to increase in offending and risks to the public, increase in vulnerability issues including self-harm and poorer outcomes.</p> <p>Lack of effective transition arrangements between the YOS and the National Probation Service/Community Rehabilitation Company resulting in increased workload in the YOS.</p>	<p>Additional training and development is carried out across the service. Continued roll-out and embedding of the Case Management Plus Programme across the Service</p> <p>Work collaboratively with the Office of the Police and Crime Commissioner to provide effective approaches and interventions to reduce serious youth crime</p> <p>YOS will continue to review its evidence-based programmes for the 'Early Help' offer to ensure young people and families' access available interventions delivered or commissioned by the Service and through partners.</p> <p>Robust actions are taken between YOS and National Probation Service/Community Rehabilitation Company to transfer case responsibilities in a timely manner and support the development of the 18-25 year olds transition service within CRC.</p>

## Approval and sign off

Senior partner name	Role	Signature	Date
Councillor Tristan Chatfield	Chair YOS Management Board Cabinet Member for Social Inclusion, Community Safety and Equalities.		24/1/2019
Neil Appleby	Head of Probation, Birmingham, National Probation Service		24/1/2019
Tim O'Neill	Director for Education and Skills, Birmingham City Council.		25/01/19
Councillor Kate Booth	Cabinet Member for Children's Wellbeing		24/1/2019
Andy Couldrick	Chief Executive, Birmingham Children's Trust		24/1/2019
Dawn Roberts	Assistant Director, Early Help, Family Support and Youth Justice		24/1/2019
Carol McCauley-Kiernan	NHS Birmingham and Solihull Clinical Commissioning Group		24/1/2019
Tom Joyce	Superintendent, Neighbourhood Policing West Midlands Police	 Supt 261	25/1/19.



# Appendix 1: Working with children, young people and their families

## Restorative Practice

The Role of the Restorative Practice workers is to make contact with victims in order that their views and wishes can be taken into consideration. This takes place, where possible, prior to the offender being sentenced, utilising the Police system of PENYs.

Working within the guidelines laid out by the Restorative Justice Council, workers make contact with some of the most complex and traumatic cases, offering support and signposting onto a variety of community-based service. More recently younger victims have been able to access some of the structured leisure activities and emotional and mental health support only previously offered to young people who have offended. The Service has dedicated Restorative Practice workers who contact all relevant victims and offer engagement in shuttle or direct face to face mediation.

## Reparation

The Service offers a variety of reparation schemes which are designed to allow offenders to 'payback' to the victims and the community whilst acquiring skills and experience to enhance training and employment opportunities.

- Graffiti removal: The Service works in tandem with City Council provision and young people remove graffiti from public areas, parks and buildings
- Ring and Ride: Young people attend at the local garage and clean some of the contracted vehicles that provide transport for older people and those with mobility issues.
- Allotments: Young people are instructed in the growing of vegetables and the produce is donated to local food banks.
- Safer Travel: The Service works closely with Centro and National Express to make young people who commit crimes on the buses and trains more aware of the effect of their actions. Young people undertake victim awareness sessions and attend the National Express garage where they clean buses and remove graffiti from bus stands.

The contract with the local Community Rehabilitation Company came to an end in April 2017 and the service had to, at short notice, identify alternative arrangements. Working closely with the Canal and River Trust the YOS had adopted a section of the grand Union canal and works to clean and maintain this stretch of canal. Group work activities include, Graffiti removal and repainting of bridges, locks and other structures, removal of litter and detritus from the water and the towpath and the cutting back of vegetation.

*Mrs K is an older person with a disability, who had her purse stolen from her handbag whilst at the local shops.*

*Whilst there was no intimidation or violence by the young offender, S, the offence had a negative impact on both her physical and her mental health.*

*Through meeting with Mrs K and her daughter it was made clear that Mrs K wanted answers to the question as to why she had been picked as the victim of this offence. Although Mrs K initially wanted to have a face to face meeting with the young person, both the RPW and the daughter felt that she was too vulnerable to undertake such a meeting.*

*However, working with the young person and his worker, a list of questions from Mrs K was answered and a letter of apology was sent to Mrs K. Whilst Mrs K was concerned that she could not speak directly to the young person she did feel that the letter of apology did answer many of her questions and put*

For those young people unable to adapt to the group work or the physical nature of the work on the canals, alternative placements are found in local charity shops. Despite the nature of their Court order, young people are invited to apply as volunteers at the charity shops with the hope that they will continue to volunteer after their statutory hours are complete.

## Anti-Social Behaviour

The Youth Offending Service's Anti-Social Behaviour (ASB) Support Team is a city-wide service with a small staff team providing support across the five area teams. The team works with young people aged between 10-17 years subject to an ASB sanction, including an early warning letter, and Acceptable Behaviour Contracts (ABC) and to support the positive requirements for Civil Injunction and Criminal Behaviour Order (CBO) that are commonly used by West Midlands Police and BCC Housing.

The team deliver appropriate support in order to tackle the underlying causes contributing to the behaviour and help the young person and their family to make the necessary changes to their behaviour to avoid legal action.

The Team has close working relationships with the West Midlands Police Neighbourhood Teams (NHT's) to provide advice and guidance on when an application should be considered.

The team have taken on the responsibility of co-ordinating and participating in the legally required consultation meetings, ensuring that all relevant professionals involved with the young person are present. This has resulted in more appropriate CBO applications being submitted to the Crime Prosecution Service (CPS), as the views of the Youth Offending Service are evidenced, whether we agree or disagree with the application.

In cases where there is a clear disagreement, the YOS will submit a recommendation for alternative arrangements to deal with the young person's ASB which have been better received by the Courts. The response from the Police and Housing teams has been very positive as over this fiscal year: 16 formal consultation meetings have taken place, resulting in 5 Civil Injunctions due to the young people and their families refusing to engage with the team on a voluntary basis and continued to engage in anti-social behaviour, and 6 CBO's being imposed citywide. The other 4 were discussed but YOS were unwilling to support the application given the evidence presented by the Police and agreed that alternative arrangements would be sufficient to deal with the behaviour in these cases.

*T came to the attention of the Police and Housing Team as part of a small group for being involved in anti-social behaviour*

*The case was discussed at the local Safer Communities Group and agreed for ASB sanctions to be implemented*

*The Police, Housing officer, and ASB worker discussed with T and his mother the ASB concerns and details of the Acceptable Behaviour Contract (ABC), which they both agreed to and signed.*

*Focused sessions took place initially weekly over a 6 month period with T at his school to reinforce the need to cease challenging behaviour at school and with his mother focussed on routines and boundaries.*

*T reported that the sessions gave him the opportunity to think differently and helped him want to change. T's behaviour improved at school and at home also benefiting his younger siblings. T began attending a local youth provision and made different friends.*

*6 months after the intervention ended T has not offended and there has been no further ASB issues reported with residents speaking positively about him.*

## Education, training and employment

The engagement of young offenders into positive education, training and employment is an integral protective factor to reduce re-offending and is a priority objective for the Service. The Service continues to use the support of dedicated ETE mentors from SOVA (voluntary sector) who focus on raising young people's aspirations, building confidence and supporting them to engage in ETE. This delivery model, of deploying mentors in the YOT's and the

Police Teams has been very successful, and they were recognised for their impact in the recent national ESRA Employability Awards. SOVA won the 2018 Youth Employability Award category, for exceptional commitment in delivering employment support services for young offenders.

As a result, the Service continues to perform well against the national average and other Core Cities. However, looking ahead there will be an increasing challenge to find suitable provision that can effectively engage some of the more complex young people. This is due to an emerging pressure to reduce the use of School Alternative Provision that has traditionally worked with this cohort and a continuing reduction in Post 16 Work-Based Learning Providers in Birmingham.

It is clear from the on-going analysis of the young people that the Service works with, that disproportionately high numbers of young people known to the Criminal Justice System are attending Special Schools or have been permanently excluded with pressure on full time provision in Pupil Referral Units.

The YOS has recently realigned the Service's Music Studio Project to help provide an alternative enrichment provision, for those at risk of disengagement with education. This Project will provide the Special Schools and PRUs with the offer of this attractive hook for their pupils, incorporated as part of their curriculum, to act as a stimulus for re-engagement with education. This is being trialled at the moment and has had an immediate impact by successfully engaging non-school attenders.

*B was given a 6 month Referral Order for Theft of Motor Vehicle.*

*Following assessment and attendance at Panel a contract was drawn up which focused on the 'Your Choice' motoring programme from the Fire Service alongside work looking at his offending behaviour along with indirect reparation.*

*It was also recognised that he was not in education or employment and a mentor was identified to help support him. B successfully completed all of the elements of the contract and before the end of the order he had managed to gain a traineeship in Business Administration.*

The Service continues to work collaboratively with Birmingham SENAR to support the priorities of the SEND code of practice: in particular the joint working between YOS and SENAR, to implement the new legal framework for those with SEN in custody. This has earned this Birmingham partnership the Quality Mark status from Achievement for All.

In response to the Service working with an increased concentration of young people with multiple complex needs, many of who are disengaged and have likely higher levels of recidivism, the Service continues to develop the SEMH Pathfinder project. This offers sustained support to young people and families with multiple complex needs; through the release of specially trained school-based staff and establishing a multi-agency team comprising of DWP Think Family Employment Adviser, Special School Nurse, Aquarius Substance Misuse Worker, 16+ ETE Mentors, Employment Service Officer and a mental health specialist. The Pathfinder is aligned with the City's Early Help offer and works closely with Family Support and YOS.

The Service continues to commission mentors for every team to support the school age cohort and the Romanian Romany Mentors continue to offer crucial support for this particularly vulnerable cohort. The Service has also introduced the offer of in-house numeracy and literacy support. This is delivered through the provision of one to one tutor support provided at the team venues, at their homes or in the local community, with the aim to help stimulate re-engagement into ETE.

*J was 17 years old and had been excluded from school and been out of education for over three years. He had alcohol misuse and anger problems.*

*The InspirEd YOT Tutor began building a relationship with J and assessed his literacy and numeracy levels*

*An intervention plan was drawn up which focused on building his confidence in basic skills and addressing the issues relating to alcohol and anger management.*

*J responded really well and as a result of this support J is now alcohol free, more confident around his literacy and looking forward to a new future. He has successfully progressed on to a construction training programme.*

*J stated "The support from InspirEd was brilliant; I can't fault it in any way. I'm off the drink and on a course, everything's good. The worker has done a brilliant job; I wouldn't have given up drinking*

The Birmingham Youth Offending Service also continues to benefit from external funding that provides our intensive ETE mentoring support. Youth Promise Plus has been providing considerable support for the Post 16 cohort through the “at risk of offending” contract. YPP is a Birmingham and Solihull Employment Pathway Project supported by the European Social fund and Youth Employment Initiative. This first phase ended in July 2018 but there has been a proposal extended this, albeit at a reduced level for another 2 years. Whilst this proposal is being considered, the Office of Police and Crime Commissioner has provided funding to enable the ETE mentoring support to continue in this interim period. In addition, SOVA have also successfully secured 3 years funding from the City and Guilds Foundation to provide the Service with 2 ETE engagement mentors to support young offenders to re-engage with ETE.

## Substance Misuse

Cannabis and alcohol are the main substances used by young people in Birmingham. Despite national trends, Class A users presenting for treatment are low and a relatively small number are identified as new psychoactive substance (‘legal highs’) users. Since May 2016, when the Psychoactive Substances Act came into force, none of these drugs are legal to produce or supply.

‘Aquarius’ provides the substance misuse provision for the Service and a named substance misuse worker is provided for each of the five area teams. These workers also attend risk and vulnerability panels and contribute towards the Service-led intervention plans. In addition to individual sessions, ‘Aquarius’ also provides interactive group-work sessions, designed to help engage young people in structured treatment and ensure harm reduction and safe practices information. The number of referrals to ‘Aquarius’ in 2017/18 was 138, with young people receiving brief interventions (some on more than one occasion) and more structured treatments. This has been mainly due to a new working model which has included a higher level of community outreach provision. The Youth Offending Service is the highest referrer into these services.

“County Lines” is the organised criminal distribution of drugs from the big cities into smaller towns and rural areas using children and vulnerable people. Although cannabis is occasionally linked to the “County Lines” organisations, it is harder drugs that provide the focus: heroin, cocaine, and amphetamines. Aquarius is working collaboratively with YOS and other agencies to identify and deter young people attracted to or exploited by these activities.

## Child and Adolescent Mental Health

Forward Thinking Birmingham (FTB) in partnership with the Voluntary Sector, Beacon, The Children’s Society and Priory has a range of Child and Adolescent Mental Health Services ranging from the age 0-25, that aim to support children, young people and young adults who are experiencing emotional and mental health problems. Children and young people’s mental health disorders affect 10-20% of children and young people. Common mental health disorders and difficulties encountered during childhood and the teenage years include:

- ADHD (Attention Deficit Hyperactivity Disorder);
- Autistic spectrum condition (ASC);
- Emotional and behavioural problems;
- Conduct Disorder;
- PTSD (Post-Traumatic Stress Disorder);

- OCD (Obsessive Compulsive Disorder);
- Depression; Eating Disorders; Bullying; Anxiety.

FTB have a dedicated team of clinical staff working within the Youth Offending Service who work alongside staff to offer screening, identification and treatment of mental health difficulties of young offenders aimed at reducing the range of risk factors that can cause young offenders to be more at risk of emotional and developmental problems. By building an individual's resilience, improvements are seen in their ability to cope with situations that may lead to offending.

FTB aims to improve the mental health and emotional well-being of children, young people and their families and to improve the level of knowledge and awareness of mental health issues among the wider staff group.

The Clinical Nurse Specialist posts reflect the specialised clinical qualification in the domain of Child and Adolescent Mental Health. Whilst not essential, post holders have specialist training in dedicated therapeutic approaches to intervention, assessment of complex mental health need and advanced skills in multi-disciplinary working. This role includes the assessment, clinical formulation and delivery of interventions to meet complex mental health needs.

Staff within the Service have been trained alongside the specialist clinical staff in the use of SAVRY (Structured Assessment of Violence Risk in Youth) and in DBT (Dialectic Behavioural Therapy) which can assist in the treatment of those with suicidal tendencies and those who have experienced deep trauma in their past. They also offer cognitive behaviour therapy, brief solution focused therapy, family work and neuro developmental interventions.

The clinical staff provide a core set of skills which means that they can accommodate all emergencies regardless of who is available for the assessment and are able to work flexibly to meet the needs of the young person.

Current on-going caseloads are approximately 150 across FTB YOS staff. This includes one of the staff members being a non-medical prescriber. 85 cases are currently under a prescriber being treated for ADHD and ASD, with a small proportion being treated for co-morbid psychiatric conditions, mainly depression or mood dysregulation. Over 65% of the cases are neuro-developmental - mainly ADHD and ASC.

The case study highlights key strengths:

1. Immediate mental health assessment with case worker having the ability to co-ordinate support for assessment in the form of additional staff members
2. Ability, with parental consent to identify vulnerability to local police via YCO as this young person was leaving the family home unsupervised and was acting erratically so vulnerability was the focus not criminal arrest when encountered.
3. Referral to Early intervention team and access to place of safety.
4. Electronic record system in FTB allowed via mobile access to record details of need clearly for all health teams.

*F was placed on an order for assaults on staff within an out of area residential home. When F returned to Birmingham aged 17 years, a referral was made to YOS FTB staff and engaged well. F was diagnosed with a borderline personality disorder but engaged well in individual sessions of Dialectical Behaviour Therapy and used these skills to better regulate ongoing behaviour.*

*F successfully completed the court order. There is no current self-harm, low risk of suicide; relationships with peers are going well. The FTB Service is now facilitating the transfer the case to an adult CMHT team.*

## 5. Youth Offending Case worker able to highlight signs and symptoms of acute change in mental state to request urgent assessment

FTB continues to work closely with the Youth Offending Service to ensure that all young people have access to mental health support and interventions in line with the NICE guidelines (National Institute of Clinical Excellence) and aligned to the needs to the client group they support.

### Harmful Sexual Behaviour Team

The Harmful Sexual Behaviour Team (formerly the Sexually Harmful Behaviour Team) is a small but key safeguarding team hosted and funded through the Youth Offending Service, Community Safety Partnership and Clinical Commissioning groups that undertakes risk assessment and therapeutic intervention to prevent and reduce harmful sexual behaviour in partnership with key agencies including Children's Services, Youth Offending Services, Police, CPS and schools. The service works with young people from 7-17 years either on a voluntary or statutory basis. Between 1st April 2017 – 31st March 2018, 104 young people new referrals were received. During this time, the team worked with 171 young people (including existing cases) and had an average caseload at any one time of approximately 65 cases.

*A was referred to HSB after he pleaded guilty to contact and online sexual offences.*

*The HSB assessment identified that isolation and familial relationships were significant contributory factors to A's offending. Consequently, the HSB plan was to reduce A's feelings of isolation and address his cognitive distortions.*

*The plan for HSB work was developed around the AIM2 and Transactional Analysis HSB assessments and HSB worked closely with A's mother, his case manager and his SOVA mentor to coordinate the support required to address his offending.*

*A's isolation was compounded by his anxieties around independent travel and therefore emotion regulation work was facilitated to support A to manage these challenges. At the time when A was transferred to the Probation Service, he had successfully completed a period on a curfew; he was engaged in ETE and was travelling around the city independently. A had also developed a support network of pro-social peers and had not committed any further offences.*

In addition, the team continues to provide advice and support to other professionals.

The name of the team has recently changed to the Harmful Sexual Behaviour team to reflect current research and practice and to encompass both sexually abusive behaviour and sexually problematic or concerning behaviour.

Children and young people who sexually abuse usually exhibit common life experiences and individual traits that contribute to development and future behaviour. Early intervention and therapeutic work can target these areas and promote change in family systems and the behaviour of children. Families and carers are essential to this work and are actively engaged throughout HSB interventions. Protection of victims is comprehensively assessed at all stages. The team also provides training and consultancy to other professional agencies and carries out preventative work in schools in order to promote appropriate behaviour.

What is very apparent from the numbers and sources of referrals, that the team is placed within the correct space to work with those young people to avoid unnecessary criminalisation of children and young people when an educative programme and family support can be put in place prior to the young person reaching court and statutory interventions.

Over the past 12 months the team has continued to develop partnership working with other key agencies and has provided training to a number of education providers in relation to managing harmful sexual behaviour. Furthermore, the team has worked in partnership with Children's Services and Educational Psychology Services

Referral Source	Number
Children's Services	52
Education	31
Police	11
Primary Health	1
Community Mental Health Service	2
Youth Offending Service	7
<b>Total</b>	<b>104</b>



to develop guidelines for education providers on responding to harmful sexual behaviour in schools.

In January 2017, the team gained additional capacity funded from NHS commissioners to increase specialist staff within the team for children and young people on the autistic spectrum and those with learning difficulties and the team now has a specialist Autism worker and an Assistant Psychologist in post. These staff also provide training and consultancy to the whole Youth Offending Service and the Autism Worker facilitates a rolling programme of Cygnet Training to families. The availability of this provision ensures that the service is able to identify and respond to the individual needs of each young person.

## Female Gender Specific Programme

The Female Gender Specific Programme (FGSP) is a city wide programme within Birmingham Youth Offending Service supported by two members of staff delivering interventions for young women aged 12-18 years, open to the Service on Youth Cautions, Referral Orders, Youth Rehabilitation Orders, Community Licence and Think Family Plans.

The Unit utilises a programme based on well researched and validated model 'Oregon's (USA) Guidelines for Effective Gender Specific Programming for Girls (2000)' which advocates a holistic approach to working with young women, to manage both high risk behaviours that place the public and victims at risk, alongside safeguarding and welfare needs. Staff have specialist knowledge and experience of working with children and young women who have offended and been victims of abuse through child sexual exploitation and gang violence. Interventions are delivered on one to one or group basis. It is important to equip children and young women with knowledge, so that they can try to keep themselves, their friends and peers safe. We aim to raise their awareness by putting them at the centre of the work we do, so in turn they can be listened too, be believed and be supported. By informing them of the facts, they can make informed choices and decisions in order to help promote a healthy and safe wellbeing. This specialist and flexible provision allows young women and girls to return to see FGSP staff for help / reassurance to keep on track post order, this can be face to face or telephone support.

Young women have been supported to open up about their own experiences of being a victim of CSE and gang violence. This in turn, is fed into the wider safeguarding panels to form part of a plan to safeguard them and disrupt perpetrators.

## Appropriate Adults

The Service is responsible for ensuring that support is offered to all young people, aged from 10 to 17, who are arrested and detained at a Police Station where a responsible adult cannot attend.

The Appropriate Adult attends to safeguard the welfare of the young person and to ensure that processes in keeping with the PACE Codes of Practice are adhered to. The service is staffed by volunteers supported by a full-time co-ordinator and is available to all Police Stations across the city. Out-of-hours co-ordination is covered on a paid contract basis and the Service works closely with colleagues from Children's Services in respect of the corporate parenting of Children in Care. The Local Authority has a duty under Section 38 of the Police and Criminal Evidence Act 1984 to accept the transfer of children who have been charged and denied bail from police custody to local authority accommodation. This has recently been re-enforced by the issuing of a concordant by central government. Work is on-going with Police and Children's Services to ensure that appropriate accommodation is available.

The working relationship between the Service, the Police and solicitors remains positive. The change of legislation in relation to PACE which to now include 17 years old young people has not made significant changes to the number of callouts.

Following recent research by the Combined Authority into the detention of young people in police cells and the access to PACE beds, further discussion has taken place between the Service, Police and EDT. The Police now have a system in place to ensure that any decision to detain a young person in the cells is reviewed by a senior officer. Similarly, Police data is being shared monthly with both the Youth Offending Service and EDT to analyse the number of PACE beds being requested and those being utilised.

## Parenting

Parenting interventions are used to reduce risk factors such as harsh or erratic discipline, poor supervision and conflict at home, and to strengthen protective factors such as constructive supervision and supportive relationships. Parenting workers with the Service utilise the 'Triple-P' Positive Parenting programme as the main evidence-based programme to help parents to develop parenting and supervision skills. The Parenting workers also work closely with the Restorative Practice workers to provide young people, their parents and victims with Family Group Conferencing.

Where more intensive work with families is required, the Service can draw upon the Multi Systemic Therapy teams, which are funded with Think Family funding. Multi Systemic Therapy (MST) is a goal-oriented, comprehensive treatment programme designed to work with young people at risk of custody or care who have multiple problems including anti-social behaviour; aggression/difficulties in relationships with various systems including within the family or at school; going missing or staying out late and lack of clear family rules or expectations. It is a family-focused and community-based treatment programme that has been the focus of several major research studies and demonstrated clinical and cost-effectiveness for youth with complex emotional, social, and educational needs. All interventions are designed in full collaboration with family members and key figures in the child's life.

*K was given a 12 month YRO for an offence of Burglary. Following assessment of both the young person and his mother it was recognised that although K's mother, Ms R, could be very authoritarian, she was inconsistent in her parenting of her children.*

*Further discussions indicated that she had been subjected to repeated domestic violence from a previous partner, which her son had more recently tried to emulate.*

*The parenting worker used the Triple P programme to assist her to gain greater consistency in her parenting and to work more closely with her children to set clearly defined goals of behaviour.*

*She was also assisted to seek help from her GP to get help for her depression and work was also undertaken to help her have the confidence to seek new employment.*

## Parents and Children Together (PACT)

Incidences of aggression from children towards their parents can be viewed as part of normal child development and dealing with such issues present opportunities to learn and develop for both parent and child. Child to parent abuse goes beyond the everyday experiences of children "hitting out" at parents, which can happen for all sorts of medical, developmental and situational reasons. It also goes beyond "one off" incidents.

Child to parent abuse is rarely recognised as domestic violence but uses many of the same patterns and tactics of power and control as in adolescent and adult intimate relationships. Put-downs, threats, intimidation, property destruction, degrading language and physical violence are used to gain power and control over the other person and can be learned behaviour.



*L was referred to the Multi Systemic Therapy (MST) team as he was fire setting, carrying weapons, being physically and verbally aggressive. His attendance and behaviour at school was poor, he was involved in anti-social behaviour and was coming home late and going missing from home. L was also having regular seizures which required hospital treatment as well as emerging mental health concerns which resulted in the mental health crisis team being involved with the family.*

*MST utilised a range of psychological and behavioural interventions including support to his parent to set clear expectations, use of structured rewards and consequences, skills in de-escalation, use of emotional warmth, and how to support L to be less influenced by his peers*

The Service has begun to roll out the 'PACT' programme which aims to:

- reduce incidents of child to parent abuse
- increase safety within families
- promote positive relationships within families
- improve outcomes for families e.g. improved school attendance, entry into employment

PACT consists of a twelve-session programme for parents and teenagers, delivered in parallel. The last session is delivered jointly with both parents and their teenagers. The programme is multi layered and weaves together cognitive behavioural therapy and skills development, in a restorative practice framework, with family safety and respectful family relationships at the centre. It is designed to create a safe and respectful environment to enable learning on the programme to be integrated into family life. The programme addresses the young person's abusive and violent behaviour and reduces the instances of this behaviour by developing a more effective relationship between parent/carer and young person. The YOS Manager who leads this programme has supported PACT training across Family Support teams.

## Gangs and Serious and Organised Crime

Birmingham has a long history of reducing gang-related violence through its partnership and community approach. However, recent gang activity has demonstrated the need for constant vigilance and innovative ways to keep pace with gang activity. There are approximately 35/40 Organised Crime Groups (OCG's) that operate in Birmingham, often in areas of high deprivation and unemployment, where they are able to carry out their activities. The activities of these gangs involve: trafficking foreign nationals into modern day slavery, Child Sexual Exploitation, Child Criminal Exploitation, the importation, supply or production of illicit drugs, and the use or supply of firearms. The most frequently seen crime types of OCG's within the city, based on our current understanding, are: drugs, specialist money laundering, economic crime, organised immigration crime and human trafficking (not for sexual exploitation), violent crime (including firearms offences), organised theft and sexual offences. The vast majority of OCG members are adults; however young people are recruited and affiliated to these more organised groups usually either willingly, for protection or for fear of reprisals to themselves or their family.

The Office of the West Midlands Police and Crime Commissioner (OPCC) established a Gangs and Related Violence Commission to formulate a response, which was community led, with the support of statutory services, and its findings were reported in December 2017 along with 25 recommendations from this work. Having identified the need for a multi-agency city-wide response to the serious issues, challenges and vulnerabilities inherent in gang-related offending, Birmingham Community Safety Partnership has overseen the establishment of a **City Wide**

*R was referred for mentoring support as he was assessed as at risk of gang activity. Initially R did not fully engage and tried to make it difficult to contact him. Efforts to spend time with him paid off and in addition to the 1:1 sessions he began attending a 'Be a Leader' course. R settled on the course and was quickly supporting others to think differently and share their ideas. His self-confidence grew and his mother gave positive feedback about the effort he was making at home. R asked if he could become a peer mentor.*

*'If it was not for my mentor, I would have been in a really bad place. He gave me a chance and one day I want to give back like he has done to young men like myself growing up in a world where we find it hard to*

**Organised Crime and Gangs Strategy** to respond to the prevailing situation led by West Midlands Police and Birmingham Children's Trust. The recommendations of the OPPC Gangs Commission and those in the CSP Birmingham Gangs Strategy have been integrated.

The Birmingham Gangs Strategy adopts a public health approach and uses the nationally recognised '**4P framework**' with its four thematic pillars:

1. Pursue - prosecuting and disrupting people engaged in guns, gangs and organised criminality;
2. Prevent - preventing people from engaging in these activities;
3. Protect - increasing protection against guns, gangs and organised criminality;
4. Prepare - reducing the impact of this criminality where it takes place.

A **Strategic Board** has been formed to oversee the implementation of the strategy and has established a multi-agency **Operational Group**, comprising of Police, Youth Offending Service, National Probation Service, Community Rehabilitation Companies, BCC Local Services, Children's Social Care, Health, representatives from Her Majesty's Revenue and Customs, Department of Work and Pensions and representation from community organisations and

Victim Support. This meets regularly to discuss current issues/problems and individuals (both young people and adults) where there are concerns about their risk of/or involvement in gang-related activity and agree interventions to mitigate and manage identified risk.

A multi-agency Criminal Exploitation Panel has also been established, focussing on young people identified as being criminally exploited and applies the 4P approach to mitigating the risks.

In line with this, local safeguarding arrangements have been reviewed to incorporate these groups of young people, involving the triggering of child protection procedures where a young person has been identified as being at significant risk of gang involvement or criminal exploitation with city-wide procedures that include a screening tool for professionals to understand contextual safeguarding and the signs that a young person is vulnerable or at risk.

The Police and Youth Offending Service are in discussion with community groups (including the faith sector) to determine how on-going work in the community can be supported and how the community can work alongside statutory agencies to effectively deal with the serious violence issue in the City.

The Service has commissioned specialist mentoring intervention programmes being delivered, mainly in the south of the city where there has been a particular spike in gang activity and related violence. The Service is also working closely with the OPCC to procure additional specialist community-led programmes to extend provision across the city which will include mediation services that are both led and supported by community groups.

A strategy regarding the deployment of specialist detached youth workers to engage young people involved in or at risk of gang involvement and/or criminal exploitation is currently being scoped and will be operationalised once workers have been identified.

## Preventing Violent Extremism

The Service continues to work in partnership at both a strategic and operational level as a member of the Birmingham Prevent Strategy Board, communicating closely with both the Birmingham City Council Prevent Coordinator and 'Channel' Coordinator, as well as working directly with the Security and Partnership Teams, being a member of the 'Channel' panel and with local community-based and voluntary groups.

This close working relationship has allowed the Service to align itself with national strategy and interpret this to a local level, in addition to being aware of emerging trends locally. The Service's strategic lead for Prevent is an Assistant Head, who is supported operationally by a Prevent Coordinator who is based in the Children's Advice and Support Service (CASS).

The Prevent programme assesses young people who may be vulnerable to violent extremism (Islamic extremism or right wing extremism) and responds by implementing safeguarding measures in order to support the young person. The programme offers individuals an opportunity to air their views, thoughts, frustrations and concerns in a safe environment allowing the young person to both develop and gain resources through active engagement and discussions. Staff within the Service have been trained in WRAP3.

The Service responds to developments within the Government's Contest Strategy allowing staff to gain an understanding of the Prevent strategy and their role within it; to use existing expertise and professional judgement to recognise vulnerable individuals who may need support; and to ensure that local safeguarding and referral mechanisms are known to professionals. For those that require relevant additional multi-agency oversight, the Service continues to ensure good quality referrals into the 'Channel' Panel to ensure there are appropriate mechanisms and interventions in place to support vulnerable individuals, including those which require additional multi-agency oversight.

*B initially presented as a victim of Child Sexual Exploitation and was under the care of another Local Authority placed in Birmingham for safeguarding reasons regarding gang associations.*

*Whilst in Birmingham, B was associating with adults of concern and as a result of this and concerns around possible susceptibility to extremism, the YOS Prevent Coordinator became involved and completed 1-2-1 sessions and ensured involvement of the police offender manager who provided additional oversight given the nature of the concerns.*

*A referral was completed to West Midlands Prevent. Children's Services moved the young person outside of Birmingham. The Prevent Referral followed her to the new local authority and managers at the COG (CSE Operation Group) were made aware of the links that she had formed in Birmingham, to ensure that other young people were safeguarded appropriately.*

## Junior Attendance Centres

Junior Attendance Centres (JAC) continue to work in accordance with the requirements set out in the JAC Operating Model produced by the YJB, and in support of the statutory aim of the youth justice system to prevent offending by children and young people. Birmingham operates two centres from YOS building, and offers a range of life-skills programmes to young people with a variety of offending profiles from lower risk to those subject to ISS interventions, including on Saturdays. The JACs are also used for young people whose training or employment excludes them attending the YOT during the weekday sessions.

## Robbery and Knife Crime Intervention

Weapons offences include possession of offensive weapon, possession of a bladed article, possession of a firearm imitation or real, knife-enabled robberies or theft from person or aggravated burglary. Self-defence and fear are the most frequently cited reasons for carrying a weapon.

*A had recently been released from custody following convictions for Robbery and Assault.*

*A had a significant history of violent offending and was assessed as posing a high risk of reoffending and a high risk of serious harm to others. Case Management Plus guided the development of a multi-disciplinary team formulation which allowed for a shared understanding of A's strengths and difficulties and their impact on his offending behaviour.*

*A bespoke plan was developed to support A and his family to address the issues highlighted and allowed for detailed and focused work to address the issues relating to A's offending.*

*A is currently engaging very well in developing a Good Lives Plan and has complied with a robust risk management plan. He is maintaining a college placement, has completed a Mental Health Assessment and has not committed any further*

The Service delivers a Knife Education Programme to every young person that comes to the attention of the Youth Justice System and to those identified as vulnerable or at risk by partners and a more specific intervention programme for young people who have committed any weapons offence or knife crime. For preventative purposes the Service also supports those identified by other agencies as at risk, for example, pupils excluded or at risk of exclusion as a result of bringing a knife or bladed instrument to school who do not receive a community resolution, caution or court disposal.

All young people are engaged in consideration of the consequences of carrying weapons and young people are encouraged to repeat these messages to their peers to amplify the effect of the education programme. The positive interaction with young people builds resilience and protective factors to improve problem solving and life skills. Young people carrying knives but not in the formal court system are both challenged and supported to reduce their risk and vulnerability, supporting children and young people to move away from negative peer groups and maintain or improve their education, training and employment opportunities and become a more positive member of the community. The impact of this approach is evident in the post intervention assessment which shows a stable or improved ETE position for all young people that pass through the intervention.

The YOS delivers interventions that tackle knife carrying among young people who offend as part of a court order who are convicted of any offence where a knife, or the threat of a knife, is a feature. In 2017/18, 237 young people went through this Knife Possession Programme (up from 173 young people in 2016/17) showing improved identification of young people not charged with knife offences who nevertheless were in possession at the time ('knife enabled' offences). Of the 173 going through the programme in 2016/17, 10 young people were subsequently re-convicted of offences involving knives within the following 12 months.

In addition, the Service runs a specialist programme "Knife Means Life", which is part of our statutory work and integrated within a 25 hour per week supervision and surveillance programme funded by our statutory grant.

The Service also works in partnership with Street Doctors (a national charity working through medical students) who teach young people to deliver basic first aid skills and give young people the opportunity to talk to ex-offenders and victims of knife crime. West Midlands Police support the programme with officers and speakers. The PCC's office has recently begun supporting additional programmes for preventative work in schools and additional capacity within the Service.

## Accommodation

Most young people who approach the Service requiring support with accommodation do so because of the breakdown in their relationship with their parent/guardian. In the majority of cases, this is due to their offending behaviour and the impact it is having on other siblings/family members within the household. Sometimes accommodation is required where a young person may need to move because of 'gang affiliation' or they have committed an offence within the local area and require an alternative bail address.

An accommodation officer from St Basils is based with the Service and has access to specialist accommodation for young offenders through 'Supporting People' funded provision provided by Trident Reach Housing Association. This provision comprises 10 fully supported bed spaces, 9 semi-supported and 4 training flats. These placements come with wrap around support for young people in relation to Education, Training and Employment, physical and emotional health, life skills and independent living. The Service also has access to an emergency bed space, provided by St Basils, at an alternative venue.

In addition, the Service benefits from its partnership with St Basils Youth Hub, a multi-agency response to youth homelessness in Birmingham, which provides quality prevention advice and is working in line with statutory services implementing the HRA (Homeless Reduction Act) which came into force 3rd April 2018 nationally. St Basils has a full range of prevention, accommodation, support and engagement services as well as services which aim to ensure young people develop the skills and have the support needed to move on successfully.

St Basils also has 24 supported accommodation projects in Birmingham providing over 350 bed spaces for homeless young people, and these are accessed where appropriate by the co-located accommodation officer.

The Service continues to work with its partners to ensure suitable accommodation is secured for all young people on release from custody.

*C was 18 years old and became homeless because of conflict at home and he had nowhere to stay.*

*C said "Trident Reach has been helping me for just over a year. I had nowhere to live but I have a roof over my head and the staff are really supportive, they have helped me sort myself out, manage my money, get qualifications and find voluntary work.*

*"I volunteer at the Trident Reach shops – stacking shelves, working on the tills and serving customers. I'm also doing training with Prince's Trust and have done courses in climbing, teamwork and health in the community with a view to do health and safety and emergency first aid"*

*"I'm good at clearing gardens so I'd like to get into property management in the future. I'm hoping to move into my own flat soon too. I don't know what would have happened to me if it wasn't for this place, I'd probably still be homeless but being here has given me a focus to get my life back on track"*

*It's like being in a family and we all try to help each*

## Transitions

The Birmingham Community Rehabilitation Company (CRC) has a cohort of 3733 Service Users of which young adults aged between 18 and 24 years represent 20% of this caseload. There is a clear distinction between the work undertaken with young adults and the general populous and the needs of this age group. Young adults are over represented in crime figures and the criminal justice system; in relation to the general population, however, early adulthood may also be a time where, with the right support and influence, it can be a:

*'... watershed period, a time when people start to desist and thus a time at which the CJS can be influential in helping or hindering these moves towards desistance' (Shapland Et-al, 2012)*

Research indicates that the brain is not fully mature until the early to mid-20's and psychosocial maturity is highly relevant to offending and engagement with services, with the main factors being 'responsibility, temperance and perspective'. Milestones associated with becoming an adult tend to occur later in life and delays (for example due to experiences of care or custody) can impede a successful transition to adulthood. Many of the needs of 18 – 24 year olds are similar to those of 16- 17 year olds. Young adults are likely to have complex levels of need including emerging mental health issues, personality disorders, maturity and vulnerability issues. Poor engagement is also a significant factor for this distinctive group. A barrier identified has been poor narrative skills and the lack of ability to communicate appropriately:

*'...monosyllabic, poorly elaborated and non-specific responses that may be accompanied by poor eye-contact and occasional shrugs of the shoulders.'* (Snow and Powell, 2012)

Such responses may be mistaken for deliberate rudeness and wilful non-compliance when being interviewed by police or cross-examined in court and if interpreted as behavioural and attitudinal, communication difficulties may create 'additional disadvantage for the young person's passage through the justice system' (Snow et al, 2012).

In light of the above, the West Midlands Reducing Reoffending Partnership has developed a 'young adult semi-specialist' provision across the service to manage caseloads of young adults and undertake specific training to enable positive work to support this cohort and reduce the risk of re-offending through positive engagement and a distinctive approach. Young adult programmes have been developed to support the work and a package of training has been provided specifically for the semi-specialists and for all staff members to increase awareness.

This team is being formed and will comprise of a manager and approximately 12 full time members of staff, who will work alongside peer mentors and Community Support Workers. The remit of this team will be:

- Case management of all cases and full transfer of cases from the YOS in line with newly agreed transition processes, allowing named officers to be identified prior to transfer as well as an introduction to CRC Adult Services. This process will be supported by peer mentors and community support workers, who will promote engagement and facilitate a smooth transition for the young people.
- Delivery of the Fast Forward Programme (RAR) – up to 24 years
- Delivery of the Pathway to Independence Programme (RAR) – up to 24 years
- Development of a young adult partnership hub to support desistance.
- Development of new pathways for emotional awareness and masculinity.

The Young Adult Team' is intended to improve communication and service user engagement within the transition period, through the provision of a distinctive and bespoke intervention programme, which effectively addresses the needs of young adults; improving staff knowledge and practice and developing strong partnerships. The Youth Offending Service is working closely with the CRC in 2018/19 in developing this provision, specifically in relation to the 16 and 17 cohorts.



## Appendix 2: Glossary

**Absolute discharge:** Discharges are given for minor offences at Court. An 'absolute discharge' means that no more action will be taken.

**Bail Supervision and Support:** Bail Supervision and Support (BSS) is an intervention provided by the YOT to help ensure a young person meets the requirements of bail. The young person may additionally be electronically tagged.

**Bed night:** measure of occupancy one young person for one night in the secure estate.

**Breach of statutory order:** Is an offence of failing without reasonable excuse to comply with the requirements of an existing statutory order.

**Community Sentence:** When a court imposes a community sentence, the young person carries out this sentence in the community. Community Sentences in the Youth Justice System include Youth Rehabilitation Orders.

**Criminal Behaviour Orders:** Civil orders (which replaced ASBOs), designed to prevent someone causing "harassment, alarm or distress". Breach of an order is a criminal offence, punishable by up to 5 years in prison (2 years for juveniles).

**Detention and Training Order (DTOs):** Detention and Training Orders (DTOs) are determinate custodial sentences which can last from four months to 24 months in length. A young person spends the first half of the order in custody and the second half released on licence. If they offend while on licence, they may be recalled back to custody.

**Disposals** may be divided into four separate categories of increasing seriousness starting with out-of-court disposals then moving into first-tier and community-based penalties through to custodial sentences.

**First-tier penalty:** This is an umbrella term used for the following orders made at court: Referral Orders, Reparation Orders, bind over, discharges, fines and deferred sentences.

**First Time Entrants:** First time entrants to the criminal justice are classified as offenders who received their first caution or conviction, based on data recorded by the police on the Police National Computer.

**Intensive Supervision and Surveillance:** Intensive Supervision and Surveillance (ISS) is attached to a Youth Rehabilitation Order and has been set as a high intensity alternative to custody. ISS combines a set period of electronic tagging, with up to 25 hours per week intensive supervision. ISS is aimed at young offenders on the custody threshold and has to be considered as an option before a custodial sentence is given. ISS may also be attached to conditional bail.

**Parenting Orders:** Parenting Orders aim to prevent offending and anti-social behaviour by reinforcing parental responsibility.

**PENY:** Police Electronic Notification to YOTs. Daily information sent to YOTs regarding children and young people coming to notice.

**Pre-sentence report:** This is a report to the sentencing magistrates or judges containing background information about the crime and the defendant and a recommendation on the sentence to assist them in making their sentencing decision.

**Proven offence:** A proven offence is defined as an offence which results in the offender receiving a caution or conviction.

**Remands:** Once the court has denied bail, there are three remand options:

**Remand to local authority accommodation:** A young person may be remanded to local authority accommodation. This remand may be accompanied by electronic tagging.

**Court-ordered secure remand:** A court-ordered secure remand allows courts to remand young people into Secure Children's Homes or Secure Training Centres. This provision applies to any 12-14-year-old and to 15-16-year-old girls. This also applies to 15-16-year-old boys who are deemed vulnerable by the court and for whom a place is available.

**Custodial remand:** If the court is not satisfied that imposing community-based bail will ensure compliance, or if the offence is serious, or if the young person frequently offends, then it may order a remand in custody. This applies to 15-16-year-old boys not deemed vulnerable by the court and 17 year old boys and girls.

**Restorative Justice:** Restorative justice is an approach to justice that focuses on the needs of the victims. Victims can take an active role in the process, whilst offenders are encouraged to take responsibility for their actions.

**Section 90/91 of the Criminal Court Sentencing Act (2000):** Any young person convicted of murder is sentenced under section 90. A section 91 sentence is for young people convicted of an offence other than murder for which a life sentence may be passed on an adult. The court can, if appropriate, sentence a young person to detention for life.

**Secure estate:** There are three types of placement in the secure estate. These are Secure Children's Homes (SCH), Secure Training Centres (STC) and Young Offender Institutions (YOI):

**Local Authority Secure Children's Home (LASCH):** Secure Children's Homes in England are run by Local Authorities and are overseen by the Department for Education in England. They generally accommodate remanded or sentenced young people aged 12-14 and girls and 'at risk' boys up to the age of 16. They can also accommodate young people placed by Local Authorities on welfare matters.

**Secure Training Centre (STC):** There are four purpose-built Secure Training Centres in England offering secure provision to sentenced or remanded young people aged 12-17. They provide a secure environment where vulnerable young people can be educated and rehabilitated. They are run by private operators under contracts which set out detailed operational requirements.

**Young Offender Institution (YOI):** Young Offender Institutions can accommodate young people and young adults who offend from between the ages of 15-21 years old.

**Substantive Outcome:** Is an umbrella term referring both to sentences given by the court and pre-court decisions made by the police

**Self-harm:** Self harm is defined as any act by which a young person deliberately harms themselves irrespective of the method, intent, or severity of the injury.

**Youth Offending Service (YOS):** The Youth Offending Service comprises of seconded representatives from police, probation, education, health and social services, and specialist workers, such as restorative justice workers, parenting workers and substance misuse workers.



CITY COUNCIL

5 FEBRUARY 2019

**MOTIONS FOR DEBATE FROM INDIVIDUAL MEMBERS**

To consider the following Motions of which notice has been given in accordance with Standing Order 4 (i)

**A. Councillors Gary Sambrook and Meirion Jenkins have given notice of the following Notice of Motion:-**

"This Council believes that public open space and parkland is vital to the physical and mental health of residents, to protecting the environment and to improving air quality. This Council notes its concern with the loss of public open space and parkland across the City in recent years and the threat of further such loss through decisions such as recent proposals for Burford Road Playing Fields in Kingstanding and Dugdale Crescent in Mere Green.

This Council also notes concerns raised by residents that they feel that consultations over such proposals are too often something that is done to them rather than with them and that their views ultimately have little impact on the decision.

This Council calls on the Executive to ensure that not one blade of grass of designated public open space or parkland in Birmingham is sold off or developed further, until all brownfield sites have been exhausted and only then with support from local residents and users of the space.

This Council also calls on the Executive to listen to the residents and users of Burford Road Playing Fields and Dugdale Crescent and abandon plans to build on these important community assets."

**B. Councillors Roger Harmer and Jon Hunt have given notice of the following Notice of Motion:-**

"This Council regrets the return of disruptive industrial action in the waste collection services and the detrimental impact on the residents of the city.

Council believes that the service in its present form has proved to be unmanageable and continues to pose significant risks to the Council's reputation and finances.

Council further notes:

- The long delay in implementing the agreement (Memorandum of Understanding) reached after the 2017 strike;
- The significant evidence from autumn 2018 that the MOU working arrangements were unable to deliver a service that is both efficient and of good quality;
- The latest industrial action.

Council notes that since 2012 the Executive has twice failed to implement promises to market-test outsourcing the use of external partners to run waste collection services.

Council notes that the 2014 Kerslake Report reported receiving evidence, supplied by the Council itself, of the potential for significant savings from outsourcing.

Council therefore calls on the Executive to proceed with "hard" market-testing of the outsourcing of service provision and the use of external partners to deliver services. Recognising that Birmingham is significantly larger than any other Authority that delivers these services, Council further proposes that this be done by dividing the service into three geographical areas based on existing depots, noting the success of this kind of sector tendering for other Council services. The areas would be based on Perry Barr, Lifford Lane and Redfern Depots with Montague Street included in one of the three."

**C. Councillors Kate Booth and Brigid Jones have given notice of the following Notice of Motion:-**

“This council welcomes Ofsted’s recognition of the improvements to children’s social care services in Birmingham and commends the outstanding efforts of staff and all who contributed to bringing about this positive news.

Further, this council is committed to working with Birmingham Children’s Trust to build on the progress to date and deliver children’s services that are rated as 'consistently good'. There will be no let-up in our collective efforts to improve outcomes for vulnerable children in the city.

However, with the Local Government Association (LGA) warning that local authorities face a £3bn funding gap by 2025 just to maintain the current levels of service in children’s social care, it is clear that across the country the Government is failing to adequately fund services to protect vulnerable children and young people.

The LGA reports that 133 out of 152 English councils responsible for children’s services overspent in 2017-18 - with a total overspend of £807m. At a time of continued austerity, this means cuts to services elsewhere or use of dwindling reserves.

This council therefore joins the LGA in calling upon the Government to provide new and long-term significant funding for children’s services and recommends that the Council:

- Write to the Chancellor of the Exchequer urging the Government to address the funding crisis facing children’s services in next year’s Spending Review, by delivering a long-term sustainable funding solution that enables councils to protect children at immediate risk of harm while also supporting early intervention to prevent problems escalating in the first place.”

