

Appendix A

COMPLAINT ABOUT CLLR DES HUGHES

INVESTIGATION REPORT

Introduction

1. I have been appointed by the Deputy Monitoring Officer at Birmingham City Council ("the Council") to investigate a complaint (dated 11 September 2023) about Cllr Des Hughes.
2. I am a self-employed barrister with a specialism in local government law. I am the editor of the forthcoming textbook, *Cornerstone on Councillors' Conduct and Standards in Public Life* and am an experienced investigator of complaints about councillors.

The complaint

3. The complaint has been submitted by [REDACTED] in the Council's [REDACTED] Directorate. A copy of the complaint is enclosed as Appendix 1.
4. The complaint makes five allegations:
 - (a) that Cllr Hughes continued to access Council systems whilst no longer an employee and did so as a councillor;
 - (b) that Cllr Hughes accessed the Hays 3SS system to authorise extensions of contract for agency staff within the Council's SENDIASS service whilst no longer an employee and did so as a councillor;
 - (c) that Cllr Hughes received an overpayment of salary of approximately £6,000 which he has not repaid to the Council;
 - (d) that Cllr Hughes failed to disclose on his register of interests that he was a trustee of a charity with which the Council had an ongoing financial relationship for the hire of office accommodation; and
 - (e) that Cllr Hughes failed to disclose his continuing interests in the Council's SENDIASS Service whilst attending Council meetings, specifically meetings of the Education and Children's Social Care Overview and Scrutiny Committee ("the Committee").

5. Cllr Hughes was formally notified of these allegations by the Council on 22 August 2023 and informed that they would be the subject of a formal investigation. Cllr Hughes did not provide a response to the complaint at this time although he has subsequently provided me with a written response, which is enclosed as Appendix 2.

The Code

6. The Council has adopted a Code of Conduct for Members ("the Code") which applies to members of the Council when acting in their official capacity.
7. The complaint does not identify any particular provisions of the Code which are said to have been breached. Nonetheless, in my view, the following sections of the Code are relevant to these allegations:
 - (a) paragraph 5.1: *"I do not bring my role or local authority into disrepute"*;
 - (b) paragraph 7.1: *"I do not misuse council resources"*;
 - (c) paragraph 7.2(a): *"I will, when using the resources of the authority or authorising their use by others: act in accordance with the local authority's requirements"*; and
 - (d) paragraph 9.1: *"I register and disclose my interests"*.

Investigation process

8. I have been provided with various documents to assist my investigation, including:
 - (a) "Bundle 1" comprising email correspondence from May to August 2022 involving Cllr Hughes and various Council officers (enclosed as Appendix 3);
 - (b) "Bundle 2" comprising documents relating to the charity Nechells POD and the company SHINE@NechellsPOD Ltd (enclosed as Appendix 4);
 - (c) "Bundle 3" comprising documents relating to the Sir Barry Jackson Trust and the Kingstanding Regeneration Trust (enclosed as Appendix 5);
 - (d) "Bundle 4" comprising payslips for Cllr Hughes between April and July 2022 (enclosed as Appendix 6);

12. On 25 June 2022, Cllr Hughes completed a declaration of interests form. The form has not been updated since this date. The form declared his employment as "Support Officer" with no further details provided. In my interview with him, Cllr Hughes explained that this refers to paid work he does providing one-to-one support for an adult with learning disabilities. In completing his form, Cllr Hughes also declared two non-pecuniary interests: "Board of the Birmingham Royal Ballet" and "Barry Jackson Trust".

Cllr Hughes' employment

13. Beginning on 1 April 2019, Cllr Hughes was employed by the Council as a Parent Partnership Support Officer in its SENDIASS service. "SENDIASS" stands for SEND (Special Educational Needs and Disabilities) Information, Advice and Support Services. SENDIASS is a statutory service provided by the Council. Its purpose is to provide information, advice and support to children and parents of children with SEND. Although SENDIASS is supposed to operate impartially (i.e. at arms-length from the Council), it is staffed by employees of the Council or agency workers working on the Council's behalf.
14. Cllr Hughes described the SENDIASS team as small (comprising only six officers) and under a tremendous amount of pressure, which only got worse with the onset of the COVID pandemic. In response to the problems caused by the lockdowns for the families being supported by SENDIASS, Cllr Hughes said that the service recruited a number of agency workers to help manage the caseload.
15. As a Parent Partnership Support Officer, Cllr Hughes's job involved advising and supporting parents who had children with SEND. He also seems to have been relied on heavily by his colleagues for various administrative – what Cllr Hughes described as "back office" – tasks, such as onboarding and supervising the (sometimes inexperienced) agency staff. Cllr Hughes described two such tasks to me: one was completing the "Starters, Leavers and Movers" ("SLAM") form. This is a standard form used by the Council's HR department and enables employees and agency staff to have access to the Council resources they need to do their job (e.g. email address, access to specialist databases, etc). The second was using the Hays 3SS platform which was used to recruit agency staff (provided by Hays, a third party recruiter) as well as dealing with personnel matters for the agency staff (e.g. contract renewals and extensions).

SENDIASS controversy

16. To put some of the findings below in context, it is necessary to comment on the controversy surrounding SENDIASS during and after Cllr Hughes' employment in the service.

17. In October 2021, John Coughlan CBE was appointed by the Secretary of State for Education to lead a statutory intervention into Birmingham's SEND services. In his first report to the Secretary of State, Mr Coughlan had recommended that SENDIASS be the subject of an independent review. That review was commissioned by the Council and carried out by the National Children's Bureau ("NCB") between March and May 2022. The NCB review was highly critical of SENDIASS and concluded (among other things) that it was "85% non-compliant" when assessed against its statutory minimum service standards.¹

18. In Mr Coughlan's second report to the Secretary of State, he devoted a whole section to SENDIASS. Mr Coughlan described how although the SEND Improvement Board, which he chairs,

"accepted the [findings and recommendations of the NCB] review and then agreed a necessary reform of [SENDIASS], there followed a significant resistance to that process of reform including through some concerted political denial of the basis of the review's critique.

There remain some views, presumably sincerely held, that SENDIASS in Birmingham has been the most effective part of the wider SEND system upon which some families depend heavily. The counter to those views is that SENDIASS has achieved its position with those families and with a network of supporters, including politicians, by working unilaterally, beyond its brief and in a manner which has probably, at least indirectly, contributed to wider SEND failings. As an independent Commissioner I hold the latter view based on weight of evidence I have encountered.

The political dimensions to this should also be made clear. We can set aside here the fact of the relationship between the Leader and the head of the service, though I remain firmly of the view that the collective failure over time to properly manage or mitigate the operational implications of that relationship has contributed to the current malaise. Beyond that relationship there is a number of Birmingham City councillors who appear to have or have had direct individual connections to the service, which may not have been effectively declared yet may have influenced their disproportionate defence of a poorly performing SEND service."

19. KPMG were commissioned to review the governance of SENDIASS in response to the NCB report. The KPMG review took place between February and April 2023. The allegations which are the subject of this complaint came to light as a result of KPMG's findings.

¹ The report was published in January 2023 (see paragraph 35(d) below) and presented to Cabinet in May 2023.

Cllr Hughes' resignation and election – March-May 2022

20. On 18 March 2022, the Council issued a notice of election for the 2022 local government elections. Shortly before this date, Cllr Hughes was selected as the Labour candidate for Kingstanding. Someone who is employed by the Council is disqualified from being elected to or being a member of it.²
21. Cllr Hughes told me he understood this rule and recognised that he would need to resign his employment with the Council in order to stand in the elections. He told me that in 2022 the selection process had taken place much later than usual, which meant that he was unable to give the notice of his resignation required by his employment contract. Accordingly, on 21 March 2022, in order to stand as a candidate in the forthcoming elections, Cllr Hughes submitted notice of his resignation [REDACTED]. I have been provided with a copy of the email exchange between Cllr Hughes, [REDACTED] and the Council's HR department confirming that Cllr Hughes' resignation was accepted with immediate effect (Appendix 10).
22. However, despite having ostensibly resigned from his employment, Cllr Hughes told me that, at the same time, he also agreed with [REDACTED] that he would continue to work with SENDIASS "in a voluntary capacity for a few weeks" in order to ensure a smooth transition. He explained that he had worked with his colleagues in SENDIASS for some time, that they were a "good bunch of people" and therefore "just running ... and leaving them with, I don't know how many cases, to ... share out and hand over just seemed a bit inconsiderate in the circumstances". He confirmed that there was nothing in writing to evidence this agreement, describing it as "an understanding, it was probably as informal as it could get". [REDACTED] confirmed that he had not seen any evidence of this agreement during the KPMG review.
23. The elections took place on 5 May 2022 and Cllr Hughes was elected as the member for Kingstanding ward for a third time.

Events subsequent to Cllr Hughes' election – May to September 2022

24. Despite envisaging that this informal agreement – that he would continue to assist his former colleagues – would last for only a few weeks from mid-March 2022, Cllr Hughes confirmed to me he was still working in a voluntary capacity for SENDIASS up to and after the date of his election. He told me that the handover of cases had finished by the end of May 2022 (by which time he was an elected member of the Council) and that, subsequently, he had only done "purely administrative" tasks for the service. He specifically denied having done any support

² section 80(1)(a) of the Local Government Act 1972

or advisory work on behalf of families supported by SENDIASS once the handover had finished.

25. The documentary evidence does indeed show that Cllr Hughes continued to perform work for SENDIASS up until at least the end of August 2022, almost six months after his purported resignation. I was provided with a sample of emails sent to or by Cllr Hughes from his officer's email account between May and August 2022³ (Appendix 3). It is clear that this is only a sample because at least one of the emails refers to other email correspondence involving Cllr Hughes (which I have not seen). I discussed each of these emails with Cllr Hughes during our interview:

(a) on 17 May 2022, he sent an email with the subject "*Scheduled SENDIASS Board Meetings*" to various recipients (including [REDACTED], [REDACTED], [REDACTED]). Cllr Hughes described the SENDIASS Board as more of a steering group than a management board; it had no executive functions and its membership included local headteachers, SEND co-ordinators, educational psychologists and academics. [REDACTED] confirmed this description. Cllr Hughes said that he had acted as the Board's secretary, with responsibility for organising and administering its meetings. He recalled attending a Board meeting in April 2022 but none after that date. The email in question listed "*the dates for our meetings for the rest of this academic year*" and asked recipients to note these dates in their diaries. Cllr Hughes explained that [REDACTED] would have identified the dates and instructed him to inform the Board members. Cllr Hughes initially described this email as probably his last interaction with the Board although he later had to correct this when we looked at a further email he sent to Board members in July 2022 (see paragraph 25(e) below);

(b) on 7 June 2022, [REDACTED] forwarded a link to the documents for a meeting of Cabinet later that day, with a request to print a copy of a report ("Children and Families Directorate: Improvement Programme Update and Resources Requirement"). Cllr Hughes explained that, at that time, he was probably in the "POD" (where SENDIASS rented office accommodation and kept a printer) in his capacity as a trustee of Shine@NechellsPOD. Cllr Hughes did not recall this request precisely but stated that this was "*just a casual print request*" and that he would probably have printed the document on the SENDIASS printer in the POD, leaving it in the SENDIASS office to be collected later;

(c) on 14 June 2022, [REDACTED] again forwarded a link to the Cabinet meeting documents for 7 June 2022 and asked him to "*save them as documents in the folder on shared drive*"

³ His officer's email address was des.hughes@birmingham.gov.uk. His councillor email address is des.s.hughes@birmingham.gov.uk.

Cllr Hughes responded on 16 June 2022 – “As requested” – which implies that he had complied with that request. Again Cllr Hughes did not recall the detail of this request but explained that [REDACTED] “wasn’t inclined to ... this sort of day-to-day stuff” and often had problems with printing documents. When I asked him why, even after he had completed his handover of cases, he was still being asked to perform administrative tasks by a former colleague, he explained: “There wasn’t really an ongoing arrangement. I think it was just a ... kind of a casual request to help. Because I could do it, I did it, basically. I didn’t see ... printing something off for somebody as being particularly involved”;

- (d) on 20 June 2022, Cllr Hughes exchanged emails with [REDACTED] about apparent difficulties the latter was experiencing with printing. I asked Cllr Hughes about how often he was checking his officer’s email account at this time. He said that he was not monitoring his emails in June because he had no reason to, now he was no longer supporting families or involved in urgent matters such as SEND Tribunal cases. He said he probably only picked up these emails because he was prompted to by phone calls from [REDACTED]. However, I noted that Cllr Hughes had responded to [REDACTED] email on 20 June 2022 just over an hour after it was received. Although Cllr Hughes suggested he would have been phoned first by [REDACTED], that is not the impression conveyed by his response, which engages directly with [REDACTED]’s question (and does not refer to a prior discussion on the phone);
- (e) on 8 July 2022, Cllr Hughes sent an email to members of the SENDIASS Board apologising that “*due to unforeseen circumstances the board meeting scheduled for Monday 18th of July has had to be cancelled. I am sorry for any inconvenience this may cause. We will be in touch*”. Cllr Hughes could not recall why he would have been asked to send this email. He said: “*it’s a pretty weak excuse, but I’m just guessing it’s because ... of the lack of access to the list of members*”. When I asked him what the arrangement was between himself and [REDACTED] about his work for SENDIASS at this time, his explanation was that “*it was really casual ... because all the cases ... had been dealt with. So, I was just getting these – well, what seemed to me at the time to be just sort of silly requests for a little bit of assistance*”;
- (f) on 13 July 2022, [REDACTED] forwarded an email to Cllr Hughes from the SEND Tribunal, which attached a directions order relating to an ongoing appeal. I was curious about this correspondence because Cllr Hughes had earlier explained that he was no longer involved in actively supporting families, including through cases in the SEND Tribunal. I pointed out to him that this was a purely administrative order (vacating a planned hearing date and adjourning the hearing to later in the year) rather than containing any substantive “outcome” to the litigation. Cllr Hughes said he had probably been sent the order for

information, as he had been supporting the family for some time. When I asked him whether he had planned to attend the hearing, his answer was: "God, no!";

(g) on 31 August 2022, Cllr Hughes sent an email to [REDACTED] which stated: "Just for info, but really, the salt [speech and language therapy] assessment was delayed because the therapist was in school in the afternoon and he was in the morning. Clearly the parents fault. We've just had [a named child] in the new conservatory. Some of the toys we have didn't last five minutes". Cllr Hughes explained that he had been in the POD on this date and had happened to bump into a family whom he had supported for some time previously. He described playing with the child while his mother had a meeting with her current Support Officer. He could not recall how he would have known details about the child's Speech and Language Therapy ("SALT") assessment or why he would have notified [REDACTED] about it. He suggested he might have spoken with [REDACTED] and "something came up about it". He again denied that he was providing any advice or support to families.

26. Meanwhile, on 24 August 2022, Cllr Hughes created a request to extend the contracts of 21 agency workers working for the SENDIASS service using the workforce management software provided by the recruitment agency, Hays (Appendix 8⁴). The "change order" submitted by Cllr Hughes records that the extension was requested until 31 March 2023 and was due to "Continuing business pressure due to Covid".

27. Cllr Hughes accepted that he had submitted the change orders. He recalled having received a phone call from [REDACTED] who was "indisposed, off sick or something like that", asking him to perform this action. Cllr Hughes said [REDACTED] was concerned about the agency workers being unable to submit their timesheets if the change order was not submitted. He said he was surprised he was being asked to do this but was told that another member of the team was having difficulty navigating the platform. Cllr Hughes told me he made it clear to [REDACTED] that he would not be doing anything further like this for SENDIASS.

28. The KPMG report noted of this action that the

"recruitment of agency staff was not authorised by the Workforce Review Board, and any temporary Covid funding has since ceased to be a source of income for the service, this further committed the Council to unauthorised expenditure"

29. In response to a question from me, Cllr Hughes confirmed that he had not notified or sought advice from the Monitoring Officer about his informal agreement to work for SENDIASS in a voluntary capacity. He said that it had not occurred to him to do so.

⁴ Appendix 8 is screenshot showing one such extension. The KPMG report (Appendix X) found that a total of 21 contract extensions were submitted by Cllr Hughes on this date, of which 18 were until 2023.

Salary overpayments

30. Although Cllr Hughes described his ongoing work for SENDIASS as being done in a "voluntary capacity", as a matter of fact he continued to receive his salary. I have been provided with copies of payslips recording that Cllr Hughes was paid a salary for 29.2 contracted hours per week of work as a Parent Partnership Support Officer on 28 April 2022, 27 May 2022 and 28 June 2022 (Appendix 6).
31. Cllr Hughes told me that he had been completely unaware that his salary had continued to be paid. He said that payslips were not sent in the post and were only available online. He explained that he does not routinely check his bank account: "... *this might sound flippant, but if there's money in the account when I go to the cash point, I tend not to investigate further.*" During my interview with him, he also denied having received any notification that he had been overpaid or having seen any evidence that he was overpaid. Nonetheless, he said that he was prepared to reimburse the Council if and when he is provided with sufficient evidence: "*if it turns out I've been overpaid, then I owe the Council some money, I'll give it back. That's not an issue.*"
32. After our interview, I was provided with a copy of two invoices dated 2 May 2023 issued by the Council addressed to Cllr Hughes at his home address (Appendix 11). The total sum demanded was £6,189.96 and the description on the invoices was "SALARY OVERPAYMENT RECOVERY Late Leaver". I shared the invoices with Cllr Hughes and asked if he had received them at the time. His response was: "*I haven't seen these before. It looks like there is a liability here that I will have to deal with.*"
33. The KPMG review found that despite Cllr Hughes having tendered his resignation in March 2022, [REDACTED] did not update his employee record until 13 July 2022. [REDACTED] described this as a "very basic [HR] process" for the manager of anyone leaving the Council's employment and is necessary to terminate their salary payments and access to IT and other Council resources. That delay would explain why Cllr Hughes continued to receive a salary until June 2022 and why he retained access to the IT resources he had used as an officer of the Council. However, it is unclear to me why he continued to have access to those IT resources until at least August 2022. KPMG did not look into this specifically but [REDACTED] suggested that terminating these user privileges would probably have needed to be actioned by someone within SENDIASS. Cllr Hughes told me his understanding was that his officer IT access eventually lapsed only because of prolonged inactivity.

Charity appointments

34. Charity Commission records available online show that Cllr Hughes holds the following appointments:

- (a) Trustee of the Sir Barry Jackson Trust (charity number 211619), appointed on 15 June 2023;
- (b) Trustee of the Birmingham Royal Ballet (charity number 1061012), appointed on 6 December 2022;
- (c) Trustee of the Kingstanding Regeneration Trust (charity number 1149785), appointed on 3 September 2012. In the Trust's Management Committee Report and Financial Statements for the financial year 2021/22 (dated 24 August 2022) Cllr Hughes is described as the Vice Chair and co-signed the report on the Management Committee's behalf (Appendix 5). The notes to the financial statements show that the Council donated £55,600 to the Trust in 2022, the second-highest donation that year. There is no indication in the financial statements that Cllr Hughes received any remuneration for this role;
- (d) Trustee of SHINE@NechellsPOD (charity number 1162038), appointed on 17 July 2018. There is no indication that Cllr Hughes received any remuneration for this role either. Cllr Hughes explained that the POD rents out office accommodation to local organisations and that SENDIASS had rented several rooms at the POD for some time before he began his employment. However, as KPMG found, rental payments to the charity only appear in its financial statements from 2020/21, while Cllr Hughes was employed with SENDIASS (Appendices 4 and 7). The KPMG review found that SENDIASS spent £61,000 in 2020/21 and £67,000 in 2021/22 on office accommodation with this charity. It also found that no proper procurement process had been followed and there were no signed contracts in existence. [REDACTED] told me that there was no business need for SENDIASS to rent office accommodation with an external provider, given that the Council itself has a significant number of office buildings which could have been used without any additional cost to the service. However, apart from his role as a trustee of the charity, there is nothing in the evidence I have seen that suggests any direct involvement by Cllr Hughes in this arrangement. He told me, and in the absence of any evidence to the contrary I accept, that he was not involved in the arrangement between SENDIASS and this charity.

35. As I noted above, Cllr Hughes' register of interest records only the first two of these appointments. He candidly accepted that he had not registered his trusteeships of the Kingstanding Regeneration Trust or SHINE@NechellsPOD and that they should have been. He explained that he had only mentioned those interests where he thought he would be likely

to receive some kind of benefit (such as tickets to the ballet). He described this as "a silly oversight" and "mildly embarrassing" and said that he would take steps to update his register of interests.

Attendance at meetings

36. At the Council's annual meeting on 24 May 2022, Cllr Hughes was appointed to the (then) Education and Children's Social Care Overview and Scrutiny Committee (the Committee). Insofar as material to this investigation, he is recorded as having attended meetings of the Committee as follows:

(a) 20 July 2022. Item 7 on the agenda was a report titled "Update on the SEND Improvement Programme" which made one brief reference to SENDIASS. The approved meeting action notes record that Cllr Hughes "declared that he had been employed by [SENDIASS] until April 2022". The webcast of the meeting records Cllr Hughes as saying: "Just for the record, I was employed by SENDIASS until April this year. I'm not employed by them any more, but just raising this in the interests of transparency". On 5 July 2022 (two days prior to the meeting), Cllr Hughes had been one of the recipients of an email from [REDACTED] with the subject "APP" asking to arrange "a quick [chat] about this – just want to clarify some of my understanding of some of the data (if we can give that this term) in here."⁵ I understand "APP" to have been a reference to the SEND "Accelerated Progress Plan" which was a standing item on the Committee's work programme and which was the subject of a presentation to the Committee at this meeting. The webcast (from 1:05:36) records Cllr Hughes challenging some of the data presented by officers on the Accelerated Progress Plan, partly with reference to his time working for SENDIASS;

(b) 7 September 2022. Item 5 on the agenda was a presentation titled "SEND Improvement update FINAL". This presentation included specific comment on the NCB review of SENDIASS. Again, the approved meeting action notes record that Cllr Hughes "declared that he had been employed by [SENDIASS] until April 2022". The webcast records Cllr Hughes as, again, having raised this "in the interests of transparency" rather than a formal declaration of interest. Prior to this meeting, on 2 September 2022, Cllr Hughes sent [REDACTED] a copy of the presentation which was due to be presented to the committee. Cllr Hughes asked [REDACTED] to provide "an incisive appraisal of the substance of this update – and then tell me how long it took you?" The email chain shows that [REDACTED] forwarded to [REDACTED] an annotated version of the slides with comments criticising some of the points made, describing the rest of the presentation as "nonsense". On the morning of the

⁵ These emails are included in Appendix 12.

meeting [REDACTED] emailed Cllr Hughes – the subject of the email was “Scrutiny” – asking “Do you want to have a quick chat about the SENDIASS pages?”;

- (c) 19 October 2022. SENDIASS was not a specific agenda item although there was some brief discussion about the possible attendance of the SENDIASS Head of Service at a future committee meeting. The meeting action notes, as originally drafted, record that Cllr Hughes “declared a non-pecuniary interest by virtue of previously being an employee of [SENDIASS]. He stated that he wasn’t employed by SENDIASS anymore and had not been for the past six months.” However, at the next meeting of the committee (on 30 November 2022; see paragraph 36(d) below), this text was deleted from the approved meeting action notes and replaced with: “Councillor Des Hughes informed the Committee that he was previously an employee of [SENDIASS], but was not anymore, and had not been for the past six months.” This correction is consistent with what Cllr Hughes told the meeting on 19 October 2022. The webcast of the 19 October meeting shows that Cllr Hughes actually said: “Not an interest, chair, but just so that everybody’s aware: I was previously an employee of SENDIASS but I am not anymore and haven’t been for six months”;
- (d) 30 November 2022. Items 11 and 13 on the agenda for this meeting were (respectively) a public and an exempt report to update the Committee on the NCB’s independent review of SENDIASS. The webcast of this meeting explains the reasons for the correction to the previous meeting’s action notes. It records Cllr Hughes stating that he was *not* declaring an interest and objecting to the previous meeting’s action notes as having recorded that he did declare an interest. He stated “I don’t have an interest in SENDIASS” and asked for the meeting action notes to be corrected, noting that his declaration was made “in the interests of transparency” as opposed to a formal declaration of interest. Some of the meeting attendees can be heard suggesting that Cllr Hughes did have a non-pecuniary interest, to which he replied: “I am saying it is not a non-pecuniary interest and what I object to is having the minutes doctored, Chair [inaudible]. And if someone wants to challenge my assertion, I must request they do it through whatever channels they do it through. I do not have an interest in SENDIASS, Chair.” During the discussion of the public report (item 11) and the discussion whether to move to private session (item 12), it is apparent from the webcast that Cllr Hughes remained in the meeting. Ultimately, the approved meeting action notes record that the committee resolved (unanimously) not to move to private session and the meeting was adjourned to 25 January 2023 to allow the exempt report to be published;
- (e) 4 January 2023. SENDIASS was not a specific agenda item for this meeting. The approved meeting action notes record that no declarations of interest were made. The webcast records Cllr Hughes raising the question of whether someone from SENDIASS

should attend a meeting of the committee if SENDIASS was to be discussed (beginning at 1:46:20). This issue had been raised previously at meetings of the Committee by [REDACTED]

- (f) 25 January 2023. This was the reconvened meeting from 30 November 2022. A redacted version of the NCB report was published, in accordance with the committee's earlier resolution. The approved meeting action notes record: "*Cllr Des Hughes declared a non-pecuniary interest as he was employed by SENDIASS when the report was undertaken.*" The webcast records that Cllr Hughes made this declaration on the basis that he had been employed by SENDIASS during the period of the NCB review but he was no longer employed by them. The webcast also shows that Cllr Hughes remained in the meeting throughout the discussion. This meeting considered the NCB report which, as I have noted above, was heavily critical of SENDIASS. At 1:22:58 of the meeting, the webcast shows Cllr Hughes intervening to defend SENDIASS from "*the insinuation [in the NCB report] that SENDIASS wants to rush to appeal. ... an appeal might involve 500 pages of evidence. The idea that a support officer wants an appeal is, frankly, the most ridiculous thing I think I've heard. ...*". Indeed, in this intervention, Cllr Hughes went on to support his point by referring directly to his experience when working for SENDIASS;
- (g) 22 February 2023. SENDIASS was not a specific agenda item for this meeting. The approved meeting action notes record that no declarations of interest were made;
- (h) 5 April 2023. SENDIASS was not a specific agenda item for this meeting. The approved meeting action notes record that no declarations of interest were made
- (i) 17 May 2023. Although SENDIASS was not a specific agenda item for this meeting, item 8 concerned a report on the "SEND Accelerated Progress Plan". The approved meeting minutes record that Cllr Hughes "*raised a number of queries and concerns*" including:
- "*Tribunals should be a last resort and were reducing. They were using mediation more and will continue to do this.*"
 - "*Whether the support service for families was reducing which impacted on the reducing number of tribunals was queried. The Cabinet Member assured the Committee that the [SENDIASS] was there for parents that needed support and they will continue to provide this.*"

At this meeting, the committee also resolved that SENDIASS be added to the committee's work programme for the following civic year.

37. In between meetings of the Committee, as well as those which I have mentioned above, Cllr Hughes received several additional emails from [REDACTED] about matters related to the committee's business (Appendix 12). These include an email dated 12 July 2022, in which [REDACTED] forwarded an article to Cllr Hughes (using his councillor email address) with the comments: *"This reports [sic] is about children out of school – there are dozens in Bham. As[k] DCS [Director of Children's Services] about it."*

38. It is unusual for elected members to have this kind of regular, direct contact with relatively junior officers of the Council, particularly for a member who sits on an overview and scrutiny committee with oversight of the service which employs these officers. The Council's Member/Officer Relations Protocol advises that although an *"informal and collaborative approach to working between Members and officers is encouraged"*, some care is still required:

"... both Members and officers should be guarded as personal familiarity can damage the relationship, as might a family or business connection. Inappropriate relationships can be inferred from language/behaviour. Close personal familiarity between individual Members and officers can damage the relationship of mutual respect and prove embarrassing to other Members and officers."

I asked Cllr Hughes to comment on this email correspondence. He described it as *"basically conversation about various aspects of the special needs landscape"*.

Assessment

39. In light of the findings made above, it is now necessary to determine whether the allegations in the complaint are proven. There are five elements to the complaint; I will address each in turn.

Failure to register interests

40. As noted above, this is an allegation that Cllr Hughes failed to register his trusteeships of the Kingstanding Regeneration Trust and SHINE@NechellsPOD. Cllr Hughes accepted that he had not done so.

41. In my view, these positions were Other Registrable Interests which, by paragraph 9.1 of the Code, Cllr Hughes was required to enter into his register of interests. His failure to do so is clearly a **breach of paragraph 9.1 of the Code** (registration and disclosure of interests).

Accessing Council systems while no longer an employee, including the Hays 3SS system

42. There are two discrete allegations that Cllr Hughes continued to access Council systems after he had ceased to be an employee of the Council and while he was a councillor. Given their overlap, I will deal with them together. Clearly, up until the date of his election, Cllr Hughes was not a serving councillor and therefore his conduct prior to that date was not regulated by the Code.
43. However, after his election on 5 May 2022 and until at least 24 August 2022⁶, Cllr Hughes did continue to perform work for SENDIASS after he had purported to resign from that employment and he did so using Council resources and systems. This included his officer's email account and the user privileges for systems including the SLAM facility and the Hays 3SS platform which he had been granted while he was an employee.
44. His access to these resources and systems ought to have been revoked as soon as he had given his notice of resignation. However, for one reason or another, they were not. Indeed even after his resignation was formally registered on the Council's HR systems – almost three months after it had been accepted by his line manager – he continued to have access. The informal arrangement he had reached with the SENDIASS Head of Service – that he would continue to work for the service in a voluntary capacity – is the most probable explanation for his continued access to these systems, given he would not have been able to do any work for SENDIASS had his access been terminated.
45. In his written statement, Cllr Hughes suggested that *"accessing BCC system while not being an employee is not that unusual. It is not that unusual for people to have access to BCC systems while being employed by someone else"*. He gave, as an example, volunteers and placement students assisting SENDIASS. However, during our interview, Cllr Hughes accepted that, *"with hindsight, I think it's perfectly clear that I should have just quite simply ... cut off any contact with SENDIASS. You know, within, I don't know, within say eight weeks of my resignation, I should have just said, 'ask somebody else'."*
46. That is plainly what Cllr Hughes should have done and I am surprised that, as an experienced councillor, who was aware of the strict prohibition against holding paid employment with the Council while standing for election or serving as a councillor, this did not occur to him at the time. He ought to have known that he had no authority to access any of these systems or perform any of the functions he had previously been employed to do – and he ought to have known that continuing to access those systems without formal authority was inappropriate. As

⁶ Cllr Hughes' email dated 31 August 2022 (paragraph 24(g) above) is ambiguous. Although he said that he had happened to bump into the family mentioned in his email, the email appears to be providing a casework update.

the KPMG review found, in doing so, he committed the Council to unauthorised expenditure and created legal and compliance risks for the Council.

47. In his written statement, Cllr Hughes also argued that he had "*explicit authorisation*" from the then Head of SENDIASS to submit the change order extending the contracts of the agency workers. There is no written evidence to support that claim but, even if it were true, it is clearly no excuse. Cllr Hughes was, at this time, an elected member of the Council; he should have exercised his own judgment rather than accepting a management instruction from an officer.

48. Cllr Hughes also took issue, in his written statement, with the notion that the Code applied to this conduct. He argued that, although he was a serving councillor at the time, not everything he did was in an official capacity and that, in this particular instance, "*[none] of these actions were executed in my capacity as a councillor. During the course of these incidents I never at any point represented myself as being a [councillor].*"

49. Cllr Hughes is, of course, correct that the Code does not apply to absolutely everything a councillor does. The Code applies to members of the Council only "*when you are acting in your capacity as a councillor*"; it gives the following (non-exhaustive) list of examples:

- "*you are acting in your capacity as a councillor and/or as a representative of your council;*
- *you are claiming to act as a councillor and/or as a representative of your council;*
- *you are giving the impression, or the circumstances may give rise to the perception, that you are acting as a councillor and/or as a representative of your council;*
- *you refer publicly to your role as a councillor and/or as a representative of your council.*"

50. The facts of this case – which are, in my experience, highly unusual – do not obviously fit within any of these categories. However, as I noted above, this list is not intended to be exhaustive.

51. In my view, Cllr Hughes was acting in his capacity as a councillor when accessing Council systems to carry out work for SENDIASS following his election:

- (a) it has been established in the case law (albeit in relation to an earlier version of the standards rules) that "*conduct which is improper and meriting some possible sanction will often be constituted by a misuse of a councillor's position. ... Such misuse may not amount to corruption; it may nonetheless be seen not only to be improper but to reflect badly on the office itself.*"⁷ More recently, a similar view has been expressed in the Local Government Association's *Model Code of Conduct*: "*This Code of Conduct applies to you*

⁷ *Livingstone v Adjudication Panel for England* [2006] EWHC 2533 (Admin), [27].

*when you are acting in your capacity as a councillor which may include when: you misuse your position as a councillor ...*⁸;

(b) when determining what conduct the Code does and does not apply to, it is necessary to read the Code as a whole, which (as well as the list mentioned in paragraph 48 above) includes:

- paragraph (ii) of the introduction: *"This Code has been designed to protect your democratic role, encourage good conduct and safeguard the public's trust in local government"*; and
- paragraph (ii) of "Purpose of the Code of Conduct": *"The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government."*

In my view these two underlying objectives of the Code seek to guard against misuse of the role of councillor and therefore the Code applies to conduct which amounts to a misuse of the role of councillor;

(c) carrying out work for the authority on which one serves as an elected member undermines the very important distinction between members and officers of the Council. Not only is that distinction enforced by the legal sanction of disqualification, maintaining a clear separation of responsibilities between members and officers is a vital element of good local authority governance. It is recognised by the Council's *Member/Officer Relations Protocol*:

"Both Members and officers are servants of the public and they are indispensable to one another. But their responsibilities are distinct. Members are responsible to the electorate and officers are responsible to the Council as a whole. The conduct of Members and officers should be such as to instil mutual confidence and trust. The key elements are recognition of and a respect for each other's roles and responsibilities. These should be reflected in the behaviour and attitude of each to the other, both publicly and privately."

(d) carrying out work as an officer of the Council, and accepting management instructions from officers of the Council – even for relatively trivial tasks – is a misuse of the role of councillor because it amounts to an abdication of a councillor's important constitutional role both

⁸ Local Government Association, *Model Councillor Code of Conduct*

within the authority and with respect to the electorate. As such, it clearly undermines the two underlying objectives of the Code described above.

52. Therefore, in my view, the Code did apply to the conduct described in this section of the report. As a result, I find that these actions constitute a serious **breach of paragraphs 7.1 and 7.2(a) of the Code** (misuse of Council resources).

53. I also consider that these actions would also be likely to diminish public confidence in Cllr Hughes' role as a councillor, given the clear and unacceptable way in which he blurred his responsibilities as a councillor and officer of the Council. Given the legal and compliance risks to the Council which his actions caused, and the way they exposed deficiencies in the oversight of Council systems and resources, I also consider that they would be likely to diminish public confidence in the Council as a whole. Therefore I find that Cllr Hughes has also **breached paragraph 5 of the Code, by bringing both his own role and his authority into disrepute.**

Salary overpayments

54. I was puzzled by Cllr Hughes' assertion that he had seen no evidence to support the allegation that he had continued to receive his salary after the date of his purported resignation. Cllr Hughes had been provided with the same evidence as me and, in my view, the payslips clearly show that he continued to be paid his full salary for the months of April, May and June 2022 despite having purported to resign with immediate effect on 21 March 2022. It appears that these payments only stopped, and the overpayments came to light, when the [REDACTED] belatedly updated the Council's HR systems in mid-July 2022.

55. It is clear from the evidence – indeed Cllr Hughes' admitted – that he did work for SENDIASS during the months in which he continued to receive his salary. His explanation that he was unaware that he continued to be paid because he did not check his bank account, or because he did not receive any payslips in the post, is no excuse.

56. Receiving a salary from the Council, like continuing to work for the Council, is in my view a misuse of the role of councillor. As well as unacceptably blurring the roles of councillor and officer, it also undermines the strict rules in place which regulate what financial payments councillors are permitted to receive from the Council. Cllr Hughes ought to have noticed that he continued to be paid his salary and, in the face of clear evidence, ought to have accepted this fact and taken steps to repay this money to the Council. Therefore, for similar reasons as set out in paragraphs 50-51 above, the Code applied to his receipt of a salary and failure to take steps to repay it. I also consider this to be a **breach of paragraphs 7.1 and 5 (in the sense of bringing his role into disrepute) of the Code.**

Declarations of interest

57. When he attended the Overview and Scrutiny Committee meeting on 20 July 2022, Cllr Hughes was working for SENDIASS. Therefore his declaration to the meeting *"in the interests of transparency"* (rather than a formal declaration of interest) that *"I'm not employed by [SENDIASS] any more"* was misleading because, by his own admission, he was still working for them. However, I do **not** consider this to be a breach of paragraph 9.1 of the Code because:

- (a) although it was arguably an "Other Registrable Interest" (because he was effectively a staff member of a statutory service exercising functions of a public nature), the discussion did not directly relate to SENDIASS' financial interests or wellbeing. The Local Government Association's guidance advises that simply discussing the affairs of a body without making a formal decision which relates to its finances or wellbeing does not *"directly relate"* to that organisation *"as there is no direct impact on the organisation which would give rise to a conflict of interest"*;
- (b) as the discussion only touched briefly, and in a general sense, on SENDIASS I do not consider that it was a Non-Registrable Interest because the financial interest or wellbeing of SENDIASS or anyone working for it was not "affected" by the discussion. The LGA guidance advises that *"affects"* means that the matter under discussion has *"clear implications for the interest"*.

58. By the time he attended the Committee meeting on 7 September 2022, it appears that Cllr Hughes was no longer working for SENDIASS (the last item of documentary evidence showing work being carried out for SENDIASS which I have seen is dated from August 2022). However, for this reason, Cllr Hughes' declaration to the meeting (again not a formal declaration of interest) was misleading because he omitted reference to the work he had been carrying out for SENDIASS as recently as a few weeks before the meeting. In this case, SENDIASS was more of a focus of discussion, given that the presentation included comment on the NCB review. However, the nature of that discussion was still at a fairly general level and did not, in my opinion, have clear implications for, or a clear impact on, SENDIASS or anyone working for it. Therefore I do not consider that Cllr Hughes had a Non-Registrable Interest that needed to be declared to this meeting.

59. Essentially the same analysis applies to Cllr Hughes' attendance at the Committee meeting on 19 October 2022. Again, his declaration was misleading because he omitted to mention his

recent work for SENDIASS. However, he did not have a Non-Registrable Interest in any item under discussion at this meeting.

60. My analysis is different for the meetings on 30 November 2022 and 25 January 2023 (the latter was reconvened after the former was adjourned). Despite the NCB review of SENDIASS being a discrete agenda item on 30 November, Cllr Hughes expressly declined to declare an interest and strongly objected to the suggestion that he did have an interest in SENDIASS. However, in my view, he did have a Non-Registrable Interest in this item of business, for two reasons:

(a) his own wellbeing was affected. The NCB report was, as I have noted above, highly critical of SENDIASS at a time when Cllr Hughes was working for it. As such, I consider that the committee's consideration of this report had clear implications for his wellbeing, in the sense that it could have affected his professional reputation as a former member of the SENDIASS team; and

(b) the wellbeing of close associates of his was affected. It is clear from the emails to and from SENDIASS officers relating to Committee business (Appendix 12) that Cllr Hughes was being lobbied by his former colleagues. I consider that [REDACTED] and [REDACTED] were "close associates" of Cllr Hughes (for the purposes of paragraph 8(b) of the Appendix to the Code). The LGA guidance advises that a close associate is

"a person with whom you are in either regular or irregular contact over a period of time who is more than an acquaintance. It is someone a member of the public might think you would be prepared to favour or disadvantage when discussing a matter that affects them."

The fact that Cllr Hughes had continued to work for SENDIASS even after his resignation and election in order not to let down his former colleagues is an indication of a close association between them. I find the email he sent to [REDACTED] on 2 September 2022 – asking, effectively, for points he could bring up in the impending committee meeting – particularly striking evidence of a continuing close association. [REDACTED] continued to share Committee-related information with Cllr Hughes during the period of these meetings. Given that these were the two most senior officers in SENDIASS, their professional reputations – and therefore their wellbeing – were clearly affected by the strong criticisms made in the NCB report of the service which they led.

61. Therefore, whether it was his own wellbeing or that of close associates of his, I consider that Cllr Hughes was obliged to declare a Non-Registrable Interest in these items of business. He did declare a "non-pecuniary interest" (which I am prepared to accept as a declaration of a

Non-Registrable Interest) when the meeting reconvened on 25 January 2023 but failed to declare an interest when the meeting opened on 30 November 2022. His failure to declare an interest on 30 November was a **breach of paragraph 9.1 of the Code**.

62. As noted above, Cllr Hughes remained present throughout the meeting on both occasions, despite having a Non-Registrable Interest. Insofar as material, paragraph 9 of the Appendix to the Code provides that a councillor should withdraw from the meeting after disclosing their Non-Registrable Interest if an item of business affects their wellbeing or the wellbeing of a close associate *"to a greater extent"* than the majority of inhabitants of the ward affected by the decision (in this case, the City) and *"a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest"*. In my view, this test was satisfied: the NCB report clearly affected Cllr Hughes and the SENDIASS officers more than other residents of the City; and it is reasonable to conclude that, given his previous working relationship, and the continued close contact (amounting, in effect, to lobbying), Cllr Hughes' view of the wider public interest would have been affected. Therefore his failure to recuse himself from the discussion of the NCB report (as well as taking part in the vote) was also a **breach of paragraph 9.1 of the Code**.

63. For completeness, I should add that I do not find that Cllr Hughes had interests which needed to be declared in respect of the meetings on 4 January 2023, 22 February 2023, 5 April 2023 or 17 May 2023. None of these meetings touched on SENDIASS in the same direct and focussed way as the meetings described in paragraphs 60-62 above. Therefore his attendance at these meetings did **not** involve a breach of the Code.

Conclusion

64. In summary, my recommendations are that Cllr Hughes has breached the following sections of the Code:

- (a) by failing to register his trusteeships of two charities on his register of interests, he has **breached paragraph 9.1** of the Code;
- (b) by continuing to access Council systems (including the Hays 3SS platform to extend the employment contracts of agency workers), he has **breached paragraphs 7.1 and 7.2(a)** of the Code, as well as bringing his role and the Council into disrepute, **in breach of paragraph 5** of the Code;

- (c) by continuing to receive his salary after his purported resignation, and by failing to take steps to repay that money, he has **breached paragraph 7.1** of the Code, as well as bringing his role into disrepute, **in breach of paragraph 5** of the Code;
- (d) by failing to declare a Non-Registrable Interest, and by failing to recuse himself from the discussion of the NCB review of SENDIASS at meetings of the Education and Children's Social Care Overview and Scrutiny Committee on 30 November 2022 and 25 January 2023, he has **breached paragraph 9.1** of the Code.

Matt Lewin
Cornerstone Barristers

31 October 2023

Appendices:

1. Complaint (11 September 2023)
2. Cllr Hughes written response (3 October 2023)
3. "Bundle 1 – Use of officer email account whilst a councillor"
4. "Bundle 2 – Failure to disclose interest as a trustee of the SHINE@Nechells POD"
5. "Bundle 3 – Documentation re Sir Barry Jackson Trust & Kingstanding Regeneration Trust"
6. "Bundle 4 – Overpayment of salary"
7. "Bundle 5 – KPMG report – Member involvement"
8. Hays 3SS Change order screenshot (24 August 2022)
9. Table of Committee meetings (15 June 2022-6 September 2023)
10. Email exchange confirming resignation (21-23 March 2022)
11. Salary overpayment invoices (2 May 2023)
12. Email correspondence between Cllr Hughes and SENDIASS officers (July-December 2022)
13. Cllr Hughes written response to draft report (15 November 2023)

Appendix A1

Dear Janie

I am writing to you in your capacity as the Monitoring Officer.

Following the SENDIASS Review by KPMG, and in particularly the conduct of Cllr Des Hughes, I wish to make a formal complaint/request that this matter be referred to the Standards Committee to determine whether Cllr Hughes has breached the Council's Code of Conduct for Members.

Based on the review by KPMG I would ask that the Standards Committee, amongst other things, consider the following the following potential breaches:

- i. He continued to access BCC systems whilst no longer an employee and did so whilst he was a Councillor.
- ii. Accessed the Hays 3SS system to authorise extensions of contracts for agency staff within the Sendiass Service, whilst a Councillor and whilst no longer being an employee.
- iii. Has failed to repay an overpayment of salary in the sum of approximately £6000.
- iv. Failed to disclose on his declaration on Interests that he was a Trustee of the Nechells Pod notwithstanding that the City Council (and in particular the SENDIASS Service) paid for accommodation space to use their premises.
- v. Failed to disclose his continuing interests in the SENDIASS Service whilst attending Council meetings, specifically Overview and Scrutiny.

If you require any further information from me then please let me know.

Regards,

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Birmingham City Council

[Redacted]

Initial Response

There are a couple of areas of a background that I think I should cover by way of introduction. First of all I would like to point out that pre COVID SENDIASS was a small department of the council with a core staff of 6. That core staff was responsible for providing independence advice and support to families, young people and children across the city who had special educational needs. This was a service that simply did not have the resources to meet the demands put upon it. The organisation did have some support maybe three times a year from students who were on placements from local universities. Those students had little experience of our field of work so although they did contribute to the work of the department they first had to be provided with some degree of training and required regular supervision.

With the onset of COVID and the subsequent lockdowns it quickly became apparent that there were significant failings in the services provided by the council to the families children and young people affected by the lockdowns. For many children with special needs they now found themselves confined to the house without the benefits of any of the sometimes extensive support that they would have had in school. Allied with this was what turned into constant pressure, twenty-four hours a day every day on parents and families of having to cope with these extra demands at what was for many people a very difficult time.

So, at some point around 2020 [REDACTED] in collaboration with [REDACTED] arranged for an expansion of the SENDIASS team with a view to helping families and children cope with the pressures imposed by the regime of lockdowns. As a consequence the SENDIASS team expanded considerably by approximately 30 members of staff. These staff were inevitably agency staff who again had little direct experience of the field they were now working in. So, they too required training, induction and regular supervision by members of what was a small core team. this expansion of the SENDIASS team was adopted/maintained by the intervening directors of children services up to and including the current director.

Part of my role with the students and subsequently with the agency staff was to ensure that they had the necessary access to council systems to fulfil their duties and access relevant training etc. This meant using the council's SLAM form facility (Starters Leavers and Movers) to facilitate their access to council computers and the intranet. The SLAM form facility also allowed me to ensure that staff had an e-mail address, access to various databases and access to the department's shared drive. It is worth pointing out here that staff with access to the SLAM form facility cannot change any of their own access or permissions. So for instance, if my line-manager needed a password reset, she could not do that herself, it would have to be actioned

through me. With regards to students or agency staff, their access to BCC systems were always time limited as was access by anyone who was not a permanent member of staff so that people didn't continue to have access to systems that they had no authority to access.

So, at some point in 2022 I had formed the desire to stand for election as a councillor in the ward of Kingstanding. One of the consequences of COVID with regards to local elections was that the timetable for the selection of candidates was frustrated. On top of that the sad death of Erdington MP Jack Dromey led to a situation where the Labour Party nationally was keen to select a parliamentary candidate and hold a by-election sooner rather than later. So, these two circumstances impacted on the timetable for the selection of candidates in the ward of Kingstanding. This meant that the selection of council candidates in Kingstanding eventually took place one week before the close of nominations. Now, as you cannot be nominated for the council election if you work for the council I had to resign at short notice. Upon contacting the council's HR department I was informed that I had to give a couple of months notice and that not doing so would be a breach of contract unless I secured the agreement of my line manager. My line manager, [REDACTED], agreed to my immediate resignation and put her agreement in writing to the HR department. But as I explained above the SENDIASS team was a small core team that had now significantly expanded but was largely made-up of staff with limited knowledge and experience of the landscape they were working in. That is why I volunteered to work with SENDIASS in a voluntary capacity for a few more weeks. This was primarily to facilitate the smooth handover of my caseload to other members of the team and to smooth that handover with the families and children involved.

He continued to access BCC systems whilst no longer an employee and did so whilst he was a Councillor.

Continued to access...

My ability to log onto council systems should have ended with my resignation. My presumption was, that as I had agreed to continue to work for a while in a voluntary capacity that my access to council systems had been extended by the then Head of Service NH. This has subsequently proved not to be the case, but the fact remains that my access to council systems was maintained for some quite considerable time after my resignation, and not because I had requested it. I didn't hack into BCC systems or circumvent any security measures to gain access.

... no longer an employee

It is clear that I did access BCC systems while no longer an employee. I have explained above why I continued to work for a while with SENDIASS as a volunteer. Accessing BCC systems while not being an employee is not that unusual. It is not unusual for people to have access to BCC systems while being employed by someone else. SENDIASS has in the past had the support of volunteers who were not employees. None of the thirty odd students we had every year at SENDIASS were employees. In fact, not only were placement students not paid, but they also incurred expenses during their placement which were, irritatingly for them, not recoverable. So not only were they not paid, it cost them money to be there.

... whilst he was a Councillor

With regards to the assertion that the action I took was while I was a councillor, clearly, I am a councillor. Consequently, absolutely everything I do is while I am a councillor. I had a little bit too much to drink last Friday, while I was a councillor. A few weeks ago, I took a minibus full of deprived children from Nechells to the sea Life Centre for half a day, while I was a councillor. Neither of these actions were executed in my capacity as a councillor. During the course of either of these incidents I never at any point represented myself as being a councillor. Likewise, the action I took with Hayes was clearly while I was a councillor but was not executed in my capacity as a councillor. I did not represent myself as a councillor to Hays. I did not say to Hays, I am conducting this action as a city of Birmingham councillor.

Accessed the Hays 3SS system to authorise extensions of contracts for agency staff, whilst a Councillor.

... to authorise extensions

The assertion that I authorised extensions for agency staff is incorrect. At some point before the 24th of August I received a phone call from [REDACTED]. She was for some reason indisposed or not able to work. She was though concerned that for the current crop of agency workers access to the Hayes platform would be frustrated if their contracts weren't extended. She was concerned that this would frustrate their ability to get paid for the work they were doing. As I have said above, even when I was employed by SENDIASS I did not have the authority to decide how many people were engaged by SENDIASS or how long they were there for. That decision was always made by the head of service, who then delegated to me the responsibility for giving effect to her wishes.

I must also point out that I continued to have access to the systems necessary to conduct this action. So, apart from the fact that I had explicit authorization from [REDACTED]

to do as I did, my continued ability to access the Hays platform was also implied permission to do what I was asked to do.

On this particular occasion it appeared from my conversation with [REDACTED] that the person who had been given the responsibility that had previously fallen to me, [REDACTED] either had problems accessing the Hayes platform or difficulty finding his way around it. The platform is not the least bit intuitive, it is difficult to navigate if you are not familiar with it. So, I was persuaded on this occasion to assist, although I did make it clear that this would be the last time I would undertake any action on behalf of the service.

... whilst he was a Councillor

I refer to the paragraph above, ... whilst he was a Councillor

Has failed to repay an overpayment of salary in the sum of approximately £6000.

With regards to the alleged overpayments the complaint states that I failed to contact the council to notify them of the error. The complaint notes that I was contacted by the council on the 5th of July 2022 and that the e-mail stated that there had been an overpayment in respect of my salary as an employee.

First of all, as the complaint notes I resigned on the 21st of March 2022. I did not ask the council to continue paying me, so it is not my fault that they continued to do so. Furthermore, the allegation that I received an e-mail informing me that there had been an overpayment is quite simply untrue. I did get an e-mail saying that due to an error on their part that there may have been an overpayment but not that there actually was. Under the circumstances it did not seem unreasonable that I should merely wait for confirmation of whether there had been an overpayment or not and the extent of that overpayment before taking any action to remedy the situation. That notification never materialised.

- i. Failed to disclose on his declaration on Interests that he was a Trustee of the Nechells Pod notwithstanding that the City Council paid for accommodation space to use their premises.

It is clearly evident that I am a trustee of the POD. My association with the POD arose out of my presents at their sites and my occasional involvement in their events and projects.

The council paying for accommodation space at the POD is a situation that has existed since before I had anything to do with SENDIASS and continued after I had resigned.

It is worth noting that the building the POD occupy belongs to the council. The council's maintenance of the building leaves a lot to be desired. The council's involvement in the building of a new library at the site has been irritatingly incompetent. Yet at no point have I sought to lobby the council on behalf of the POD. This is of course primarily because I am not the counsellor for the area in which the POD is situated. They have a perfectly capable local councillor who is more than happy to represent their interests with the council.

- ii. Failed to disclose his continuing interests in the Sendiass Service whilst attending Council meetings.

With regards to the disclosure of interests at council meetings, I stated at all meetings of the Education and Children's Social Care scrutiny committee except one that although I was not declaring an interest, I pointed out that I had until recently been employed by SENDIASS. The one meeting at which I did declare a non-pecuniary interest was a meeting that was examining a so-called review of SENDIASS. It seemed to me under the circumstances that people might presume that I had an interest here with regards to this review as I was an employee of SENDIASS at the time. This is despite the fact that I had absolutely no interaction or contact in any way with the person who conducted the review. I was not interviewed or spoken to and consequently at no input whatsoever in the review. There were no comments or assertions about my work with SENDIASS in the review.

In spite of this [REDACTED], [REDACTED] did suggest on more than one occasion that I should consider meeting with the city solicitor to discuss my declaration. Following an e-mail from [REDACTED] which included contact details for the city solicitor I responded as per the attached e-mail. I had no further response from [REDACTED] with regards to this matter.

Furthermore, the city solicitor sat in on many of the meetings of the scrutiny committee. She was therefore fully aware of the declaration that I made at all of the meetings she was present at. At no point did she ever contact me to explain that she had any concerns about my declaration.

In light of the above, and bearing in mind that all members but my committee were aware of my previous employment with SENDIASS as were the members of the

senior management team within the education department nobody can suggest that I was trying to hide anything that might have been considered an influence on my actions as a member of the scrutiny committee. It was open to [REDACTED] to question or challenge the assertions I made in my e-mail. It was also open to her to refer her concerns to the city solicitor. She chose not to do so. Likewise, the city solicitor being fully aware of the circumstances of my situation never chose to pursue or action any concerns with regards to this.

KRT

I appreciate that one failure to declare an interest in an external organisation might be considered a misfortune, and that two such failures might be considered careless. I can only presume that at the time I filled in the declarations of interest form, that I was focused on organisations that I might be seen as likely to get some benefit from, such as for instance the ballet.

I am not pretending that I was unaware of my obligation to declare an interest in both the POD and the KRT. I have in my previous period as a councillor declared my interest in the KRT so there is no reason for me to try and hide my association. Both of these failures to declare an interest are failures that I acknowledge and that I am happy to remedy.

Appendix A3

BUNDLE 1

USE OF OFFICER EMAIL ACCOUNT WHILST A COUNCILLOR

[REDACTED]

From: [REDACTED]
Sent: 31 August 2022 14:58
To: Des Hughes
Subject: RE: well

I like the response form response

From: Des Hughes <Des.Hughes@birmingham.gov.uk>
Sent: 31 August 2022 12:47
Subject: well

Just for info, but really, the salt assessment was delayed because the therapist was in school in the afternoon and he was in the morning. Clearly the parents fault.

We've just had [REDACTED] in the new conservatory. Some of the toys we have didn't last five minutes.

Regards

Des Hughes
Support Officer

SEND Information, Advice & Support Service (SENDIASS)
The Pod
28 Oliver Street
Birmingham
B7 4NX

T: 0121 464 3390
E: Des.Hughes@birmingham.gov.uk

[REDACTED]

From: [REDACTED]
Sent: 13 July 2022 15:43
To: Des Hughes
Subject: [REDACTED]
Attachments: Order 11-07-2022.pdf

From: SENDIST Queries <send@Justice.gov.uk>
Sent: 11 July 2022 15:16

[REDACTED]

[REDACTED]

[REDACTED]

Dear Parties,

Please see attached a Tribunal order.

Regards,


[REDACTED]

Clerk to the Tribunal

**Special Educational Needs & Disabilities Tribunal | Darlington Magistrates' Court | Parkgate
| Darlington | DL1 1RU**

Phone: ☎ 01325 289350

Web: www.gov.uk/hmcts

 **HM Courts & Tribunals Service**

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First-tier Tribunal Special Educational Needs and Disability

Order

Appeal no: [REDACTED]
Appeal By: [REDACTED]
Against Decision of: Birmingham Local Authority
Concerning: [REDACTED]
Hearing date: 04/10/2022.

On the 26/01/2022, the Tribunal issued directions to the parties setting the final hearing date as 15/07/2022.

The Tribunal has reviewed its listing process and has applied a flexible timetable to the appeals currently listed. The timetable has therefore been rescheduled as set out below.

If both parties consider that the appeal could be concluded without an oral hearing, following consideration of the written evidence only, then they must send their written consent to the Tribunal as soon as possible.

Parties are urged to continue to work together to try to reach agreement in the appeal. If the new final hearing date is not convenient to a party or witness, then the parties must liaise together to agree a mutually convenient date and preferably two or three agreed dates to offer to the Tribunal as alternatives to the final hearing date.

It is ordered that:

1. The final hearing currently scheduled for **15/07/2022** is vacated.
2. The final hearing is relisted as a priority hearing to be held on the **04/10/2022**.
3. The parties shall send a completed Case Information Form to the Tribunal so that it is received **by 12 noon on the 06/09/2022**.
4. The LA shall produce a hearing bundle to include the further orders issued and the Case Information Form so that it is received **by 12 noon on the 06/09/2022**.

[REDACTED]
Judicial Lead FtT SEND.
Date Issued: 11/07/2022



WARNING

Both parties are reminded that failure to comply with any of these directions may result in the Tribunal using its powers in Rule 8(4)(a) to strike out all or part of the party's case or restricting the party's participation in the proceedings.

[REDACTED]

From: [REDACTED]
Sent: 11 July 2022 08:50
To: Des Hughes
Subject: RE: SENDIASS Board Meeting, Monday 18th July, 10:00 a.m. - 11:30 a.m.

I am sure we could have an informal chat via Teams or Zoom with some old friends?

From: Des Hughes <Des.Hughes@birmingham.gov.uk>
Sent: 08 July 2022 17:41
Subject: SENDIASS Board Meeting, Monday 18th July, 10:00 a.m. - 11:30 a.m.

Dear All,

I am really sorry about this but due to unforeseen circumstances the board meeting scheduled for Monday 18th of July has had to be cancelled. I am sorry for any inconvenience this may cause. We will be in touch.

Regards

Des Hughes

T: 0121 464 3390

E: Des.Hughes@birmingham.gov.uk

[REDACTED]

From: [REDACTED]
Sent: 20 June 2022 10:17
To: Des Hughes
Subject: RE: Emailing SEN data Jan 2022 sec.pdf

cant get it to print any colours!!
will try again when rushing less

From: Des Hughes <Des.Hughes@birmingham.gov.uk>
Sent: 20 June 2022 09:32

[REDACTED]
Subject: RE: Emailing SEN data Jan 2022 sec.pdf

Whats making it ineligible? Is it cutting off an edge or something like that?

[REDACTED]
Sent: 20 June 2022 08:19

[REDACTED] Des Hughes <Des.Hughes@birmingham.gov.uk>
Subject: FW: Emailing SEN data Jan 2022 sec.pdf

I cant get this to print legibly?

From: [REDACTED]
Sent: 16 June 2022 18:25
To: [REDACTED]
Subject: Emailing SEN data Jan 2022 sec.pdf

Can you compare this to the local data?

[REDACTED]
[REDACTED], Education & Skills
Birmingham City Council
Tel: 07468 904326

[REDACTED]
From: [REDACTED]
Sent: 16 June 2022 12:20
To: Des Hughes
Subject: RE: SS Capacity Increase proposals

Many thanks

I read the report of the Full Council meeting hahaha

From: Des Hughes <Des.Hughes@birmingham.gov.uk>
Sent: 16 June 2022 12:15
[REDACTED]
Subject: RE: SS Capacity Increase proposals

As requested.

From: [REDACTED]
Sent: 14 June 2022 11:16
To: Des Hughes <Des.Hughes@birmingham.gov.uk>
Cc: [REDACTED]
Subject: SS Capacity Increase proposals

<https://birmingham.cmis.uk.com/birmingham/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/12300/Committee/2/SelectedTab/Documents/Default.aspx>

Des

Further to my e mail this morning can you separate the two reports herein – Baskerville (91-112) and Pines (233-254) and save them as documents in the folder on shared drive?

[REDACTED]
SENDIASS
Education & Skills Directorate
Birmingham City Council
The POD
28 Oliver Street
Nechells
Birmingham
B7 4NX
e mail: [REDACTED]
www.birmingham.gov.uk/SENDIASS

[REDACTED]

From: [REDACTED]
Sent: 07 June 2022 09:03
To: Des Hughes
Subject: FW: Link

Are you in POD at all this week? If so, can you print these pages from cabinet Agenda?

From: [REDACTED]
Sent: 06 June 2022 12:42
To: [REDACTED]
Subject: RE: Link

I need print out of pages 139-223. Can collect at the meeting on 10th?
Shall I ask Des to do?

From: [REDACTED]
Sent: 06 June 2022 11:52
To: [REDACTED]
Subject: FW: Link

<https://birmingham.cmis.uk.com/birmingham/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/12300/Committee/2/SelectedTab/Documents/Default.aspx>

[REDACTED]

From: [REDACTED]
Sent: 23 May 2022 09:14
To: Des Hughes
Subject: RE: Scheduled SENDIASS Board Meetings

This is not a bank holiday? Is it Thursday and Friday instead?

From: Des Hughes <Des.Hughes@birmingham.gov.uk>
Sent: 17 May 2022 18:51
Subject: Scheduled SENDIASS Board Meetings

Dear All,

These are the dates for our meetings for the rest of this academic year. If you would note these dates in your diaries that would be appreciated.

30th May, 10:00 a.m. till 11:30 a.m.

20th June, 10:00 a.m. till 11:30 a.m.

11 July, 10:00 a.m. till 11:30 a.m.

Regards

Des Hughes

T: 0121 464 3390
E: Des.Hughes@birmingham.gov.uk

[REDACTED]

From: [REDACTED]
Sent: 12 July 2022 09:28
To: Councillor Des S Hughes
Subject: FW: LGO
Attachments: LGO July22 Out of School - F.pdf

Des

This reports is about children out of school – there are dozens in Bham

As DCS if she has read it?

From: [REDACTED]
Sent: 07 July 2022 09:23
To: [REDACTED]

Subject: LGO

<https://www.lgo.org.uk/decisions/education/special-educational-needs/21-002-722>

[REDACTED]

SEDIASS
Education & Skills Directorate
Birmingham City Council
The POD
28 Oliver Street
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Birmingham
B7 4NX
e mail: [REDACTED]
www.birmingham.gov.uk/SEDIASS


Appendix A4

BUNDLE 2

FAILURE TO DISCLOSE INTEREST AS A TRUSTEE OF THE SHINE@NECHELLSPOD

Extract from Charities Commission website showing that DH has been a Trustee for Nechells POD since July 2018:

(Direct link: <https://register-of-charities.charitycommission.gov.uk/charity-search/-/charity-details/5053870/trustees>)


**CHARITY COMMISSION
FOR ENGLAND AND WALES**

English Cymraeg

Log in to digital service

Search Q

About the register of charities

SHINE@NECHELLSPOD

Charity number: 1162038
Charity reporting is up to date (on time)

Charity overview
What, who, how, where
Governance
Trustees
Financial history
Accounts and annual returns
Governing document
Contact information

Trustees are the people responsible for controlling the work, management and administration of the charity on behalf of its beneficiaries. Generally trustees are treasurer, chair, board member etc. The trustees are responsible for keeping this list up to date and can do this by updating their details as they happen through the online service

6 Trustee(s)

Name	Role	Date of appointment	Other trusteeships	Reporting status of other trusteeships
Norah Ann Flynn	Trustee	29 January 2020	None on record	
Suzanne Cross	Trustee	29 January 2020	None on record	
NICOLA PLUMMER	Trustee	18 September 2018	None on record	
Councillor Desmond Hughes	Trustee	17 July 2018	<u>BIRMINGHAM ROYAL BALLET</u>	Received: On time
PAUL ANDREW FREEMAN	Trustee	05 June 2015	<u>THE KING'S WAY CHURCH CENTRE</u>	Received: On time
REVEREND FATHER SOLOMON TEFAMICÆL	Trustee	05 June 2015	None on record	

<https://www.nechellspod.com/about/trustees/>

NecheLLsPOD

Trustees

Here's about Trustees

Chair of Trustees Paul Freeman	Trustee Norman Flynn
Trustee Nicola Plummer	Trustee Suzanne Cross
Trustee Father Solomon Ghebray	Trustee Dave Robertson
Trustee Desmond Hughes	

Recent Posts

Select Month

Categories

- 2023
- 2019
- 2011
- 2012
- 2018
- 2014
- 2015

Extract from Trustee's reports for y/e 31st August 2021 which shows D Hughes as a Trustee:



Nechells POD

Trustee's Report

For the year ending 31st August 2021

The trustees present their report and financial statements for the year ended 31 August 2021:

The accounts have been prepared in accordance with the accounting policies set out in note 1 to the accounts and comply with the charity's governing document, the Companies Act 2006 and the Statement of Recommended Practice, "Accounting and Reporting by Charities", issued in March 2005.

Structure, governance and management

The organisation is a Community Interest Company (Nechells POD) limited by guarantee incorporated on 21st May 2012 and a Charitable Incorporated Organisation (SHINE@NechellsPOD) registered on the 5th of June 2015. The trustees, who are also the directors for the purpose of company law, and who served during the year and up to the date of signature of the financial statements were:

Mr P Freeman Chair of Trustees
 Mr R Walker
 Father Solomon Ghebray
 Ms Sophie Todd
 Mr D Hughes
 Ms N Plummer
 Mrs Suzanne Cross
 Mrs N Flynn
 Mr D Robertson

Company registration number: CE003479
Charity registration number: 1162038

SHINE@NechellsPOD

(A company limited by guarantee)

Annual Report and Financial Statements

for the Year Ended 31 August 2022

Bissell & Brown Midlands Limited
Chartered Certified Accountants
Charter House
56 High Street
Sutton Coldfield
West Midlands
B72 1UJ

SHINE@NechellsPOD

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SHINE@NechellsPOD

Reference and Administrative Details

Trustees

P Freeman
S Tesfamicael
D Hughes
N Plummer
N A Flynn
S Cross
D Robertson

Principal Office

The POD
28 Oliver Street
Nechells
Birmingham
West Midlands
B7 4NX

Company Registration Number

CE003479

Charity Registration Number

1162038

Accountants

Bissell & Brown Midlands Limited
Chartered Certified Accountants
Charter House
56 High Street
Sutton Coldfield
West Midlands
B72 1UJ

SHINE@NechellsPOD

Project Manager's Report

Nechells POD got off to a great start this year with Geoff, the regular volunteer gardener, starting a monthly volunteering session to encourage other volunteers to support his work in the POD garden and upskill volunteers. Birmingham Open Spaces Forum began delivering Tai Chi in Bloomsbury Park with Neighbourhood Network Scheme funding, however, there was only one participant. It was decided that Steve, the facilitator, would use the community room from February, and has four regular participants. At Easter, Steve attempted to move the group into Bloomsbury Park, however, the participants did not attend, so it was moved back to the POD until the summer holidays. From September, Tai Chi returned to the community room.

Share Shack, an Active Wellbeing Society project, have increased their fortnightly visits to weekly visits. Local citizens continue to borrow items ranging from sports equipment, board games, gardening items and household equipment. The Active Wellbeing Society also started a new course, Women's Wellness, which consisted of Zumba & Bollywood style dancing, ending with some yoga style and meditation exercises. This ran for six weeks.

With a partnership already developed between Nechells POD and the Ladywood Adult Social Care team through the Neighbourhood Network Scheme, the Nechells social workers have started holding their huddle meetings at the POD on a regular basis. A new partnership began with Birmingham Community Maternity team to encourage pregnant women to access maternity care, register online, and provide a tablet so ladies can access their Badger notes. Due to the lead Community Midwife being reassigned to another role, she has had limited time to allocate to this role, therefore we have not held the activities that were planned. We continue to offer support for newly pregnant ladies in accessing maternity services, and can still provide access to digital equipment. In recent weeks, Beth Bailey has been representing voluntary sector services for the Kingstanding, Erdington and Nechells Primary Care Network as part of the Birmingham and Solihull Integrated Care System co-design for Neighbourhood Integration Organisational Development Programme. Birmingham Centre for Arts Therapy started delivering 1:1 art therapy with a community member following safeguarding and PREVENT concerns being made by POD staff. The participant attended until Christmas, but this was only 4 out of 6 sessions. BCAT currently deliver weekly Arts in Health courses, in partnership with Bloomsbury Library. Bloomsbury Library continues to run from Nechells POD, and the Library Assistant delivers weekly Tots Time sessions with pre-school aged children and their parent/carer.

Two members of staff alongside two volunteers completed Energy Advisor training with Act on Energy. This was delivered at The POD by Act on Energy/Warmer Homes and was also attended by Sophie MacDonald, Community Network Support Officer and two staff members from the Chinese Community Centre. The partnership with Act on Energy has continued, and the POD Welfare Officer has supported approximately 400 people from different ethnicities and genders above the age of 18 years. The Welfare Officer has spent 249.27 hours with clients and given a total of 413.17 hours of advice, support and guidance. These advice sessions have equated to maximising the income for Nechells citizens, totalling £12,064 via accessing the household support fund, fuel vouchers, local welfare provision and assisting with household bills and debts.

During the Christmas holidays, two days of children's Christmas craft sessions were held and 60 children attended. The children and their families also attended a trip each to either Cadbury World or the Santa Safari at West Midlands Safari Park. The funding for the Christmas holiday activities was provided by Street Games Holiday Activity Fund. The children who attended were predominantly entitled to Pupil Premium, therefore we provided them with Christmas presents which had been donated by Free Radio Mission Christmas and Nechells Outreach Church. Nechells Outreach Church also donated gifts for the over 50's group.

February half term activities were provided by POD staff. Harley completed four arts and crafts sessions, and Cameron completed five physical activity sessions. We also visited Amerton Farm and Railway. In partnership with the Canal and River Trust and The Active Wellbeing Society, we had a family walk and litter pick along the canal. The Active Wellbeing Society also delivered a sports event on the car park to finish the week of activities.

World Book Day saw the launch of Storytime Club delivered for 6 weeks by myself, 15 children attended each week with activities based upon a different book which was read at the start of each session including Flat Stanley, Much Ado About Nothing and The Story of Saint Patrick.

SHINE@NechellsPOD

Project Manager's Report

The Easter holiday activities were funded by the Street Games Holiday Activity Fund programme. We delivered 3 days of arts & crafts, physical activity and food education over the week and ended with a trip to Conkers.

STEM Club started in May with two, one hour sessions. Monday for key stage 1 children and Thursday for key stage 2 children. Between 10 & 12 children attended each session and have enjoyed activities such as a pollinator hunt, growing flowers for the PoliNation project, fruit picking and bridge building. At the end of the course all the children who attended were awarded STAR CREST awards who also provided funding for the STEM club. The children then attended the PoliNation planting weekend and we gratefully received a £150 voucher to use at a garden centre to improve our own garden.

On the 24th May we were given tickets to attend a charity football game at Villa Park, where Gowling employees played a series of short games against Aston Villa employees. Perry the Bull made an appearance and free food and drink was supplied. 14 participants from the POD attended.

The 25th July saw the start of this year's summer holiday activity programme with funding provided by Street Games Holiday Activity Funding. Three days of activities each week were delivered and continued for 5 weeks. Staff feedback has shown this worked well as it was less intense and provided more time for preparation and cleaning. There were more non-attendances than previous years though and this is probably because we tried to have different families each week to have a wider impact however many families forgot which week they were registered for or didn't answer their phones when we called to remind them. The activities delivered included arts and crafts, physical activity, food education, alpaca visit, dance, dinosaur visit and activities, skipping and African drumming. We also went on some day trips to Stourport, Blackwell Adventure, Alton Towers, Stratford upon Avon and Weston Super Mare.

Unfortunately, this year three regular members of the Friends in Nechells (FiNs) group have passed away and we are looking at purchasing a bench for the garden to add plaques with Peggy's, Danny's and Sandra's names on. The FiNs decided that they would have their Christmas party at Nechells POD with 20 participants and everyone enjoying themselves with a buffet, quiz and bingo. In March, 10 of the regular FiNs went on a trip to Planters Garden Centre in Tamworth, where they browsed the retail areas and had lunch. The following week the FiNs visited Oakdene Nurseries for a workshop to make concrete mosaics for the Covid Peace Garden in Birmingham City Centre. In June the FiNs visited the Designer Outlet Centre in Cannock and had an afternoon looking round the shops and having lunch.

On the 6th July, West Midlands Mayor Andy Street visited the POD for a lunch with the FiNs. The FiNs asked fantastic questions and held conversations with Mr Street, and he praised the staff and trustees for doing a fantastic job. Mr Street explained that he had been in consultation with Michael Gove about public funding being made available for the voluntary sector, to deliver the numerous public services which we currently do without funding. At the time, the Government was turbulent and resulted in another new Prime Minister.

Birmingham Museums have been involved with numerous things at The POD this year. Two members of the museum archive staff attended Place of Welcome with artefacts, and later organised a trip for the FiNs to the Duddeston Archives Store Museum. An employment and volunteer coordinator from Think Tank also attended the POD job club to discuss current vacancies for paid staff, volunteers and work experience they have available throughout all of the Birmingham Museums.

We welcomed students back from UCB after placements had been suspended due to the Covid pandemic. Two air cabin crew students joined us for a two-week placement to improve hospitality and communication skills which they did by serving refreshments at Place of Welcome and coffee morning. Beauty students also came to do free facial, hand-massages and nail painting for 2 afternoons which was very well supported. We also welcomed a sociology student from Birmingham City University for a 12-week social setting placement.

A diabetes awareness workshop was delivered by Parveen from Communities, Engage and Thrive during a Place of Welcome session in February this started a new partnership and resulted in a Commonwealth Food event being held in June which included cooking demonstrations, African drumming, healthy food snacks and an opportunity for people to come together. 300 people attended and we welcomed Midlands Today to do a live news report from the event. From September, Parveen delivered an 8-week Diabetes course specifically for people who were already diagnosed or in the pre-diabetic category. Blood tests were completed at the end of the course to see whether changing lifestyles and eating healthier, lowered the blood sugars compared to the start of the course.

SHINE@NechellsPOD

Project Manager's Report

We had over 400 books donated to us by the National Literacy Trust which we distributed to families on World Book Giving Day, 14th February. We received another donation of books and were able to do a second book giveaway during the summer holidays.

The Young Mums Support Network started delivering Stay & Play sessions at the POD. These sessions also included benefit and energy advice, and a visit from White Dee (Benefits Street) to promote the new group, and attendance has been at full capacity. However due to YMSN not being able to source funding for the continuation of the group, it folded in June.

In March the first Community Policing Team meeting was held following the Covid pandemic with a large attendance from members of the community and other organisations working within Nechells. We also had a visit from the Early Years Support Officer from Birmingham City University at job club to deliver a workshop to encourage people to start a career in Early Years Education. This included providing free training and education.

In April I was made a Community Research Fellow at Birmingham City University. The POD received a £2,500 grant awarded to complete a research project titled 'How can barriers preventing men from participating in activities be reduced?'. Two focus groups were held at Nechells POD to discuss the opinions of men and women as to why men do not participate in activities. On completing the research, a weekly Men's Only group has been formed and activities such as gardening, table tennis, board games and a weekly walk. The group have also made future plans to develop the group and what activities to include.

All of the POD staff and trustees were delighted to win the West Midlands Community Inspiration Award for Community Reassurance. This was voted for by members of the community and was a privilege for us to know that all the hard work we do to improve the lives for Nechells residents is appreciated. The whole team are very proud and enjoyed celebrating at the awards ceremony. POD staff completed annual safeguarding training including extra Designated Safeguarding Lead training for myself and our Welfare Officer. First Aid and Fire Marshal training was also completed and was also attended by two SENDIASS employees.

Two migration focus groups were held by research fellows from Birmingham City University. Migration: Policy & Practice who are completing research in and around Nechells currently. In June we welcomed Savannah, Wellbeing Coordinator from Refugee Action to a Place of Welcome session to meet POD attendees who enjoyed telling Savannah about all the different activities we offer. Our Welfare Officer has completed specialist immigration training via the Refugee Action in September to enable further support and signposting being available to refugees and asylum seekers in Nechells. A small grant has also been received to offer extra services and activities for local refugees and asylum seekers.

Our Welfare Officer held a Housing Event on Friday 27th May. This was very well attended by local community members and also had representatives from Trident, Shelter, Bloomsbury Estate Management Board and Bourneville Village Trust. Both our community members and the professionals involved commented how useful it was having everyone in one space and tenants were able to speak directly with housing officers with any concerns. Another housing event has been planned for November 2022.

Taz, from the Canal and River Trust, has joined our regular walking group consistently and also arranged for the walking group and FiNS to go on a canal boat trip. This was enjoyed by everyone who attended. Taz also arranged a family fishing session that 4 families attended.

Our Jubilee Event delivered in partnership with Spiltmilk was amazing. 800 people attended and there was no room to move! The atmosphere was fantastic and people came from far and wide. The event had a really strong summer fair vibe with stalls, music, photo booth, face painting and lots more, it really was exceptional. The team worked very hard and it was definitely worth it. In July, Spiltmilk asked if we would like to be involved with The Little Wanders project. This involved a community consultation to see where resident's favourite places are in Nechells and what they love about Nechells. A one mile walk, including all these favourite places was devised and community members recorded an audio accompaniment which can be downloaded from the Little Wanders app. There is also a walk guide which has been produced and can be collected from the POD which is the starting place for the walk. The new Councillor for Nechells, Lee Measham attended our Jubilee Event to introduce himself following the local elections. We are pleased that he will be holding regular surgeries and ward meetings at Nechells POD throughout the year.

SHINE@NechellsPOD

Project Manager's Report

The Great Get Together was another successful June event. We welcomed the family of John Powell to finally show his bench and plaque. John's wife would like us to run some kind of award each year in memory of John. Plans for this are still ongoing. Refreshments were purchased with funds from Near Neighbours as we invited local refugee and asylum seekers to attend. Vicky Gayle an investigative journalist, also attended to research the impact of community centres and spoke to members of our community who spoke very highly of the services we provide.

On the 29th June Mooville theatre arrived to perform three shows for pre-school aged children. 6 children and parent/carers attended each session and interacted really well with the cast of the show.

Joseph Chamberlain College completed a full year of ESOL classes covering pre-entry, Entry Level 1 and 2 and Level 1 Numeracy. From September they returned with 10 sessions of ESOL classes per week based solely in the youth room, now Covid restrictions have been reduced. All sessions are at full capacity. A pre, pre-entry level course has also started in September at the Hope Centre delivered by Aura. Digital skills sessions also started in September. Tea and T'internet is delivered by Digikick staff which encourages attendees to learn how to navigate computers and the internet in an informal environment whilst enjoying a cup of tea and refreshments with likeminded individuals. The Workers Education Association have also returned to the POD from September to deliver 2 weekly sewing for charity sessions. These sessions are also at full capacity and participants are working towards making items to sell and donate to a charity of their choice.

On the 2nd August we held a joint event with Eastside Events. This was to showcase a small movie made by an artist from South Africa, Thenjiwe Miki Nkosi, about the Commonwealth Games and discrimination in athletics. Refreshments were provided, and children had arts & crafts activities and used the equipment purchased with the Aston Villa Foundation funding. We also used this opportunity to complete the community consultation element for our Games We Play in Nechells project and our Garden Design project. Lots of ideas were shared ready to move forward with the projects in September. We were also able to form two new partnerships for future collaboration, Bertz Associates who are currently working on film projects relating to the Tower Ballroom, and Birmingham Improv, who held a free improvisation workshop at the POD to build self-confidence in September. We have received funding from National Grid to rejuvenate the garden and playground, including Oliver Owl and we were also given claret and blue pieces of the gas towers which have now been removed from Windsor Street. We look forward to working with the Princes Trust to carry out the work in the garden in October.

Nechells POD remains at the heart of Nechells and we are ever grateful for the support given from our funders including The Henry Smith Foundation, the National Lottery Community Fund, HS2, Arnold Clark, Birmingham City Council, local citizens, POD trustees and all of our partnership organisations, and look forward to another year of helping Nechells SHINE.

SIGNED SECURELY
Beth Bailey
08/02/2023 at 2:59:01 PM UTC

B Bailey
Project Manager

Trustees' Report

The trustees, who are directors for the purposes of company law, present the annual report together with the financial statements of the charitable company for the year ended 31 August 2022.

Trustees

P Freeman

S Tesfamichael

R Walker (deceased 3 June 2022)

D Hughes

S Todd (resigned 30 November 2021)

N Plummer

N A Flynn

S Cross

D Robertson (appointed 1 September 2021)

Objectives and activities

Objects and aims

The objects of the Charity include:

To develop the capacity and skills of the members of the socially and economically disadvantaged community of Nechells in such a way that they are better able to identify and help meet their needs and participate more fully in society.

To promote social inclusion for the public benefit by preventing people from becoming socially excluded, relieving the needs of those people who are socially excluded and assisting them to integrate into society. For the purposes of this object 'socially excluded' means being excluded from society, or parts of society, as a result of one or more of the following – youth, age, disability, financial hardship, ill health, unemployment, substance abuse, discrimination on the grounds of ethnicity, gender, sexual orientation, religion or poor educational or skills attainment.

To advance education, training and development in such ways as the trustees think fit.

Public benefit

The activities undertaken to further public benefit stated in the objectives of the charity, can be found in the Achievements and Performance section of this report.

The trustees confirm that they have complied with the requirements of section 17 of the Charities Act 2011 to have due regard to the public benefit guidance published by the Charity Commission for England and Wales.

Structure, governance and management

Nature of governing document

The governing document covering the charity is CIO – Foundation Registered dated 5th June 2015.

Recruitment and appointment of trustees

Existing trustees and employees can propose the recruitment and appointment of new trustees which would be put to a meeting of the existing trustees and senior employees.

Organisational structure

The charity is an incorporated charitable organisation.

SHINE@NechellsPOD

Trustees' Report (continued)

Achievements and performance

The year 2021 to 2022 has been one in which the life of the POD community has returned back to a more normal situation, as all the restrictions of the previous Covid19 years were lifted and we gained confidence to get together again in ever greater numbers. The POD team, ably led by Beth Bailey, has gelled well over this year and together they have developed and challenged themselves to get ever better at what they do, so that the service which the POD offers to the Nechells community has not deteriorated as a result of the departure of some key personnel last year. They have ensured that the needs of the local neighbourhood have been met by identifying and then meeting those needs with all their resources. They have also taken full advantage of events like the Commonwealth Games in Birmingham to put on some spectacularly large events which have brought together many from the surrounding area.

We have had some very sad events during the year including the loss of some of our FINs and one of our long standing Trustees, Rob Walker, who passed away very suddenly and who will be missed greatly. Rob had been a trustee since we first became a charity in 2015. We will be marking his life and contribution to the POD over the next year.

Looking forward from this moment in time, we have many challenges to face going forward. Some of our significant funding came to an end this year, and we are working hard to secure further funds in order for us to secure the future of the POD. We also have the same challenge as the rest of the country with increased costs from energy and materials in general. We are going to have to work hard and imaginatively to adapt to these future issues.

We want to highlight again the clear 5-yr VISION which we created in 2019 with the ultimate vision of creating the best future for the POD. We will continue to focus on the actions we need to do to bring that Vision into reality. The VISION is for:

1. A strengthened team with full time management
2. Increased opening hours
3. New library with café
4. More volunteer opportunities
5. New funding streams
6. Working with refugees
7. More elder activities
8. Open access and training in IT
9. A wider range of unrestricted activities
10. Extended Job Club offering
11. Activities for men
12. Extended family activities
13. Some company sponsorship
14. A sustainable future

Trustees and staff are working hard to ensure that the work of the POD brings about life improvements for as many of the residents of Nechells that we can and I want to thank our POD team, my fellow trustees and the many partner organisations with whom we work for all their energy, skill and knowledge which enables us to achieve the successes which have been gained over this last year and led to us winning the Community Reassurance Award for community support during the Covid19 pandemic, this was awarded to the charity at a regional Community Inspiration of 2022 awards event.

Financial review

The Charity continued on from the previous year in generating a substantial amount of funds to support the community of Nechells, in Birmingham. See note 13 of the financial statements for a breakdown of the funds received for the various projects during the past two years.

Policy on reserves

The Community Fund Lottery and Henry Smith funding grant both finished in 2022. Designated reserve funds held in SHINE@NechellsPOD's sustainability fund will enable the Charity to continue to function and pay staff salaries in the short term.

Trustees' Report (continued)

Financial Instruments

Objectives and policies

The charity's activities expose it to a number of financial risks including credit risk, cash flow risk and liquidity risk. The use of financial derivatives is governed by the charity's policies approved by the board of trustees, which provide written principles on the use of financial derivatives to manage these risks. The charity does not use derivative financial instruments for speculative purposes.

Cash flow risk

The charity's activities expose it primarily to the financial risks of changes in interest rates. Interest bearing assets and liabilities are held at fixed rate to ensure certainty of cash flows.

Credit risk

The charity's principal financial assets are bank balances and cash, trade and other receivables, and investments. The charity's credit risk is primarily attributable to its trade receivables. The amounts presented in the balance sheet are net of allowances for doubtful receivables. An allowance for impairment is made where there is an identified loss event which, based on previous experience, is evidence of a reduction in the recoverability of the cash flows.

The credit risk on liquid funds and derivative financial instruments is limited because the counterparties are banks with high credit-ratings assigned by international credit-rating agencies.

The charity has no significant concentration of credit risk, with exposure spread over a large number of counterparties and customers.

Liquidity risk

Further details regarding liquidity risk can be found in the Statement of accounting policies in the financial statements.

The annual report was approved by the trustees of the charity on 8 February 2023 and signed on its behalf by:

SIGNED SECURELY
Paul Freeman
12/02/2023 at 2:28:53 PM UTC

P Freeman

Trustee
SIGNED SECURELY
Norah Flynn
10/02/2023 at 8:45:13 PM UTC

N A Flynn
Trustee

SHINE@NechellsPOD

Statement of Trustees' Responsibilities

The trustees (who are also the directors of SHINE@NechellsPOD for the purposes of company law) are responsible for preparing the trustees' report and the financial statements in accordance with the United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice) and applicable law and regulations.

Company law requires the trustees to prepare financial statements for each financial year. Under company law the trustees must not approve the financial statements unless they are satisfied that they give a true and fair view of the state of affairs of the charitable company and of its incoming resources and application of resources, including its income and expenditure, for that period. In preparing these financial statements, the trustees are required to:

- select suitable accounting policies and apply them consistently;
- observe the methods and principles in the Charities SORP;
- make judgements and estimates that are reasonable and prudent;
- state whether applicable UK Accounting Standards have been followed, subject to any material departures disclosed and explained in the financial statements; and
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the charitable company will continue in business.

The trustees are responsible for keeping adequate accounting records that are sufficient to show and explain the charitable company's transactions and disclose with reasonable accuracy at any time the financial position of the charitable company and enable them to ensure that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the charitable company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

Approved by the trustees of the charity on 8 February 2023 and signed on its behalf by:

SIGNED SECURELY
Paul Freeman
12/02/2023 at 2:28:53 PM UTC

P Freeman
Trustee

SIGNED SECURELY
Norán Flynn
10/02/2023 at 8:45:13 PM UTC

N A Flynn
Trustee

SHINE@NechellsPOD

Independent Examiner's Report to the trustees of SHINE@NechellsPOD

I report to the charity trustees on my examination of the accounts of the charity for the year ended 31 August 2022 which are set out on pages 11 to 23.

Respective responsibilities of trustees and examiner

As the charity's trustees of SHINE@NechellsPOD (and also its directors for the purposes of company law) you are responsible for the preparation of the accounts in accordance with the requirements of the Companies Act 2006 ('the 2006 Act').

Having satisfied myself that the accounts of SHINE@NechellsPOD are not required to be audited under Part 16 of the 2006 Act and are eligible for independent examination, I report in respect of my examination of your charity's accounts as carried out under section 145 of the Charities Act 2011 ('the 2011 Act'). In carrying out my examination I have followed the Directions given by the Charity Commission under section 145(5)(b) of the 2011 Act.


Independent examiner's statement

Since SHINE@NechellsPOD's gross income exceeded £250,000 your examiner must be a member of a body listed in section 145 of the 2011 Act. I confirm that I am qualified to undertake the examination because I am a member of ACCA, which is one of the listed bodies.

I have completed my examination. I confirm that no matters have come to my attention in connection with the examination giving me cause to believe:

1. accounting records were not kept in respect of SHINE@NechellsPOD as required by section 386 of the 2006 Act; or
2. the accounts do not accord with those records; or
3. the accounts do not comply with the accounting requirements of section 396 of the 2006 Act other than any requirement that the accounts give a 'true and fair view' which is not a matter considered as part of an independent examination; or
4. the accounts have not been prepared in accordance with the methods and principles of the Statement of Recommended Practice for accounting and reporting by charities [applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102)].

I have no concerns and have come across no other matters in connection with the examination to which attention should be drawn in this report in order to enable a proper understanding of the accounts to be reached.


Bissell & Brown Midlands Limited
Chartered Certified Accountants
ACCA

Charter House
56 High Street
Sutton Coldfield
West Midlands
B72 1UJ

Date: 13/2/2022

SHINE@NechellsPOD

Statement of Financial Activities for the Year Ended 31 August 2022 (Including Income and Expenditure Account and Statement of Total Recognised Gains and Losses)

	Note	Unrestricted £	Restricted £	Total 2022 £
Income and Endowments from:				
Donations and legacies		72,147	118,897	191,044
Other trading activities		76,235	-	76,235
Total income		148,382	118,897	267,279
Expenditure on:				
Charitable activities		(40,219)	(136,133)	(176,352)
Other expenditure	5	(305)	-	(305)
Total expenditure		(40,524)	(136,133)	(176,657)
Net income/(expenditure)		107,858	(17,236)	90,622
Net movement in funds		107,858	(17,236)	90,622
Reconciliation of funds				
Total funds brought forward		160,851	71,704	232,555
Total funds carried forward	14	268,709	54,468	323,177
		Unrestricted funds £	Restricted funds £	Total 2021 £
Income and Endowments from:				
Donations and legacies	3	171,178	136,282	307,460
Other trading activities		11,957	-	11,957
Total income		183,135	136,282	319,417
Expenditure on:				
Charitable activities	4	(77,731)	(107,146)	(184,877)
Total expenditure		(77,731)	(107,146)	(184,877)
Net income		105,404	29,136	134,540
Transfers between funds		(63)	63	-
Net movement in funds		105,341	29,199	134,540
Reconciliation of funds				
Total funds brought forward		55,510	42,505	98,015
Total funds carried forward	14	160,851	71,704	232,555

All of the charity's activities derive from continuing operations during the above two periods.

SHINE@NechellsPOD

(Registration number: CE003479)
Balance Sheet as at 31 August 2022

	Note	2022 £	2021 £
Fixed assets			
Tangible assets	10	1,220	1,525
Current assets			
Debtors	11	20,046	66,845
Cash at bank and in hand	12	396,300	256,638
		416,346	323,483
Creditors: Amounts falling due within one year	13	94,389	92,453
Net current assets		321,957	231,030
Net assets		323,177	232,555
Funds of the charity:			
Restricted income funds			
Restricted funds	14	54,468	71,704
Unrestricted income funds			
Unrestricted funds		268,709	160,851
Total funds	14	323,177	232,555

For the financial year ending 31 August 2022 the charity was entitled to exemption from audit under section 477 of the Companies Act 2006 relating to small companies.

Directors' responsibilities:

- The members have not required the charity to obtain an audit of its accounts for the year in question in accordance with section 476; and
- The directors acknowledge their responsibilities for complying with the requirements of the Act with respect to accounting records and the preparation of accounts.

These accounts have been prepared in accordance with the provisions applicable to companies subject to the small companies regime.

The financial statements on pages 11 to 23 were approved by the trustees, and authorised for issue on 8 February 2023 and signed on their behalf by:

SIGNED SECURELY
Paul Freeman
12/02/2023 at 2:28:53 PM UTC

P Freeman
Trustee

SIGNED SECURELY
Nora Flynn
10/02/2023 at 8:43:13 PM UTC

N A Flynn
Trustee

The notes on pages 13 to 23 form an integral part of these financial statements.

SHINE@NechellsPOD

Notes to the Financial Statements for the Year Ended 31 August 2022

1 Charity status

The charity is limited by guarantee, incorporated in England and Wales, and consequently does not have share capital. Each of the trustees is liable to contribute an amount not exceeding £1 towards the assets of the charity in the event of liquidation.

The address of its registered office is:

The POD
28 Oliver Street
Nechells
Birmingham
West Midlands
B7 4NX

These financial statements were authorised for issue by the trustees on 8 February 2023.

2 Accounting policies

Summary of significant accounting policies and key accounting estimates

The principal accounting policies applied in the preparation of these financial statements are set out below. These policies have been consistently applied to all the years presented, unless otherwise stated:

Statement of compliance

The financial statements have been prepared in accordance with Accounting and Reporting by Charities: Statement of Recommended Practice applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) (effective 1 January 2015) - (Charities SORP (FRS 102)), the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102). They also comply with the Companies Act 2006 and Charities Act 2011.

Basis of preparation

SHINE@NechellsPOD meets the definition of a public benefit entity under FRS 102. Assets and liabilities are initially recognised at historical cost or transaction value unless otherwise stated in the relevant accounting policy notes.

The financial statements are prepared in GBP Sterling, and rounded to the nearest pound.

Going concern

The trustees consider that there are no material uncertainties about the charity's ability to continue as a going concern nor any significant areas of uncertainty that affect the carrying value of assets held by the charity.

Exemption from preparing a cash flow statement

The charity opted to early adopt Bulletin 1 published on 2 February 2016 and have therefore not included a cash flow statement in these financial statements.

Income and endowments

All income is recognised once the charity has entitlement to the income, it is probable that the income will be received and the amount of the income receivable can be measured reliably.

Notes to the Financial Statements for the Year Ended 31 August 2022 (continued)

2 Accounting policies (continued)

Donations and legacies

Donations are recognised when the charity has been notified in writing of both the amount and settlement date. In the event that a donation is subject to conditions that require a level of performance by the charity before the charity is entitled to the funds, the income is deferred and not recognised until either those conditions are fully met, or the fulfilment of those conditions is wholly within the control of the charity and it is probable that these conditions will be fulfilled in the reporting period.

Grants receivable

Grants are recognised when the charity has an entitlement to the funds and any conditions linked to the grants have been met. Where performance conditions are attached to the grant and are yet to be met, the income is recognised as a liability and included on the balance sheet as deferred income to be released.

Expenditure

All expenditure is recognised once there is a legal or constructive obligation to that expenditure, it is probable settlement is required and the amount can be measured reliably. All costs are allocated to the applicable expenditure heading that aggregate similar costs to that category. Where costs cannot be directly attributed to particular headings they have been allocated on a basis consistent with the use of resources, with central staff costs allocated on the basis of time spent, and depreciation charges allocated on the portion of the asset's use. Other support costs are allocated based on the spread of staff costs.

Charitable activities

Charitable expenditure comprises those costs incurred by the charity in the delivery of its activities and services for its beneficiaries. It includes both costs that can be allocated directly to such activities and those costs of an indirect nature necessary to support them.

Support costs

Support costs include central functions and have been allocated to activity cost categories on a basis consistent with the use of resources, for example, allocating property costs by floor areas, or per capita, staff costs by the time spent and other costs by their usage.

Governance costs

These include the costs attributable to the charity's compliance with constitutional and statutory requirements, including audit, strategic management and trustees meetings and reimbursed expenses.

Government grants

Government grants are recognised when they are received, with a proportion included in accrued income if there is a likelihood that all or part of the grant will need to be refunded.

Taxation

The charity is considered to pass the tests set out in Paragraph 1 Schedule 6 of the Finance Act 2010 and therefore it meets the definition of a charitable company for UK corporation tax purposes. Accordingly, the charity is potentially exempt from taxation in respect of income or capital gains received within categories covered by Chapter 3 Part 11 of the Corporation Tax Act 2010 or Section 256 of the Taxation of Chargeable Gains Act 1992, to the extent that such income or gains are applied exclusively to charitable purposes.

Tangible fixed assets

Individual fixed assets costing £250.00 or more are initially recorded at cost.

Notes to the Financial Statements for the Year Ended 31 August 2022 (continued)

2 Accounting policies (continued)

Depreciation and amortisation

Depreciation is provided on tangible fixed assets so as to write off the cost or valuation, less any estimated residual value, over their expected useful economic life as follows:

Asset class	Depreciation method and rate
Fixtures and fittings	20% net book value

Trade debtors

Trade debtors are amounts due from customers for merchandise sold or services performed in the ordinary course of business.

Trade debtors are recognised initially at the transaction price. They are subsequently measured at amortised cost using the effective interest method, less provision for impairment. A provision for the impairment of trade debtors is established when there is objective evidence that the charity will not be able to collect all amounts due according to the original terms of the receivables.

Cash and cash equivalents

Cash and cash equivalents comprise cash on hand and call deposits, and other short-term highly liquid investments that are readily convertible to a known amount of cash and are subject to an insignificant risk of change in value.

Trade creditors

Trade creditors are obligations to pay for goods or services that have been acquired in the ordinary course of business from suppliers. Accounts payable are classified as current liabilities if the does not have an unconditional right, at the end of the reporting period, to defer settlement of the creditor for at least twelve months after the reporting date. If there is an unconditional right to defer settlement for at least twelve months after the reporting date, they are presented as non-current liabilities.

Trade creditors are recognised initially at the transaction price and subsequently measured at amortised cost using the effective interest method.

Fund structure

Unrestricted income funds are general funds that are available for use at the trustees discretion in furtherance of the objectives of the charity.

Restricted income funds are those donated for use in a particular area or for specific purposes, the use of which is restricted to that area or purpose.

Financial instruments

Classification

Financial assets and financial liabilities are recognised when the charity becomes a party to the contractual provisions of the instrument.

Financial liabilities and equity instruments are classified according to the substance of the contractual arrangements entered into. An equity instrument is any contract that evidences a residual interest in the assets of the charity after deducting all of its liabilities.

Notes to the Financial Statements for the Year Ended 31 August 2022 (continued)

2 Accounting policies (continued)

Recognition and measurement

All financial assets and liabilities are initially measured at transaction price (including transaction costs), except for those financial assets classified as at fair value through profit or loss, which are initially measured at fair value (which is normally the transaction price excluding transaction costs), unless the arrangement constitutes a financing transaction. If an arrangement constitutes a financing transaction, the financial asset or financial liability is measured at the present value of the future payments discounted at a market rate of interest for a similar debt instrument.

Financial assets and liabilities are only offset in the statement of financial position when, and only when there exists a legally enforceable right to set off the recognised amounts and the charity intends either to settle on a net basis, or to realise the asset and settle the liability simultaneously.

Financial assets are derecognised when and only when a) the contractual rights to the cash flows from the financial asset expire or are settled, b) the charity transfers to another party substantially all of the risks and rewards of ownership of the financial asset, or c) the charity, despite having retained some, but not all, significant risks and rewards of ownership, has transferred control of the asset to another party.

Financial liabilities are derecognised only when the obligation specified in the contract is discharged, cancelled or expires.

Debt instruments

Debt instruments which meet the following conditions are subsequently measured at amortised cost using the effective interest method:

- (a) The contractual return to the holder is (i) a fixed amount; (ii) a positive fixed rate or a positive variable rate; or (iii) a combination of a positive or a negative fixed rate and a positive variable rate.
- (b) The contract may provide for repayments of the principal or the return to the holder (but not both) to be linked to a single relevant observable index of general price inflation of the currency in which the debt instrument is denominated, provided such links are not leveraged.
- (c) The contract may provide for a determinable variation of the return to the holder during the life of the instrument, provided that (i) the new rate satisfies condition (a) and the variation is not contingent on future events other than (1) a change of a contractual variable rate; (2) to protect the holder against credit deterioration of the issuer; (3) changes in levies applied by a central bank or arising from changes in relevant taxation or law; or (ii) the new rate is a market rate of interest and satisfies condition (a).
- (d) There is no contractual provision that could, by its terms, result in the holder losing the principal amount or any interest attributable to the current period or prior periods.
- (e) Contractual provisions that permit the issuer to prepay a debt instrument or permit the holder to put it back to the issuer before maturity are not contingent on future events, other than to protect the holder against the credit deterioration of the issuer or a change in control of the issuer, or to protect the holder or issuer against changes in levies applied by a central bank or arising from changes in relevant taxation or law.

Notes to the Financial Statements for the Year Ended 31 August 2022 (continued)

2 Accounting policies (continued)

(f) Contractual provisions may permit the extension of the term of the debt instrument, provided that the return to the holder and any other contractual provisions applicable during the extended term satisfy the conditions of paragraphs (a) to (c).

Debt instruments that are classified as payable or receivable within one year on initial recognition and which meet the above conditions are measured at the undiscounted amount of the cash or other consideration expected to be paid or received, net of impairment.

With the exception of some hedging instruments, other debt instruments not meeting these conditions are measured at fair value through profit or loss.

Commitments to make and receive loans which meet the conditions mentioned above are measured at cost (which may be nil) less impairment.

Investments

Investments in non-convertible preference shares and non-puttable ordinary or preference shares (where shares are publicly traded or their fair value is reliably measurable) are measured at fair value through profit or loss. Where fair value cannot be measured reliably, investments are measured at cost less impairment.

Investments in subsidiaries and associates are measured at cost less impairment. For investments in subsidiaries acquired for consideration including the issue of shares qualifying for merger relief, cost is measured by reference to the nominal value of the shares issued plus fair value of other consideration. Any premium is ignored.

Derivative financial instruments

The charity uses derivative financial instruments to reduce exposure to foreign exchange risk and interest rate movements. The charity does not hold or issue derivative financial instruments for speculative purposes.

Derivatives are initially recognised at fair value at the date a derivative contract is entered into and are subsequently remeasured to their fair value at each reporting date. The resulting gain or loss is recognised in statement of financial activities immediately unless the derivative is designated and effective as a hedging instrument, in which event the timing of the recognition in statement of financial activities depends on the nature of the hedge relationship.

Fair value measurement

The best evidence of fair value is a quoted price for an identical asset in an active market. When quoted prices are unavailable, the price of a recent transaction for an identical asset provides evidence of fair value as long as there has not been a significant change in economic circumstances or a significant lapse of time since the transaction took place. If the market is not active and recent transactions of an identical asset on their own are not a good estimate of fair value, the fair value is estimated by using a valuation technique.

3 Income from donations and legacies

	Unrestricted funds General £	Restricted funds £	Total funds £
Donations and legacies;			
Donations	72,147	118,897	191,044
Total for 2022	72,147	118,897	191,044
Total for 2021	171,178	136,282	307,460

Notes to the Financial Statements for the Year Ended 31 August 2022 (continued)

4 Expenditure on charitable activities

	Note	Unrestricted funds Other £	Restricted funds £	Total funds £
Charitable donations		260	42,388	42,648
Community activities		1,076	-	1,076
Governance costs		38,883	93,745	132,628
Total for 2022		40,219	136,133	176,352
Total for 2021		77,731	107,146	184,877

In addition to the expenditure analysed above, there are also governance costs of £132,628 (2021 - £152,007) which relate directly to charitable activities. See note 14 for further details.

5 Other expenditure

	Note	Unrestricted funds Other £	Total funds £
Depreciation, amortisation and other similar costs		305	305
Total for 2022		305	305

6 Trustees remuneration and expenses

During the year the charity made the following transactions with trustees:

N A Flynn

N A Flynn received remuneration of £Nil (2021: £7,500) during the year.

During the year to 31st August 2021, the trustees agreed to pay one of the trustees for the use of her services to cover the work of a project manager after one left the employment of the charity, until a new appointment was made.

No trustees have received any reimbursed expenses or any other benefits from the charity during the year.

7 Taxation

The charity is a registered charity and is therefore exempt from taxation.

Notes to the Financial Statements for the Year Ended 31 August 2022 (continued)

8 Staff costs

The aggregate payroll costs were as follows:

	2022 £	2021 £
Staff costs during the year were:		
Wages and salaries	89,745	103,595
Social security costs	4,611	4,090
Pension costs	512	1,264
Other staff costs	3,881	565
	<u>98,749</u>	<u>109,514</u>

The monthly average number of persons (including senior management team) employed by the charity during the year expressed as full time equivalents was as follows:

	2022 No	2021 No
Management and administration	<u>6</u>	<u>6</u>

5 (2021 - 5) of the above employees participated in the Defined Contribution Pension Schemes.

Contributions to the employee pension schemes for the year totalled £714 (2021 - £1,695).

No individual employee received emoluments of more than £60,000 during the year.

9 Independent examiner's remuneration

	2022 £	2021 £
Other fees to examiners		
The examining of accounts of any associate of the charity	<u>2,346</u>	<u>2,766</u>

Notes to the Financial Statements for the Year Ended 31 August 2022 (continued)

10 Tangible fixed assets

	Furniture and equipment £	Total £
Cost		
At 1 September 2021		
At 31 August 2022	1,525	1,525
Depreciation		
At 1 September 2021		
Charge for the year		
At 31 August 2022	305	305
Net book value		
At 31 August 2022	305	305
At 31 August 2021		
	1,220	1,220
	1,525	1,525

11 Debtors

	2022 £	2021 £
Trade debtors		
Prepayments	20,046	65,160
		1,685
	20,046	66,845

12 Cash and cash equivalents

	2022 £	2021 £
Cash at bank	396,300	256,638

13 Creditors: amounts falling due within one year

	2022 £	2021 £
Trade creditors		
Due to group undertakings	29,770	10,276
Other creditors		376
Accruals	62,272	80,901
	2,347	900
	94,389	92,453

SHINE@NechellsPOD

Notes to the Financial Statements for the Year Ended 31 August 2022 (continued)

14 Funds

Unrestricted funds

	Balance at 1 September 2021 £	Incoming resources £	Resources expended £	Balance at 31 August 2022 £
Unrestricted funds				
<i>General</i>				
POD Sustainability	136,768	103,802	(7,276)	233,294
Henry Smith Charity	13,206	17,500	(23,629)	7,077
Celebrating Communities Fund	-	5,000	-	5,000
Donations and grants	10,877	-	-	10,877
Gowling	-	5,000	(1,450)	3,550
General Fund	-	16,250	(7,774)	8,476
	<u>160,851</u>	<u>147,552</u>	<u>(40,129)</u>	<u>268,274</u>
<i>Designated</i>				
Mini Bus Fund	-	830	(395)	435
	<u>160,851</u>	<u>148,382</u>	<u>(40,524)</u>	<u>268,709</u>
Total unrestricted funds				
Restricted funds				
All Of Us	48,933	47,325	(94,081)	2,177
Aston Villa Foundation Fund	-	500	(478)	22
Community Research Fund	-	2,500	-	2,500
Doing Things Differently	2,120	-	-	2,120
GOCF - Great Outdoors Community Fund	-	10,000	-	10,000
Happy Healthy Holidays	-	16,849	(8,918)	7,931
Heart Of England	-	10,000	(10,000)	-
Groundworks	1,155	12,608	(10,860)	2,903
NNS	19,496	14,115	(8,589)	25,022
Talking Tables	-	5,000	(3,207)	1,793
	<u>71,704</u>	<u>118,897</u>	<u>(136,133)</u>	<u>54,468</u>
Total restricted funds				
Total funds	<u>232,555</u>	<u>267,279</u>	<u>(176,657)</u>	<u>323,177</u>

SHINE@NechellsPOD

Notes to the Financial Statements for the Year Ended 31 August 2022 (continued)

14 Funds (continued)

	Balance at 1 September 2020 £	Incoming resources £	Resources expended £	Transfers £	Balance at 31 August 2021 £
Unrestricted funds					
<i>General</i>					
POD Sustainability	39,467	97,301	-	-	136,768
Henry Smith Charity	16,043	34,750	(37,587)	-	13,206
Donations and grants	-	51,084	(40,144)	(63)	10,877
	<u>55,510</u>	<u>183,135</u>	<u>(77,731)</u>	<u>(63)</u>	<u>160,851</u>
Restricted					
All Of Us	22,093	93,075	(66,235)	-	48,933
Doing Things Differently	15,260	-	(13,140)	-	2,120
Happy Healthy Holidays	(63)	-	-	-	-
Groundworks	-	10,267	(9,112)	63	-
NNS	3,397	32,940	(16,841)	-	1,155
Talking Tots	1,818	-	(1,818)	-	19,496
	<u>42,505</u>	<u>136,282</u>	<u>(107,146)</u>	<u>63</u>	<u>71,704</u>
Total restricted funds					
	<u>42,505</u>	<u>136,282</u>	<u>(107,146)</u>	<u>63</u>	<u>71,704</u>
Total funds	<u>98,015</u>	<u>319,417</u>	<u>(184,877)</u>	<u>-</u>	<u>232,555</u>

Notes to the Financial Statements for the Year Ended 31 August 2022 (continued)

14 Funds (continued)

The specific purposes for which the funds are to be applied are as follows:

Restricted

- 1) All Of Us - In addition to the community activities, the Community Lottery Funds the salary for the Project Manager and the management of this post, there is also funding included for utilities and running costs. We were awarded additional funding, under the 'New Prospects Project' for a new post as Employment and Welfare Officer, to run alongside the main funding; this covers the salary for 2.5 days per week for the Welfare and Community Support Role.
- 2) NNS - In addition to the salary for the Project Manager for three days per week, this funding also includes an amount for the use of desk space and support at the POD and payment for meetings, mobile telephones and travel costs.
- 3) Talking Tots - this was funding which enabled the POD to set up a toy library. The funding for this project has now ceased.
- 4) Doing Things Differently - this funded an Out of Hours Activity Coordinator (this role ceased on 12th September 2021) and outdoor equipment (tables and chairs).
- 5) Groundworks/ HS2 - Project Title - Give and Gain - this funds the salary for the Volunteer Coordinator Post. This is a three year post until August 2023.
- 6) Heart of England - Provided to support the Queen's 70th jubilee event.
- 7) Talking Tables - funds provided to support the local community with the provision of food.
- 8) Great Outdoor Community Fund - Garden Refurbishment Project commencing September 2022.
- 9) Happy Healthy Holidays - funds provided for school holidays events.
- 10) Aston Villa Foundation Fund - to provide sports equipment.
- 11) The Community Research funding was provided by Birmingham City University, to research how to improve men's engagement with community activities and to provide activities aimed at men. We started at the weekly Men's group in September 2022 and we will use the £2,500 to fund this group during the 2022-23 year.

Designated

- Mini Bus Fund - to keep the Charity's mini bus on the road to enable it to support the community when needed.

SHINE@NechellsPOD

Statement of Financial Activities by fund for the Year Ended 31 August 2022

Unrestricted Funds

	Total Unrestricted Funds 2022 £	Total Unrestricted Funds 2021 £
Income and Endowments from:		
Donations and legacies	72,147	171,178
Other trading activities	76,235	11,957
Total income	148,382	183,135
Expenditure on:		
Charitable activities	(40,219)	(77,731)
Other expenditure	(305)	-
Total expenditure	(40,524)	(77,731)
Net income	107,858	105,404
Transfers between funds	-	(63)
Net movement in funds	107,858	105,341
Reconciliation of funds		
Total funds brought forward	160,851	55,510
Total funds carried forward	268,709	160,851

SHINE@NechellsPOD**Statement of Financial Activities by fund for the Year Ended 31 August 2022 (continued)****Restricted Funds**

	Total Restricted Funds 2022 £	Total Restricted Funds 2021 £
Income and Endowments from:		
Donations and legacies	<u>118,897</u>	<u>136,282</u>
Total income	<u>118,897</u>	<u>136,282</u>
Expenditure on:		
Charitable activities	<u>(136,133)</u>	<u>(107,146)</u>
Total expenditure	<u>(136,133)</u>	<u>(107,146)</u>
Net (expenditure)/income	<u>(17,236)</u>	<u>29,136</u>
Transfers between funds	<u>-</u>	<u>63</u>
Net movement in funds	<u>(17,236)</u>	<u>29,199</u>
Reconciliation of funds		
Total funds brought forward	<u>71,704</u>	<u>42,505</u>
Total funds carried forward	<u>54,468</u>	<u>71,704</u>

This page does not form part of the statutory financial statements.
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SHINE@NechellsPOD

Detailed Statement of Financial Activities for the Year Ended 31 August 2022

	Total 2022 £	Total 2021 £
Income and Endowments from:		
Donations and legacies (analysed below)	191,044	307,460
Other trading activities (analysed below)	76,235	11,957
Total income	267,279	319,417
Expenditure on:		
Charitable activities (analysed below)	(176,352)	(184,877)
Other expenditure (analysed below)	(305)	-
Total expenditure	(176,657)	(184,877)
Net income	90,622	134,540
Net movement in funds	90,622	134,540
Reconciliation of funds		
Total funds brought forward	232,555	98,015
Total funds carried forward	323,177	232,555

SHINE@NechellsPOD

Detailed Statement of Financial Activities for the Year Ended 31 August 2022 (continued)

	Total 2022 £	Total 2021 £
Donations and legacies		
Donations	118,897	93,075
Revenue from Nechells POD	-	97,301
Community consultation and social media	-	43,207
Unrestricted donations	72,147	73,877
	<u>191,044</u>	<u>307,460</u>
Other trading activities		
Fees and supplies	345	1,162
Rental income	75,890	10,795
	<u>76,235</u>	<u>11,957</u>
Charitable activities		
Community activities (Restricted)	(42,388)	(24,906)
Community activities (Unrestricted)	(1,076)	(7,674)
Charitable donations (Unrestricted)	(260)	(290)
Wages and salaries (Restricted)	(64,672)	(55,644)
Wages and salaries (Unrestricted)	(25,073)	(47,951)
Staff NIC (Employers) (Restricted)	(4,611)	(4,090)
Staff NIC (Employers) (Unrestricted)	(1,602)	(3,450)
Staff pensions (Defined contribution) - pension scheme (Restricted)	(512)	(1,264)
Staff pensions (Defined contribution) - pension scheme (Unrestricted)	(202)	(430)
Staff training (Restricted)	(3,881)	(565)
Staff training (Unrestricted)	(80)	-
Travelling (Restricted)	(3,393)	-
Travelling (Unrestricted)	(395)	(1,320)
Rates (Restricted)	-	(464)
Heat, light and water (Restricted)	(5,959)	(7,116)
Heat, light and water (Unrestricted)	(2,829)	-
Insurance (Restricted)	(3,075)	-
Insurance (Unrestricted)	(605)	(3,175)
Repairs and maintenance (Restricted)	(2,886)	(425)
Repairs and maintenance (Unrestricted)	(246)	(3,447)
Security (Restricted)	(1,125)	-
Security (Unrestricted)	(886)	(618)
Office expenses (Restricted)	(2,560)	(2,391)
General expenses (Unrestricted)	(1,620)	(2,411)
Computer software and maintenance costs (Restricted)	(77)	(4,982)
Computer software and maintenance costs (Unrestricted)	-	(1,394)
Accountancy fees (Unrestricted)	(2,346)	(2,766)
Bookkeeping services (Unrestricted)	(871)	-
Professional fees (Restricted)	(994)	(5,299)
Professional fees (Unrestricted)	(1,956)	(2,568)
Bank charges (Unrestricted)	(172)	(237)

This page does not form part of the statutory financial statements.

SHINE@NechellsPOD

Detailed Statement of Financial Activities for the Year Ended 31 August 2022 (continued)

	Total 2022 £	Total 2021 £
<i>Other expenditure</i>	<u>(176,352)</u>	<u>(184,877)</u>
Depreciation charge	<u>(305)</u>	<u>-</u>
	<u>(305)</u>	<u>-</u>

This page does not form part of the statutory financial statements.
Page 28



SENDIASS
THE POD
28 Oliver Street
Nechells
Birmingham
B7 4NX

Tel: 0121 303 5004

INVOICE No: POD 098

Date: 1st April 2022

POD Booking: 1st September 2022 – 31st August 2023

Purchase Order Number: BCC20210003715P

Qty	Description	Unit Price	TOTAL
1	Additional room required for social distancing 1 st September 2022 – 31 st August 2023 <i>Thank you for your custom</i>	£22,926.00	£22,926.00
		TOTAL	£22,926.00

BCC Vendor Number: 1000145093

Please make your cheque payable to: SHINE@NechellsPOD

BACS Details:
SHINE@NechellsPOD
TSB Bank

Payment is required within 14 Days

Please send you payment to:

SHINE@NechellsPOD
The POD
28 Oliver Street
Nechells

28 Oliver Street
Nechells
B7 4NX

Tel: 0121 676 4280
Fax: 0121 675 4276



SENDIASS
THE POD
28 Oliver Street
Nechells
Birmingham
B7 4NX

INVOICE No: SHINE 099

Date: 1st April 2022

POD Booking: Main Office 1st April 2022 – 30th September 2022

PO Number: BCC20210003714P

Qty	Description	Unit Price	TOTAL
2	Main Office Rental Charges 1 st April 2022 – 31 st August 2022	£4,776.25	£9,552.50
2	Main Office Rental Charges 1 st September 2022 – 31 st August 2022 <i>Thank you for your custom</i>	£11,463.00	£22,926.00
TOTAL			£32,478.50

BCC Vendor Number: 1000145093

Please make your cheque payable to: **SHINE@NechellsPOD**

BACS Details:
SHINE@NechellsPOD
TSB Bank

Payment is required within 14 Days

Please send your payment to:

SHINE@NechellsPOD
The POD
28 Oliver Street
Nechells
Birmingham

28 Oliver Street
Nechells
B7 4NX

Tel: 0121 675 4280
Fax: 0121 675 4276
Director: Noran Flynn



SENDIASS
THE POD
28 Oliver Street
Nechells
Birmingham
B7 4NX

Tel: 0121 303 5004

INVOICE No: SHINE 097

Date: 07th June 2021

POD Booking: Duty Office Room Rental 2022 -2023

PO Number: BCC20210003717P

Qty	Description	Unit Price	TOTAL
1	Duty Office Rental Charges 1st March 2022 – 31st August 2022	£3,648	£3,648
1	Duty Office Rental Charges 1 st September 2022 – 31 st August 2023	£7,453.00	£7,453.00
Thank you for your custom			
		TOTAL	£11,101.00

BCC Vendor Number: 1000145093

Payment is required within 14 Days

Please make your cheque payable to: **SHINE@NechellsPOD**

BACS Details:
SHINE@NechellsPOD
TSB Bank
Sort code: 30 90 95
Account number: 15910860

Please send you payment to:

SHINE@NechellsPOD
The POD
28 Oliver Street
Nechells
Birmingham
B7 4NX

28 Oliver Street
Nechells
B7 4NX

Tel: 0121 675 4280
Fax: 0121 675 4276

[REDACTED]
From:
Sent:
To:
Subject:

[REDACTED]
09 December 2022 13:34
Councillor Des S Hughes
Statistics

<https://www.gov.uk/government/statistics/tribunal-statistics-quarterly-july-to-september-2022/tribunal-statistics-quarterly-july-to-september-2022#special-educational-needs-and-disability-send>

[REDACTED]
SENDIASS
Education & Skills Directorate
Birmingham City Council
The POD
28 Oliver Street
Vechells
Birmingham
B7 4NX
e mail: [REDACTED]
www.birmingham.gov.uk/SENDIASS

[REDACTED]
From:

Sent:

To:

Subject:

[REDACTED]
07 September 2022 08:54
Councillor Des S Hughes
Scrutiny

Do you want to have a quick chat about the SENDIASS pages?

[REDACTED]
SENDIASS

Education & Skills Directorate

Birmingham City Council

The POD

28 Oliver Street

Nechells

Birmingham

B7 4NX

e mail: [REDACTED]

www.birmingham.gov.uk/SENDIASS

SIR BARRY JACKSON TRUST



Charity reporting is up to date (on time)

Charity number: 211619

Charity overview

What, who, how, where

Governance

Trustees

Financial history

Accounts and annual returns

Governing document

Contact information

Trustees are the people responsible for controlling the work, management and administration of the charity on behalf of its beneficiaries. Generally trustees are treasurer, chair, board member etc. The trustees are responsible for keeping this list up to date and can do this by updating their details as they happen through the [online service](#).

10 Trustee(s)

Name	Role	Date of appointment	Other trusteeships	Reporting status of other trusteeships
ROGER STEPHEN BURMAN CBE	Chair	10 October 2000	<u>THE SIR BARRY JACKSON COUNTY FUND</u>	Received: On time
Councillor Desmond Stephen Hughes	Trustee	15 June 2023	None on record	

Name	Role	Date of appointment	Other trusteeships	Reporting status of other trusteeships
MICHAEL JOHN HIBBS	Trustee	27 January 2022	<u>BIRMINGHAM REPERTORY THEATRE LIMITED</u>	Received: On time
			<u>THE SIR BARRY JACKSON COUNTY FUND</u>	Received: On time
			<u>THE DANCEXCHANGE LIMITED</u>	Received: On time
Amelia Rose Ladbrook	Trustee	10 June 2019	<u>THE SIR BARRY JACKSON COUNTY FUND</u>	Received: On time
GRAHAM JAMES SAUNDERS	Trustee	20 October 2016	<u>THE SIR BARRY JACKSON COUNTY FUND</u>	Received: On time
LINDA MORGAN	Trustee	12 January 2015	<u>THE SIR BARRY JACKSON COUNTY FUND</u>	Received: On time
PROFESSOR CLAIRE ELIZABETH COCHRANE	Trustee	05 November 2013	None on record	
DEBORAH MARY SHAW	Trustee	27 October 2009	<u>THE SIR BARRY JACKSON COUNTY FUND</u>	Received: On time
IAN AYLIFFE KING	Trustee	21 October 2004	<u>THE SIR BARRY JACKSON COUNTY FUND</u>	Received: On time
DAVID BURMAN EDGAR	Trustee		<u>THE SIR BARRY JACKSON COUNTY FUND</u>	Received: On time

REGISTER OF COUNCILLORS INTERESTS


I,Des Hughes..... (name)

an Elected / Co-opted Member of Birmingham City Council do hereby give notice that I have set out below my interests which I am required to declare under Birmingham City Council's Code of Conduct for Members.

Within 28 days of election to office, an Elected or Co-opted Member must register his/her pecuniary and non-pecuniary interests in a public register by providing written notification to the City Council's Monitoring Officer (City Solicitor)

You must declare your own interests on the form below and also those of your husband/wife/civil partner, which includes any person with whom you are living as husband/wife/civil partner. You do not need to name your husband/wife/civil partner.

Pecuniary Interests	Pecuniary Interests
<p>1. Employment, office, trade, profession or vocation:</p> <p>Your employment, office, trade, profession or vocation carried on for profit or gain, and that of your husband/wife/civil partner.</p> <p>Note: "Office" includes position held as representative of the Council on the management of an external organisation if an Allowance is paid which exceeds reasonable expenses.</p>	<p>Support Officer</p>
<p>2. Sponsorship</p> <p>Any payment or provision of any other financial benefit in respect of any expenses incurred in carrying out duties or towards election expenses; this includes any payment or financial benefit from a trade union.</p>	<p>The Labour Party</p>

Pecuniary Interests	Pecuniary Interests
<p>3. Contracts</p> <p>Any contract which is made between you or your husband/wife/civil partner (or a body in which you or your husband/wife/civil partner has a beneficial interest) and the City Council under which goods or services are to be provided or works are to be executed and which has not been fully discharged.</p>	None
<p>4. Land</p> <p>Any beneficial interest in land held by you or your husband/wife/civil partner which is within the area of the City Council</p>	
<p>5. Licences</p> <p>Any licence (alone or jointly with others) to you or your husband/wife/civil partner to occupy land in Birmingham for a month or longer.</p>	None
<p>6. Corporate tenancies</p> <p>Any tenancy where the landlord is the City Council and the tenant is a body in which you or your husband/wife/civil partner has a beneficial interest.</p>	None
<p>7. Securities</p> <p>Any beneficial interest in which you or your husband/wife/civil partner has in securities of a body where:</p> <ul style="list-style-type: none"> (a) that body has a place of business or land in the area of the City Council; and (b) either: <ul style="list-style-type: none"> (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total 	None

Pecuniary Interests	Pecuniary Interests
<p>issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you or a relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>	
<p>8. Personal Wellbeing</p> <p>you also have a pecuniary interest where you attend a meeting of the Council where the business concerns your personal wellbeing or financial position or that of your husband/wife/partner – to a greater extent than the majority of residents in your Ward affected by the decision.</p>	<p>You will only know this when you attend a meeting of the Council and an item on the agenda affects your wellbeing or that of your husband/wife/partner, to the extent described.</p> <p>You must then declare a pecuniary interest at the beginning of the meeting or before the relevant item is discussed and not take part in the meeting when that agenda item is discussed.</p>
Non-Pecuniary Interests	Non-Pecuniary Interests
<p>1. any organisation of which you are a member or in a position of general control or management, or to which you are appointed or nominated by Birmingham City Council.</p> <p>Note: If you receive an Allowance from the organisation which exceeds your reasonable expenses then you should declare your interest under Pecuniary Interest Number 1 above.</p>	<p>Board of the Birmingham Royal Ballet</p> <p>Barry Jackson Trust</p>

If there is insufficient space in any of the boxes provided, please use a supplementary sheet.

This is a public document to which members of the public will have free access to during normal office hours and copies will also be published on the City Council's Website.

Declaration

I recognise that I will be in breach of Birmingham City Council's Code of Conduct for Members if I:

- (a) omit information that ought to be given in this notice; or

- (b) provide information that is materially false or misleading; or
- (c) fail to give further notices within 28 days of any change to the information set out above in order to bring up to date the information given in this notice.

Signed

Dated ...25/06/2022.....

Please return the signed Declaration to the Monitoring Officer [City Solicitor].

Appendix A5

BUNDLE 3

**DOCUMENTATION RE SIR BARRY JACKSON TRUST
&
KINGSTANDING REGENERATION TRUST**

SIR BARRY JACKSON TRUST



Charity reporting is up to date (on time)

Charity number: 211619

Charity overview

What, who, how, where

Governance

Trustees

Financial history

Accounts and annual returns

Governing document

Contact information

Trustees are the people responsible for controlling the work, management and administration of the charity on behalf of its beneficiaries. Generally trustees are treasurer, chair, board member etc. The trustees are responsible for keeping this list up to date and can do this by updating their details as they happen through the [online service](#)

10 Trustee(s)

Name	Role	Date of appointment	Other trusteehips	Reporting status of other trusteehips
ROGER STEPHEN BURMAN CBE	Chair	10 October 2000	THE SIR BARRY JACKSON COUNTY FUND	Received: On time
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			<u>THE SIR BARRY JACKSON COUNTY FUND</u>	Received: On time
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Amelia Rose Ladbrook	Trustee	10 June 2019	<u>THE SIR BARRY JACKSON COUNTY FUND</u>	Received: On time
GRAHAM JAMES SAUNDERS	Trustee	20 October 2016	<u>THE SIR BARRY JACKSON COUNTY FUND</u>	Received: On time
LINDA MORGAN	Trustee	12 January 2015	<u>THE SIR BARRY JACKSON COUNTY FUND</u>	Received: On time
PROFESSOR CLAIRE ELIZABETH COCHRANE	Trustee	05 November 2013	None on record	
DEBORAH MARY SHAW	Trustee	27 October 2009	<u>THE SIR BARRY JACKSON COUNTY FUND</u>	Received: On time
IAN AYLIFFE KING	Trustee	21 October 2004	<u>THE SIR BARRY JACKSON COUNTY FUND</u>	Received: On time
DAVID BURMAN EDGAR	Trustee		<u>THE SIR BARRY JACKSON COUNTY FUND</u>	Received: On time

KINGSTANDING REGENERATION TRUST



Charity reporting is up to date (on time)

Charity number: 1149785

Charity overview

What, who, how, where

Governance

Trustees

Financial history

Accounts and annual returns

Governing document

Contact information

Trustees are the people responsible for controlling the work, management and administration of the charity on behalf of its beneficiaries. Generally trustees are treasurer, chair, board member etc. The trustees are responsible for keeping this list up to date and can do this by updating their details as they happen through the [online service](#)

6 Trustee(s)

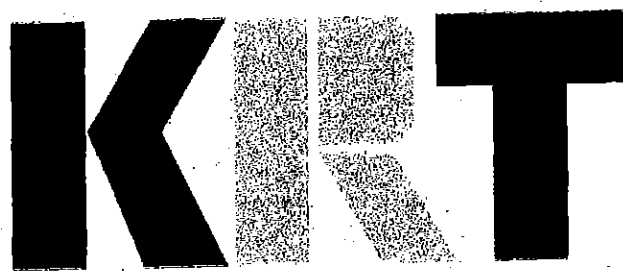
Name	Role	Date of appointment	Other trusteeships	Reporting status of other trusteeships
Denise Peach	Chair	28 October 2019	LICHFIELD GARRICK THEATRE	Received: On time
Ryan Singh	Trustee	14 December 2022	None on record	
Alastair Cook	Trustee	14 December 2022	None on record	
Isaac Conrad McNamara	Trustee	14 December 2022	None on record	

Name	Role	Date of appointment	Other trusteeships	Reporting status of other trusteeships
SUSAN BYRNE FICM AABRP	Trustee	10 November 2017	None on record	
COUNCILLOR DES HUGHES	Trustee	03 September 2012	None on record	

 [Print charity details](#)

Registered Charity Number: 1149785

Registered Company Number: 06527314



Kingstanding
Regeneration
Trust

Management Committee Report and Financial Statements
For the year ended 31st March 2022

Kingstanding Regeneration Trust

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Balance Sheet	11
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Kingstanding Regeneration Trust

Reference and Administrative Information

Directors and Trustees:

1. Afric Crossan (resigned August 2021)
2. Des Hughes (Vice Chair)
3. Peter Kane (resigned October 2021)
4. Sue Byrne
5. Anita Ward
6. Gary Sambrook (resigned August 2021)
7. Amy Bird (resigned April 2021)
8. Denise Peach (Chair)

Company Registered Number: 06527314

Charity Registered Number: 1149785

Registered Office

1 Cottage
Brookvale Park
Erdington
Birmingham
B23 7AG

Bankers

The Cooperative Bank
Colmore Row
Birmingham
B3 3BA

For further information please contact the registered office as detailed above or:

Telephone: 0121 439 6780

Email: hello@krtbirmingham.co.uk

Website: www.krtbirmingham.co.uk

Kingstanding Regeneration Trust

Trustees' Report

The Trustees present their report and accounts for the year ended 31st March 2022. The Trustees confirm that the annual report and financial statements of the trust comply with current statutory requirements, the requirement of the trust's governing document and the provisions of the Statement of Recommended Practice (SORP) "Accounting and Reporting by Charities issued in March 2005.

1) Structure, Governance and Management

Method of appointment or election of Management Committee

The Management of the trust is the responsibility of the Management Committee who are elected and co-opted under the terms of the Articles of Association.

Constitution policies and objectives

The trust is registered as a Private Limited Company by guarantee without share capital use of 'Limited' exemption and was set up by a Memorandum of Association. The community based trust aims to regenerate areas in North Birmingham and provide training and support for NEET (not in education, employment or training) young people to find employment. The trust engages in fundraising and capacity building identified in our Business Plan. There have been no changes in the objectives since the last annual report.

Organisational structure and decision making

The organisation of the trust is controlled by the members of the Management Committee.

2) Objectives, Activities and Achievements

Kingstanding Regeneration Trust is a registered charity working for the benefit of residents across North Birmingham, particularly but not limited to Kingstanding, Erdington and Brookvale. KRT is governed by local activists who want to empower local residents to find solutions to local problems together. A continuing focus for the organisation is the training of NEET young people to develop employability skills, acquire qualifications and find sustainable employment.

During this year there have been significant staff changes including the appointment of Anya Sanchez as Director, following the retirement of Karen Spence as CEO. Karen had been passionate about the growth of KRT and was its driving force from the beginning. We were delighted to promote Bradley Turner to the role of Training Manager following the retirement of the previous Incumbent. Our Wellbeing Officer and Marketing Assistant moved to other organisations whilst our Community Engagement Officer's funded post came to an end. We thank these members of staff for all their endeavours at KRT and wish them the best for the future.

Kingstanding Regeneration Trust

Trustees' Report (continued)

2) Objectives, Activities and Achievements (continued)

An organisational restructure was undertaken to ensure KRT could continue to achieve its goals efficiently and provide the best possible service for local residents. We are delighted that all remaining team members have been moved onto updated contracts, with new job descriptions. Staff have undertaken additional training including IAG Level 2, Supervisory Role qualifications, Health and Safety certification and job specific training. Following an unsettled period whilst organisational changes were taking place, we are pleased that all staff are now feeling settled, well-motivated and are working efficiently and enthusiastically to move the organisation forward.

A new Business Plan was written with a renewed focus on the training of young people and an aspiration to expand our reach outside Kingstanding to use our skills and experience to support young people from across Birmingham. An audit of all our policies and procedures was undertaken and Croner HR and BrightSafe Health and Safety are supporting KRT to introduce its new system of HR Management and Health and Safety management. We are pleased to ensure the highest standards are maintained in Health and Safety and HR in every area of our organisation.

After much hard work to transform the derelict Victorian building in Brookvale Park by our Training Team, we were all excited to fully move into our new offices at Brookvale Park. This space provides KRT with better office space, training facilities and much needed safe storage space. It also enables us to expand our services beyond Kingstanding and we have quickly seen the benefit of our more accessible location. A long term lease agreement is in the process of being written by the City Council.

Our Win-Win Project that provides work experience for disadvantaged young people by transforming the gardens of local elderly and vulnerable residents, free of charge, has successfully attracted funding. We are working in partnership with Witton Lodge and Age UK on this project which will see young people gain tool skills, work experience in a team on their journey towards employment.

The number of young people trained by KRT during this year was significantly lower than hoped mainly due to Covid restrictions continuing throughout this year and organisational changes. Once KRT re-opened, we experienced further setbacks when staff had to take weeks off work to isolate as they in turn succumbed to the Covid-19 virus. We were delighted to be able to welcome young people back into our program in December. Since then, 100% of trainees have gone into employment or further training following the completion of our course. It proves that the streamlining work we've undertaken to our training program has been successful and is ensuring trainees can gain the skills and experience they need and achieve employment, faster than before. Despite a tough year the Trustees are proud of the work achieved by KRT's staff and delighted to see improvements to the programs for young people are achieving success.

Kingstanding Regeneration Trust

Trustees' Report (continued)

3) Financial Review

Fundraising has been challenging this year as funders focussed their attentions on responses to Covid-19 but we continued to be well supported by a variety of local and national Trusts and Foundations, several of whom have agreed to multiyear funding agreements. We have maintained good communication with funders throughout the year.

Reserves policy

It is the policy of the management committee to work towards holding the minimum unrestricted reserves necessary to enable the Charity to meet its commitments for a minimum period of three months.

4) Statement of Management Committee's responsibilities

Company and Charity law applicable to charities in England/Wales requires the Management Committee to prepare financial statements for each financial year which give a true and fair view of the state of affairs of the Charity and of the surplus or deficit of the Charity for the period. In preparing those financial statements the Management Committee have:

- Selected suitable accounting policies and applied them consistently,
- Made judgments and estimates that are reasonable and prudent,
- Stated whether applicable accounting standards have been followed, subject to any material departures disclosed and explained in the financial statements, and
- Prepared the financial statements on a going concern basis (unless it is inappropriate to presume that the Trust will continue in operation).

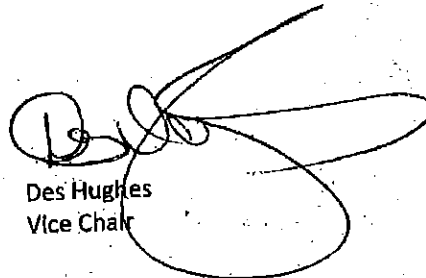
The Management Committee have overall responsibility for ensuring that the charity has an appropriate system of controls, financial and otherwise. They are also responsible for keeping proper accounting records which disclose with reasonable accuracy at any time the financial position of the Charity and enable them to ensure that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the Charity and hence for taking reasonable steps for the detection and prevention of fraud and other irregularities. These accounts have been delivered in accordance with the provisions applicable to companies subject to the small company's regime.

Kingstanding Regeneration Trust

The report was approved by the Management Committee on 24 August 2022 and signed on its behalf by



Denise Peach
Chair of KRT



Des Hughes
Vice Chair

Report and financial statements for the year to 31st March 2022

Kingstanding Regeneration Trust

Independent Examiner's Report to the Trustees of the Kingstanding Regeneration Trust

I report on the accounts of the company for the year ended 31 March 2022 which are set out on pages 10 to 19.

Respective responsibilities of trustees and examiner

The trustees (who are also the directors of the company for the purposes of company law) are responsible for the preparation of the accounts. The trustees consider that an audit is not required for this year under section 144(2) of the Charities Act 2011 (the 2011 Act) and that an independent examination is needed.

Having satisfied myself that the charity is not subject to audit under company law and is eligible for independent examination, it is my responsibility to:

- examine the accounts under section 145 of the 2011 Act;
- follow the procedures laid down in the general Directions given by the Charity Commission under section 145(5)(b) of the 2011 Act; and
- state whether particular matters have come to my attention.

Basis of independent examiner's report

My examination was carried out in accordance with the general Directions given by the Charity Commission. An examination includes a review of the accounting records kept by the charity and a comparison of the accounts presented with those records. It also includes consideration of any unusual items or disclosures in the accounts, and seeking explanations from you as trustees concerning any such matters. The procedures undertaken do not provide all the evidence that would be required in an audit and consequently no opinion is given as to whether the accounts present a "true and fair view" and the report is limited to those matters set out in the statement below.

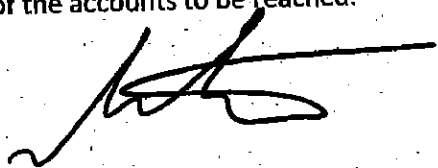
Kingstanding Regeneration Trust

Independent Examiner's Report to the Trustees of the Kingstanding Regeneration Trust (continued)

Independent examiner's statement

In connection with my examination, no matter has come to my attention:

- 1 which gives me reasonable cause to believe that, in any material respect, the requirements:
 - to keep accounting records in accordance with section 386 of the Companies Act 2006; and
 - to prepare accounts which accord with the accounting records, comply with the accounting requirements of section 396 of the Companies Act 2006 and with the methods and principles of the Statement of Recommended Practice: Accounting and Reporting by Charities have not been met; or
- 2 to which, in my opinion, attention should be drawn in order to enable a proper understanding of the accounts to be reached.



David Webb FCA (Senior Statutory Auditor)
For and on behalf of Edwards

Chartered Accountants
Statutory Auditor

34 High Street
Aldridge
Walsall
West Midlands
WS9 8LZ

Kingstanding Regeneration Trust

Statement Of Financial Activities

	Note	Restricted Funds 2022 £	Unrestricted Funds 2022 £	Total Funds 2022 £	Total Funds 2021 £
INCOMING RESOURCES					
Income resources from generated funds:					
Donations	2	103,400	85,935	189,335	486,892
Bank and other interest		-	-	-	-
		<u>103,400</u>	<u>85,935</u>	<u>189,335</u>	<u>486,892</u>
RESOURCES EXPENDED					
Charitable Activities:					
Projects & Activities	3	102,654	164,085	266,739	407,984
Fundraising	3a	-	-	-	8,927
Governance					
Cost	4	-	1,160	1,160	465
TOTAL RESOURCES EXPENDED	5	<u>102,654</u>	<u>165,245</u>	<u>267,899</u>	<u>417,376</u>
MOVEMENT IN TOTAL FUNDS FOR THE YEAR - NET INCOME/(EXPENDITURE) FOR THE YEAR					
		746	(79,310)	(78,564)	69,516
TOTAL FUNDS BROUGHT FORWARD		<u>118,412</u>	<u>52,119</u>	<u>170,531</u>	<u>101,015</u>
TOTAL FUNDS CARRIED FORWARD		<u>119,158</u>	<u>(27,191)</u>	<u>91,967</u>	<u>170,531</u>

The Statement of Financial Activities includes all gains and losses recognised in the year.

The notes on page 12 to 19 form part of these financial statements.

Kingstanding Regeneration Trust

Balance Sheet

	Note	2022 £	2021 £
FIXED ASSETS			
Motor Vehicles		17,000	
	8	17,000	
CURRENT ASSETS			
Cash at Bank and in Hand		76,127	171,851
	9	76,127	171,851
CREDITORS - Amount falling due within one year			
	10	(1,160)	(1,320)
		(1,160)	(1,320)
NET CURRENT ASSETS		74,967	170,531
NET ASSETS	11	91,967	170,531
TRUST FUNDS			
Restricted Funds	12	119,158	118,412
Unrestricted Funds	12	(27,191)	52,119
		91,967	170,531

The Trustees have:-

- "For the year ending 31st March 2022 the company was entitled to exemption from audit under section 477 of the Companies Act 2006 relating to small companies.
- Directors' responsibilities:
The members have not required the company to obtain an audit of its accounts for the year in question in accordance with section 476; the directors acknowledge their responsibilities for complying with the requirements of the Act with respect to accounting records and the preparation of accounts;
- These accounts have been prepared in accordance with the provisions applicable to companies subject to the small companies' regime".

The financial statements were approved by the Trustees on the 24 August 2022 and are signed on their behalf by:

Denise Peach
Director



Des Hughes
Director



The notes on page 12 to 19 form part of these financial statements.

Kingstanding Regeneration Trust

Notes To The Financial Statements

1. Accounting Policies

Charity Information

Kingstanding Regeneration Trust is a private company limited by guarantee incorporated in England and Wales. The registered office is Room 1, Kingstanding Wellbeing Centre, Dulwich, Kingstanding, Birmingham, B44 0EW.

1.1 Accounting convention

The accounts have been prepared in accordance with the charity's governing document, the Companies Act 2006 and "Accounting and Reporting by Charities: Statement of Recommended Practice applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS102)" (as amended for accounting periods commencing from 1 January 2016). The charity is a Public Benefit Entity as defined by FRS102.

The charity has taken advantage of the provisions in the SORP for charities applying FRS102 Update Bulletin 1 not to prepare a Statement of Cash Flows.

The accounts are prepared in sterling, which is the functional currency of the charity. Monetary amounts in these financial statements are rounded to the nearest £.

The accounts have been prepared under the historical cost convention. The principal accounting policies adopted are set out below.

1.2 Company status

The Charity is a company limited by guarantee. The members of the company are the trustees named on page 3 in the event of the Charity being wound up the liability in respect of the guarantee is limited to £1 per member of the Charity.

1.3 Funding accounting

General funds are unrestricted funds which are available for use at the discretion of the trustees in furtherance of the general objectives of the Charity and which have not been designated for other purpose.

Restricted funds are funds which are to be used in accordance with specific restrictions imposed by donors which have been raised by the Charity for particular purposes. The cost of raising and administering such funds are charged against the specific fund. The aim and use of each restricted fund is set out in the notes to the financial statements.

Kingstanding Regeneration Trust

Notes To The Financial Statements

1.4 Incoming resources

All incoming resources are included in the Statement of Financial Activities when the Charity is legally entitled to the income and the amount can be quantified with reasonable accuracy.

Gifts in kind donated for distribution are included at valuation and recognized as income when they are distributed to the projects. Gifts donated for resale are included as income when they are sold. Donated facilities are included at the value to the Charity where this can be quantified and a third party is bearing the cost. No amounts are included in these financial statements for services donated by volunteers.

Intangible income, which comprises donated services, is included in income at a valuation which is an estimate of the financial cost borne by the donor where such a cost is quantifiable and measurable. No income is recognised where there is no financial cost borne by a third party. Income tax recoverable in relation to donations received under Gift Aid or deeds of covenant is recognized at the time of donation.

1.5 Resources expended

All expenditure is accounted for on an accruals basis and has been included under expense categories that aggregate all costs for allocation to activities. Where costs cannot be directly attributed to particular activities they have been allocated on a basis consistent with the use of the resources.

Fund-raising costs are those incurred in seeking voluntary contributions and do not include the costs of disseminating information in support of the charitable activities. Support costs are those costs incurred directly in support of expenditure on the objects of the Charity and include project management carried out at Headquarters. Management and administration costs are those incurred in connection with administration of the Charity and compliance with constitutional and statutory requirements.

Kingstanding Regeneration Trust

Notes To The Financial Statements

2. Donations

	Restricted Funds 2022 £	Unrestricted Funds 2022 £	Total Funds 2022 £	Total Funds 2021 £
Charles Haywood Foundation	7,000	-	7,000	-
Birmingham City Council	-	55,600	55,600	89,055
Witton Lodge Grant	-	8,190	8,190	-
Tudor Trust	-	99	99	27,000
John Lew PLC DSF	-	-	-	71,796
Rank Foundation	-	-	-	37,447
The Henry Smith Foundation	60,000	-	60,000	60,000
Mind Space Project	-	-	-	93,727
The Cole Trust	1,000	-	1,000	-
Spitfire Advice	-	-	-	7,500
Heart of England Community Foundation	-	-	-	21,500
Garfield Weston Foundation	6,500	-	6,500	20,000
Other under 5k	1,500	1,521	3,021	14,398
The Screwfix Foundation	-	-	-	5,009
HMRC JRS Grant	-	1,814	1,814	17,960
Brookvale	-	-	-	11,500
Board Walk	-	-	-	10,000
KRT Enterprises	-	18,711	18,711	-
Thomas Wall Trust	5,000	-	5,000	-
Everson Grant	5,000	-	5,000	-
Awards for All	9,900	-	9,900	-
EH Smith Grant	7,500	-	7,500	-
Total	103,400	85,935	189,335	486,892

Kingstanding Regeneration Trust

Notes To The Financial Statements

3. Charitable Activities – Projects & Activities

	Restricted Funds 2022 £	Unrestricted Funds 2022 £	Total Funds 2022 £	Total Funds 2021 £
Android Tablets	484	203	687	-
Beneficiary Expenses	-	2,156	2,156	-
RAIK & Tudor Trust	-	-	-	119,745
Fundraising	-	15,432	15,432	-
Connecting Communities	1,500	-	1,500	-
Enterprise Expense	-	2,664	2,664	-
HMRC & NEST	-	27,495	27,495	23,900
Anya Sanchez Fundraiser	-	-	-	20,666
Brookvale Refurb	1,134	14,341	15,475	23,923
Grant	6,500	-	6,500	-
Health and Safety Advice	6,912	-	6,912	-
Birmingham City Council	-	-	-	41,966
Time 2 Shine	-	-	-	20,684
Rent - BCC	-	-	-	11,033
Henry Smith	-	-	-	26,141
Mindspace	-	-	-	40,088
Salaries	84,643	57,895	142,538	-
John Lewis	-	-	-	28,023
Rank Salaries	-	-	-	8,058
Wesleyan Foundation	-	(17,000)	(17,000)	17,705
Van Insurance	-	-	-	5,918
PCC Funding	-	-	-	7,030
Sainsburys	-	-	-	2,539
Insurance	-	2,429	2,429	1,952
Cleaning	-	3,216	3,216	1,755
WMTP	-	-	-	1,500
Grimmitt Trust	-	-	-	1,190
Advent Donation	-	-	-	649
Expenditure under £500	-	382	382	3,519
Staff Recruitment	-	651	651	-
Marketing	-	2,803	2,803	-
Office Costs	-	26,080	26,080	-
Staff Training / Young Person Training	1,481	8,765	10,246	-
Tools and Equipment	-	641	641	-
Utilities	-	2,193	2,193	-
Vans	-	13,739	13,739	-
Total	102,654	164,085	266,739	407,984

Kingstanding Regeneration Trust

Notes To The Financial Statements

3a. Charitable Activities - Fundraising

	Restricted Funds 2022	Unrestricted Funds 2022	Total Funds 2022	Total Funds 2021
Fundraising	-	-	-	8,927
Total	-	-	-	8,927

4. Governance Costs

	Restricted Funds 2022 £	Unrestricted Funds 2022 £	Total Funds 2022 £	Total Funds 2021 £
Accountancy Fees	-	1,160	1,160	465
Total	-	1,160	1,160	465

5. Analysis Of Resources Expended By Expenditure Type

	Staff Costs 2022 £	Other Costs 2022 £	Total 2022 £	Total 2021 £
Fundraising	-	-	-	8,927
Projects & Activities	-	266,739	266,739	407,984
Governance Cost	-	1,160	1,160	465
Total Resources Expended	-	267,899	267,899	417,376

Kingstanding Regeneration Trust

Notes To The Financial Statements

6. Net Incoming Resources/(Resources Expended)

	Total 2022	Total 2021
This is stated after charging	£	£
Accountancy fees	1,160	465
Total	1,160	465

During the year no Management Committee received any remuneration.

During the year no Management Committee received any benefit in kind.

During the year no Management Committee received any reimbursement of expenses.

7. Staff Costs And Numbers

Staff costs were as follows	2022	2021
	£	£
Wages and salaries	170,480	169,843
Social Security	10,386	8,940
Total	180,866	178,783

The average monthly number of employees during the year was as follows

	2022	2021
Employees	8	9

No employee received remuneration amounting to more than £60,000 in either year.

8. Fixed Assets

	Motor vehicles
	£
Cost	
Balance brought forward	
Additions	<u>17,000</u>
Balance carried forward	<u>17,000</u>
Depreciation	
Balance brought forward	-
Charge for the year	-
Balance carried forward	-
NBV at 31 March 2022	<u>17,000</u>
NBV at 31 March 2021	<u>-</u>

Kingstanding Regeneration Trust

Notes To The Financial Statements

9. Debtors

	2022	2021
	£	£
Due within one year		
Cash in hand and at bank	76,127	171,851
Total	76,127	171,851

10. Creditors

	2022	2021
	£	£
Amount falling due within one year		
Accruals	1,160	1,320
Total	1,160	1,320

11. Statement of Funds

	Brought Forward	Incoming Resources	Resources Expended	Carried Forward
	£	£	£	£
UNRESTRICTED FUNDS				
General Funds	52,119	85,935	165,245	(27,191)
Total	52,119	85,935	165,245	(27,191)
RESTRICTED FUNDS				
Restricted Funds	118,412	103,400	102,654	119,158
Total	118,412	103,400	102,654	119,158
SUMMARY OF FUNDS				
General Funds	52,119	85,935	165,245	(27,191)
Restricted Funds	118,412	103,400	102,654	119,158
Total of Funds	170,531	189,335	267,899	91,967

Kingstanding Regeneration Trust

Notes To The Financial Statements

12. Analysis Of Net Assets Between Funds

	Restricted Funds 2022 £	Unrestricted Funds 2022 £	Total Funds 2022 £	Total Funds 2021 £
Current assets	118,627	-	118,627	171,851
Creditors due within one year	(1,160)	-	(1,160)	(1,320)
Total	117,467	-	117,467	170,531

13. Related Party Transactions

During the year, there were no related party transactions.

14. Ultimate Controlling Party

The charitable company is controlled by its Trustees/Directors.

Appendix A6

BUNDLE 4

OVERPAYMENT OF SALARY

MR. Desmond Hughes

Pay Advice

NI Number:
Tax Period:
Tax Code:

Assignment No:E00370727

Total Payments	[REDACTED]	Total Deductions	[REDACTED]	Net Pay	[REDACTED]
Outstanding Loan Balances		Year-To-Date Totals			
		[REDACTED]			
Staff Messages Check your pay advice and report any discrepancies to Payrol					
Tax Office: HM REVENUE AND CUSTOMS, BX9 1AS Tax Office Tel No: 0300 200 3300 Tax Office Reference: 068/SA27976					

00370727

Mr Desmond Hughes

Pay Advice

Employer: Birmingham City Council
Date Paid: 27-May-2022
Pay Method: BCC BACS

NI Number: [REDACTED]
Tax Period: 2
Tax Code: [REDACTED]

Position: Parent Partnership Support Officer

Assignment No: E00370727

NI Category	A	Department	SEND Information, Advice & Support		
Contracted Hours	29.2	Location	Woodcock Street CAB		
		Grade/Spinal Point	GR4/25		
Payments & Allowances				Pre-Tax Deductions	
Descriptions	Hours	Rate	Amount	Descriptions	Amount
Basic Salary			[REDACTED]	[REDACTED]	[REDACTED]
Total			[REDACTED]	Total	[REDACTED]
				Deductions	
				Descriptions	Amount
				[REDACTED]	[REDACTED]
				Total	[REDACTED]
Total Payments		[REDACTED]	Total Deductions	[REDACTED]	Net Pay
Outstanding Loan Balances		Year-To-Date Totals			
		[REDACTED]			
Staff Messages Check your pay advice and report any discrepancies to Payrol					
Tax Office: HM REVENUE AND CUSTOMS, BX9 1AS Tax Office Tel No: 0300 200 3300 Tax Office Reference: 068/SA27976					

Mr Desmond Hughes

Pay Advice

NI Number:
Tax Period:
Tax Code:

Assignment No:E00370727

Page 128 of 172

00370727

Mr Desmond Hughes

Employer: Birmingham City Council
Date Paid:
Pay Method:

Pay Advice

NI Number:
Tax Period:
Tax Code: 1257L Cumulative

Position: Parent Partnership Support Officer

Assignment No: E00370727

NI Category A		Department	
Contracted Hours 29.2		Location	
		Grade/Spinal Point	

Payments & Allowances		Pre-Tax Deductions	
Descriptions	Amount	Descriptions	Amount
Basic Salary Retroactive			
Total		Total	

Direct Payments		Deductions	
Descriptions	Amount	Descriptions	Amount
		Total	

Total Payments		Total Deductions		Net Pay	
----------------	--	------------------	--	---------	--

Outstanding Loan Balances	Year-To-Date Totals

Staff Messages

Tax Office: HM REVENUE AND CUSTOMS, BX9 1AS
Tax Office Tel No: 0300 200 3300
Tax Office Reference:

BUNDLE 5

KPMG REPORT

MEMBER INVOLVEMENT

Objective Four: Member Involvement



Findings and management actions (cont.)

4.1 Ex-employee (now Member) conducting SENDIASS business after election

High

An ex-employee of SENDIASS (DH) resigned in March 2022 to run for election as Councillor. They were subsequently elected as a Member. However, they continued to perform duties for SENDIASS between March-August 2022.

As part of our testing, we identified one instance where a SENDIASS Officer (DH) resigned as an employee of the Council in order to stand for election as a Councillor. DH was subsequently elected and currently sits as a Member.

The individual tendered their resignation on 21 March 2022 with immediate effect. In the resignation email this was noted as being approved by the SENDIASS Head of Service.

On receipt of resignations it is the duty of the Head of Service to notify HR of this and complete the necessary paperwork / leaver's form. This then facilitates an updating of employee data within the necessary systems, including system access. The Head of Service submitted the resignation form on 13 July 2022, as a result the system was not updated until 14 July 2022.

We note that during this period, and after this date, DH continued to access BCC employee systems and used their employee email address. This appears to have been with the purpose of conducting SENDIASS business despite no longer being employed by the Council and having such role or responsibilities. The Head of Service was copied into much of this correspondence.

In correspondence with Members Support on 29 June 2022, DH also confirmed that their employment contract had been terminated.

DH, now an elected Member, had been provided with a separate Member account for conducting their business as Councillor.

Risk: Individuals who are no longer employed by the Council continue to receive access to sensitive information, use their employee accounts inappropriately, and undertake actions on behalf of a service for which they no longer have any role with or responsibility for.

Proposed management action:

The Council should undertake a deep dive review of the leavers process across the organisation, including associated actions required by IT and payroll.

Staff listings should be reviewed on a regular basis by managers, to ensure that they reflect the numbers and details of staff who are employed. This should be subject to independent review by payroll.

Line managers should be reminded of their responsibility to complete and submit leavers forms in a timely manner. If repeated instances of delayed notification are identified, then disciplinary action should be considered for a breach of policy.



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Findings and management actions (cont.)

4.2 Ex-employee (now Member) requesting agency worker contract extensions

High

An ex-employee of SENDIASS (DH) gained access to the Hays recruitment system after resigning and extended the contracts of 21 employees after being elected as a Member.

Linked to finding 4.1, the same individual (DH) continue to use their access to the Hays agency 3SS system, the functionality of which allows individuals to raise vacancies, hire employees, approve timesheets and extend existing contracts.

We obtained data directly from the Hays system which showed that DH logged on and requested the extension of 21 employees on 24 August 2022. Of these 21 individuals, 16 extensions were requested into 2023.

As the original recruitment of agency staff was not authorised by the Workforce Review Board, and any temporary Covid funding has since ceased to be a source of income for the service, this further committed the Council to unauthorised expenditure.

As DH was not an employee of the Council and had no role or responsibility with SENDIASS, this appears to be a breach of the Code of Conduct and authorised access into not only the BCC systems but also the Hays agency system.

Risk: Individuals without appropriate approval are able to gain access to BCC or third party systems which may contain sensitive personal information.

Individuals are able to commit the Council to inappropriate or unauthorised financial expenditure.

Proposed management action:

As noted in 4.1, the Council should undertake a deep dive review of the leavers process across the organisation, including associated actions required by IT and payroll.

This should include a specific review of individuals' access to third party systems, and in particular the process for creating, amending, and removing access to the Hays 3SS system.

The Authority should liaise with Hays to obtain regular reports of user access listings, and triangulate this against other data including employee records.



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Findings and management actions (cont.)

4.3 Salary overpayment to ex-employee (now Member)

High

The ex-SENDIASS employee (DH), now Member, received overpayments of salary for three months which are yet to be paid back.

As noted in 4.1, notice of DH's resignation and form were submitted on 13 July 2022, over three months after it should have come into effect.

A further consequence of this is that DH continued to be paid as an employee of the Council up until this date. This was not picked up in any routine user access reviews, which should be performed periodically as part of the process for identifying leavers.

Likewise, despite continuing to receive these payments after resignation, DH did not contact the Council to notify them of the error and prevent further payments.

We note that DH was also contacted on 6 July 2022 as part of the process to set them up on the system for Member allowances. This email noted there had been an overpayment in respect of previous employment but no further action was taken by DH to contact the Council to correct this and pay back the monies owed.

The Council has now written to DH notifying them that an invoice for repayment has been issued in line with the clauses contained within the employment contract to which they were bound.

Risk: Individuals are overpaid, resulting in a potential financial loss to the Council if the overpayment cannot be recuperated.

Proposed management action:

The Council should review its leavers process, including periodic nominal role and user access reviews, to ensure measures are in place to identify any missed leavers.

The Council should ensure that this overpayment is recovered in full, as soon as possible, with appropriate escalation undertaken as required.

The Council should take appropriate action against the line manager for failing to fulfil their responsibilities in submitting the resignation in a timely manner, and therefore causing the overpayments to be made.

The Council should investigate whether failure to notify them of the continued payments was a breach of their rules and regulations (either as an employee and / or once elected as a Member).

Linked to 4.1, the Council should conduct a full review into the overpayments process to ensure that such transactions are being identified as quickly as possible so that recovery of the debt can be actioned and escalated as required.



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Findings and management actions (cont.)

4.4 Potential conflict of interest when employee (now Member)

4.4.1

SENDIASS spent £199k for accommodation with an organisation of which one of their employees was a Trustee. No declarations of interest were made.

As part of our expenditure testing detailed in 1.5, we noted that £199,095 has been spent in relation to Shine@Nechellspod.

Our review confirmed that the Head of Service informed finance that these payments were in relation to use of space at Nechells POD to accommodate the new agency workers recruited at the start of Covid-19.

No evidence was provided in relation to a signed contract with Nechells POD, or that a proper procurement process had been followed to select this organisation to provide the service in the first place. As such, this is potentially a breach of the Council's Standing Orders and SFIs.

Further investigation found that DH, then an employee of SENDIASS was also a Trustee of SHINE@NECHELLSPOD, having been first appointed on 17 July 2018. (DH was not an employee nor Member at the time of this Trustee appointment.)

However, at the time these payments commenced, DH was an employee within SENDIASS, having been in permanent employment since 1 April 2019.

We note that the total income of the organisation in the year ending 31 August 2019 was £128k. Subsequently this has grown to £233k in the year end 31 August 2020, and £319k by 31 August 2021.

The financial statements for this latest year state "...the SENDIASS Team continued to operate from the POD during the pandemic and the need to allow appropriate distancing by the use of additional rooms at the POD resulted in additional rental income which we have been able to allocate to the reserve funding".

Expenditure with Nechells POD by SENDIASS was £61k on 20/21, £71k in 21/22 and £67k in 22/23.

We note that rental income first appears in the 2021 accounts, totalling £10.8k. The only other income noted is from donations and legacies, and payroll recharges from Nechells POD CIC.

The Trustee position was not declared either through employee declarations of interest nor Member declarations of interest, despite there being a clear duty to do so according to the Council's Code of Conduct.

Risk: The Council is committed to inappropriate and unauthorised expenditure due to non-compliance with Standing Orders and SFIs.

Proposed management action:

The Council should undertake a full review of its declarations of interest policy and procedures for both employee and Members.

Where declarations are deemed not to have been made in line with requirements, appropriate disciplinary action should be undertaken by the Council in relation to relevant employees / Members.

As noted in 2.6, this should include further investigative work to identify potential non-declared interests across the Council.



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Findings and management actions (cont.)

4.5 Potential conflict of interest as Member

High

The ex-employee (DH), now Member, did not provide detail of their previous SENDIASS employment.

DH did not declare their previous employment with SENDIASS as part of their interests.

The current declaration form, signed on 25 May 2022, states a pecuniary interest as a 'Support Officer' and does not provide any further detail as to what service or organisation this relates to.

Given this was work directly for the Council, DH continued to access systems and be involved in the service after their resignation and subsequent election, there is a clear expectation that a more detailed explanatory declaration should have been made.

Likewise, at Council meetings where SENDIASS (or the wider SEND service) was subject to discussion, verbal declarations should have been made.

We note that DH also has two active Directorships as per Companies House, one of which is currently declared within non-pecuniary interests on their form.

Risk: Members have undeclared conflicts of interest when conducting Council business.

Proposed management action:

The Council should reiterate to Members the requirements of the Declaration of Interest process, not only with required forms to be submitted but on an on-going basis any time they are involved in the conduct of Council business (e.g. attendance at and involvement with Committees).

Where Members are deemed in breach of the Code of Conduct a full investigation should take place in line with Council procedures and appropriate action taken.

The Council should specifically review its policies and procedures in relation to ex-employee becoming Members, and vice-versa.



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Appendix A8

United Kingd X Hays Internet X Operational.1 X (25) Feed | Lin X Pakis

https://www.3ss.hays.com/award_cr_object.app?award_cr_id=4c2c7a22-121

Search Request

Placements > Placement > Change Order

Coat Code
B1-AV08E-1F00-E00-JZZZZZ-TV1FN-JZZZ-JXXX

WBS Code

Change Order

Type
Change Dates (Extension)

Status
Enabled

Approval Level On

Start Date
01-Sep-2022

Reason
Client Request

Cost Code

WBS Code

Comments
Continuing business pressure due to Covid.

End Date
31-Mar-2023

Please confirm that no Priority Mover was suitable for this assignment
1

Created By
Hughes, Des

Please confirm that full approval for this.
1

Date Created
24-Aug-22 12:12 PM

Date Updated
24-Aug-22 3:11 PM

Type here to search

Kind Regards

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Appendix A9

Education and Children's Social Care O&S Committee and Education, Children and Young People O&S Committee Meetings

June 2022 and September 2023

Cllr Des Hughes attended every Education and Children's Social Care O&S Committee meeting in 2022/23, and attended three out of the four Education, Children and Young People O&S Committee meetings in 2023/24.

Committee Meeting Date	Minutes/Action Notes
15 June 2022	This was an informal meeting.
20 July 2022	The action notes / minutes are available here and were agreed at the 7 September 2022 committee meeting. Councillor Des Hughes declared that he had been employed by Special Educational Needs and Disability Information, Advice and Support Service (SENDIASS) until April 2022. The webcast is available here .
7 September 2022	The action notes / minutes are available here and were agreed at the 19 October 2022 committee meeting. Councillor Des Hughes declared that he had been employed by Special Educational Needs and Disability Information, Advice and Support Service (SENDIASS) until April 2022. The webcast is available here .
19 October 2022	*The action notes / minutes are available here and were agreed at the 30 November 2023 committee meeting subject to the following paragraph being removed:

Committee Meeting Date	Minutes/Action Notes
	<p>Councillor Des Hughes declared a non-pecuniary interest by virtue of previously being an employee of Special Educational Needs and Disability Information, Advice and Support Service (SENDIASS). He stated that he wasn't employed by SENDIASS anymore and had not been for the past six months.</p> <p>To be replaced with:</p> <p>Councillor Des Hughes informed the Committee that he was previously an employee of Special Educational Needs and Disability Information, Advice and Support Service (SENDIASS), but was not anymore, and had not been for the past six months.</p> <p>The webcast is available here.</p>
30 November 2022	<p>The action notes / minutes are available here and were agreed at the 22 February 2023 committee meeting.</p> <p>No declaration of interest was made.</p> <p>Webcast available here.</p>
4 January 2023	<p>The action notes / minutes are available here and no declarations of interest was made. However, the action notes / minutes were agreed subject to amendment, at the 22 February 2023 committee meeting.</p> <p>The action notes of the committee meeting held on the 4th January 2023 were agreed subject to the following being added under the Children and Families Directorate Improvement Plan – Progress Update item:</p> <p>Cllr. Des Hughes raised concerns that there was little substance in the update and there was no information for which progress could be measured over time. Cllr. Karen McCarthy, Cabinet Member, Children, Young People and Families agreed to provide the details of the improvement plan.</p>

Committee Meeting Date	Minutes/Action Notes
	The webcast is available here .
25 January 2023	<p>The action notes / minutes are available here and were agreed at the 22 February 2023 committee meeting.</p> <p>Clir. Des Hughes declared a non-pecuniary interest as he was employed by SENDIASS when the report was undertaken.</p> <p>The webcast is available here.</p>
22 February 2023	<p>The action notes / minutes are available here and were agreed at the 5 April 2023 committee meeting.</p> <p>No declaration of interest was made.</p> <p>The webcast is available here.</p>
5 April 2023	<p>The action notes / minutes are available here and were agreed at the 17 May 2023 committee meeting.</p> <p>No declaration of interest was made.</p> <p>The webcast is available here.</p>
17 May 2023	<p>The action notes / minutes are available here and were agreed at 14 June 2023 committee meeting.</p> <p>No declaration of interest was made.</p> <p>The webcast is available here.</p>

Appendix A9

Committee Meeting Date	Minutes/Action Notes
14 June 2023	<p>The action notes / minutes are available here and were agreed at the 19 July 2023 committee meeting.</p> <p>No declaration of interest was made.</p> <p>The webcast is available here.</p>
19 July 2023	<p>The action notes / minutes are available here and were agreed at the 6 September 2023 committee meeting.</p> <p>No declaration of interest was made.</p> <p>The webcast is available here.</p>
6 September 2023	<p>Cllr Des Hughes submitted his apologies for this committee meeting and the action notes / minutes are due to be agreed at the 18 October 2023 committee meeting.</p> <p>The webcast is available here.</p>

*After the committee meeting on 30 November 2023 Christian Scade, Head of Scrutiny and Committee Services discussed this with Cllr Des Hughes.

Appendix 10

Tuesday, October 31, 2023 at 12:03:46 Greenwich Mean Time

Subject: Re: Resignation
Date: Wednesday, 23 March 2022 at 11:58:33 Greenwich Mean Time
From: [REDACTED]
To: [REDACTED], Des Hughes
CC: [REDACTED]
Attachments: image005.jpg, image002.png, image001.png

To confirm- given the circumstances I have agreed in respect of Des to accept his resignation with immediate effect - Monday 21st March.

He has not taken any Annual Leave this year and will require payment for this too.

[REDACTED]
[REDACTED]
(Birmingham City Council
Tel: [REDACTED]

From: [REDACTED]
Sent: Wednesday, March 23, 2022 11:32:08 AM
To: Des Hughes <Des.Hughes@birmingham.gov.uk>
Cc: [REDACTED]; [REDACTED]; [REDACTED]

Subject: Resignation

Good morning Des

Thank you for your email and congratulations on your selection as a party candidate in the May elections.

First of all, can you please confirm your employee/payroll number.

Your contract sets out how much notice you must give. Your notice period is based on your grade as follows:

Grade 1 - 3	1 month
Grade 4 - 5	2 months
Grade 6 - 7	3 months

You must formally email your manager to resign from your role and request it is 'with immediate effect' but please include a date that you wish for it to be effective. BCC policy is you must work your full notice period, however in some circumstances you may be able to negotiate an earlier leaving date with your line manager. In this case you are formally asking to waive your right to work your notice period. Please include this in your resignation email. Your manager should complete an offline resignation form (attached) and submit it to HR Services via an Ask HR for processing.

If you have not taken any leave this leave year – and I am unable to check your leave your but have copied in one of the team to assist – you will be entitled to be paid for untaken leave in your final salary, which will be paid at the end of April.

If you would like for an exit interview form to be sent to you, please advise.

I hope this is helpful and send thanks on behalf of Birmingham City Council for your service with us and wish you well for the future.

[REDACTED] – on receipt of confirmation of employee number, please liaise with HR Ops to calculate outstanding leave to be paid, pro rate to leave year and confirmed leaving date, to be paid in April salary.

Regards
[REDACTED]

██████████ | Education and Skills | HR Consultancy

Birmingham City Council, 10 Woodcock Street, 2nd Floor, Birmingham, B2 2XU

Email: ██████████


Mobile: ██████████

I work flexibly and may send emails out of normal working hours. This does not mean I expect you to answer them out of working hours.

BCC provides employees with a free, 24/7, 365 days a year confidential support service called the **Employee Assistance Programme (EAP)** to help improve and maintain your health & wellbeing, work & career, family & relationships, money management & debt. Call 0800 1116 387 and visit <https://my-eap.com/> using the following codes:


- BCC Core Staff: Bhamwell
- Schools/Education Staff: BHAM2
- Birmingham Children's Trust: BHAM3
- Acivico: BHAM4

Dedicated Managers telephone number 0800 1116 385 (Mon-Fri 8am-6pm)



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Acting courageously Achieving Excellence

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From: Des Hughes <Des.Hughes@birmingham.gov.uk>

Sent: 21 March 2022 17:52

To: ██████████

Cc: ██████████ ██████████

Subject: Resignation

Dear ██████████,

I have recently been selected as a Labour Party candidate in the local elections in May. Unfortunately the selection process for Labour candidates has not been timely and has also been frustrated by the recent by-election in Erdington.

I apologise for the lack of notice, but my Head of Service has agreed that under the circumstances I may tender my resignation with immediate effect.

I am unable to access the People Solutions people solution website but have not taken any leave this year. Can you tell me when I will get my last pay and will it include holiday pay?

Thanks in advance.

Regards

Des Hughes

Support Officer
SEND Information, Advice & Support Service (SENDIASS)
The Pod
28 Oliver Street
Birmingham
B7 4NX
T: 0121 464 3390
E: Des.Hughes@birmingham.gov.uk



Document Number 910333152
Customer Ref [REDACTED]
Service Area Ref IRF27384
Your Reference
Invoice Date 02-May-2023
Amount Due £ [REDACTED]

Birmingham City Council, Shared Services Centre, PO Box 4092, Birmingham B4 7AD

Payment should be made by the 16-May-2023 to avoid further action being taken which could result in additional costs being incurred

VAT Registration Number GB112082130

Service Enquiries Phone 0121 303 5530
Payment Enquiries Phone 0121 303 5530

Invoice Address

Service Address

Mr. Desmond Hughes
[REDACTED]
[REDACTED]
[REDACTED]

INVOICE

Page 1 of 2

Description	QTY	Price	VAT £	Value £
SALARY OVERPAYMENT RECOVERY Late Leaver	1	[REDACTED]	[REDACTED]	[REDACTED]
			Net Value	[REDACTED]
			VAT	£ 0.00
			Amount Due	[REDACTED]

VAT Summary			
Description	Net Amount £	Rate%	VAT Amount £
GB OUT OF SCOPE	[REDACTED]	0	0.00

Birmingham City Council

Please enclose this slip with any cheque/postal order payments sent through the post. Postal address and alternative payment methods can be found in the "How to Pay" details.

Document Number
Customer Ref
Amount Due

HOW TO PAY	
Direct Debit	Set up a Direct Debit to pay your invoices direct from your bank account by contacting 0121 303 5530
By Telephone Banking PC Banking or BACs	<p>Include the following: Bank Account Number: [REDACTED] Sort Code: [REDACTED] Customer Reference Number: [REDACTED]</p> <p>For Payment by BACS please forward Remittance to Corporate Finance, PO Box 16379, Birmingham B2 2AJ</p> <p>Fax: Email to: remittances@birmingham.gov.uk</p>
By Internet	For the details of how to make payment on the Internet please visit www.birmingham.gov.uk/invoicepayment
By Post to	<p>Birmingham City Council, Shared Services Centre, PO Box 4092, Birmingham B4 7AD Please do not send cash through the post.</p> <p>Cheques or Postal orders should be made payable to Birmingham City Council Please enclose the slip, with your payment and write the Invoice number on the back of the cheque or Postal Order If a receipt is required, the invoice should be returned intact endorsed "Receipt Required" and accompanied by stamped addressed envelope</p>

HELP AND INFORMATION	
Written Enquires:	<p>About liability or payments, may be sent to : Birmingham City Council, Shared Services Centre, P.O. Box 4092, Birmingham, B4 7AD Please ensure you write the Invoice Number on your letter.</p>
Internet Enquires:	<p>For Service This facility is not currently available For Payment Revenues.CIS@birmingham.gov.uk</p>

INVOICE NO: 010223159
DEBTOR REF: [REDACTED]
PRINTED ON: [REDACTED]
AMOUNT DUE: [REDACTED]



Document Number
Customer Ref
Service Area Ref
Your Reference

Invoice Date 02-May-2023

Amount Due £

Birmingham City Council, Shared Services Centre, PO Box
4092, Birmingham B4 7AD

Payment should be made by the 16-May-2023 to avoid
further action being taken which could result in additional
costs being incurred

Service Enquiries Phone 0121 303 5530
Payment Enquiries Phone 0121 303 5530

VAT Registration Number GB112082130

Invoice Address

Service Address

Mr. Desmond Hughes

INVOICE

Page 1 of 2

Description	QTY	Price	VAT £	Value £
SALARY OVERPAYMENT RECOVERY Late Leaver	1			
Net Value				
VAT				
Amount Due				

VAT Summary			
Description	Net Amount £	Rate%	VAT Amount £
GB OUT OF SCOPE		0	0.00

Birmingham City Council

Please enclose this slip with any cheque/postal order payments sent through the post. Postal
address and alternative payment methods can be found in the "How to Pay" details.

Document Number

Customer Ref

Amount Due

Page 151 of 172

HOW TO PAY	
Direct Debit	Set up a Direct Debit to pay your invoices direct from your bank account by contacting 0121 303 5530
By Telephone Banking PC Banking or BACs	<p>Include the following: Bank Account Number: [REDACTED] Sort Code: [REDACTED] Customer Reference Number: [REDACTED]</p> <p>For Payment by BACS please forward Remittance to Corporate Finance, PO Box 16379, Birmingham B2 2AJ</p> <p>Fax: Email to: remittances@birmingham.gov.uk</p>
By Internet	For the details of how to make payment on the Internet please visit www.birmingham.gov.uk/invoicepayment
By Post to	<p>Birmingham City Council, Shared Services Centre, PO Box 4092, Birmingham B4 7AD Please do not send cash through the post.</p> <p>Cheques or Postal orders should be made payable to Birmingham City Council</p> <p>Please enclose the slip, with your payment and write the invoice number on the back of the cheque or Postal Order</p> <p>If a receipt is required, the invoice should be returned intact endorsed "Receipt Required" and accompanied by stamped addressed envelope</p>

HELP AND INFORMATION	
Written Enquires:	<p>About liability or payments, may be sent to: Birmingham City Council, Shared Services Centre, P.O. Box 4092, Birmingham, B4 7AD Please ensure you write the Invoice Number on your letter.</p>
Internet Enquires:	<p>For Service This facility is not currently available For Payment Revenues: CIS@birmingham.gov.uk</p>

INVOICE NO:
DEBTOR REF:
PRINTED ON:
AMOUNT DUE:

[REDACTED] 347

Tuesday, October 31, 2023 at 12:08:40 Greenwich Mean Time

Subject: RE: APP

Date: Tuesday, 5 July 2022 at 10:41:50 British Summer Time

From: [REDACTED]

To: [REDACTED]; Councillor Des S Hughes, [REDACTED]

Fine for me

From: [REDACTED]

Sent: 05 July 2022 09:34

To: [REDACTED] Councillor Des S Hughes

<Des.S.Hughes@birmingham.gov.uk**>;** [REDACTED]

Subject: RE: APP

Yes, can we say 1.30 p.m.?

From: [REDACTED]

Sent: 05 July 2022 09:31

To: [REDACTED] Councillor Des S Hughes

<Des.S.Hughes@birmingham.gov.uk**>;** [REDACTED]

Subject: APP

Do people have an hour or so tomorrow to have a quick char about this – just want to clarify my understanding of some of the data (if we can give this that term) in here.

[REDACTED]
SENDIASS

Education & Skills Directorate

Birmingham City Council

The POD

28 Oliver Street

Nechells

Birmingham

B7 4NX

e mail: [REDACTED]

www.birmingham.gov.uk/SENDIASS

Tuesday, October 31, 2023 at 12:11:46 Greenwich Mean Time

Subject: FW: LGO
Date: Tuesday, 12 July 2022 at 09:28:13 British Summer Time
From: [REDACTED]
To: Councillor Des S Hughes
Attachments: LGO July22 Out of School - F.pdf

Des

This reports is about children out of school – there are dozens in Bham
As DCS if she has read it?

From: [REDACTED]
Sent: 07 July 2022 09:23
To: [REDACTED]
[REDACTED]
[REDACTED]

Subject: LGO

<https://www.lgo.org.uk/decisions/education/special-educational-needs/21-002-722>
[REDACTED]

SENDIASS
Education & Skills Directorate
Birmingham City Council
The POD
28 Oliver Street
Nechells
Birmingham
B7 4NX
e mail: [REDACTED]
www.birmingham.gov.uk/SENDIASS

Tuesday, October 31, 2023 at 12:09:04 Greenwich Mean Time

Subject: FW: ?

Date: Tuesday, 6 September 2022 at 06:15:33 British Summer Time

From: [REDACTED]

To: [REDACTED]

Attachments: SEND Improvement update to Scrutiny Aug 22 and notes.pptx

Very brief notes below a few slides. rest is nonsense

From: [REDACTED]

Sent: 02 September 2022 17:11

To: Councillor Des S Hughes <Des.S.Hughes@birmingham.gov.uk>

Subject: RE: ?

From: Councillor Des S Hughes <Des.S.Hughes@birmingham.gov.uk>

Sent: 02 September 2022 14:40

To: [REDACTED]

Subject: ?

Would you mind having a look at this and providing an incisive appraisal of the substance of this update – and then tell me how long it took you?


Regards

Councillor Des Hughes






Kingstanding Ward

Accelerated Progress Plan – Update / Highlight Report since July 2022

Overview and Scrutiny Committee – 7th September 2022



BE BOLD BE BIRMINGHAM

The Birmingham C&F Directorate vision

Birmingham Children Thrive

All children and young people are Safe, Healthy, Included, Confident and Achieving

They are supported by a Children's Services Directorate that has strong governance and management, engaged staff, clear strategy and

Partnership organisations across the city that work together as one system putting children and families at the heart of everything they do






Birmingham Children Thrive

Safe Healthy Included Confident Achieving

Delivered through our principles:

- Identifying and supporting early signs to get it right first time
- Professionals and services that wrap around our children and families
- Strengths based and relationship based practice with our children, families, each other and our partners

BE BOLD BE BIRMINGHAM

The national consultation on SEND and inclusion

- The green paper, "Right support, right place, right time", commits to identifying children's needs more quickly.
- Education secretary Nadhim Zahawi says it will also restore families' trust in an "inclusive education system with excellent mainstream provision that puts children and young people first".
- The proposed policies look to establish a "single national SEND and alternative provision system that sets clear standards for the provision that children and young people should expect to receive".

BE BOLD BE BIRMINGHAM
PAGE 2



The Green Paper is many months away and will be significantly changed before coming into force as legislation; I cannot imagine it will have much priority for the new PM. So quoting from it is pointless. WE need to address the law and policy as it is NOW

3

What does the commissioner say?

- John Coughlan, DfE SEND Commissioner references in his report that:

"There is a crisis of appropriate provision for SEND children in Birmingham which will need collective will to address. One element of that is that there are not enough children with EHCPs that are being supported by mainstream schools in a system which simply isn't consistently inclusive enough. On the other hand, he has seen at first hand some excellent inclusive schools and school leaders whose work can be replicated."

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PAGE 1



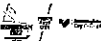
There is no measure of what proportion of children with EHCPs 'should' be in mainstream. If they are really serious about this then there should be some discussion with SS HTs about how many children they can identify in their schools who could have needs met in mainstream. At the same time it would be necessary to survey MTS schools and RAs to see how many pupils the SENDCOs feel would be better placed in special. This paragraph is just an assertion based on an observation. It has no weight, statistically or legally

4

Evolution of Local Strategies

- The developments for the key local strategies within the APP are going well.
- Objective 1 is developing strategies for
 - i) SEND;
 - ii) Learning and Development, and;
 - iii) Workforce Development
- Objective 4 is developing
 - i) the Inclusion Strategy
- Co-Production principles are being followed to develop the above

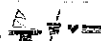
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PAGE 5



Things we learned from the co-production workshops for SEND & Inclusion strategies

- 1) Pooled resource and collaborative deployment;
- 2) District working, 'team around the school';
- 3) Stronger data recording to inform decision making and analysis of trends and for forecasting for the future;
- 4) Statutory functions, clearly defined responsibilities and resourced appropriately;
- 5) Delivering a graduated response so that needs are met earlier and trust is built;
- 6) Capacity and sufficiency required with peer to peer support and outreach;
- 7) Learning from existing good practice in Birmingham;
- 8) Communication and sharing for every stakeholder about who does what in 'The System';

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PAGE 6



This is just walle

Key data

- SENAR currently maintains 11,421 EHCPs
- In August 2021 SENAR maintained 10,914 EHCPs
- 2,046 new assessment requests were received in the last 12 months
- 1,231 new EHCPs were issued in the last 12 months
- In July 2021 51% of plans were issued within the 20 week statutory timeframe
- In July 2022 66% of plans were issued within the 20 week statutory timeframe (National Indicator is 65%)
- The number of annual reviews needing to be completed has reduced from 4,500 to 720 as at end of July 2022
- The number of annual reviews undertaken by the team is increasing month on month to continue to clear the backlog whilst maintaining new reviews as they fall due.

Mar	Apr	May	Jun	Jul
344	346	632	650	1065

- As confirmed at the last meeting of this committee, 88% of all 'Phase Transfers' were completed for the 2022/23 academic year compared to 1% the previous year.
- The phase transfer process for Sept 2023 has begun.

BE BOLD BE BIRMINGHAM



In July 2021 51% of plans were issued within the 20 week statutory timeframe
 In July 2022 66% of plans were issued within the 20 week statutory timeframe
 National Indicator means NOTHING. The law requires 100% to be done on time
 And the AR data are confusing; if we have 11000 EHCPs then roughly 900 a month would need to be reviewed. Its not a static picture

Objective 1 – System Leadership

- Local Offer website has been refreshed with really good input from users (parents/carers and young people) to support changes.
- These include the navigation around the site, the presentation and look and feel of the site and the background functionality, ensuring information is easier to access and more swiftly.
- Further refreshing to the Local Offer website will be taking place in the coming months.
- An apprentice post is being recruited to which will have a responsibility for maintaining up-to-date information and working with stakeholders to improve the social media and digital content of the and from the Local Offer website.
- Data Sharing Agreement refresh and processes ready for signing

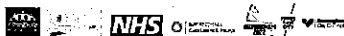
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Objective 2 – Getting the Basics Right

- Standard Operating Procedures have been written and are being refined for the 'core' processes
- Quality Assurance Framework has been developed and finalised
- Recruitment Drive underway for maintaining appropriate staffing levels in SENAR
- Review and adjustments to therapy offer has been completed and implementation of the changes will commence at the start of the Autumn term.

BE BOLD BE BIRMINGHAM
PAGE 9



Appropriate staffing levels in SENAR? Need comparisons from pre-2018 Ofsted, and each year since (and costs)

Objective 3 – Working Together Well

- Worked so well together, objective now 'signed off' (at last SIB) and activities to be embedded as Business As Usual across local area
- Co-Production Framework and Charter, Comms and Engagement Strategy and Independent Review of SENDIASS complete
- Participation and Co-Production Officer functions and JD completed and ready to recruit to
- Youth Engagement events took place in July and survey issued to gather intelligence from young people
- Over 100 responses to the survey received and it will close in September.

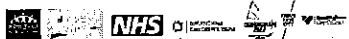
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PAGE 10



Objective 4 - Pathways

- Working group well established and starting to build on and develop the local pathways for post-16 options and improve tracking processes
- Working group for 'Out of School Process' is reviewing current systems, assessing impact of the new attendance guidance and identifying where improvements can be made
- DLP delivering some really good outcomes and review to be published in September to share the learning
- Special Schools Outreach Support to be delivered in Autumn term

BE BOLD BE BIRMINGHAM
PAGE 11



Golden threads within objectives to deliver greatest impact

- Graduated Response to supporting children and young people
- Child centred (not process/service) approach
- Co-Production and hearing the voice of the child
- Support for settings/services to deliver early intervention
- District working with potential for local decision making
- Multi-agency training and interactions across the local area
- Improved data recording and reporting
- Greater number of children and young people educated in mainstream settings in line with their needs and a graduated response

BE BOLD BE BIRMINGHAM
PAGE 12



Social media final slide



Tuesday, October 31, 2023 at 12:11:04 Greenwich Mean Time

Subject: Scrutiny

Date: Wednesday, 7 September 2022 at 08:54:20 British Summer Time

From: [REDACTED]

To: Councillor Des S Hughes

Do you want to have a quick chat about the SENDIASS pages?

[REDACTED]
SENDIASS

Education & Skills Directorate

Birmingham City Council

The POD

28 Oliver Street

Nechells

Birmingham

B7 4NX

e mail: [REDACTED]

www.birmingham.gov.uk/SENDIASS

Tuesday, October 31, 2023 at 12:12:24 Greenwich Mean Time

Subject: SENAR

Date: Thursday, 3 November 2022 at 13:12:07 Greenwich Mean Time

From: [REDACTED]

To: Councillor Des S Hughes

Attachments: SENAR-structure.pdf

Of these – how many are permanent salaried staff and how many are interims employed as self employed?

Why are there so many in mediation team? and complaints?

[REDACTED]
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Nechells

Birmingham

B7 4NX

e mail: [REDACTED]

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Tuesday, October 31, 2023 at 12:12:48 Greenwich Mean Time

Subject: FW: I am sharing 'amira artcile' with you
Date: Tuesday, 29 November 2022 at 08:48:30 Greenwich Mean Time
From: [REDACTED]
To: Councillor Des S Hughes
Attachments: amira artcile.pdf

Remember Amira?
may be useful for Wednesday Scrutiny?

From: [REDACTED]
Sent: 27 November 2022 09:14

To: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject: RE: I am sharing 'amira artcile' with you

Hi, I thought you may wish to read an article written by Amira who was one of the social work students at SENDIASS 2 years ago.

I could share it with the team?

Many Thanks,
[REDACTED]

Tuesday, October 31, 2023 at 12:13:57 Greenwich Mean Time

Subject: Statistics

Date: Friday, 9 December 2022 at 13:34:15 Greenwich Mean Time

From: [REDACTED]

To: Councillor Des S Hughes

<https://www.gov.uk/government/statistics/tribunal-statistics-quarterly-july-to-september-2022/tribunal-statistics-quarterly-july-to-september-2022#special-educational-needs-and-disability-send>

[REDACTED]
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Birmingham

B7 4NX

e mail: [REDACTED]

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Appendix 12

Tuesday, October 31, 2023 at 12:13:02 Greenwich Mean Time

Subject: more stats

Date: Friday, 9 December 2022 at 13:37:07 Greenwich Mean Time

From: [REDACTED]

To: Councillor Des S Hughes

<https://www.specialneedsjungle.com/send-tribunal-2022-3-7-la-success-rate-government-understand-law-matters/>
[REDACTED]

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B7 4NX

e mail: [REDACTED]

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Appendix 13

Subject: RE: Draft report
Date: Wednesday, 15 November 2023 at 22:20:01 Greenwich Mean Time
From: Councillor Des S Hughes
To: [REDACTED]
Attachments: image001.png, image002.png, image003.png
Hi [REDACTED]

With regards to allegation 1, I don't understand the allegation. With regards to allegation 2, I reject entirely the suggestion that this was done as a councillor. Any assertion that this is the case is simply incorrect. With regards to the third allegation, this is what I would refer to as a breakdown in communication. I have already agreed that if there is a liability there, I will accept that. So, this means that allegations 1,2 and 3 are not within the remit of the Standards Committee to investigate or adjudicate upon. As such they cannot rightly be referred to the Standards Committee for any further considerations. That leaves only allegations 4 and 5 upon which the Standards Committee has any remit. I have conceded that I failed to register my interests in two organisations and that in that respect I am in breach of the code. I am satisfied that my declarations in meetings were within the spirit of the Code of Conduct.

Also, did you record the interview with me? If so, can it be made available to me please?

Regards

Councillor Des Hughes
Kingstanding Ward

OFFICIAL

From: [REDACTED]
Sent: 01 November 2023 15:14
To: Councillor Des S Hughes [REDACTED]
Cc: [REDACTED]
Subject: Draft report

Dear Cllr Hughes,

Please see attached my draft report and appendices.

The findings are provisional at this stage - if you have comments, please can you provide them to me by the end of the day on **15 November**.

I will take all comments received by this date into account before finalising my report and submitting it to [REDACTED]

Please also note that the report is confidential and should not be shared with anyone else, except for the purpose of taking advice on preparing a response.

Kind regards,

Cornerstone Barristers



I am not available on Fridays due to childcare responsibilities.

A copy of my privacy policy can be found here.

Cornerstone Barristers and its members are regulated by the Bar Standards Board.

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