

Summons to attend meeting of Full Council



Date: Tuesday, 13 November 2018

Time: 6.00 pm

Venue: Council Chamber, City Hall

To: All Members of Council

Members of the public attending meetings or taking part in Public forum are advised that all Full Council are now filmed for live or subsequent broadcast via the council's [webcasting pages](#). The whole of the meeting is filmed (except where there are confidential or exempt items) and the footage will be available for two years. If you ask a question or make a representation, then you are likely to be filmed and will be deemed to have given your consent to this. If you do not wish to be filmed you need to make yourself known to the webcasting staff. However, the Openness of Local Government Bodies Regulations 2014 now means that persons attending meetings may take photographs, film and audio record the proceedings and report on the meeting (Oral commentary is not permitted during the meeting as it would be disruptive). Members of the public should therefore be aware that they may be filmed by others attending and that is not within the council's control.

Issued by: Lucy Fleming, Democratic Services

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Date: Friday, 2 November 2018



Agenda

1. Welcome and safety information

Please note: if the alarm sounds during the meeting, everyone should please exit the building via the way they came in, via the main entrance lobby area, and then the front ramp. Please then assemble on the paved area between the side entrance of the cathedral and the roundabout at the Deanery Road end of the building.

If the front entrance cannot be used, alternative exits are available via staircases 2 and 3 to the left and right of the Council Chamber. These exit to the rear of the building. The lifts are not to be used. Then please make your way to the assembly point at the front of the building. Please do not return to the building until instructed to do so by the fire warden(s).

2. Apologies for absence

3. Minutes of previous meetings

- a. Minutes – Extraordinary Full Council – 3 September 2018
- b. Minutes – Full Council – 11 September 2018

(Pages 18 - 38)

4. Declarations of interest

To note any declarations of interest from the Mayor and councillors. They are asked to indicate the relevant agenda item, the nature of the interest and in particular whether it is a **disclosable pecuniary interest**.

Any declaration of interest made at the meeting which is not on the register of interests should be notified to the Monitoring Officer for inclusion.

5. Lord Mayor's business

6. Public forum (public petitions, statements and questions)

Please note: Up to 30 minutes is allowed for this item. Public forum items should be e-mailed to democratic.services@bristol.gov.uk



Public forum items can be about any matter the Council is responsible for or which directly affects the city.

Please note that the following deadlines apply to this meeting:

a. Public petitions and statements: Petitions and written statements must be received by **12 noon on Monday 12 November 2018** at latest. One written statement per member of the public is permitted.

b. Public questions: Written public questions must be received by **5.00 pm on Wednesday 7 November 2018** at latest. A maximum of 2 questions per member of the public is permitted. Questions should be addressed to the Mayor or relevant Cabinet member.

7. Petitions notified by councillors

Please note: Up to 10 minutes is allowed for this item.

Petitions notified by councillors can be about any matter the Council is responsible for or which directly affects the city. The deadline for the notification of petitions to this meeting is 12 noon on Monday 12 November 2018 at latest.

8. Petition debate - A city wide ban on single use disposable plastics

(Pages 39 - 41)

9. High Needs Budget 2018/19

(Pages 42 - 85)

10. Equality and Inclusion Policy and Strategy 2018-2023

(Pages 86 - 131)

11. Appointment of Statutory Scrutiny Officer

**(Pages 132 -
133)**

12. Treasury Management Annual Report 2017/18 (For information)

**(Pages 134 -
153)**



13. Motions

Note:

Under the Council’s constitution, 30 minutes are available for the consideration of motions. In practice, this realistically means that there is usually only time for one, or possibly two motions to be considered. With the agreement of the Lord Mayor, motion 1 below will be considered at this meeting, and motion 2 is likely to be considered, subject to time. Details of other motions submitted, (which, due to time constraints, are very unlikely to be considered at this meeting) are also set out for information.

MOTION 1 – TACKLING PERIOD POVERTY IN BRISTOL (LABOUR GROUP GOLDEN MOTION)

Motion to be moved by: Cllr Helen Godwin, Southmead Ward, Labour

“Full Council notes:

1. One in 10 girls and women aged 14-21 are unable to afford sanitary products while even more have had to improvise sanitary wear using items such as socks, tissues, newspaper, napkins, and/or toilet paper.
2. Almost 140,000 girls and young women, particularly amongst girls who are in receipt of Free School Meals, have missed school in the UK the last year because they cannot afford to buy sanitary products.
3. 91% of girls and young women say that they have been asked to buy a pad or tampon for a friend.
4. Research which shows that a majority of women who have suffered period poverty also experienced bullying, while many also feel that it has affected their mental wellbeing and physical activity.
5. That, in 2001, the then-Bristol South Labour MP Dawn Primarolo reduced the applicable VAT on such products to 5%, following a 1991 high of 17.5%.
6. Despite years of campaigning by women such as Laura Coryton, sanitary products are taxed as ‘luxury’ rather than ‘necessary’ products – while private helicopters and antiques are exempted.
7. The early successes of ongoing campaigns by Unite the Union and NASUWT around period dignity and period poverty, and the work of Labour-led Milton Keynes council and the Scottish Government in this area.
8. Hey Girls’, whose Buy One Give One model donated almost 1.4



million boxes of menstrual products to girls and women in need in the UK in just six months, and other social enterprises and companies including Fareshare, the Red Box Initiative, and Always, have been at the forefront of tackling period poverty.

9. Increasing awareness of environmental sustainability issues, particularly amongst girls and young women, around organic and reusable products such as period pants and menstrual cups.
10. Work with local trades unions and employers – including Unite, the CWU, and Unison – being led by Bristol City Council which could deliver tens of thousands of pounds to provide free sanitary products at school for all girls in the city.

Full Council believes:

1. Periods are natural and female health is important; neither should be taboo subjects, in this chamber or anywhere else.
2. Having a period should not be considered a luxury, it is not a choice but a decades-long and expensive reality of being a woman.
3. Everyone who needs sanitary products – including tampons, towels, pads, and other items – should have access to them.
4. Education for children and young people within science and PSHE lessons is crucial to eliminate misplaced stigma and awkwardness.

Full Council resolves:

1. To endorse Bristol City Council's efforts to work with civil society and other partners to ensure that nobody in Bristol suffers from period poverty.
2. To ask the relevant executive members to continue to encourage local schools, including primary schools given the increasing number of girls beginning their periods as early as age 8, to complete the Health Protection Badge which includes the provision of sanitary products.
3. To ask the relevant cabinet members to carefully consider the results of the Bristol Pupil Voice report, due to be published by the end of the year, and other data with colleagues from across the ACE directorate to monitor experiences and attitudes into the future.
4. That its members should, while endorsing the work of the Labour administration to provide free sanitary products for all who need them in schools and civic buildings, reach out to local employers



in their wards to encourage them to provide them on site for staff and visitors.”

MOTION 2 - DECLARE A CLIMATE EMERGENCY

Motion to be moved by: Cllr Denyer, Clifton Down ward, Green Group

Full Council notes:

1. Humans have already caused irreversible climate change, the impacts of which are being felt around the world. Global temperatures have already increased by 1 degree Celsius from pre-industrial levels. Atmospheric CO₂ levels are above 400 parts per million (ppm). This far exceeds the 350 ppm deemed to be a safe level for humanity;
2. In order to reduce the chance of runaway Global Warming and limit the effects of Climate Breakdown, it is imperative that we as a species reduce our CO₂eq (carbon equivalent) emissions from their current 6.5 tonnes per person per year to less than 2 tonnes as soon as possible;¹
3. Individuals cannot be expected to make this reduction on their own. Society needs to change its laws, taxation, infrastructure, etc., to make low carbon living easier and the new norm;
4. Carbon emissions result from both production and consumption;
5. Bristol City Council has already shown foresight and leadership when it comes to addressing the issue of Climate Breakdown, having met its corporate carbon reduction target three years early, published the City Leap prospectus and committed to making the city carbon neutral by 2050;
6. Unfortunately, our current plans and actions are not enough. The world is on track to overshoot the Paris Agreement’s 1.5°C limit before 2050;^{2, 3}
7. The IPCC’s Special Report on Global Warming of 1.5°C, published last month, describes the enormous harm that a 2°C rise is likely to cause compared to a 1.5°C rise, and told us that limiting Global Warming to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society, the private sector, indigenous peoples and local communities³;
8. City Councils around the world are responding by declaring a ‘Climate Emergency’ and committing resources to address this emergency.⁴

Full Council believes that:



1. All governments (national, regional and local) have a duty to limit the negative impacts of Climate Breakdown, and local governments that recognise this should not wait for their national governments to change their policies. It is important for the residents of Bristol and the UK that cities commit to carbon neutrality as quickly as possible;
2. Cities are uniquely placed to lead the world in reducing carbon emissions, as they are in many ways easier to decarbonise than rural areas – for example because of their capacity for heat networks and mass transit;
3. As Bristol is the only UK city that has been a European Green Capital, we have a particular duty to be a leader on environmental issues in the UK;
4. The consequences of global temperature rising above 1.5°C are so severe that preventing this from happening must be humanity's number one priority; and,
5. Bold climate action can deliver economic benefits in terms of new jobs, economic savings and market opportunities (as well as improved well-being for people worldwide).

Full Council calls on the Mayor to:

1. Declare a 'Climate Emergency';
2. Pledge to make the city of Bristol carbon neutral by 2030, taking into account both production and consumption emissions (scope 1, 2 and 3)⁵;
3. Call on Westminster to provide the powers and resources to make the 2030 target possible;
4. Work with other governments (both within the UK and internationally) to determine and implement best practice methods to limit Global Warming to less than 1.5°C;
5. Continue to work with partners across the city and region to deliver this new goal through all relevant strategies and plans;
6. Report to Full Council within six months with the actions the Mayor/Council will take to address this emergency.

References:

1. Fossil CO₂ & GHG emissions of all world countries, 2017:
<http://edgar.jrc.ec.europa.eu/overview.php?v=CO2andGHG1970-2016&dst=GHGpc>
2. World Resources Institute: <https://www.wri.org/blog/2018/10/8->



[things-you-need-know-about-ipcc-15-c-report](#)

3. The IPCC’s Special Report on Global Warming of 1.5°C:
<https://www.ipcc.ch/report/sr15/>
4. Including US cities Berkeley:
<https://www.theclimatemobilization.org/blog/2018/6/13/berkeley-unanimously-declares-climate-emergency> and Hoboken:
<https://www.theclimatemobilization.org/blog/2018/4/25/hoboken-resolves-to-mobilize>, and the C40 cities:
<https://www.c40.org/other/deadline-2020>
5. Scope 1, 2 and 3 of the Greenhouse Gas Protocol explained:
<https://www.carbontrust.com/resources/faqs/services/scope-3-indirect-carbon-emissions>

Details of other motions submitted (which, due to time constraints, are very unlikely to be considered at this meeting) are set out below for information:

3. SECONDARY SCHOOL PLACES

Motion submitted by: Cllr Stephen Clarke, Southville ward, Green Group

“Full Council notes that:

- as a result of ongoing government cuts, schools in Bristol will have lost £19.3m funding (equating to £403 per pupil in the period 2015-2020) and have seen an increase in class size over the same period with extremely negative consequences,
- three new secondary schools are proposed for Bristol in Lockleaze, the Knowle area and the Temple Meads area;
- despite these new schools, because of the planned increase in pupils currently going through the local primary schools, it appears that there will be a period in 2020/21 when;
 - there may be a shortage of places in some areas in Bristol,
 - more parents may not be able to get their children into their first choice school.

Full Council resolves to ask the Mayor to ensure that:

- this administration urgently completes all necessary actions to ensure that there are sufficient places available in secondary schools for pupils from Bristol in 2020/21;
- reports back to members on the situation within the next six months and at regular intervals thereafter.”



4. A CITY-WIDE ‘BAN’ ON SINGLE-USE DISPOSABLE PLASTICS

Motion submitted by: Cllr Fodor, Redland ward, Green Group

“Full Council notes that:

- Single use, disposable plastics such as polystyrene takeaway containers and plastic cups are a cause of litter, a waste of resources, and a problem for future generations. Plastic residues are already identified in most food chains.
- They waste fossil fuels and create unsightly streets, and their persistence and take up of chemicals causes untold harm for wildlife on land and at sea. This is a significant cause for concern.
- While accepting that there are a few cases where single-use plastics are essential, such as in medical treatment, for most uses there are alternatives.
- To achieve this, many people have to play their part, including users, traders, and those organising events and providing services in the city.
- Government and the EU have already developed strategies to tackle plastic waste, but action is also needed at the local level
- Many major companies are already making commitments to reduce or eliminate single use plastics, and local campaigners have been active in pressing them to do more and faster.

Full Council believes that:

- The Council should set an example as the local representative body for the city, and a main service provider for over 400,000 people in the west of England
- The Council should also use its influence with others
- It can and should play a leading role as champion, active supporter, regulator, and service provider in ending the prevalence of single use, disposable plastics.

Full Council resolves to call on the Mayor to:

- take all practical steps* to make Bristol an exemplar disposable plastic-free city.
- support and enforce a ban on single use plastic packaging and containers, including through events licensing, as a provider of services, as a partner working with other organisations, and through media and education.”

* Things the Mayor can do include:



- Specifying how the council’s own events and facilities are run – setting a better example!
- Changing events rules.
- Procurement choices that specify alternatives.
- Offering drinking water at Council outlets
- Helping bulk buy compostable packaging for traders possibly through Bristol Waste Company or BIDs [Business Improvement Districts].
- Better promotion of recycling and composting facilities and services where they are

needed.

- Licensing rules being amended for street traders and takeaways.
- Better enforcement of littering sanctions.
- Educational initiatives.
- Using council media work to promote the ban.
- Lobbying government for better powers to control waste.

Notes

Over 4,000 people have now signed the petition, either on 38 degrees, on the Council’s website or signed a hard copy. See:

- <https://you.38degrees.org.uk/petitions/a-city-wide-ban-on-single-use-disposable-plastics?source=facebook-share-button&time=1530320133>

<https://democracy.bristol.gov.uk/mgEPetitionDisplay.aspx?ID=13&RPID=1964100&HPID=1964100&%24LO%24=1>

5. MOTION ON ENFORCING PLANNING POLICY ON PROVISION OF AFFORDABLE HOMES

Motion submitted by: Cllr Eddy, Bishopsworth Ward, Conservative Group

“This Council is becoming increasingly alarmed that local policy guidelines on the amount of Affordable Housing to be included in new developments appear to be regularly undermined, circumvented or ignored.

For example, the recently approved plans by Legal & General to build 120 flats at Temple Quay was originally granted on the basis that 23 of these units would be reserved or retained as ‘affordable’ homes. This modest



figure (20%) was subsequently radically reduced or downgraded to just 4 properties or (3%) of the total build.

Council is concerned that this kind of revisionism sets a dangerous precedent for private developer housing provision. Moreover, acceptance of this practice could have implications in relation to the any future redevelopment plans for the vacant Arena Island site.

To avoid any misunderstanding on this issue, Council reiterates the conviction that any planning application to redevelop the land by Temple Meads for housing must comply with the principles contained in our adopted Local Plan and policy framework. Aside from very special dispensations granted by the Authority to deviate from the norm on a case-by-case basis, it is essential that such developments uphold our policy commitment of 40% Affordable Housing in the central areas of the city.”

6. MOTION SUPPORTING LOCAL SHOPS

Motion submitted by: Cllr Graham Morris, Stockwood Ward, Conservative Group

“Council has growing concern over the future vibrancy of many of Bristol’s high streets.

Nationally, one study found that we are losing 16 shops per day through closure with an estimated 50,000 jobs lost or expected to go between January and June in this year alone. Some of the latest casualties include such well-known retail chains as Toys-R-Us, Maplin and most recently Debenhams.

This is due to a ‘perfect storm’ of many contributing factors including (i) spiralling rents; (ii) rising business rates; (iii) increased labour costs; (iv) declining foot-fall; and (v) the choice, convenience and competition provided by the internet.

With local authorities more dependent than ever before on retention of business rates to balance their budgets, Council believes it is essential that more is done to support struggling small businesses in secondary or satellite retail areas around the city.

The Chancellor’s cut in business rates by one third for two years for small businesses and the creation of a Future High Streets Fund and new High Streets Taskforce is a welcome step in the right direction. A planned 2% tech-tax targeted at online



retail giants should also help to level the playing field between digital shopping outlets and traditional bricks & mortar stores. However, more needs to be done locally.

To this end, Council calls on the Mayor to allocate resources from his capital budget to actually invest in these precincts to make them attractive places to visit. As one designer has put it, these destinations need to become ‘galleries of experience’ to draw people to them.

Consequently, consideration needs to be given to changing the city’s parking strategy/priorities, more free short-term parking provided at these locations, and improved CCTV coverage to increase public safety.

Council requests that a report be prepared for Scrutiny which outlines the existing options available for providing temporary business rate relief on particularly hard-pressed retailers. In addition, that this report forms the basis of a submission to the ‘High Streets Fund’ once the full details of the new scheme become available.

Finally, following the outcome of such a review, the Mayor is asked to lobby Ministers to consider a root-and-branch reform of the Business Rates system (which is based on rateable values and ignores important factors such as profit and turnover), to bring it up to date with current economic conditions and in order to save UK retailing.”

7. MOTION TO REOPEN LOCAL LAVATORIES

Motion submitted by: Cllr Steve Smith, WOT & Henleaze ward, Conservative Group

“This Council is concerned over the significant shortcomings and economic impact on tourism, and local high streets, arising from the Mayor’s decision to close nearly half of the city’s on-street public toilets.

“Whilst appreciating the rationale behind this move, it was justified as an important money-saving measure, it is clear that the planned replacement of a network of conveniences provided by businesses and organisations signing up to a ‘Community Toilet Scheme’ has been, at best, a mixed success.

“Members of the public and the Council’s own Communities Scrutiny Commission have identified continuing problems with this inadequate provision and many remain unconvinced over this policy.

“As a result of the Chancellor of the Exchequer’s Autumn Budget, which exempts public toilets from business rates, these are now much cheaper to maintain. To reflect this change in circumstances, Council believes it



should now be possible to reopen some of the public amenities – particularly those next or near to parks and formerly serving important local high streets – which have been boarded up.

“Accordingly, Council calls upon the Mayor to recognise the very real and practical need for accessible public toilets at locations where families congregate and urgently reverse some of these closures.

“Until this is done, it is inevitable that Councillors of all Parties and campaigners for those groups especially hard-hit by this short-sighted strategy will continue to press for changes to be made on this basic and most fundamental issue.”

8. MOTION TRIAL OF RECYCLED PLASTICS FOR BRISTOL ROADS

Motion submitted by: Cllr Claire Hiscott, Horfield ward, Conservative Group

“Council notes with great interest the innovative road surfacing experiment currently being trialled in London which utilises recycled plastics.

In 2016, Cumbria County Council became the first authority in the country to use this material on its roads. It was found to be an affordable, more environmentally friendly alternative repair resource to address their road repair problems. For their project, resurfacing the A7 in Carlisle, the volume of plastic applied was equivalent to 500,000 plastic bottles and more than 800,000 one-use plastic carrier bags.

Council understands that many benefits are derived from these 'plastic roads' which can be constructed entirely out of recycled plastic or as a composite mix with traditional mineral aggregates and asphalt. For example, as well as obviously reducing resort to landfill, it uses a material which is plentiful, cost effective, easy to apply and proven durability.

With the LGA estimating it will cost around £11.8 billion to bring the nation's roads up to standard, any viable cheap alternative must be considered by cash-strapped authorities.

Accordingly, in order to better evaluate these claims, Council calls on the Mayor to commission a detailed report on this subject for scrutiny members, with particular attention given to the Enfield project and special consideration given to conducting our own trial(s) here in Bristol.

Any such local study should also seek to identify those component combinations which maximise surface noise reduction. No doubt, the bad winter weather took a heavy toll on the city's road



network. So, it would seem to be especially timely to try out these plastic formulations as a repair solution at the earliest possible opportunity.”

9. CROWN POST OFFICE, BROADMEAD

Motion submitted by: Cllr Kye Dudd, Central Ward, Labour

“Bristol City Council notes with concern that:

1. On 11 October 2018 it was announced that 74 crown post offices across the UK, including the main Bristol Post Office in the Galleries will be franchised to WHSmith. The Galleries Post Office is the largest in the South West and the last major Post Office in Bristol. Taken together, successive franchise announcements mean the loss of 60% of the crown office network since 2013. This is a privatisation by stealth following the separation of the Post Office and Royal Mail five years ago; the latter was sold off on the cheap by the Tory-Lib Dem Coalition, with the National Audit Office (2014) estimating that the then-Government’s undervaluation saw the taxpayer lose out on some £750 million in just one day.
2. These privatisations are financed using millions of pounds of public money, despite the fact that the public has never endorsed the closures, indeed they have only ever protested against them. In 2014/15 alone, £13 million of public money was used to pay compensation to get rid of post office staff, and the Communications Workers Union (CWU) estimates that the staff compensation cost of the latest privatisation will be at least £30 million, affecting as it does, 800 staff.
3. Reports by Consumer Focus (2012) and Citizens Advice (2016) have identified issues with the franchising of post offices to WHSmith including poor accessibility for people with mobility impairments, longer queuing times, and inferior service and advice on products.
4. Franchising means the loss of jobs with good terms and conditions at the Post Office. WHSmith replaces experienced post office staff with new employees in typically minimum wage part time roles. This is clearly bad for jobs in the local area and the Post Office workers, many of whom are CWU members
5. The closure of our Crown post offices and relocation to a WHSmith, also means the loss of prime high street stores and this contributes to the demise of our town centres. No explanation has been given as to why the profit-making Crown post offices are being handed to a retailer with an uncertain future, and what will happen to these services if WHSmith folds.
6. All Crown post offices are under threat of closure and/or franchising in future, and if the latest round of privatisation is allowed to go ahead, it could prove the tipping point for the



viability of the entire post office network.

This Council believes that:

1. Our post offices are a key asset for the community and the expertise and experience of staff there is invaluable.
2. The relentless franchising and closure programme of the profit making Crown post offices, points to a lack of vision rather than the plan for growth and innovation that is needed.
3. Government should therefore halt these closures and bring together stakeholders, including the CWU, and industry experts to develop a new strategy that safeguards the future of the Post office.

This Council resolves to:

1. Ask the Mayor and local Bristol Labour MPs, who have a record of campaigning to protect and preserve local post office services, to write to the Government to raise concern about the apparent managed decline of the post office network and the impact on high streets across the UK as well as the service in the franchised premises, and the poor quality jobs that result.
2. Calls on the Mayor to seek a meeting with WHSmith and the Post Office to urge a stop to the planned franchise.
3. To join local campaigning to raise awareness of the value of our Post Office and the need for it to remain an asset of and for the people.

Call on all Party Group Leaders to ensure that their members sign the national CWU petition via saveourpostoffice.co.uk and the local Bristol petition at

<https://democracy.bristol.gov.uk/mgEPetitionDisplay.aspx?ID=72&RPID=2952113&HPID=2952113> “

10. NO VEHICLE IDLING ZONES

Motion submitted by: Cllr Mark Wright, Hotwells & Harbourside ward, Lib Dem

“This Council Notes:

1. Bristol, like many authorities, has area of poor air quality and that pollutants in the air can exceed safe limit set by both the European Union and World Health Organisation.
2. Air pollution in Bristol has a massive impact on the health of our citizens. In the young and most health-vulnerable it can cause permanent lung damage, and in older people it exacerbates lung and heart diseases. In Bristol this equates to approximately 300 extra deaths each year.



3. A very welcome Clean Air Zone is currently in the planning stages as part of the city’s Clean Air Action Plan - which will in future alter journey routes and vehicle purchases, but likely won’t affect driving style. Implementation of the Clean Air Zone is some years away.

4. The National Institute for Health and Care Excellence (NICE) and Public Health England (PHE) produced new guidance last year that recommended “no vehicle idling” areas in places where health-vulnerable people collect, such as outside schools, hospitals and care homes, and in areas where exposure to road-traffic-related air pollution is high.

This Council resolves to support and asks the Mayor to implement:

1. Introduce, by the end of 2019 an enforceable “no vehicle idling” zone outside every school, and in every park in the city - with at least four pilot zones of each by spring 2019.
2. Where practical, to extend the number of “no vehicle idling” zones to cover areas outside children’s play areas where standing traffic is an issue.
3. Work with our NHS partners, to look at extending “no vehicle idling” zones outside medical buildings, in hospital pick-up areas, and outside care homes.
4. Use the experience of the pilot zones to determine whether these measures should be implemented via enforceable enhancements to existing Council policies, or via a new by-law.

Guidance proposes ‘no vehicle idling’ zones to tackle air pollution
<https://www.localgov.co.uk/Guidance-proposes-%E2%80%98no-vehicle-idling%E2%80%99-zones-to-tackle-air-pollution/43337>

Air pollution: outdoor air quality and health
<https://www.nice.org.uk/guidance/ng70> “

Signed



Proper Officer
Friday, 2 November 2018



Bristol City Council Minutes of the Extraordinary Full Council

3 September 2018 at 6.00 pm



Present:

Lesley Alexander, Deputy Lord Mayor
Mayor Marvin Rees

Councillors: Peter Abraham, Donald Alexander, Nicola Beech, Nicola Bowden-Jones, Harriet Bradley, Mark Bradshaw, Mark Brain, Charlie Bolton, Tom Brook, Fabian Breckels, Craig Cheney, Barry Clark, Jos Clark, Stephen Clarke, Harriet Clough, Eleanor Combley, Chris Davies, Carla Denyer, Kye Dudd, Richard Eddy, Jude English, Helen Godwin, Paul Goggin, Geoff Gollop, John Goulandris, Fi Hance, Margaret Hickman, Claire Hiscott, Helen Holland, Gary Hopkins, Chris Jackson, Carole Johnson, Steve Jones, Tim Kent, Sultan Khan, Gill Kirk, Mike Langley, Jeff Lovell, Brenda Massey, Olly Mead, Matt Melias, Graham Morris, Anthony Negus, Steve Pearce, Celia Phipps, Ruth Pickersgill, Kevin Quartley, Liz Radford, Afzal Shah, Paul Smith, Steve Smith, Clive Stevens, Jerome Thomas, Mhairi Threlfall, Estella Tincknell, Jon Wellington, Lucy Whittle, Chris Windows and Mark Wright

Aldermen/women: M Bailey, A Massey, B Price, C Smith, R Walker, S Williams

1. Welcome and safety information

The Deputy Lord Mayor welcomed all attendees to the meeting, and made a safety announcement in relation to the fire/emergency evacuation procedure.

2. Apologies for absence

Apologies for absence were received from the Lord Mayor and Councillors Carey, Fodor, O'Rourke and Weston.

3. Declarations of interest

None.



4. Public forum

Public statements:

The Full Council received and noted the following statements, all of which were in relation to agenda item 5 – Motions – Arena site (the statements were referred to the Mayor for his consideration/information):

- 1 - Ian Batten
- 2 - Rob Acton-Campbell
- 3 - Mary Rivers
- 4 - Paul Wheeler
- 5 - Andrew Varney
- 6 - David Wilcox
- 7 - Suzie Winters
- 8 - Jane Dutton
- 9 - Penny Wells
- 10 - Ruth Watson
- 11 - Kate Rogers
- 12 - Valerie Harland
- 13 - Judith Grinsted
- 14 - John Watson
- 15 - Tom Kelpie
- 16 - Ruth Sidery
- 17 - John Dunn
- 18 - Sue Mullins
- 19 - Paul Garland
- 20 - Diane Moore
- 21 - Emma Williams
- 22 - Sam Williams
- 23 - Judith Willetts
- 24 - Peggy Farrington
- 25 - Joe Hoare
- 26 - Norman Spalding
- 27 - Abi Dennehy
- 28 - Ken Trowbridge
- 29 - Megan Sharman
- 30 - Barry Hollinghurst
- 31 - Alex Stephenson
- 32 - Alan Dempster
- 33 - Rich Fisher
- 34 - John Telfer
- 35 - Moira Nunn
- 36 - Ann Grist
- 37 - Michelle Bridgman
- 38 - Martin Monks



- 39 - Laurence Coplestone
- 40 - Anna Henderson
- 41 - Andrew Imanowski
- 42 - Ian Mundy
- 43 - Ann Haines
- 44 - Karen Thompson
- 45 - Paul Emery
- 46 - Maureen Armstrong
- 47 - David Cemlyn
- 48 - Lynne Knight
- 49 - Scott Maker
- 50 - Sue Snowdon
- 51 - Stewart Brock
- 52 - Stafford Lightman
- 53 - Peter Scott
- 54 - Veronica Newman
- 55 - Chris Morgan
- 56 - Liz Thackeray
- 57 - Joan Worlock
- 58 - David Hunt
- 59 - Jenny Hoadley
- 60 - Iain Whitewick
- 61 - Irene Jones
- 62 - Ed Hall
- 63 - Lesley Alexander
- 64 - Suzanne Battleday
- 65 - Clare Pike
- 66 - Rachel Howard
- 67 - Phil Gingell
- 68 - Wendy Morgan
- 69 - Christopher Orlik
- 70 - Chris Hooper
- 71 - Sue Pollard
- 72 - Jonathan Hyams
- 73 - Amelia Smith
- 74 - Jane Powell
- 75 - Warwick Moreton
- 76 - Alison Price
- 77 - Merilyn Holme
- 78 - Maureen Mullett
- 79 - Stuart & Jan Smith
- 80 - James & Wendy Lewis
- 81 - Charleen Agostini



- 82 - Rob Tate
- 83 - Sarah Mowl
- 84 - Stephen Rockliffe
- 85 - Keith Beresford
- 86 - Anthea Bruges
- 87 - John Scott
- 88 - Jess Lyons
- 89 - Sue Western
- 90 - Jessica Warren
- 91 - Jonathan Bartlett
- 92 - Niki Underhill
- 93 - Alan Harris
- 94 - D Weinreb
- 95 - Michael Cook
- 96 - Janice Prescott
- 97 - Doug Honeker
- 98 - Laurence Fass
- 99 - Reg Coombs
- 100 - Dave Napier
- 101 - Marilyn Morris
- 102 - Carol Croly
- 103 - Phillip Ralls
- 104 - Steve Pain
- 105 - Rachel Williams
- 106 - Roger Shepherd
- 107 - Luke Fromant
- 108 - Stephen Britton
- 109 - Jackie Ahluwalia
- 110 - Ben Anthony
- 111 - Marion Brazier
- 112 - Tony Muir
- 113 - Paul Jackson
- 114 - Karen Blake
- 115 - Rose Boswell
- 116 - Jonathan Wilton
- 117 - Les Watson
- 118 - Belinda May
- 119 - Denise Hopley
- 120 - Matt Jephcote
- 121 - James Smith
- 122 - Philip Avery
- 123 - James Frost
- 124 - Jane Wills



- 125 - Jane Wheelock
- 126 - Pella Lean
- 127 - Tim Parkinson
- 128 - Jane Sangster
- 129 - John Manley
- 130 - Kathy Norris
- 131 - Jane Weeks
- 132 - Joan Thomas
- 133 - Sally Clack
- 134 - Stephen Parratt
- 135 - Ali Robertson
- 136 - Tess Mahood
- 137 - Richard Hawkins
- 138 - Marc Weston
- 139 - Kenneth Bishop
- 140 - Sally Ainsworth
- 141 - Eleanor Beale
- 142 - Ashley Waite
- 143 - Polly Hallett
- 144 - Julia Cross
- 145 - Jonathan Hewitt
- 146 - Melanie Osborne
- 147 - Nick Townsend
- 148 - Nigel Millen
- 149 - Damian Weddell
- 150 - Katherine McQueen
- 151 - Neil Sangster
- 152 - Rebecca Porter
- 153 - Paul Wilkinson
- 154 - Patricia Bishop
- 155 - Jack Horwood
- 156 - Sarah Curnow
- 157 - Dominick North
- 158 - Esme Clutterbuck
- 159 - Sue Ryall
- 160 - Barry Horton
- 161 - Sarah Ward
- 162 - John Finch
- 163 - Suzanne Audrey
- 164 - Kay Oliver
- 165 - Jill Pierce
- 166 - Rob Stroud
- 167 - Peter Evans



- 168 - John Sadgrove
- 169 - Geoff Collard
- 170 - Andy Weeble
- 171 - Alexander West
- 172 - Amanda Lavin
- 173 - Jason Ghulam
- 174 - Grace Lavin
- 175 - Craig Smith
- 176 - Lis Lowe
- 177 - David Redgewell
- 178 - Paul Cove
- 179 - Simon Williams
- 180 - Alan Baker
- 181 - Peter Barralet
- 182 - Louella Frankel Jones
- 183 - Alison Boyle
- 184 - Slawa Sempinska
- 185 - Les Grant
- 186 - William Croft
- 187 - Chris Karatzas
- 188 - Gareth Rae
- 189 - Hilary Dibdin
- 190 - Mary-Jane Cembrowicz
- 191 - Paul Goodchild
- 192 - Sue Otty
- 193 - Anna Halama
- 194 - Jane Vellender
- 195 - Bill Roberts
- 196 - Richard Field
- 197 - Colin Smith
- 198 - Alison West
- 199 - Peter Jones
- 200 - Paul Matthews
- 201 - Tessa Fitzjohn
- 202 - Chris Pratley
- 203 - Sarah Waterfield
- 204 - Anja Grossman
- 205 - Martin Hooper
- 206 - Kevin Barker-Lee
- 207 - Simon Banbury
- 208 - Susan Peggs
- 209 - Will Day
- 210 - Rob Flower



- 211 - Lisette Hoffmans
- 212 - Arena Island Limited
- 213 - David Hunt
- 214 - John Savage
- 215 - Hilary and David Bolton
- 216 - Clare Fleming
- 217 - Stefan Cembrowicz
- 218 - Jeanette Mackenzie
- 219 - Elfyn Griffith
- 220 - Helen Tierney
- 221 - Hugh Ruddle
- 222 - Robin Toyne
- 223 - Alyson Woodford
- 224 - Paul Murphy
- 225 - Rob Harding
- 226 - Ben Lilford
- 227 - Andy Couling
- 228 - Andy Kemp
- 229 - David Ward
- 230 - Rory Peliza
- 231 - Sue Powell & Tony Couch
- 232 - Louise Hardy
- 233 - Jonathan Angelini
- 234 - Roly Harrison
- 235 - Cynthia Goldstein
- 236 - Conan Connolly
- 237 - Will Cornelius
- 238 - Philip Wragg
- 239 - Lance Cross
- 240 - Jon Bower
- 241 - Ella Bissett MacEwen
- 242 - John Cahillane
- 243 - Paul Langham
- 244 - Hugh Nettelfield
- 245 - Gideon Thomas
- 246 - Zak Verry
- 247 - Alex Taylor
- 248 - Stephen Pill
- 249 - Julie Parker
- 250 - Alex Lingham
- 251 - Edward Bowditch
- 252 - John Hirst, Destination Bristol
- 253 - Graham Donald



- 254 - Stephen Layland
- 255 - Martino Burgess
- 256 - Dr Marie - Annick Gournet, Black South West Network
- 257 - Laura Lafave
- 258 - Rob Bryher
- 259 - Colin Hudson
- 260 - Valerie Davey
- 261 - Craig Barton
- 262 - Richard Bonner, Bristol Chamber of Commerce & Initiative
- 263 - Sandra Meadows
- 264 - F Jones
- 265 - Desmond Brown, Growing Futures

Councillor statements:

The Full Council received and noted the following statements, all of which were in relation to agenda item 5 – Motions – Arena site (the statements were referred to the Mayor for his consideration/information):

- 1 - Councillor Mead
- 2 - Councillor Brook
- 3 - Councillor Sergeant
- 4 - Councillor Fodor
- 5 - Councillor Bradshaw

Public questions:

The Full Council noted that the following questions had been submitted, all of which were in relation to agenda item 5 – Motions – Arena site:

- PQ 01 - Question from Mary Rivers
- PQ 02 - Question from Andrew Varney
- PQ 03 - Question from Tim Wright
- PQ 04 - Question from Sandy Hore-Ruthven
- PQ 05 - Question from Mike Farrington
- PQ 06 - Question from Sandra Meadows
- PQ 07 - Question from Andrew Brown
- PQ 08 - Question from Veron Dowdy
- PQ 09 - Question from Barry Cash

Within the time available, the Mayor responded verbally to questions PQ 02 and PQ 04, also responding to supplementary questions.

Councillor questions:

The Full Council noted that the following questions had been submitted by councillors, all of which were in relation to agenda item 5 – Motions – Arena site:

- PQ 01 - Question from Councillor Gollop
- PQ 02 - Question from Councillor Hiscott



PQ 03 - Question from Councillor Goulandris
PQ 04 - Question from Councillor Radford
PQ 05 - Question from Councillor Hopkins
PQ 06 - Question from Councillor Thomas
PQ 07 - Question from Councillor Negus

It was noted that the Mayor had sent written replies to these questions.

5. Motion - Arena site

Councillor Negus moved the following motion:

“This Council believes that the best site for Bristol’s Arena, for the benefit of Bristol as a whole, is Temple Island in the centre of Bristol and that the decision taker should be guided by the vote at this meeting.”

Councillor Combley seconded the motion.

Following debate, upon being put to the vote, the motion was CARRIED (50 members voting in favour, none against, with 2 abstentions) and it was

RESOLVED:

This Council believes that the best site for Bristol’s Arena, for the benefit of Bristol as a whole, is Temple Island in the centre of Bristol and that the decision taker should be guided by the vote at this meeting.

Meeting ended at 8.18 pm

CHAIR _____



Bristol City Council

Minutes of the Full Council

11 September 2018 at 6.00 pm



Present:

Cleo Lake, Lord Mayor
Marvin Rees, Bristol Mayor

Councillors: Peter Abraham, Donald Alexander, Lesley Alexander, Nicola Beech, Nicola Bowden-Jones, Harriet Bradley, Charlie Bolton, Tom Brook, Tony Carey, Barry Clark, Jos Clark, Stephen Clarke, Harriet Clough, Eleanor Combley, Asher Craig, Carla Denyer, Kye Dudd, Richard Eddy, Jude English, Martin Fodor, Helen Godwin, Paul Goggin, Geoff Gollop, John Goulandris, Fi Hance, Claire Hiscott, Gary Hopkins, Chris Jackson, Carole Johnson, Steve Jones, Anna Keen, Tim Kent, Gill Kirk, Mike Langley, Jeff Lovell, Olly Mead, Matt Melias, Graham Morris, Anthony Negus, Paula O'Rourke, Celia Phipps, Ruth Pickersgill, Kevin Quartley, Liz Radford, Jo Sergeant, Afzal Shah, Paul Smith, Steve Smith, Clive Stevens, Jerome Thomas, Mhairi Threlfall, Estella Tincknell, Jon Wellington, Mark Weston, Lucy Whittle, Chris Windows and Mark Wright

Aldermen/women: A Massey, J McLaren, B Payne, B Price

1. Welcome and safety information

The Lord Mayor welcomed all attendees to the meeting, and made a safety announcement in relation to the fire/emergency evacuation procedure.

2. Apologies for absence

Apologies for absence were received from Councillors Brain, Cheney, C Davies, M Davies, Hickman, Holland, Khan, Massey and Pearce.

3. Minutes of previous meeting - 17 July 2018

On the motion of the Lord Mayor, seconded by Councillor Denyer, it was

RESOLVED:



**That the minutes of the meeting of the Full Council held on 17 July 2018 be confirmed as a correct record and signed by the Lord Mayor subject to the following amendment:
Councillor Steve Smith to be shown as present in the meeting attendance list.**

4. Declarations of interest

Councillor Kent advised that he had declared an interest to the Monitoring Officer in relation to Motion 2 (it was noted that this was not a disclosable pecuniary interest and would not affect his participation in that item of business).

5. Lord Mayor's business

Alderman Pat Roberts

The Lord Mayor informed Full Council of the recent death of former Bristol City councillor, Alderman Pat Roberts.

Councillors P Smith, Eddy and Hopkins then addressed the Full Council, paying tribute in remembrance of Alderman Roberts.

The Full Council then observed a minute's silence in memory of Alderman Roberts.

6. Public forum (public petitions, statements and questions)

Public petitions:

The Full Council received and noted the following petitions:

Petition PP 01 - Parking charges around churches

Petition organiser – Angela Moseley

Petition PP 02 - SEND

Petition organiser – Claire Mellor / Tracy Creed

Petition PP 03 - Saving the number 10 bus service

Petition organiser – Michael Bell

Public statements:

The Full Council received and noted the following statements (which were also referred to the Mayor for his consideration/information):



- PS 01 Alex Joseph – Guangzhou, twin city – ethical practices
- PS 02 Paul Martin – Ashton Court miniature railway
- PS 03 Chris Castleman – Ashton Court miniature railway
- PS 04 Fiona Wilson – Ashton Court miniature railway
- PS 05 Trevor Chambers – Ashton Court miniature railway
- PS 06 Mrs C Canner – Ashton Court miniature railway
- PS 07 Dian Porter – Ashton Court miniature railway
- PS 08 Julia Gurr – Ashton Court miniature railway
- PS 09 Ryan Cumner – Ashton Court miniature railway
- PS 10 Rebecca Strong – Ashton Court miniature railway
- PS 11 Paul Jones – Ashton Court miniature railway
- PS 12 Lana Gayle – re: Motion 2 - SEND
- PS 13 Arthur Clark – Ashton Court miniature railway
- PS 14 Alan Grimsted – Ashton Court miniature railway
- PS 15 Fern Bohin – re: Motion 2 - SEND
- PS 16 Kevin Slater – Ashton Court miniature railway
- PS 17 Maggie Holland – Ashton Court miniature railway
- PS 18 Roger Sykes – Ashton Court miniature railway
- PS 19 Kean Seager – re: Motion 1 – Change in Council enforcement policy towards illegal encampments
- PS 20 Maggie Shapland – Ashton Court miniature railway
- PS 21 Claire Mellor – re: Motion 2 - SEND
- PS 22 Michael Broussine – Bishopston and St Andrews traffic and parking
- PS 23 Janet Seager – re: Motion 1 – Change in Council enforcement policy towards illegal encampments
- PS 24 David Redgewell – Ashton Court miniature railway / Henbury loop/ toilets / graffiti
- PS 25 Anne Pepper – re: Motion 1 – Change in Council enforcement policy towards illegal encampments
- PS 26 Caroline Gregory – re: Motion 2 - SEND
- PS 27 Fiona Castle – re: Motion 2 - SEND
- PS 28 Jennifer Smith – re: Motion 2 - SEND
- PS 29 Tracy Creed – re: Motion 2 - SEND
- PS 30 Olivia W Batley – re: Motion 1 – Change in Council enforcement policy towards illegal encampments
- PS 31 Leslie Roberts – Ashton Court miniature railway
- PS 32 Alice Marshment – re: Motion 2 - SEND
- PS 33 Roy May – re: Motion 1 – Change in Council enforcement policy towards illegal encampments
- PS 34 Sally Kent – re: Motion 2 - SEND
- PS 35 Elaine Kirkham – re: Motion 1 – Change in Council enforcement policy towards illegal encampments
- PS 36 Mika Hirose – re: Motion 2 - SEND
- PS 37 Elaine Jones – re: Motion 2 - SEND



- PS 38 David Angel – re: Motion 3 – Expansion of Bristol International Airport and climate change
- PS 39 Joy & Tony Joseph – re: Motion 1 – Change in Council enforcement policy towards illegal encampments
- PS 40 John Curran – re: Motion 1 – Change in Council enforcement policy towards illegal encampments
- PS 41 John Burgess – re: Motion 1 – Change in Council enforcement policy towards illegal encampments
- PS 42 Jon & Caroline Craton – re: Motion 1 – Change in Council enforcement policy towards illegal encampments
- PS 43 Alison Kounnou – Ashton Court miniature railway
- PS 44 Andrew & Pearl Anderson – re: Motion 1 – Change in Council enforcement policy towards illegal encampments
- PS 45 Julie Boston – Public services
- PS 46 Viran Patel – Council priorities
- PS 47 Oliver Fortune – Public toilets
- PS 48 Judith Stirk – re: Motion 1 – Change in Council enforcement policy towards illegal encampments
- PS 49 Adrian Johnston-Hubbold - re: Motion 1 – Change in Council enforcement policy towards illegal encampments
- PS 50 Alastair Sadler – re: Motion 1 – Change in Council enforcement policy towards illegal encampments
- PS 51 Dave Mullaney – Blaise car parking
- PS 52 John Hawley – Ashton Court miniature railway
- PS 53 Mark Brown – re: Motion 3 – Expansion of Bristol International Airport and climate change
- PS 54 Y & S Ramlugon - re: Motion 1 – Change in Council enforcement policy towards illegal encampments
- PS 55 Max Langer – Consult the public
- PS 56 Helen Tait – re: Motion 2 - SEND
- PS 57 Jill and Michael Longman – Ashton Court miniature railway
- PS 58 Nick Flaherty – re: Motion 2 - SEND
- PS 59 Mike Henry - re: Motion 1 – Change in Council enforcement policy towards illegal encampments
- PS 60 Nick Lloyd - re: Motion 1 – Change in Council enforcement policy towards illegal encampments
- PS 61 Anne McPherson - re: Motion 1 – Change in Council enforcement policy towards illegal encampments
- PS 62 Robbie Gillett – Fracking
- PS 63 Mike Williams – Ashton Court miniature railway
- PS 64 Giles Manning – Ashton Court miniature railway
- PS 65 James Cox – re: Motion 2 - SEND
- PS 66 Barry Cash – Arena site
- PS 67 Steve Gower – Domestic violence
- PS 68 Sue Elstob re: Motion 1 – Change in Council enforcement policy towards illegal encampments
- PS 69 Ruth Snary – re: Motion 1 – Change in Council enforcement policy towards illegal encampments
- PS 70 Julie Woods – re: Motion 2 - SEND
- PS 71 Graham Donald – re: Motion 2 - SEND
- PS 72 Edward Bowditch – Bristol transport charging and impact on retail jobs



- PS 73 Michael Bell – Number 10 bus service
- PS 74 Caroline Stevenson – re: Motion 2 - SEND
- PS 75 Bob Lewis – re: Motion 1 – Change in Council enforcement policy towards illegal encampments
- PS 76 Ornella Saibene – Council budgets
- PS 77 Sarah McClelland – re: Motion 2 - SEND
- PS 78 Daniel Balla – Hamilton House, Stokes Croft
- PS 79 Rachel Robbins – re: Motion 2 - SEND
- PS 80 ACORN Bristol / Bristol Zero Tolerance – closure and lack of scrutiny of safe houses in Bristol

Within the time available, statements were presented by individuals present at the meeting.

Public questions:

The Full Council noted that the following questions had been submitted:

- PQ 01 De-twinning from Guangzhou - Question from Alex Joseph
- PQ 02 Ashton Court miniature railway - Question from Bob Lilley
- PQ 03 Ashton Court miniature railway - Question from Derek Todman
- PQ 04 Ashton Court miniature railway - Question from Norman Rogers
- PQ 05 Ashton Court miniature railway - Question from Peter Whistler
- PQ 06 Metrobus service - Question from Paul Mizen
- PQ 07 Status of Portway Parkway station - Question from Edward Bowditch
- PQ 08 Forestry and agri-environmental funding - Question from Edward Bowditch
- PQ 09 City centre parking / Long Ashton park & ride opening hours - Question from Michael Owen
- PQ 10 Proposed Bristol underground - Question from Michael Owen
- PQ 11 School crossing patrol, Passage Road, Westbury-on-Trym - Question from Graham Donald
- PQ 12 Within Safe Hands safe house - Question from Charlotte Gage
- PQ 13 Urban Living SPD - Question from Nick Townsend
- PQ 14 New homes - Bedminster / Parson Street - Question from Andrew Kemp
- PQ 15 New homes - Bedminster / Parson Street - Question from Tessa Fitzjohn
- PQ 16 Bush respite centre - Question from Caroline Stevenson
- PQ 17 Safe house provision - Question from Louie Herbert

Within the time available, the Mayor responded verbally to questions PQ 01, PQ 02, PQ 11, PQ 12 and PQ 13, also responding to supplementary questions.

7. Petitions notified by councillors

The Full Council received and noted the following petition:

Petition CP 01 – No parking charges at Blaise



Petition presented by Councillor Weston

8. Petition debate - Ashton Court miniature railway

The Full Council considered a report of the Service Director - Legal and Democratic Services setting out details of a petition concerning Ashton Court miniature railway. The petition had reached the 3,500 signature threshold to qualify for a Full Council debate.

Norman Rogers, the petition organiser, was invited by the Lord Mayor to present the objectives of the petition.

The Full Council then debated the petition.

Following the debate, it was

RESOLVED:

That the petition and the comments from the debate be noted and referred to the Mayor / Deputy Mayor for Communities for consideration and response.

9. Appointment of Monitoring Officer, Electoral Registration Officer and Returning Officer

The Full Council considered a report seeking approval of the appointment of the Council's Monitoring Officer, Electoral Registration Officer and Returning Officer.

The Lord Mayor moved the report and the recommendation contained therein.

Councillor L Alexander, Deputy Lord Mayor seconded the report.

It was then:

RESOLVED:

That Tim O'Gara be appointed to the roles of Monitoring Officer, Electoral Registration Officer and Returning Officer with effect from 1 November 2018.

ADJOURNMENT – At this point the Lord Mayor advised that the Full Council meeting would adjourn for a 20 minute refreshment break.

10. Motions

Motion 1 – Change in Council enforcement policy towards illegal encampments

Councillor Goulandris moved the following motion:



“This Council, together with most Bristolians, has become exasperated by the incursions of illegal traveller encampments on much loved green spaces around our city, including the Downs, Highridge Common and Horfield Common. As a result, hard-working, law-abiding, tax-paying Bristolians and their families were prevented this Summer from unfettered access to these vital public places. At the same time, the costly Council managed traveller transit camps, whose running expenses fall on Bristol council tax payers, were not fully utilised.

The costs of clearing up our green spaces, often after a lengthy illegal occupation, are high and the Council presently makes no effort to recoup these costs from the offending travellers themselves. Likewise, no attempt is made to recoup the legal fees of the court action required by Bristol City Council to evict these groups.

Many local authorities around the country appear to have found an extremely effective enforcement measure. For example, London boroughs have applied to the High Court for interim injunctions, which cover both named individuals and persons unknown from establishing unlawful sites across their whole administrative geographical area.

Council therefore urges the Mayor to investigate this as a matter of urgency with a view to adopting this approach in Bristol.

In addition, as political pressure continues to grow to find a permanent solution to this problem, some 59 Conservative MPs have backed a proposal to make acts of deliberate or intentional trespass onto private or public land a new criminal offence. This move would mirror the position recently adopted by Eire, which has proved very effective in reducing illegal traveller incursions.

Council calls on the Mayor to add his support to this initiative by writing to the Prime Minister, Theresa May and the Secretary of State for Housing, Communities & Local Government, James Brokenshire MP and requesting that sufficient Parliamentary time is made available to enable this long overdue legislative change to take place.”

Councillor Hiscott seconded the motion.

Following debate, upon being put to the vote, the motion was LOST (16 members voting in favour, 39 against, with 1 abstention).

At this point in the meeting, on the motion of the Lord Mayor, it was agreed that standing orders be suspended to allow the consideration of motions to continue for a further 15 minutes beyond the standard 30 minute time limit.

Altered Motion 2 – SEND

Councillor Kent moved the following altered motion:



“Council notes the cuts of £5m to the Special Educational Needs and Disabilities High Needs Block budget in January (referenced as a Deficit Recovery Programme) and regret that this extraordinary reduction in funding for children that need additional support was not fully included in the budget papers for February Full Council.

Council notes that many local authorities have raised concerns with the current Government about the inadequacy of the High Needs funding in the light of the increasing costs of SEND statutory requirements and increasing demand.

Council notes that the High Needs budget in Bristol has had a cumulative deficit for many years which has not been adequately addressed by previous administrations, and forecasted to reach £7.2m at the end of 2019/20 if no action was taken. Council also notes that the Schools Forum for 2018/19 agreed that additional funding could be moved from other parts of the DSG to support the High Needs budget as part of the solution to address this.

Council notes that a judicial review brought by some parents of SEND children and those children themselves was heard on 24th July in the High Court. His Honour Judge Cotter gave his judgement on 3rd August. In this judgement he found that Bristol City Council had acted unlawfully in setting its budget and found against the Council on each and every ground brought by the parents and children.

Council notes that the judges found that the council had breached the Children’s and Families Act 2014. That no consultation was undertaken, that no Equality Impact Assessment was carried out and that no regard at all was given to children when making this decision.

Council notes with grave concern that at the July Full Council meeting, where a motion on SEND was not allowed on the order paper, answers to questions revealed the council has failed to carry out its statutory responsibilities. Questions to the Mayor revealed that of 136 appeals regarding Education Health Care Plan (as per the Children and Families Act) only 9 were upheld in the councils favour by the 1st tier tribunal.

Council notes that in those answers the Mayor admitted that until August 2017 Bristol City Council was failing to use the legal test as specified in the Children’s and Families Act 2014. Council notes that between 2016-17 464 children had been refused assessment and at a 49% refusal rate the authority has one of the highest refusal rates to assess in the country. Only 1 in 10 of parents appealed the decision during a period when the council admits it was not using a lawful test.

Council notes with grave concern that the SEND department struggles to meet demands for assessment at the moment and often finds itself legally challenged following incorrect and unlawful decisions around the education of very vulnerable children and young people.

Council notes that a SEND inspection by OFSTED and CQC is due in Bristol soon and of the 61 inspections 27 have failed and have been directed to write written statements of action.



Council notes that the Director for Education, Learning and Skills Improvement has stated that the outcomes for children with SEND in Bristol is poor but is putting in place a clear action plan for improvement which councillors will receive regular updates about.

Council believes that every child is entitled to an inclusive education where their needs will be met and they will have full access to the curriculum.

Council believes that currently Bristol is failing in its legal duty towards SEND children and recognises with grave concern that outcomes for children with SEND in Bristol are poor.

Council believes that SEND is underfunded by central government and asks all political groups on the council to lobby their Westminster parties to increase pressure for more funding in this area.

Council is concerned that the capacity of the SEND team is already unable to meet demand within legal deadlines.

Council welcomes the judgement of the High Court in quashing the excessive and unlawful cut to the High Needs Block and will take this opportunity to reflect on a partnership approach with schools and parents/carers to agree a way forward.

Council welcomes the establishment of a Task and Finish Scrutiny Working Group to look at SEND within the city and ask they work with the Cabinet member to draw up an action plan to improve outcomes.

Council endorses the action of Cabinet Member Anna Keen in signing the recent letter to Government along with 38 other councils calling for more funding for SEND.

Council endorses the British Dyslexia Association definition of Dyslexia and pledges to engage with Dyslexia Awareness week (1st-7th October) and go green.

Council calls on the Cabinet to report to next Full Council with an action plan to restore funding to the High Needs Block with a new plan for deficit recovery that does not involve reductions to the High Needs Block. Council also calls on the Cabinet to develop an action plan that will greatly improve the outcomes for children with SEND in this city and recommend this be done over the year along with the Scrutiny Task and Finish Group and report back by January to Full Council."

Councillor Keen seconded the altered motion.

Following debate, upon being put to the vote, the altered motion was CARRIED (56 members voting in favour, none against, with no abstentions), and it was then

RESOLVED:



Council notes the cuts of £5m to the Special Educational Needs and Disabilities High Needs Block budget in January (referenced as a Deficit Recovery Programme) and regret that this extraordinary reduction in funding for children that need additional support was not fully included in the budget papers for February Full Council.

Council notes that many local authorities have raised concerns with the current Government about the inadequacy of the High Needs funding in the light of the increasing costs of SEND statutory requirements and increasing demand.

Council notes that the High Needs budget in Bristol has had a cumulative deficit for many years which has not been adequately addressed by previous administrations, and forecasted to reach £7.2m at the end of 2019/20 if no action was taken. Council also notes that the Schools Forum for 2018/19 agreed that additional funding could be moved from other parts of the DSG to support the High Needs budget as part of the solution to address this.

Council notes that a judicial review brought by some parents of SEND children and those children themselves was heard on 24th July in the High Court. His Honour Judge Cotter gave his judgement on 3rd August. In this judgement he found that Bristol City Council had acted unlawfully in setting its budget and found against the Council on each and every ground brought by the parents and children.

Council notes that the judges found that the council had breached the Children's and Families Act 2014. That no consultation was undertaken, that no Equality Impact Assessment was carried out and that no regard at all was given to children when making this decision.

Council notes with grave concern that at the July Full Council meeting, where a motion on SEND was not allowed on the order paper, answers to questions revealed the council has failed to carry out its statutory responsibilities. Questions to the Mayor revealed that of 136 appeals regarding Education Health Care Plan (as per the Children and Families Act) only 9 were upheld in the councils favour by the 1st tier tribunal.

Council notes that in those answers the Mayor admitted that until August 2017 Bristol City Council was failing to use the legal test as specified in the Children's and Families Act 2014. Council notes that between 2016-17 464 children had been refused assessment and at a 49% refusal rate the authority has one of the highest refusal rates to assess in the country. Only 1 in 10 of parents appealed the decision during a period when the council admits it was not using a lawful test.

Council notes with grave concern that the SEND department struggles to meet demands for assessment at the moment and often finds itself legally challenged following incorrect and unlawful decisions around the education of very vulnerable children and young people.

Council notes that a SEND inspection by OFSTED and CQC is due in Bristol soon and of the 61 inspections 27 have failed and have been directed to write written statements of action.



Council notes that the Director for Education, Learning and Skills Improvement has stated that the outcomes for children with SEND in Bristol is poor but is putting in place a clear action plan for improvement which councillors will receive regular updates about.

Council believes that every child is entitled to an inclusive education where their needs will be met and they will have full access to the curriculum.

Council believes that currently Bristol is failing in its legal duty towards SEND children and recognises with grave concern that outcomes for children with SEND in Bristol are poor.

Council believes that SEND is underfunded by central government and asks all political groups on the council to lobby their Westminster parties to increase pressure for more funding in this area.

Council is concerned that the capacity of the SEND team is already unable to meet demand within legal deadlines.

Council welcomes the judgement of the High Court in quashing the excessive and unlawful cut to the High Needs Block and will take this opportunity to reflect on a partnership approach with schools and parents/carers to agree a way forward.

Council welcomes the establishment of a Task and Finish Scrutiny Working Group to look at SEND within the city and ask they work with the Cabinet member to draw up an action plan to improve outcomes.

Council endorses the action of Cabinet Member Anna Keen in signing the recent letter to Government along with 38 other councils calling for more funding for SEND.

Council endorses the British Dyslexia Association definition of Dyslexia and pledges to engage with Dyslexia Awareness week (1st-7th October) and go green.

Council calls on the Cabinet to report to next Full Council with an action plan to restore funding to the High Needs Block with a new plan for deficit recovery that does not involve reductions to the High Needs Block. Council also calls on the Cabinet to develop an action plan that will greatly improve the outcomes for children with SEND in this city and recommend this be done over the year along with the Scrutiny Task and Finish Group and report back by January to Full Council.

Meeting ended at 8.47 pm

CHAIR _____





Full Council 13 November 2018



Report of: Quentin Baker, Interim Director - Legal & Democratic Services

Title: Petition debate – City Wide Ban on Single Use Disposable Plastics

Recommendation

That Full Council debates the petition and refers it to the Mayor / relevant Cabinet member for a formal response.

Summary

Under the Council's petitions scheme, where a petition has 3,500 or more signatures from people who live, work or study in Bristol, the petition organiser can request a Full Council debate.

The Council has received a petition in relation to a City Wide Ban on Single Use Disposable Plastics.

The petition organisers have requested that Full Council debates the petition.



Details of the petition

1. The wording of the petition is as follows:

Petition title / subject: City Wide Ban on Single Use Disposable Plastics

We the undersigned call for the Mayor to take all practical steps* to make Bristol an exemplar disposable plastic-free city.

Single use, disposable plastics such as polystyrene takeaway containers and plastic cups are a cause of litter, a waste of resources, and a problem for future generations. They waste fossil fuels and create unsightly streets, and their persistence causes untold harm for wildlife on land and at sea.

While accepting that there are a few cases where single-use plastics are essential, such as in medical treatment, for most uses there are alternatives. But to achieve this, many people have to play their part, including users, traders, and those organising events and providing services in the city.

The Council needs to play a leading role as champion, active supporter, regulator, and service provider in ending the prevalence of single use, disposable plastics. We the undersigned therefore call on the Mayor of Bristol to support and enforce a ban on single use plastic packaging and containers, including through events licensing, as a provider of services, as a partner working with other organisations, and through media and education.

* Things the Mayor can do include:

- Specifying how the council's own events and facilities are run – setting a better example!
- Changing events rules.
- Procurement choices that specify alternatives.
- Helping bulk buy compostable packaging for traders via Bristol Waste Company.
- Better promotion of recycling and composting facilities and services where they are needed.
- Licensing rules being amended for street traders and takeaways.
- Better enforcement of littering sanctions.
- Educational initiatives.
- Using council media work to promote the ban.
- Lobbying government for better powers to control waste.

2. The petition has been organised by Councillor Martin Fodor and Alex Morss.
3. The petition has secured 4070 validated signatures.
4. The Full Council is asked to debate the petition.
5. Under the petition scheme, the petition organiser is permitted up to 5 minutes to present and speak to the petition. The petition scheme allows a further period of up to 15 minutes for discussion of the petition by councillors at the Full Council meeting.
6. The Full Council has agreed the following in relation to dealing with petitions with over 3500

signatures: The topic of the debate should be referred to the Mayor/Cabinet, or other relevant body with the petitioner's views and Full Council's views.

RECOMMENDATION

Following the debate, the Full Council is recommended to refer the petition to the Mayor, in order that the Mayor can consider his response, in liaison with the relevant Cabinet member.



Full Council

13th November 2018

Report of: Alan Stubbersfield, Service Director for Education

Title: High Needs Budget 2018/19

Ward: Citywide

Member Presenting Report: Councillor Anna Keen, Cabinet Member for Education

Recommendation

Full Council agrees a High Needs Budget of £54.471m for 2018/19 financial year.

Summary

A recent court judgement has had the effect of quashing the original decision on the High Needs (Dedicated Schools Grant) budget for 2018/19 taken by Full Council in February 2018. This report explains how the proposed budget has been recalculated, on the basis of the original planned savings of £5.1m for High Needs no longer being pursued for 2018/19.

The significant issues in the report are:

The proposed budget of £54.471m is £3.520m more than the previous budget of £50.951m.

The main content of this report is included in Appendix A.1, which is the report that was despatched to Schools Forum for its meeting on 25th September 2018. Cabinet subsequently considered this matter on 2nd October 2018.



Policy

1. The proposed budget savings included in the original budget decision at Council in February 2018 have been withdrawn. This budget recommendation, therefore, represents no change on existing council policies.

Consultation

2. Internal

Schools Forum and Cabinet have considered earlier versions of this report.

3. External

Not applicable

4. Context

4.1. The main content of this report is included in Appendix A, which is the report that was despatched to Schools Forum for its meeting on 25th September 2018.

4.2. The original High Needs budget for 2018/19 of £50.951m has been quashed by a court order. Members, including Full Council, have indicated that the savings being developed for 2018/19 should no longer be a feature of the 2018/19 budget. Officers have, therefore, reverted to past practice in determining the High Needs Budget. This means that the budget is based on the Dedicated Schools Grant, rather than on an assessment of what growth and savings might be needed. The original report set out how a proposed budget of £53.905m had been calculated, but Schools Forum agreed to the transfer of a further £0.566m unallocated funding in the School Central Services Block. Cabinet agreed to that additional transfer and a total of **£54.471m** is recommended as the high needs budget for 2018/19.

4.3. Most of the savings proposals set out in the report to Council on 20th February 2018 had not been pursued for 2018/19 and it is proposed that those which had been are unwound as detailed in Appendix A.1 .

4.4. The Period 4 forecast for 2018/19 suggests spend by year-end of £54.6m, which incorporates the impact of undelivered and unwound savings. Members will be able to consider any balance on the High Needs Block in the context of the overall DSG as part of the consideration of the Council's final accounts for 2018/19 at year-end.

5. Proposal

5.1. Appendix A.3 demonstrates how the original High Needs budget was calculated, taking account of possible pressures and savings. The new proposed budget sets aside both the savings and the pressures. Any savings measures which were implemented as a direct consequence of the decision of Council in February 2018 have been unwound.

5.2. The recommended budget of **£54.471m** takes account of the Dedicated Schools Grant (DSG) High Needs allocation from the Department for Education for 2018/19 of £51.023m, plus £2m transferred from the DSG Schools Block, £0.7m from the Council's General Fund, £0.566m from the School Central Services Block (DSG) and £0.182m brought forward DSG from 2017/18.

Other Options Considered

6. Options that involved keeping any or all of the original savings proposals were rejected because time was needed to reconsider how best to address the long-term shortfall between the level of spending on high needs and the DSG funding provided.

7. Risk Assessment

7.1. The proposal to set the budget on the basis of the available funding and to withdraw previous savings proposals is a pragmatic way of ensuring that a budget for high needs can be set for 2018/19. This allows time to consider the future arrangements for the service through public consultation and engagement with stakeholders.

7.2. The legal comments identify the issues associated with addressing equalities matters and consultation, which were the main reasons for legal challenge to the original budget decision.

7.3. The finance comments identify that this report addresses the immediate issue about setting the high needs budget, but the longer term shortfall in the high needs budget remains.

8. Public Sector Equality Duties

8a) Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:

- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
- ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
 - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
 - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
 - tackle prejudice; and
 - promote understanding.

- 8b) An equalities impact assessment has been completed for this report and can be found at appendix E. It recognises that shifting money from one part of the DSG to another benefits those receiving funding and disbenefits those foregoing funding. Nonetheless, the aim of the recommendation is to ensure that no policy changes have arisen as a consequence of the original, now quashed, decision on the High Needs budget in February 2018.

Legal and Resource Implications

Legal

The Council's decision to set the high needs budget (HNB) was successfully challenged by way of a judicial review claim. The outcome of the case is that the HNB budget decision for 2018/2019 has been quashed. The basis of the decision is set out in Appendix 1. It is therefore necessary for the Council to make a new budget decision for 2018/2019.

The matters which the Council is required to take into account include the following:-

(1) The Public Sector Equality Duty which requires the Council to have due regard to the need to (1) eliminate unlawful discrimination against people with a protected characteristic; (2) advance equality of opportunity between persons who share a protected characteristic and persons who do not share it; (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The Equalities Impact Assessment provides an analysis for this purpose. It concludes that a High Needs Budget of £54.471m (as proposed in this report) would not have adverse impacts because it would involve the withdrawal or unwinding of the savings measures which formed the basis of the quashed budget of 20th February. A high needs budget of £54.471m would also be higher than the outturn high needs spend for 2017/2018 of £53.087m.

(2) Section 11 of the Children Act 2004 which says that in taking decisions such as the one now before the Council, members must have regard to the need to safeguard and promote the welfare of children.

(3) The Corporate Strategy's aims of tackling inequality in educational outcomes and achievement gaps for disadvantaged children, including children with special needs and disabilities and from some minority groups.

Consultation

In the judicial review claim against the Council, the judge decided that, for a number of different reasons, the Council should have consulted relevant people and organisations, and considered impacts on them including equalities impacts, before setting a High Needs budget for 2018/19 which was based on savings measures which might affect them. If the Council decides that the budget for 2018/19 should be re-set at £54.471m, this would be on the basis that those savings measures are cancelled or unwound. For that reason the duty of consultation should not arise because the negative impacts about which the claimants were concerned would be reversed. (However regardless of this, it is still necessary for Cabinet to comply with the duties in (1) and (2) above, and take into account the Corporate Strategy.)

(Legal advice provided by Sarah Sharland, Litigation, Regulatory and Community Team Legal

Services)

Financial

(a) Revenue

The original decision on the High Needs budget, made at Council in February 2018 has been quashed by way of a judicial review judgement. This report sets out the current position in 2018/19 on the High Needs budget and how a revised budget to replace the original one has been calculated.

This report is proposing to reset the financial arrangements for the High Needs Block to the policy position which prevailed prior to the February 2018 Council decision. The High Needs Block includes services which are sensitive to changes in the circumstances of individual children and young people. Demand and cost fluctuations can and do occur, so the current budget forecast position may change during the rest of this financial year.

This report is dealing with the immediate issue of setting a high needs budget for 2018/19. The longer-term issue remains of how the authority addresses the gap between the level of spending in the high needs budget and the High Needs DSG provided by the Department for Education.

The report explains that the Authority will have to meet the claimants' legal costs, as a consequence of the court order, which will be met from Council reserves. There will be on-going impacts on resources (estimated to cost in the region of £0.225m, beyond what might normally be necessary) to develop service improvements that fit within the budget and service planning for the High Needs Block, including any future public consultation that may be required.

(b) Capital

There are no capital implications of this report.

(Financial advice provided by David Tully, Interim Finance Business Partner)

Land

Not applicable

Personnel

The current proposals to reset the financial arrangements for the High Needs Block budget and to overturn the cabinet decision regarding the budget do not have any HR implications as it is currently presented.

(Personnel advice provided by Lorna Laing, People & Culture Business Partner)

Appendices:

Appendix A.1 is the report presented to Schools Forum on this matter on 25th September 2018.

Appendix A.2 is the note from Schools Forum to Cabinet

Appendix A.3 is a revised full calculation of the £54.471m recommended budget.

Appendix E is the Equalities Impact Assessment

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

None

Bristol City Council Equality Impact Assessment Form

(Please refer to the Equality Impact Assessment guidance when completing this form)



Name of proposal	High Needs Budget 18/19
Directorate and Service Area	ACE Directorate
Name of Lead Officer	Alan Stubbersfield

Step 1: What is the proposal?

Please explain your proposal in Plain English, avoiding acronyms and jargon. This section should explain how the proposal will impact service users, staff and/or the wider community.

1.1 What is the proposal?

To re-set the 2018/2019 High Needs budget to £54.471m, following the successful judicial review challenge to the High Needs budget for 2018/19, set on 20th February 2018 and to ensure that none of the savings that were included in the papers to full Council in February 2018 have resulted in policy changes.

The High Needs Block primarily funds pupils with high needs such as pupils with Special Educational Needs and Disabilities (SEND) who may have Education Health and Care Plans (EHCP), or pupils in Alternative Provision (AP) such as Pupil Referral Units or Hospital Schools.

The High Needs Block Budget also funds the following:

- Special School Places for children and young people with EHCPs
- SEN Top Up for children and young people on SEN Support whose needs are beyond those that can be reasonably met through Bristol and Out of Local Authority mainstream settings' notional SEN budgets (£6k per pupil)
- SEN Top Up for children and young people whose needs are beyond core offers in special schools and specialist resource bases, General Further Education settings, Pupil Referral Unit placements and Independent Non Maintained and Independent Specialist provision
- SEN equipment and therapeutic support for children and young people with EHCPs
- SEND and High Needs Services staffing – Bristol Autism Team, Sensory

Support Service, the HOPE virtual School for Looked After Children, Safeguarding in Education Team, Alternative Provision Team, Educational Psychology Core Services and the SEND/ High Needs Business Unit.

- Support for schools in financial difficulty
- Trading with Schools

The local authority has a statutory responsibility, under the Children and Families Act 2014, to keep its special educational provision under review, to ensure sufficiency in placements to meet the needs of children and young people with Special Education Needs/Disabilities (SEND), working with parents/carers, young people and providers.

Our Goals are:

- To provide a stable platform to facilitate effective service that is responsive to the increasing numbers of children and young people with SEND and high needs in Bristol, along with the right workforce model that ensures their needs are appropriately supported.
- Improve outcomes for Bristol's children and young people with SEND as well as those identified with high needs including educational aspirations, engagement and progress in learning, in line with those who do not have SEND or high needs.
- Make sure all children and young people attend the right education setting that can meet their needs, where they receive a full time/ appropriate education offer that ensures they are safeguarded and their welfare is promoted.
- Reduce persistent absence and increase attendance for children and young people in receipt of SEN Support and those with EHCPs.
- Reduce / eliminate the need for permanent exclusions and reduce multiple fixed term exclusions for children and young people in receipt of SEN Support and those with EHCPs.
- Enable all children and young people to achieve their potential through having access to the right resources and provision needed to meet their needs and the right support for their education settings.
- Ensure each young person progresses post-16 to suitable education, training or employment and is fully prepared for adulthood.

The Local Authority's role:

- We commission school places, personal education packages, alternative learning provision and post 16 education for children and young people we are responsible for.

- We are responsible for ensuring there are sufficient education places and the right types of education settings in our area.
- We have a duty to arrange education for permanently excluded pupils, children and young people with EHCPs and Children in Care and others who, because of illness or other reasons, are unable to attend mainstream settings.
- We must make sure schools and other partners are focused on safeguarding and promoting the welfare of children and young people with SEND up to age 25.
- We are responsible for promoting and driving high standards in education across all types of educational provision.
- We have to make financial provision for children and young people with EHCPs
- We have to ensure compliance with statutory duties associated with SEND legislation, safeguarding and Looked After Children/ Care Leavers.

Step 2: What information do we have?

Decisions must be evidence-based, and involve people with protected characteristics that could be affected. Please use this section to demonstrate understanding of who could be affected by the proposal.

2.1 What data or evidence is there which tells us who is, or could be affected?

- National data in relation to SEND
- Local data in relation to:
 - There are 54,000 pupils funded through the Schools Block
 - Children and young people with EHCPs: 2,211
 - Children and young people in receipt of SEN Support: 7,606
 - Children and young people who qualify for Top Up: 3,374
 - Children and young people in specialist Education settings: 894
 - Children and young people with EHCPs who attend Independent provision: 91
 - Children and young people who are Looked After by the Local Authority: 206
 - Children and young people who were previously looked after by the Local Authority: 128
 - Statutory Children and young people who are supported by specialist and inclusion services: 2,772+
 - Children and young people who attend hospital education: 300

Other diversity and equality information about children and young people in Bristol:

- **Disability** 4.1% of children in Bristol are disabled or have a long term illness or condition
- **Age** The overall population of Bristol is 449,300. 18.6% of this population are age 0-15 and 16.7% are age 16-24
- **Race** 28% of children in Bristol are BAME (Black, Asian and Minority Ethnicity) compared to 18% for the city overall.
 - Minority ethnic pupils¹ in state funded Bristol schools: primary 37.7%; secondary; 34.5%; special schools 35.9%.
 - Special educational needs are most prevalent in travellers of Irish heritage and Gypsy/Roma pupils with 30.8% and 26.9% respectively. Travellers of Irish heritage and Black Caribbean pupils had the highest percentage of pupils with statements of SEN or EHC plans (4.4% and 4.0% respectively). Indian pupils had the lowest percentage of pupils with statements of SEN or EHC plans at 1.8%, compared with 2.8% of all pupils nationally.
- **Sex**
 - Overall in Bristol there is an equal male / female distribution with slightly more (50.3%) males under age 25.
 - Special educational needs are more prevalent in boys than girls. In total 18.6% of boy have a special educational need compared to 9.7% of girls. This splits in to 14.6% of boys on SEN support and 4% with a statement of SEN or an EHC plan compared to 8.1% of girls on SEN Support and 1.6% with a statement of SEN or an EHC plan.
- **Religion and Belief** We do not have accurate information about the religion of children and young people in Bristol. According to the census, the largest faith group in Bristol are Christians. People with no religious belief make up the second largest group. Other main religious groups in the city are Muslims (5.1%), Hindu (0.6%), Sikh (0.5%), Buddhist (0.6%) and Jewish (0.2%).
- **Child Poverty** 23% of children under 16 are in low income families
 - Eligible for free school meals in state funded Bristol schools: primary 17.5%; secondary 18.5%; special schools 48.6%
 - Data from Bristol JSNA² highlights the inequalities in opportunity for young people in some of the most deprived areas of Bristol.

¹ Includes all pupils classified as belonging to an ethnic group other than White British.

² <https://www.bristol.gov.uk/policies-plans-strategies/jsna-data-profile>

There is an educational attainment gap for “disadvantaged children” and rates for young people going on to higher education are particularly low in South Bristol. Across Bristol numbers of children with special educational needs (SEN) are higher in more deprived areas, and rates of school leavers who are NEET (not in education, employment or training) vary significantly by Ward.

- Of families with a disabled family member 19% live in relative income poverty compared to 15% of individuals in families with no disabled member. This suggests that there are more families with a disabled member living in poverty.
- **NEET** 5.8% of 16-18 year olds are not in Education, Employment or Training
- **Language**
 - First language other than English in state funded Bristol schools: primary 22.3%; secondary 17.5%; special schools 16%
 - Pupils whose first language is known to be English are more likely to have special educational needs than those whose first language is known to be other than English. In 2017, 11.7% of pupils whose first language is known or believed to be English were on SEN support which is a reduction from 12.4% in 2016.

(school data from <https://www.gov.uk/government/statistics/schools-pupils-and-their-characteristics-january-2018>)

2.2 Who is missing? Are there any gaps in the data?

We do not have accurate data for children and young people about sexual orientation, gender reassignment, or pregnancy and maternity.

2.3 How have we involved, or will we involve, communities and groups that could be affected?

The changes now proposed to the high needs budget result in an increase in the funding available for 2018/19 over the budget originally set on 20th February 2018 with £3.3m in addition to that available via the government funding formula to provide greater ability to meet increased demand for SEND provision. Savings measures which formed the basis of the High Needs Budget set on 20th February (which was quashed in the recent judicial claim) will be withdrawn or unwound.

In determining the transfer between the funding blocks and general fund consultation took place with Schools Forum, Secretary of State, Cabinet members and Inclusive Education Group. Whilst the proposed revision of High Needs Budget allocation results in an increase to the funds available the

demand and funding pressures on the High needs budget for 2018/19 will continue and it will still be necessary to ensure that funding is allocated and used as effectively as possible. This will involve engagement with children and families. The proposed high needs budget for 2018/19 is also higher than the outturn high needs spend for 2017/18 of £53.087m.

There are no funding reductions proposed to the high needs budget and as such no specific consultation has been carried out on the detail.

Step 3: Who might the proposal impact?

Analysis of impacts on people with protected characteristics must be rigorous. Please demonstrate your analysis of any impacts in this section, referring to all of the equalities groups as defined in the Equality Act 2010.

3.1 Does the proposal have any potentially adverse impacts on people with protected characteristics?

Any shift in funding from one block to another within the DSG will have impacts on children and young people, including those with protected characteristics, in both the donor and recipient blocks (ie Schools Block and High Needs Block).

Early Years providers have indicated that there may be knock-on consequences for their sector because of unresolved budget pressures in High Needs. This would either be through lost opportunities for unallocated funding to support Early Years, or through unspent funds for Early Years being lost at year-end to support High Needs.

Children and young people with special educational needs are the main beneficiaries of High Needs Block funding. We know that there is an under-representation of girls and some ethnicities in this cohort, compared to the overall population of children and young people in Bristol (see above). Moving funding to HNB from other blocks may indirectly have a negative impact on these groups, which has to be balanced with the clear benefits of increased funding for those with high needs.

3.2 Can these impacts be mitigated or justified? If so, how?

What we are doing now is the mitigation - by ensuring that no policy changes have arisen as a consequence of the original, now quashed, decision on the

original High Needs Budget in February 2018.

3.3 Does the proposal create any benefits for people with protected characteristics?

There will be an increase in funding to education settings where appropriate over the original high needs budget for 2018/19. The increase is beneficial to children and young people including those with protected characteristics – and is likely to be of particular benefit to those with SEND.

3.4 Can they be maximised? If so, how?

This will be considered through the course of the year and articulated when appropriate.

Step 4: So what?

The Equality Impact Assessment must be able to influence the proposal and decision. This section asks how your understanding of impacts on people with protected characteristics has influenced your proposal, and how the findings of your Equality Impact Assessment can be measured going forward.

4.1 How has the equality impact assessment informed or changed the proposal?

Additional responsibilities in relation to Public Sector Equalities Duties for children and young people with SEND, and their families – the duty to make reasonable adjustments.

We have thoroughly reconsidered the equalities impacts and consultation duties associated with service planning and budget setting.

4.2 What actions have been identified going forward?

The DSG budget setting will be part of the overall 2019/20 Council budget consultation in the autumn of 2018.

4.3 How will the impact of your proposal and actions be measured moving forward?

Neutral impact as no savings will be made.

Service Director Sign-Off:



Equalities Officer Sign Off:



	Duncan Fleming
Date: 19-09-2018	Date: 24/10/2018

Bristol Schools Forum
High Needs Budget 2018/19

Date of meeting:	25 th September 2018
Time of meeting:	5.00 pm
Venue:	City Hall, Writing Room

1. Purpose of report

- 1.1 This report advises Schools Forum on the High Needs budget position for 2018/19.
- 1.2 A recent court judgement has the effect of quashing the original decision on the High Needs budget for 2018/19. A new decision on the budget for 2018/19 is needed. This report consults Schools Forum on the basis of the recalculated budget, prior to it being considered by Cabinet and then full Council.

2. Recommendations

- 2.1 **Schools Forum to provide any advice or comments to Cabinet and Council on the proposed approach to re-determining the High Needs Budget to £53.905m for 2018/19.**
- 2.2 **Note that the budget for 2018/19 is prepared on the basis of not disturbing other aspects of the budget and no increase to general council tax in 2018/19.**
- 2.3 **Schools Forum to advise the Authority on whether it would agree now or defer until year-end:**
 - i. **to transfer the unallocated central services funding in 2018/19 of £0.566m to the High Needs Block; and/or**
 - ii. **in principle, to transfer any unspent Early Years funding at year-end to the High Needs Block.**

3. Why this report is needed

- 3.1 The Dedicated Schools Grant (DSG) is a specific and ring-fenced grant, provided by the Department for Education (DfE). It is used in support of the local authority's Schools Budget and is broken down into the following four blocks.
 1. **Schools Block** primarily funds mainstream schools.
 2. **Early Years Block** primarily funds early education provision in private, voluntary and independent settings, maintained nursery schools, school

nursery classes and the education of two year olds from households with low incomes.

3. **Central Schools Services Block** primarily provides funding for core educational support services that affect all schools and academies or their pupils (e.g. admissions, Schools Forum costs, some statutory and regulatory education functions and spending on on-going initiatives that were approved by Schools Forum in the past).
 4. **High Needs Block** primarily funds pupils with high needs such as pupils with Special Educational Needs and Disabilities (SEND) who may have Education Health and Care Plans (EHCP), or pupils in Alternative Provision (AP) such as Pupil Referral Units or Hospital Schools.
- 3.2 In February 2017, the Council agreed the DSG allocation which included the High Needs Block and a deficit recovery plan to achieve reductions of £7.2m over a 3 year period of which the potential savings for 2018/19 was £5.1m. The £5.1m figure represented the forecasted value of savings that would be necessary if the forecasted pressures materialised and the budget were to be delivered at the level of £50.951m that was agreed by Council in February 2018.
 - 3.3 Following the SEND Judicial Review and a High Court Ruling in August 2018, which found in favor of the claimants, the High Needs budget element of the Dedicated Schools allocation was quashed. An outline of the details of the key points of the judgement is in Appendix 1.
 - 3.4 This means that, while spending may continue on High Needs activities in the meantime, the Council has to reconsider its original decision about the High Needs budget and in addressing as appropriate the points outlined in the judgement, present the budget to Council for a decision.
 - 3.5 This report, therefore, focuses on the High Needs activity and budget, and proposes a revised 2018/19 budget for Council consideration.

4. Background to the High Needs Block

Funding (High Needs Block)

- 4.1 The recent history of the DSG arrangements for High Needs block funding has been varied. Table 1 indicates how the headline totals have changed year-on-year since 2014/15.

Table 1: Comparative Gross High Needs Budget allocations 2014/15 – 2018/19

	Gross amount of High Needs Block DSG £m	Simple change on previous year £m / (%)	Comment on funding changes	Actual & Forecast Outturn of High Needs Block DSG £m	Difference between DSG allocation and total spend on High Needs £m
2018-19	£51.0m	£0.4m / 0.8%	£1.0m transfer of responsibilities for pupils in mainstream resource bases to Schools Block, so increase is £1.4m / 2.8%.	£54.6m	£3.6m
2017-18	£50.6m	£7.3m / 16.9%	£4.6m rebase plus £1.6m post-16, £0.75m population fund and £0.47m growth	£53.7m	£3.1m
2016-17	£43.3m	£0.7m / 1.6%	No change in scope of HNB between years	£50.1m	£6.8m
2015-16	£42.6m	£0.4m / 0.9%	No change in scope of HNB between years	£49.8m	£7.2m
2014-15	£42.2m			£44.7m	£2.4m

4.2 The headline figure disguises some changing responsibilities between High Needs Block and Schools Block or between High Needs Block and the Education and Skills Funding Agency's (ESFA) Post 16 Grant. Incremental changes, taking account of agreed places or allowing for some cost or demand pressures have largely been modest.

4.3 Notably, however, there was a stepped increase in funding in 2017/18 that re-baselined the High Needs Budget for every local authority to recognise the prevailing level of spending. This accounted for £4.6m of the increase between 2016/17 and 2017/18. Recognising historic levels of spending was very helpful in managing the High Needs Block, but there has been insufficient recognition of growing demand or the additional commitments created following the SEND Reforms in 2014 by extending the age range for duties in relation to children and young people with SEND to Birth to 25 from 2-19 years, as was the case previously.

4.4 For 2018/19, the DfE have introduced a National Funding Formula to determine the amounts for each local authority differently and, on a like-for-like basis, this has produced an increase of 2.8%.

4.5 The provisional High Needs block income for Bristol has been calculated as follows:

Table 2: Components of the High Needs Block DSG funding allocation for 2018/19

Component	£m
Actual High Needs national funding formula allocation	£47.361m
Plus £4,087.90 per pupil ACA weighted base rate * 869 (pupils in special schools/ academies based on the October 2017 census)	£3.551m
Import/export adjustment £6,000 * -	-£0.031m

Component	£m
5 (net imported / exported) pupils (estimate)	
Total December 2017	£50.882m
Import/export adjustment £6,000 * 18.5 (net imported / exported) pupils (confirmed)	£0.111m
TOTAL July 2018	£51.023m

SEND performance

4.6 The tables below detail activity trends following the introduction in September 2014 of the new Children and Families Act specifying the need for consistent help for children and young people with SEND.

Table 3: Statutory Statements of SEN (as per 02 September each year until 31/05/2018 when all had to be converted to Education Health and Care Plans)

Age	2014	2015	2016	2017	2018
0-4 years	33	17	1	0	0
5 -16 years	1,619	1,388	1,016	452	27
17 -19 years	208	139	121	75	0
20-25 years	8	4	4	0	3
Total	1,868	1,548	1,142	527	30

Table 4: Education Health and Care Plans (as at 02 September each year)

Age	2014	2015	2016	2017	2018
0-4 years	0	4	37	22	16
5 -16 years	0	20	623	1,126	1,463
17 -19 years	0	2	200	390	557
20-25 years	0	0	35	107	175
Total	0	26	895	1,645	2,211

Table 5: Total number of statutory plans (as at 02 September each year)

Age	2014	2015	2016	2017	2018
Total	1,868	1,574	2,037	2,172	2,241

Table 6: Requests for Statutory EHC Needs Assessment

Year	2016	2017	2018: 7 Months only
Total requests received	514	427	402 (800+ expected for the year)
Yes to Statutory EHC Needs Assessment	239	238	282
No to Statutory EHC Needs Assessment	275	189	88
Awaiting Panel decision	0	0	32 waiting to be

			seen by Panel by 30/09/2018
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4.7 This indicates an increase of 342 Statutory Plans (18.2%) on the 2014 position, and a total of 1,868 conversions (reassessment of needs, and this time across Education, Health and Social Care, not just Education as was the case with Statements of SEN as well as drafting and writing Education Health and Care Plans) also had to take place within this period whilst all Statements of SEN were continued to be maintained.

4.8 In addition to this, 759 new ECH Needs Assessments also took place in 2016-2018 which resulted in 2,211 new EHCPs in total.

4.9 Tables 7 and 8 provide activity levels in Bristol and non-maintained special schools over the last four years.

Table 6: Number of commissioned places in Bristol's Special Schools 2014-2018, as at 31 March

	2014/15			2015/16			2016/17			2017/18		
	as @ 31st March 15			as @ 31st March 2016			as @ 31st March 2017			as @ 31st March 2018		
	Pre-16	Post-16	Total	Pre-16	Post-16	Total	Pre-16	Post-16	Total	Pre-16	Post-16	Total
TOTAL COMMISSIONED PLACES	737	124	861	740	134	874	767	148	915	749	145	894

Table 7: Number and cost of commissioned places at Independent Non-Maintained Schools

Placement type	Places 2014/15	Places 2015/16	Places 2016/17	Places 2017/18
Pre 16 INM	21	40	42	52
Post 16 INM	18	33	46	30
ISP	31	16	10	9
Total	70	89	98	91

Placement type	Spend £m 2014/15	Spend £m 2015/16	Spend £m 2016/17	Spend £m 2017/18
Pre 16 INM	£1.097m	£2.355m	£2.529m	£3.006m
Post 16 INM	£0.679m	£1.968m	£2.125m	£1.900m
ISP	£1.865m	£0.888m	£0.837m	£0.620m
Total	£3.642m	£ 5,211m	£5.491m	£5.526m

4.10 The increases in numbers and associated workload outlined in the various tables above are not unique to Bristol's Local Area Services and are reflected in the national picture of High Needs service pressures.

Rising Demand and Costs Pressures

4.11 The SEND population generally is growing in excess of the increase in birth rate, partly due to improved medical care, diagnosis and earlier identification of needs. In Bristol in 2018 1 in 14 children and young people have Special Educational Needs and or a Disability, ranging from a moderate learning difficulty to profound and multiple complex special educational needs which include sensory as well physical impairments. This has created pressure on inclusion in mainstream schools and a shortage of places in the majority of special schools in both the primary and secondary phases, despite an increase in commissioned places.

Table 9a: General Population figures

Age	2014	2015	2016	2017	2018
0-4 years	31,043	30,787	30,648	29,800	2018 data is not yet available (the ONS have not issued it yet)
5 -16 years	56,316	57,366	58,477	59,743	
17 -19 years	17,350	17,996	17,881	18,160	
20-25 years	55,741	57,981	58,838	59,332	
Total	160,450	164,130	165,844	167,035	

Table 9b: SEN Support in mainstream education settings (as per January Census data)

Age	2014	2015	2016	2017	2018
0-4 years	644	653	626	599	597
5 -16 years	7,743	6,792	6,384	6,481	6,854
17 -19 years	118	113	153	153	155
Total	9,149	7,558	7,163	7,233	7,606

Table 10: Percentage of the population identified with SEN and supported at SEN Support level in mainstream education settings

Age	2014	2015	2016	2017	2018
0-4 years	2.1%	2.1%	2%	2%	2018 data is not yet available (the ONS have not issued it yet)
5 -16 years	13.7%	11.8%	10.9%	10.8%	
17 -19 years	0.7%	0.6%	0.9%	0.8%	
Number of children and young people identified with SEN	1 in 12.3	1 in 14	1 in 14.9	1 in 14.9	

4.12 The decrease in figures in Table 10 relates to the challenges in education settings around the introduction of 'new' classifications of the four broad areas of SEND as detailed in the SEND Code of Practice 2014 and the following year when it was re-issued in 2015. This was particularly the case in terms of the identification of children of statutory school age in mainstream education settings, as is reflected in the figures above. Identification of SEND continues to be a workforce development issue across the Local Area which the

Specialist and Inclusion Services continue to address through targeted and specialist support.

- 4.13 The increase in numbers of EHCPs is of course due in large part to the extension of the age range they support from 2-19 to 0-25 introduced by the Children and Families Act 2014 and SEND Code of Practice 2015. Previously we would expect around 200 Statutory Statements of SEN per year to lapse at age 19 but the majority of these CYP are continuing in education so we are now responsible for over 300 more EHCPs than 3 years ago.

Table 11: number of statements/EHCPs ceased since 2014

Number of statements/EHCPs ceased	2014		2015		2016		2017		2018 to date	
	S	EHCP	S	EHCP	S	EHCP	S	EHCP	S	EHCP
School leavers	218	0	16	0	243	3	39	47	15	56
Transferred to another LA	6	0	6	1	21	18	8	22	0	23
Needs met without statement/plan	3	0	28	0	6	0	11	5	8	16
Other reason	5	0	1	0	0	0	0	0	1	1

- 4.14 The rising number of EHC Needs Assessments as well as EHCPs is not only impacting on costs but also on their quality and on levels of complaints and dissatisfaction. Pressure on attainment in mainstream schools as well as that on school budgets generally, is providing a challenge to inclusion as schools need to reduce the costs of staffing and additional support. Notional SEN budgets within the DSG are not ring-fenced and there is currently no agreed mechanism for monitoring this spending. The only guaranteed additional funding for pupils is the Top-Up element.

Table 12: Top up expenditure since 2014/15

Placement type	2014/15	2015/16	2016/17	2017/18
Top Up	19,276,416	22,474,908	20,832,980	22,476,931
*GFE	990,160	928,428	1,824,822	1,729,799

* *General Further Education and Specialist Colleges*

- 4.15 There is corresponding pressure for changes of placement to Resource Bases or Special Schools even where needs could potentially be met within the provision and resources generally available in mainstream settings. This can take up valuable Special School places for children with less complex needs meaning that there is then insufficient capacity to meet the needs of the most complex children. This in turn leads to high-cost independent/out of authority placements. Even where capacity in Special Schools is increased, the range of needs catered for is skewed and schools are seeking additional or exceptional needs funding for a wider range of pupils.

Why are Alternative Learning Provider (ALP) costs increasing?

- 4.16 Whilst the total number of pupils being permanently excluded in Bristol has continued to fall, the number of pupils entering LA funded ALP has risen. The majority of ALP placements is Spot Purchased and is for secondary aged pupils.

Tables' 13 a-d: Alternative Provision data

Table 13a: New ALP SPOT placements by month

	2018/19	2017/18	2016/17
April	11	13	5
May	7	5	3
June	7	11	16
July	13	5	3
August	0	0	0
September	70	27	70
October		13	7
November		10	10
December		7	6
January		18	13
February		2	9
March		2	3
Average	18	9	12

Table 13b New ALP spot placements by month

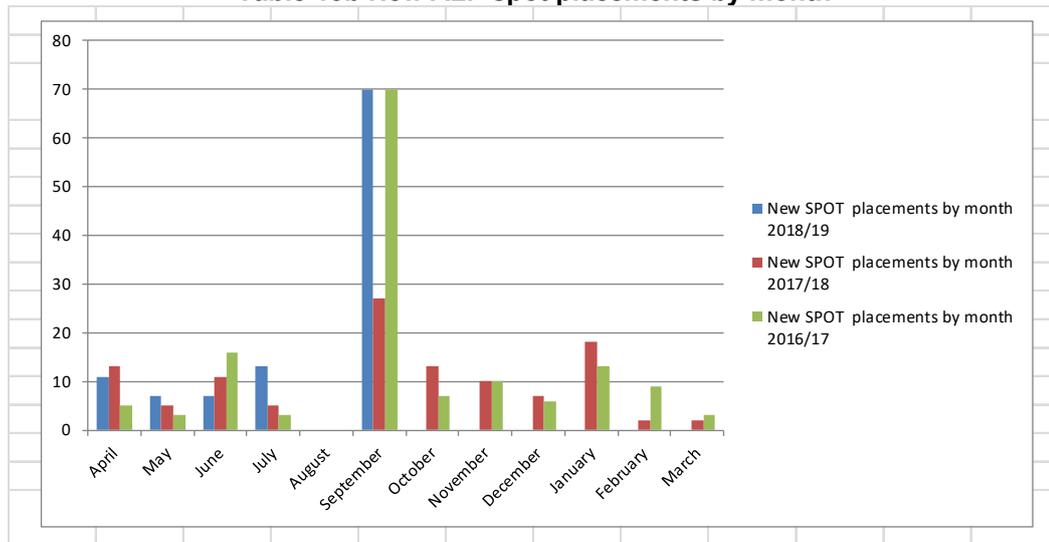
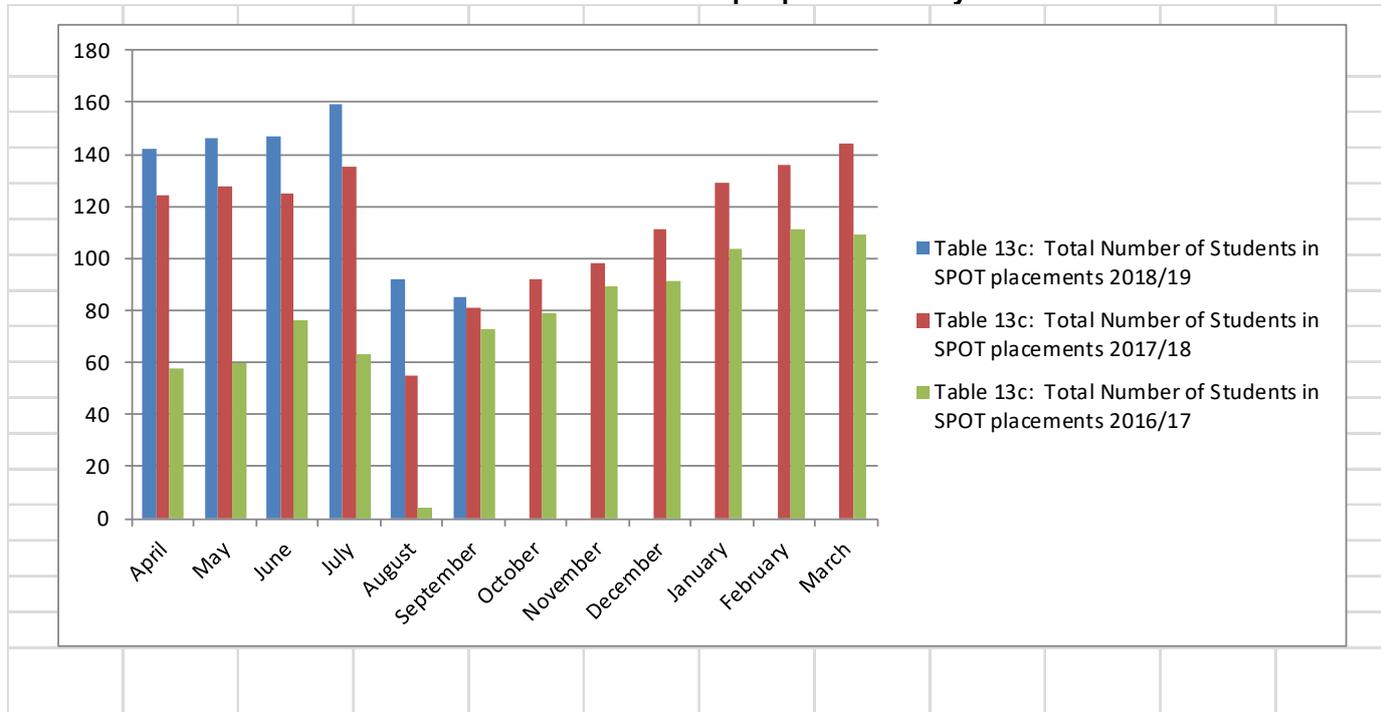


Table 13c: Total Number of Students in SPOT placements

	2018/19	2017/18	2016/17
-			
April	142	124	58
May	146	128	60
June	147	125	76
July	159	135	63
August	92	55	4
September	85	81	73
October		92	79
November		98	89
December		111	91
January		129	104
February		136	111
March		144	109
AVERAGE Pupils	129	113	76
Total net cost to HNB	801,208	£ 1,026,717	£1,004,497
Average net cost per pupil to HNB	£6,235.08	£9,072.61	£13,144.99

Table 13d: Numbers of students in spot placements by month



- 4.17 Many of these placements are jointly funded by schools to avoid permanent exclusions and there have been more placements of this type made in the last year. There has also been an increase trend in the number of very high cost placements of pupils with SEND (with EHCPs) as well as Children in Care into ALP settings or non DfE registered provision. These placements are made as there are no special school places. A number of special school placements have been unsuccessful or INM alternatives who can successfully meet needs, despite wide ranging consultations. Placements are also made in line with parental preference as well as availability.
- 4.18 Finally, the number of Primary school permanent exclusions (especially in the South of the City) has risen sharply over the past two years. Whilst there is some state funded school-like capacity available (ESFA/ DSG), there are occasions where the local authority's statutory duties to make provision for excluded pupils means that we have to commission ALP.
- 4.19 The above provides a high level summary of the increases in the number of High Needs pupils and their increased complexity of needs.

Outcomes and improvement work underway

- 4.20 The spend on children and young people with High needs has increased by 22% equating to £9.8m since 2014/15. However, the impact of this additional expenditure has not produced the desired outcomes, as reflected in the 2017 data. We are awaiting the 2018 data which has not yet been released for vulnerable groups:
- KS1 & KS2 attainment: the percentage of pupils on SEN Support meeting required standard was lower than Statistical Neighbours (SN) for Reading, Writing and Mathematics (RWM), with the difference ranging from -0.3 to -2.6 percentage points (pp). Mathematics was the lowest area of attainment.
 - KS1 to KS2 progress: progress of pupils on SEN Support was below that achieved compared to Core Cities (CC) for RWM and & SN in Writing & Mathematics, the difference ranging from -0.4 pp to -1.9 pp. Mathematics was again the lowest area of performance.
 - KS4 attainment & progress: Attainment 8 score for children and young people without SEN in Bristol (-0.1) is below that of CC (-0.08pp) & SN (-0.15pp). For SEN Support progress 8 (-0.53) is below figures for England (-0.43).
 - Type of SEND identified outliers CC and SN for Specific Learning Difficulties, Social Emotional & Mental Health, Moderate Learning Difficulty and Hearing/Visual Impairment.
 - Inclusion: EHCPs in mainstream primary is low and permanent exclusions high (22 in 16/17, 51% on SEN Support. 12 in 17/18, 80% on SEN Support.).
 - SEND Parental Survey in 2015/16 showed low confidence in systems of support for children and young people with SEND.
 - The 2018 LGA Peer Review of SEND highlighted issues with poor identification of pupils with SEND and lack of ambition for educational attainment.

4.21 The key challenges that we have focused on with school in 2017/18 have been:

- The fall in Ofsted Good/Outstanding judgements - Less children now have the opportunity to attend a good/outstanding school in Bristol
- Attainment across all measures (Early Years, Key Stage 1, Key Stage 2, Key Stage 4 and Post 16) for all groups. Whilst the trajectory in many areas of headline attainment measures is positive, the gaps are still too wide between Bristol and National averages, and between groups of children and young people.
- Outcomes for children and young people with SEND are far too low in comparison to their peers. Whilst EHCPs are increasingly reflecting a greater multi-agency approach, the ambition within these needs to reflect improved outcomes from all Local Area services.
- Children in Care in Education are well supported by the Hope Virtual School and there is support and challenge to schools to improve outcomes for Looked After Children. However attainment continues to be an area of considerable focus, particularly at Key Stage 4.

4.22 Work to improving outcomes for children and young people with SEND and those with the highest needs have included the following during the past academic year:

4.23 The School improvement offer has been as follows:

- Maintained schools had one LA commissioned visit in the autumn term (September to December) to review the school's outcomes including those of vulnerable groups and discuss school improvement planning for the academic year.
- Maintained schools also had the option to purchase additional visits on a bespoke basis, including support for head teacher performance management.
- Academies had the option to purchase the above. All of the academies that did so are standalone academies.

4.24 The Inclusion in Education Group (previously known as the Inclusion Reference Group) drives and oversees the changes required to fully implement the SEND reforms (outlined by the Children and Families Act 2014 and the 0-25 SEND Code of Practice 2015) and has been working with officers on a series of relevant work streams (i.e. High Needs Budget support services, Top-Up funding for mainstream as well as specialist education settings, Post 16 provision for young people with SEND, and Alternative Learning models) with the key objective to ensure the High Needs Budget is sufficient to meet the needs and costs of associated with Children with SEND and that in the long term the ongoing demand is sustainable within the envelope of funding provided from the Department for Education via the National Funding Formula. The work of the IEG also involved establishing working groups that focused on the Early Intervention Base (EIB) pilot, the

development of the Bristol SEN Support Plan, driving the Local Area EHCP Improvement Plan and starting to look at new models for Top Up.

- 4.25 Special Schools also received additional workforce development around the quality of EHCP Annual Reviews as well as EHCP improvement.
- 4.26 Specialist Services and Inclusion Services have also continued to work directly with Early Years, School Age and Post 16/ GFE mainstream as well as specialist education settings to drive inclusion as well as approaches to differentiating quality first teaching through targeted support for children and young people with moderate learning difficulties, developmental delay and specific learning difficulties such as Dyslexia or Dyspraxia. These services have also offered specialist support to individual children and young people with sensory impairments, autism, and mental health needs that present with high levels of challenging behaviour in addition to high levels of school related anxiety, school refusal and high risk of permanent exclusion.
- 4.27 There are four main boards that oversee the Educational Outcomes of vulnerable children and young people in Bristol. These are the: Children and Families Partnership Board; Health and Wellbeing Board; Learning City Partnership Board; and Bristol Children Safeguarding Board. Regular reports are made to the boards around the outcomes of vulnerable children and young people and there is representation of senior education leaders on all the boards and subgroups.



- 4.28 The local authority also works with partners through the **Excellence in Schools Group (EISG)**. The group contributes to the achievement of the Learning City vision and its ambition to improve educational outcomes for all. Excellence in Schools Group members use their involvement in other forums (e.g. secondary and primary Heads Associations, MATs, teaching schools, Diocese etc.) to ensure greater coordination and coherence of the school-led system across the city. The responsibility for school improvement is a collective one and the EISG acts in accordance with the Regional Schools Commissioner's vision of a 'Local School Standards Board'. This means that school performance and progress is regularly reviewed by the group. With the support of an independent Chair, members will hold partners to account, evaluate the impact of improvement work and make recommendations and broker support where appropriate.

- 4.29 The **Monitoring, Support, Challenge and Intervention Policy** (updated for 2018) sets out the process for challenging those schools that are deemed to be causing concern. A risk assessment is carried out by LA officers to reach decisions about the support level for each school/academy based on the most recent performance data; information from the regional school's commissioner; latest Ofsted inspection reports; a one page summary SEF submitted by each school; and a self-assessment of each school's strengths using the School Self Review. In September, all maintained and academy schools are required to assess themselves against the support level criteria and establish where they believe they match the criteria. This is sent to the Head of School Partnerships and this self-assessment will also inform discussions LA officers and Excellence in Schools Group members about which level of support the school will receive.
- 4.30 Other activities to improve school performance for vulnerable children include:
- A new **School Improvement model** for 2018-20 incorporates a universal offer of an allocated Bristol Education Partner (formerly School Improvement Advisers or current Heads/NLEs) to support every primary, secondary, special school regardless of its maintained or academy status.
 - A '**Blackbox data**' agreement with schools means that schools can plan strategically based on group level data from July onwards. Transparency of data is enabling schools and the ESIG to identify where there is successful practice and potentially form school to school improvement partnerships.
 - A **Strategic School Improvement Fund** bid to improve educational outcomes in 30 of Bristol's most vulnerable schools (19 primaries and 11 secondaries) focused on 'Leadership for Learning'.
 - A **SEND Transformation Board, SEND strategy** and investment in SEND Services/ operational teams.

Outcomes and Funding

- 4.31 Insufficient funding from central government coupled with an increase in demographic pressures has meant that the past eight years have been a period of significant challenge for Education and Council budgets.
- 4.32 The scale of the ongoing challenge in both service provision, outcomes achieved and financial resources means that the way we deliver our services will need to change. The evidence above indicates the equation of quality care with higher costs is a fallacy. The impact of poor quality can be measured through the outcomes but it is also seen in spiralling costs, overspends, wasted resources and poor investments which needs to be addressed.
- 4.33 Similarly an undue focus on solely cost cutting will not deliver the changes required to improving educational outcomes for children and young people with SEND, as well as those with high needs. A collaborative approach is

required to ensure that resources are used most effectively to deliver the highest quality outcomes.

- 4.34 For the future, the High Needs Transformation plan being developed will seek to place quality at its heart and improved outcomes for the children and young people of Bristol and provide a stable platform to be able to meet the challenges ahead with ambition and confidence.

5. 2018/19 High Needs Budget position

- 5.1 In previous years, the High Needs budget has been based on the available funding, whether from the High Needs Block of the DSG, or supplemented by transfers from elsewhere in the DSG. That available resource was allocated to the various cost-centres as appropriate, often with the expectation that certain components of the budget would overspend.
- 5.2 For 2018/19, the budget was set with more visibility of the expected commitments and the level of reductions that would be necessary to balance the budget. The original budget represented the forecast spend in 2018/19 when a full assessment was done in September 2017, offset by a schedule of savings amounting to £5.1m for 2018/19. The timescales for delivery of savings on each of the components were estimated, with some measures possibly taking much longer or not being fully deliverable. This was explained in reports to Schools Forum on the High Needs budget.
- 5.3 **Table 14** provides the 2018/19 Period 4 forecasted outturn and variance against the original expenditure budget of £50.951m.

Table 14: High Needs Budget forecast 2018/19, based on originally set budget

Component	Budget 2018/19 £'000	Period 4 Forecast 2018/19 £'000	Variance £'000	Comment on variance
1. Places only	14,609	15,552	943	<ul style="list-style-type: none"> Natural changes to place numbers in individual institutions have taken place, but the reductions (mainly in FE) have been offset by increases (mainly in other specialist provision and particularly for Pre 16).
2. SEN Top-ups	22,664	24,063	1,399	<ul style="list-style-type: none"> This related to mainstream School Age Top, Special School Top Up and GFE Top Up and is based on existing commitments and fluctuations in-year (up and down). No changes have been made to special school or mainstream top-up rates, but the cost and number of new cases / changed circumstances of children and young people have increased.
3. AP Top-ups	737	985	248	<ul style="list-style-type: none"> This reflects current activity levels, including the impact of reimbursing schools for a higher charge for 12 week placements from April 2018.
4. Other SEN provision	5,904	5,962	58	<ul style="list-style-type: none"> Increase in demand for commissioning of pre-16 education Independent Non Maintained placements, both solely funded by Education as well as jointly commissioned with Social Care and Health.
5. Other AP provision	4,040	4,978	938	<ul style="list-style-type: none"> Demand and cost pressures plus impact of restoring Hospital Education £200k and Early Intervention Bases savings £450k.
6. Services	2,997	3,070	73	<ul style="list-style-type: none"> Current levels of spend on support services.
Total Commitment	50,951	54,609	3,658	<ul style="list-style-type: none"> The forecast overspend is lower than the overall savings target of £5.1m because there were some natural reductions arising from fluctuations in demand and cost or reductions attributable to changes that began during 2017/18, rather than as a consequence of the original budget decision for 2018/19.
Brought Forward	-6,300	-1,873	4,427	<ul style="list-style-type: none"> At year-end, underspends in other blocks was used to reduce the historic deficit attributable to High Needs.
Unallocated funding	2,631	2,772	141	<ul style="list-style-type: none"> The original budget planned to use some of the available resource for High Needs to reduce the historic deficit.
HNB allocated 2018/19	50,951	50,951	0	<ul style="list-style-type: none"> This is the budget allocated as part of the original budget decision in February 2018.
Total Funding	47,282	51,850	4,568	<ul style="list-style-type: none"> The overall funding available has increased mostly because of the transfer of resources to address the historic overspend at year-end.
Overspend (cumulative)	3,669	2,759	-910	<ul style="list-style-type: none"> On the basis of the current forecast spend and available resources, High Needs would end the year with a £2.8m cumulative deficit.

5.4 This indicates a total spend of £54.609m based on actual activity and expected end of year overspend of £3.658m.

5.5 The available High Needs resources for 2018/19 have increased by £4.568m since the originally set budget. £4.427m was due to underspends in the DSG at year-end. £0.141m was due to a technical adjustment to the High Needs DSG by the DfE.

5.6 Overall, the current forecast, taking account of the forecast activity and the overall available resource currently attributed to the High Needs Block, would produce a forecast overspend of £2.759m at year-end.

6. Judicial Review implications of setting a new High Needs budget for 2018/19.

- 6.1 The outcome of the judicial review, made in August 2018, is that the original High Needs budget of £50.951m and the decision to have a schedule of £5.1m savings for 2018/19 is quashed. Whilst much of the judgement focused on the need for public consultation and impact assessments covering a range of areas, we recognise that both the Services and financial position has moved on from the circumstances Council faced in February 2018. We would seek to minimise the impact created by greater uncertainty regarding future service provision and confusion that two consecutive consultations for 2018/19 and 2019/20 could create. The previous deficit recovery proposals which largely remained in development will not be incorporated in the revised 2018/19 budget for consideration by Cabinet / Council in the forthcoming meeting.
- 6.2 In determining the correct amount of the High Needs Budget for 2018/19, it is proposed to revert to past practice. **Table 15** sets out the calculations which is broken down into the following two processes.
- 6.3 The first is the **Budget Reversal**. The original budget was based on the 2017/18 DSG of £50.649m, less forecast of the following:
- A transfer of responsibilities to Schools Block (for mainstream SEN) of -£1.0m
 - Plus - indicative spending commitments calculated of £6.402m
 - Less – deficit recovery schedule of £5.1m
 - This gave the actual budget agreed of £50.951m
 - The quashing means that we revert to the 2018/19 DSG of £50.882m (as it was known in February 2018) and start the exercise again.
- 6.4 Many of the propositions outlined in the previous deficit recovery plan have not been progressed, however there are three savings measures which have been implemented, which the Council proposes to unwind as a consequence of the court decision. These relate to increased charges to primary schools for 12 week Alternative Provision placements, the changes made to the Early Intervention Base arrangements when the two year pilot ended in the summer of 2018 and the budget reduction to the Hospital Education service. The impact is forecasted to be up to £0.8m and this is reflected in the Period 4 forecast as outlined in table 14.
- 6.5 The second is the **Revised Budget**. **In ensuring that the budget for 2018/19 is prepared without the disruption of other aspects of the Schools or Council budget** in utilising the same principles as in previous years the proposed 2018/19 High Needs budget is built up as follows:
- We do not attempt to calculate or add commitments – we now have 2018/19 forecasted outturn
 - We do not deduct any indicative savings targets
 - £50.882m DSG, £2.000m from Schools Block and £0.700m from General Fund

- Total In-year available funding: is **£53.582m**
- 6.6 In addition subsequent changes have occurred at the year-end on Early Help (+£0.182m) and increased DSG allocation from DfE of £0.141m increases the overall figure to **£53.905m (recommendation to Full Council)**.
- 6.7 The historic deficit, which, at that point of setting the budget, was forecast to be £6.270m would have rolled-forward, however the overall position improved at year end due to:
- The year-end outturn was better than expected and £4.397m of underspend from across the DSG in 2017/18 was used to reduce the historic deficit in the High Needs budget; and
 - At year-end, it was confirmed that the final element of £0.182m funding for Early Help staffing could be used in the High Needs block.
- 6.8 The original £53.582m, therefore, would increase by £0.182m and £0.141m to produce an updated budget of **£53.905m** and a **deficit of £2.055m** for the High Needs budget.

Table 15a: The Budget Reversal - Original basis 2018/19 Budget agreed in February 2018

Details of the calculation of the original High Needs DSG budget 2018/19	High Needs DSG 2017/18	Less transfer of responsibilities to Schools Block	Add expected cost of spending commitments	Savings	Original Feb 18 decision £'000
High needs budget allocation 2018/19	50,649	-1,000	6,402	-5,100	50,951

Table 15b: The Revised Budget - Proposed revised basis for High Needs Budget 2018/19 for November 2018 Council

See Appendix A.3 for revised Table 15b which explains the £54.471m recommendation.

Impact of quashing the original decision and setting the High Needs Budget on the basis of the available funding.	High Needs DSG 2017/18	Adjustment to set new budget at available funding	Proposed post-JR reversion £'000	Impact of year-end 2017-18 £'000	Subsequent DfE change to DSG May 2018 £'000	Updated post-JR position £'000	Forecast spend 2018/19 (based on P4) £'000
DSG allocation	50,649	233	50,882				
Transfer from General Fund & Schools Block		2,700	2,700				
High needs budget allocation 2018/19	50,649	2,933	53,582	182	141	53,905	54,609
Funded from							

b/f	-6,270	4,397		-1,873	-1,873
DSG	50,882		141	51,023	51,023
Transfer from Schools Block	2,000			2,000	2,000
Transfer from General Fund	700			700	700
Total funding	47,312	4,397	141	51,850	51,850
Cumulative position (overspend = +)	6,270	-4,215	0	2,055	2,759

6.9 It is currently forecasted that this position will be overspent at the end of the financial year 2018/19 by £2.759m. This needs to be viewed in the context of the overarching DSG forecasted outturn at Period 4 of £1.3m overspend, attributed to the High Needs pressure, offset by an unallocated £0.6m in Central School Services Block, a potential underspend in Early Years Block of £0.8m and a £0.1m underspend on de-delegated services.

6.10 Should this position be realised, in managing the potential future overspend on the High Needs budget Schools Forum are asked to agree, either now or at year-end to transfer the unallocated £0.6m in the School Central Services Block and 'in principle' to the transfer of any unspent monies in 2018/19 in the Early Years Block to the High Needs Block.

6.11 The Council is currently forecasting an overspend and therefore in line with DSG Guidance which applies to the grant as a whole, not to the individual blocks. The Council, would have the options of deciding how to manage that overspend at year-end, as per the terms and conditions of the Dedicated Schools Grant, and subject to the financial position at the end of the year, will be asked to decide whether to:

1. *Fund all the overspend from its general resources in the year in question*
2. *Fund part of the overspend from its general resources in the year in question, and carry forward part to the schools budget in the next year or the year after that*
3. *Not to fund any of the overspend from its general resources in the year in question, and to carry forward all the overspend to the schools budget in the next year or the year after that.*

6.12 **Appendix 2** provides details about each of the components of the previous £5.1m savings schedule and explains how officers have ensured that no policy changes that are directly consequent to the original decision of February 2018 Council stand. As outlined in 6.4 above there are three particular changes which need to be unwound due to the need for public consultation prior to any implementation of 2018/19 changes.

Further Resource implications

- 6.13 The recent loss of a judicial review regarding the High Needs Block budget for 2018/19 has brought in to focus the need for additional work to be undertaken, both to reinstate the budget but also to support future consultation and decision-making activity around items identified in the budget and service planning arrangements for the High Needs Block.
- 6.14 The additional profile and scrutiny now attached to HNB/SEND means a higher number of requests for services such as alternative formats are more likely than might originally have been planned for and this will need to be captured in the costing.
- 6.15 It is likely that the requirements for resourcing will be over-and-above the 'core offer' of the services concerned.
- 6.16 The court judgement found in favour of the claimants and the Authority will have to meet their legal costs actual figure still to be confirmed.
- 6.17 It has been indicated by the Section 151 Officer that funding for the from the above will be met from the Council's general fund reserve and to this effect details will be developed and incorporated within the report presented to Cabinet.

7. Conclusions

- 7.1 The approach outlined explains how the Judicial Review Order has made a new decision by Council necessary on the High Needs Block for 2018/19.
- 7.2 The Council has reviewed all aspects of the savings schedule of £5.1m originally planned for 2018/19 and have ensured that no policy changes arising directly from the decision of Council in February 2018 will be implemented in 2018/19 financial year. This has involved taking steps to unwind three components where some changes had been made.
- 7.3 The original budget decision of £50.951m is proposed to be replaced by a figure of £53.905m, an increase of nearly £3m. This proposed budget represents the available funding for the High Needs budget for 2018/19, and recognises that a deficit is likely to materialize which can be considered at year-end.
- 1.1 Increased demands on the High Needs Budget in terms of the numbers and level of support required to meet the needs of Bristol's children and young people with SEND as well as those with high needs is detailed in Tables 3-13, and demonstrates the pressures on those services as well as the financial resources necessary to support them.
- 7.4 Current forecast spending levels on the High Needs Budget are £54.6m at Period 4 for 2018/19. This forecast may vary for the remainder of the year as a natural consequence of individual children's circumstances (e.g. pupils

changing schools, annual reviews identifying different levels of need). The spending within the High Needs Budget for 2018/19, however, will be based on the policies that prevailed prior to the February 2018 Council decision (i.e. no policy changes or consequent savings are proposed as part of the recalculation of the High Needs Budget).

- 7.5 There are other resource implications arising from the court ruling. This includes the need to pay the claimants' legal costs and having sufficient capacity to manage the necessary service improvement work that will assist in working out how best to produce a sustainable plan for the High Needs Block in the longer term.

City Outcome:

- **Empowering and Caring:** Safeguarding and promoting the welfare of children and young people with SEND and equipping the children and young people in our care with the skills and tools to live fulfilling, successful, and rewarding lives.
- **Fair and Inclusive:** Demonstrating due regard to the need to eliminate discrimination, advance equality of opportunity and continue to improve outcomes across education, health and social care for children and young people with Special Educational Needs and/ or Disabilities aged 0-25 years. To ensure everyone has access to a high quality education with appropriate levels of support and resources. Reducing in the gap between disadvantaged pupils (including pupils with special educational needs, disability and children in care) and the Bristol Average at Key Stage 4. An increase in the proportion of young people who have experience of work/apprenticeship by school age 16.
- **Well connected:** Supporting social inclusion and community cohesion for children and young people with SEND, and their families.
- **Wellbeing:** Children and young people with SEND aged 0-25 years and their families will have access to appropriate support for their needs from birth and will be better able to co-ordinate support around the child, achieve better outcomes and make firm plans for their future. Encourage life-long learning in environments where both academic and emotional development are understood and delivered together and increase overall educational performance.

Health Outcome summary: not applicable

Sustainability Outcome summary: not applicable

Equalities Outcome summary: These proposals aim to minimise any impacts on groups by reverting to the policy position which prevailed prior to this financial year.

Impact / Involvement of partners: *What is the impact on key partners? What engagement have they had?*

Consultation carried out: *This report is part of the engagement with schools and other partners prior to this matter being considered by Cabinet and Council.*

Legal Issues: The Council's decision to set the high needs budget 'HNB' was successfully challenged by way of a judicial review claim. The outcome of the case is that the HNB budget decision for 2018/2019 will be quashed once the Order has been sealed by the Court. The basis of the decision and the full order are set out in Appendix 1 It is therefore necessary for Council to make a new budget decision for 2018/2019 and it is proposed that this will be taken at the Full Council meeting in November.

Financial Issues: The original decision on the High Needs budget, made at Council in February 2018 has been quashed by way of a judicial review order. This report sets out the current position in 2018/19 on the High Needs budget and how a revised budget to replace the original one has been calculated.

This report is proposing to reset the financial arrangements for the High Needs Block to the policy position which prevailed prior to the February 2018 Council decision. The High Needs Block includes services which are sensitive to changes in the circumstances of individual children and young people. Demand and cost

fluctuations can and do occur, so the current budget forecast position may change during the rest of this financial year.

The report explains that the Authority will have to meet the claimants' legal costs, as a consequence of the court order. , There will be on-going impacts on resources to develop service improvements that fit within the budget and service planning for the High Needs Block, including any public consultation that may be required. The financial implications of both of the above are yet to be quantified and it is anticipated that they will be met from Council's general fund reserves.

David Tully, Finance Business Partner, ACE Directorate

Appendix 1

Key points from the court order, arising from the SEND Judicial Review

- The Claimants challenged the Councils decision to set the HNB budget in February 2018 on the basis that the council had failed to consult before taking the decision and failed to take into account the impact of the decisions on groups with protected characteristics pursuant to the Equality Act 2010 . Following a Hearing at the High Court in Bristol on 24 July 2018 the Judge found in favour of the Claimants. The Judge ruled that the Council's decision of 20 February 2018, insofar as it relates to the High Needs Block budget, **was unlawful by reason of a failure to consult** (as required by *Section 149 of the Equality Act 2010, Section 27(3) of the Children and Families Act 2014* and the Common Law), was taken in breach of **Section 11 of the Children Act 2004** and finally was **unreasonable**.
- The Judge decided that the decision to set a budget carried before it a duty to consult by reason of the duty of inquiry under the public sector equality duty, section 27 of the 2014 Act and also the common law duty to consult. Due regard under the PSED (and if necessary consultation), consultation under section 27 of the 2014 Act and regard under section 11 of the 2004 Act must be essential preliminaries to any significant, sufficiently focussed, and in financial terms apparently rigid, decision to impose a reduction in spending, even if taken as part of the setting of "a budget". This decision was to cut funding to a specified area within the education budget..The Judge decided that this decision was indeed a significant, sufficiently focussed and in financial terms apparently rigid decision to engage the above duties.
- On that basis the High Needs Budget decision made by Full Council on 20 February 2018 will be overturned ('quashed')
- The Judgement requires the Defendant to **reconsider its funding allocation** in this area in the light of the resources available at the material time, **without disturbing other aspects of the budget or in particular the Council Tax calculation** and without the Court telling the Defendant **how its resources should be expended**.
- The Order when made will state that :
 - Permission to apply for judicial review is granted.
 - The claim for judicial review is allowed.
 - The decision of the Defendant on 20 February 2018 to set the High Needs Block budget is quashed however the Council is allowed to continue to spend on services funded from the HNB pending a further budget being set by Full Council in November 2018.
 - The Council will pay the Claimants' legal costs.

Appendix 2

Consideration of whether any policy changes arose directly from the Council budget decision of February 2018,

Component	Budget 2018/2019 £'000	Savings targets 2018/19 £'000	Was there a policy change arising directly from the Council budget decision of February 2018?	What action, if any, needs to be taken to comply with the court order?
1. Places only	14,609	761	NO. Business-as-usual decisions were taken in September 2017 about place numbers that have had consequent impacts on 2018/19. Such decisions are about ensuring that each institution has the right number of places allocated to them. The Local Authority will continue to consult with providers in line with ESFA guidance issued each year.	None. Natural and earlier changes will stand.
2.1 SEN Top Up GFE	22,664	466	NO. Business-as-usual decisions were made with Post 16 providers in September 2017 about the right top-up amounts for individual students that have had a consequent impact on 2018/19.	None. Earlier changes stand.
2.2 SEN Top Up Mainstream School Age		1,151	NO. The policy change which was planned to be undertaken following consultation has not been made. No changes or assumed savings on mainstream have been included in the forecast. . Top-up arrangements for 2018/19 are on the same basis as those used in the November 2017 top-up panel.	None. No consultation had begun on any changes.
2.3 SEN Top Up Special Schools & Resource Bases		1,166	NO. The policy change which was planned to be undertaken following consultation has not been made. No changes or assumed savings on special schools have been included in the forecast.	None. No consultation had begun on any changes.
3. Alternative Provision Top Up	737	150	Yes. Education settings had previously been contributing £2,500 for every 12 week Alternative Provision placement. From 1 st April 2018, this increased by £600 to £3,100. Despite the fact that the principle of paying had been established,	Reimburse schools / PRUs for the impact of reverting to the previous charges.

Component	Budget 2018/2019 £'000	Savings targets 2018/19 £'000	Was there a policy change arising directly from the Council budget decision of February 2018?	What action, if any, needs to be taken to comply with the court order?
			a full EIA and stakeholder consultation should have been completed prior to implementation.	
4. Other SEN Provision (INM/ISP)	5,904	0	NO. There have been changes to the procurement arrangements for out—of-authority placements in recent months. Nonetheless, changing the basis of procurement for out-of-borough placements is not a matter that would require public consultation as there is no proposal to change the funding. The Local Authority will continue to follow procurement legislation and internal quality assurance processes to ensure CYP with the most complex needs are placed in the right education settings that provide value for money and specialist provision specified in EHCPs.	None. No savings were proposed.
5.1 Other Alternative Provision. Share funding for Early Intervention Bases (EIBs) with schools	4,040	450	YES. Early Intervention Bases saving (£0.450m) has been reflected in the allocations for the 4 relevant institutions. An officer decision has been made about the outcomes of the 2-year pilot for the EIB project that ended in the summer of 2018	Reinstate previous funding levels until a review of the pilot and any associated consultation and equalities impact assessments are completed.
5.2 Other AP. Target saving for Hospital Education Service (HES).		200	YES. Saving on Hospital Education (£0.200m) has been reflected in their allocation, but they are treated as a maintained school for reporting purposes (i.e. variance shows as a school balance, rather than as a central balance). The HES has not yet determined how this saving would be implemented.	Reimburse the Hospital Education Service for the withheld funding.
5.3 Other AP. Restrict		350	NO. Limiting spending on external AP (saving of	None. No policy changes took place.

Component	Budget 2018/2019 £'000	Savings targets 2018/19 £'000	Was there a policy change arising directly from the Council budget decision of February 2018?	What action, if any, needs to be taken to comply with the court order?
external AP provision to budget			£0.350m) has been reflected in the budget, but the forecast is based on the level of income from schools that the AP manager and previous HoS believed was achievable. There do not appear to be any policy changes that have arisen to deliver this reduction. Reduced spend is more aspirational, based on having lower activity levels.	
6. Services	2,997	408	NO. For the £0.200m proposal that the Virtual School be partly funded by the Pupil Premium for LAC, this is merely a decision about how existing levels of activity should be funded NO. For the savings of £0.208m in commissioned services (sensory and autism support services) as no change will take place in 2018/19 and the saving will not be delivered.	None. The use of the Pupil Premium grant stands. There is already a consultation with neighbouring authorities on the future arrangements for Sensory Support Services, but no Service changes are expected before January 2020.
TOTALS	50,951	5,102		

Bristol Schools' Forum

Feedback from Schools Forum (25th September 2018) to Cabinet (2nd October 2018) regarding the report on the High Needs Budget 2018/19

8. High Needs Budget 2018/19

Schools Forum considered the same paper on the High Needs Budget 2018/19 that Cabinet is to consider on 2nd October 2018. Schools Forum were invited to provide feedback on the report prior to Cabinet considering it.

Proposed recommendations in the paper

1. Schools Forum to provide any advice or comments to Cabinet and Council on the proposed approach to re-determining the High Needs Budget to £53.905m for 2018/19.
2. Note that the budget for 2018/19 is prepared on the basis of not disturbing other aspects of the budget and no increase to general council tax in 2018/19.
3. Schools Forum to advise the Authority on whether it would agree now or defer until year-end:
 - i. to transfer the unallocated central services funding in 2018/19 of £0.566m to the High Needs Block; and/or
 - ii. in principle, to transfer any unspent Early Years funding at year-end to the High Needs Block.

Summary of advice and decisions

Schools Forum understands the approach taken by the Council for re-determining the High Needs Budget. Schools Forum decided that £0.566m of unallocated funding in the central school services block could be transferred in 2018/19 to the high needs block.

Schools Forum deferred any decision about transferring unspent Early Years funding until later in the year. Early Years colleagues at the meeting urged any underspends in Early Years to be spent on early years settings where acute difficulties were being experienced in managing within the resources currently available. They also felt that the Equalities Impact Assessment should be updated to identify the consequences for Early Years if monies are to be moved.

It was noted that there was still a current year deficit projected on the High Needs budget and there were concerns that this would come back to schools to address. Indeed, no firm plan had been put forward to get the High Needs budget back into balance.

Schools Forum agreed on the following points to convey to Cabinet:

- a) the agreed transfer of £0.566m unallocated funding from the central school services block for 2018/19 would increase the proposed High Needs budget of £53.905m to £54.471m;
- b) a strategy that included continuing transfers from other blocks to the High Needs Block would not be sustainable in the long term;
- c) in view of the pressures on all areas of the education service, the Council

should consider all possible sources of funds, and not just the Dedicated Schools Grant (DSG);
d) in view of the pressures, the Council should set out a timetable to balance the DSG, which may need to extend beyond the timetable envisaged by the original recovery plan.

As agreed by
Carew Reynell
Chair of Bristol Schools Forum
27th September 2018

Updated Table 15b from the original Schools Forum paper (in Appendix A.1) to explain how the amendment to include another £0.566m from School Central Services Block DSG affects the overall calculation to produce the revised budget of £54.471m

Table 15b: The Revised Budget - Proposed revised basis for High Needs Budget 2018/19 for November 2018 Council

Impact of quashing the original decision and setting the High Needs Budget on the basis of the available funding.	High Needs DSG 2017/18	Adjustment to set new budget at available funding	Proposed post-JR reversion £'000	Impact of year-end 2017-18 £'000	Subsequent DfE change to DSG May 2018 £'000	Updated post-JR position £'000	Forecast spend 2018/19 (based on P4) £'000
DSG allocation	50,649	233	50,882				
Transfer from General Fund & Schools Block		2,700	2,700				
Transfer from School Central Services Block (agreed at Schools Forum 25 th Sept 2018)		566	566				
High needs budget allocation 2018/19	50,649	3,499	54,148	182	141	54,471	54,609
Funded from							
b/f			-6,270	4,397		-1,873	-1,873
DSG			50,882		141	51,023	51,023
Transfer from Schools Block			2,000			2,000	2,000
Transfer from General Fund			700			700	700
Transfer from School Central Services Block			566			566	566
Total funding			47,878	4,397	141	52,416	51,850
Cumulative position (overspend = +)			6,270	-4,215	0	2,055	2,193



Full Council

13 November 2018

Report of: Mike Jackson, Head of Paid Service

Title: Equality and Inclusion Policy and Strategy

Ward: Citywide

Member Presenting Report: Cllr Asher Craig, Cabinet member for communities, events and equalities

Recommendation

For Full Council to adopt the revised Equality and Inclusion Policy and Strategy.

Summary

A revised Equality and Inclusion Policy (alongside an accompanying five year strategy to implement this activity) to direct the council's equalities work, ensuring we meet our statutory obligations as set out under the Public Sector Equality Duty, as well as considering broader aspirations to address inequalities.



Policy

The report sets out a revised Equality and Inclusion Policy alongside a strategy to meet our key objectives over the next 5 years. It demonstrates the links with the recently approved Bristol Equality Charter, which is being launched on 12 November 2018. The equality objectives identified to form the core of the strategy are:

1. Our handling of equality and inclusion will reach the high standards we expect of ourselves and others will look to us as a source of good practice.
2. To build an inclusive organisation where the workforce reflects the city we serve and the needs of all citizens, and where colleagues feel confident about being themselves at work.
3. To provide inclusive services which actively address inequality and exclusion and enable all of Bristol's citizens to realise their potential and live safely.
4. To achieve a measurable increase in the extent to which communities facing inequality can share in and contribute to the city's success.
5. Progressive building of good relationships between different communities in Bristol so everyone is able to participate and contribute.

This strategy dovetails with the vision and activities of the draft organisational improvement plan. This describes the corporate activities we will undertake to help us adapt to the future needs of the organisation and deliver our objectives and high quality services for the citizens of Bristol. The plan has a workstream dedicated to diversity and inclusion and outlines the detailed actions we will take to support the workforce in delivering this equality and inclusion strategy.

Context

The Equalities Review published in June 2018 included a recommendation for the council to urgently develop a new equalities policy and strategy.

In our business plans for 2018/19 we committed to 'Conduct a review of our approach to equalities, including our strategy, governance and policy to strengthen practice across all service areas.'

The Corporate Strategy describes the aspirations for the future organisation, one where we innovate and improve, ensuring the council is one that people are proud of and which delivers its priorities to high standards.

Consultation

a) Internal

This policy and strategy has been reviewed by the Overview and Scrutiny Management Board, Mayor of Bristol, Marvin Rees, Deputy Mayor, Cllr Asher Craig, Resources and Communities Executive Directors' Meetings, and Corporate Leadership Board. As well there has been engagement with relevant colleagues, trade union representatives and Staff Led Groups (SLGs). The SLGs have highlighted concerns regarding for example, unconscious bias, which they'd like to see addressed in the strategy.

b) External

We have also engaged with VCS organisations (eg Voice and Influence Partnership) and Race and Women's Commissions, and these groups support the approach and have provided suggestions such

as how to use these partnerships and the Bristol Equality Network (being established following the launch of the Equality Charter) to address inequalities and helping identify 'pathways' for career progression through forging links with other relevant training and opportunities available in the city.

Proposal

Full Council is being asked to adopt the Equality and Inclusion Policy and Strategy 2018 – 2023 as the key document driving forward the council's approach to equalities.

The council has, within its constitution, chosen to make the approval of this policy a matter for Full Council. (Article 4.01 b(ii) of the council's constitution).

Other Options Considered

1. Not Applicable.

Risk Assessment

If the council fails to approve an equality and inclusion policy it risks not meeting its statutory obligations under the Public Sector Equality Duty.

A risk assessment is available in appendix B

Public Sector Equality Duties

- 8a) Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following "protected characteristics": age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:
- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
 - ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
 - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
 - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

- iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
 - tackle prejudice; and
 - promote understanding.

8b) An equalities impact assessment has been undertaken and actions to address the identified issues relating to each protected characteristic have been identified above.

The Equality and Inclusion Policy and Strategy set the standards and mechanism to ensure the council fulfils its obligations under the Public Sector Equality Duty.

An Equalities Impact Assessment has been carried out as is available at Appendix C.

Legal and Resource Implications

Legal

The Public Sector Equality duty requires local authorities to consider the need to promote equality for persons with “protected characteristics” and to have due regard to the need to (i) eliminate discrimination, harassment, and victimisation; (ii) advance equality of opportunity; and (iii) foster good relations between persons who share a relevant protected characteristic and those who do not share it. This includes removing or minimising disadvantages, taking steps to meet different needs, encouraging participation in public life or in any other activity in which participation by such persons is disproportionately low, tackling prejudice, and promoting understanding.

The Equality and Inclusion Policy and Strategy will assist Bristol City Council in complying with this duty.

Legal advice provided by Legal Team Leader: Sarah Sharland - Team Leader, Litigation, Regulatory and Community Team

Financial

Revenue & Capital

The resourcing requirements require an additional £142K to existing budget which will need to be identified through the budget setting process. There will also be additional costs for events and publications which will need to be managed within existing budget. The workforce related activities are being reviewed as part of Learning and Development budget considerations. Some consequences for service design and delivery may result from embedding the strategy which will need to be taken into account by individual service areas within their budgetary processes.

Financial advice provided by Kevin Lock, Finance Manager, Resources

Land

Not Applicable

Personnel

The strategy proposes a far-reaching, fundamental shift in approach. Successful and timely delivery will require long-term commitment at all levels of the organisation as well as additional resources.

Human resources advice provided by *James Brereton, People & Culture Manager*

Ecological impact assessment

There are no significant environmental impacts related to this cabinet report and as such an Eco Impact Assessment is not needed.

Environmental advice provided by *Nicola Hares, Environmental Project Manager*

Appendices:

APPENDIX A – Equality and Inclusion Policy and Strategy

APPENDIX B – Risk Assessment

APPENDIX C – Equalities Impact Assessment

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

None



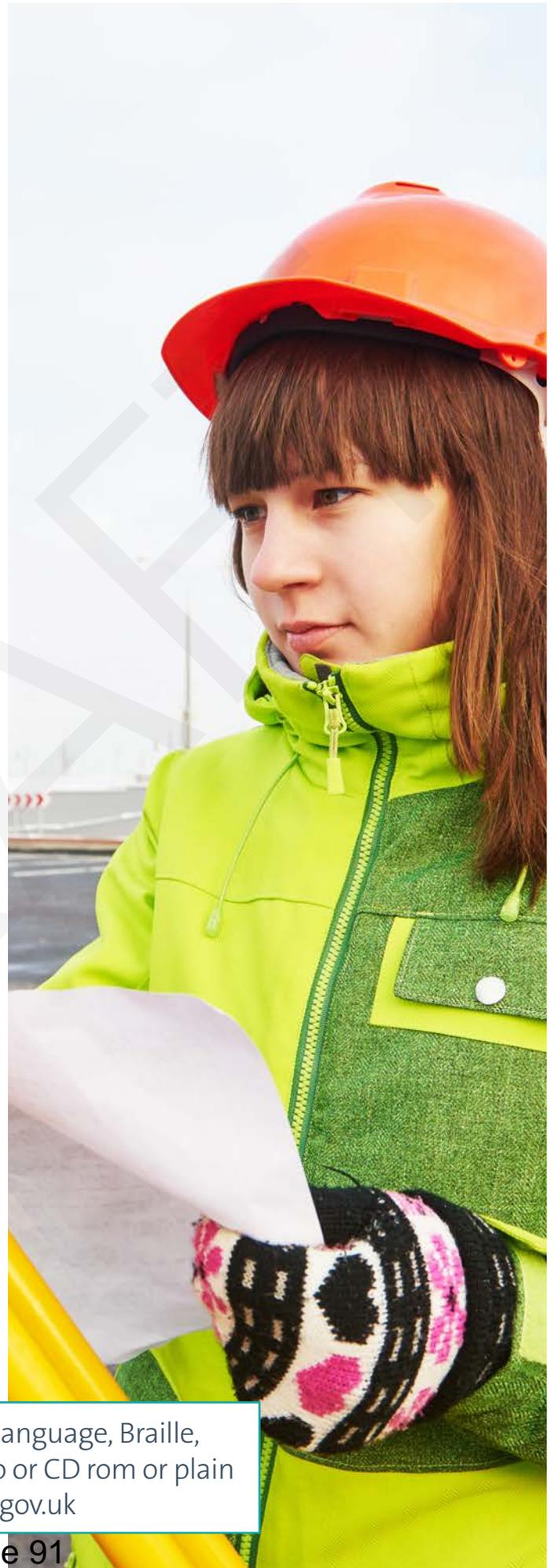
Bristol City Council **Equality and Inclusion Policy and Strategy** 2018–2023

Draft v7
02|11|18



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If you would like this information in another language, Braille, audio tape, large print, easy English, BSL video or CD rom or plain text please contact: equalities.team@bristol.gov.uk



Foreword

When we launched the Corporate Strategy in February 2018 we set out our ambition to create an inclusive city where nobody is left behind. We want Bristol to be a place in which everyone's hopes and aspirations can be made real. We want to ensure people are not held back by poverty and that our success is shared. This Equality and Inclusion Policy and Strategy supports that journey.

Our policy sets our vision: recognising the contributions that people from different backgrounds make, actively tackling inequalities and fostering good relationships across our communities. As well as our firm commitment to the Public Sector Equality Duty our aspirations go further to include people in care, refugees and migrants, people with caring responsibilities and the inequalities resulting from socio-economic disadvantage.

We want the city to be a fair, inclusive and safe place for everyone. The number of hate crime reports has increased, and we must ensure that these crimes are addressed and everyone feels safe in our city.

We also know that measures we take to make the city easier to get around or which tackle discrimination or harassment head on make life better for everyone.

Our strategy sets out how we will deliver this ambition. It sets out the high standards we expect of ourselves. It demonstrates efforts we will undertake to build an inclusive culture within our workforce and organisation. It sets out how we will shape services which actively address inequality and exclusion and address the progressive building of good relations between different communities. It connects also to our One City Plan to ensure that we work with our partners to enhance equality and fairness.

We have launched the Bristol Equality Charter with partners from across the city. This Equality and Inclusion Policy and Strategy is the next step on our journey in creating an inclusive city, which works for all.



Marvin Rees
Mayor of Bristol



Councillor Asher Craig
Deputy Mayor of Bristol



Equality and Inclusion Policy

Valuing Bristol's diversity

Bristol has long been a diverse city and is becoming ever more diverse. This is one of its great strengths. Securing the benefits of Bristol's diversity by being a more inclusive organisation will help the council to: be more creative; make decisions that are informed by diverse points of view; know our communities well and listen to them more closely; design, commission and deliver the most effective possible services; and make the best use of our resources. A wealth of evidence from the public, private and voluntary sectors supports our view that greater equality and inclusion will benefit our citizens, our communities, our colleagues and our partners.

Our equality and inclusion ambition, shared with our Bristol Equality Charter partners, is to create a fairer, safer, accessible and inclusive city where everyone feels they belong, has a voice and an equal opportunity to succeed and thrive. Achieving this will contribute directly to the vision set out in our Corporate Strategy of driving a city of hope and aspiration where everyone can share in its success.

Securing the benefits of Bristol's diversity

To secure the benefits of diversity we are building an inclusive organisation that actively recognises the contribution that people from different backgrounds make to all aspects of the council's work and the city's communities. The values and behaviours set out in our Corporate Strategy will help us build this inclusivity.

Being truly inclusive is not just about welcoming different contributions. Inclusion also means actively tackling inequalities and advancing greater equality, as well as fostering good relations between different people. Inclusion means removing the barriers – physical, economic or social – that hold people back, so we build a city in which everyone feels a part.

A key reason why many people in Bristol are held back is because of significant inequality, discrimination and lack of opportunity connected to one or more of the characteristics that are protected under the Equality Act 2010. These are age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. This policy re-states our long-held commitment to tackling inequality on these grounds, not just because it's our legal duty but also because doing so helps create a more successful city.

Bristol City Council is committed to the social model of disability which says that people are disabled by barriers in society not by their impairment or difference, whether that impairment or difference is physical, mental or cognitive. Barriers can be physical, like buildings not having accessible toilets, or they can be caused by

people's attitudes, like assuming disabled people are unable to do certain things.

As a public body we are bound by the Public Sector Equality Duty. This strategy sets out how we will meet our statutory obligations under this duty, which is defined within the Equality Act as:

“A public authority must, in the exercise of its functions, have due regard to the need to—

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Our Equality and Inclusion Strategy sets out how we will fulfil these obligations, which apply to all the council's functions. Both this Equality and Inclusion Policy and its accompanying strategy apply to the council's roles as a service provider, as an employer, as a leading agency in the city and in our work with communities.

Creating a successful inclusive city also means recognising that there are other causes of inequality or exclusion, often inter-connected and mutually reinforcing. People can be excluded because they have low income, are socially isolated, live in poor housing or due to poor health. Refugees and migrants, those with caring responsibilities or who have been in care are likely to face inequality or exclusion.

Some people facing these issues also face inequality because of their Equality Act protected characteristics. As well as looking at our statutory duties, as set out under the Public Sector Equality Duty, our strategy will also consider wider aspirations, such as reducing inequalities of outcome which result from socio-economic disadvantage. As part of our annual reporting of equalities and inclusion we will identify socio-economic trends and where we can focus our future efforts to reduce socio-economic inequalities.

Issues relating to other forms of inequality or exclusion are already considered through topics, programmes and projects such as food and fuel poverty, health and life expectancy, educational outcomes, access to good quality jobs, support for refugees and fostering resilient communities. These take account of the different causes and consequences of inequality and consider the differing needs and diversity of people throughout our communities. We will continue this approach and through our strategy ensure our activities are linked to our equality and inclusion objectives.

Our commitments

We commit to fulfilling both the letter and the spirit of our legal obligations under the Equality Act 2010 and any other subsequent legislation relating to equality. We require our contractors and the organisations that we fund to abide by all the equality legislation that applies to them and to assist the council in upholding its obligations under the Public Sector Equality Duty.

We commit to being a learning organisation about equality and inclusion, always ready to improve our practice and to address new issues as they arise. We will seek to understand and address the root causes of inequality and exclusion in Bristol and to focus our efforts on tackling those root causes. If we make mistakes, we will put things right and learn from our experience.





Wherever it is possible to do so we will promote good equality and inclusion practice amongst our partners in the city and in our region and seek to learn from their best practice. We will engage with communities and voluntary sector partners, listening to their views and taking them into account when we make decisions.

As part of our commitment to equality and inclusion, we are founder signatories of the Bristol Equality Charter. All signatories of the Charter undertake to:

- Recognise, support and empower those responsible for promoting equality in our organisation
- Listen to and understand the diverse needs of all people to make our information, services and products more accessible and inclusive
- Review the diversity of our workforce in order to identify areas for improvement and set ourselves equality goals

- Ensure that equal opportunities are integral to how we recruit and treat our workforce
- Address all allegations of discrimination, harassment, bullying and victimisation in an effective and timely manner
- Play our part in promoting good relations between people from different backgrounds
- Share good equality practice and improve outcomes for all those living, working, studying in or visiting Bristol
- Measure and share our progress and success.

We have of course been seeking to do these things for many years but in signing the Charter we have re-affirmed our commitment. Our Equality and Inclusion Strategy sets out how we will not just meet but go beyond these commitments over the next five years.

Making it happen

In the future we want people and organisations, in Bristol and beyond, to look to the council as a model of good practice in addressing equality and inclusion. We define this as meaning:

- Actively considering equality and inclusion in very practical ways in all that we do so others can readily see the difference it makes
- Leading from the top of the organisation and holding ourselves to account
- Listening to the experiences of people with lived experience of all forms of inequality and exclusion and taking what they tell us into account when we make decisions
- Embedding equality analysis into policy and strategy development so decisions are made on the basis of the deepest possible understanding of their implications for equality and inclusion
- Showing that we value diversity in how we all speak and behave every day, not just when we're talking about equality
- Being open and transparent about our progress on equality and inclusion, sharing information with our partners and our communities, celebrating successes and learning from experience, including our mistakes
- Having a workforce that is diverse in the widest possible sense and in which diversity of background and thought is valued
- Supporting a workplace where colleagues from different backgrounds work together harmoniously and productively and everyone feels valued
- Using policies and practices that demonstrably enable colleagues to fulfil their potential and progress within our organisation
- Delivering and commissioning services that actively promote equality and inclusion
- Working with communities and neighbourhoods to support equality and inclusion at local levels
- Putting equality and inclusion at the heart of our strategic work with partners to deliver the One City approach.





To help make that happen, we have agreed a corporate Equality and Inclusion Strategy with clear goals and outcomes, aligned to our Corporate Strategy and supported by annual corporate equality and inclusion action plans. Each directorate will be required to develop and implement their own equality and inclusion action plans to support the overall approach. Councillors will review implementation from time to time to ensure we are on track and we will publish details of our progress.

Everyone working for Bristol City Council has a part to play in achieving the goals of this policy. Councillors and senior officers have a particular responsibility because active, visible leadership is essential and the organisation's leaders commit themselves to give that. Staff representatives, including our staff-led groups and our trade unions, have an important role to play and we are committed to enabling them to make an effective contribution. We will also continue to engage and work with voluntary and community organisations in the city, particularly through the Voice and Influence Partnership.

We have a variety of more detailed operational policies that need to support, complement or be aligned with the goals of this Equality and Inclusion Policy. These set out specific goals and measures to address specific operational issues. These include our organisational improvement plan, human resources, learning and development policies, our strategy for welcoming asylum seekers and refugees, our policies on hate crime and violence against women and girls and our communications and engagement policies. Our Equality and Inclusion Policy also complements our approach to community development. As each of these related policies is developed or reviewed we will ensure alignment where appropriate.



Equality and Inclusion Strategy 2018 - 2023

Introduction

The council's vision of driving a city of hope and aspiration where everyone can share in its success is set out in our Corporate Strategy. We want to keep creating an inclusive organisation and an inclusive city and this Equality and Inclusion Strategy sets out how over the next five years we plan to realise our ambitions. By 2023 we want to be seen as a beacon of good practice. Over the first year we intend to put in place the foundations to deliver this strategy effectively and during the lifespan of this strategy we will achieve higher standards in all areas, ensuring that by 2023 we are modelling good practice across the organisation as a whole. This strategy is also part of a range of initiatives to tackle the growing disparity between wealth and poverty in the city.

We want people and organisations, in Bristol and beyond, to look to the council as a model of good practice in addressing equality and inclusion. We define this as meaning:

- Actively considering equality and inclusion in very practical ways in all that we do so others can readily see the difference it makes
- Leading from the top of the organisation and holding ourselves to account
- Listening to the experiences of people with lived experience of all forms of inequality and exclusion and taking what they tell us into account when we make decisions
- Embedding equality analysis into policy and strategy development so decisions are made on the basis of the deepest possible understanding of their implications for equality and inclusion
- Showing that we value diversity in how we all speak and behave every day, not just when we're talking about equality
- Being open and transparent about our progress on equality and inclusion, sharing information with our partners and our communities, celebrating successes and learning from experience, including our mistakes
- Having a workforce that is diverse in the widest possible sense and in which diversity of background and thought is valued
- Supporting a workplace where colleagues from different backgrounds work together harmoniously and productively and everyone feels valued
- Using policies and practices that demonstrably enable colleagues to fulfil their potential and progress within our organisation
- Delivering and commissioning services that actively promote equality and inclusion

- Working with communities and neighbourhoods to support equality and inclusion at local levels
- Putting equality and inclusion at the heart of our strategic work with partners to deliver the One City approach.

This strategy sets out our equality objectives for the next five years, in line with the Corporate Strategy time frame, and the objectives will be reviewed midway through.

It shows how we will apply our Equalities and Inclusion policy in practice. This document also demonstrates how we think we might best measure our progress towards these goals. Some of these measures relate to phenomena, such as life expectancy or employment levels, that are affected not just by what the council does but by many other factors too. We have nevertheless included them here because we think it is important to track these important outcomes, not just to measure what the council itself is doing. In the first year of implementing the strategy we will review our potential measures and, where appropriate, set targets to which year on year progress will be measured.

It includes some of the key organisations we will work with, though this is not an exhaustive list and we will work with partners and other organisations from across the city and beyond to make this strategy a success.

We will regularly revisit this strategy to ensure it remains relevant and in particular that it reflects an up to date understanding of the underlying cause of inequalities and exclusion in Bristol.

Our Equality and Inclusion Objectives

1. Our handling of equality and inclusion will reach the high standards we expect of ourselves and others will look to us as a source of good practice.
2. To build an inclusive organisation where the workforce reflects the city we serve and the needs of all citizens, and where colleagues feel confident about being themselves at work.
3. To provide inclusive services which actively address inequality and exclusion and enable all of Bristol’s citizens to realise their potential and live safely.
4. To achieve a measurable increase in the extent to which communities facing inequality can share in and contribute to the city’s success.
5. Progressive building of good relationships between different communities in Bristol so everyone is able to participate and contribute.

Taken together these objectives relate to each aspect of the council’s roles as an employer, as a provider of services, as a facilitator of resilient communities and as a leading agency in the city.

The rest of this strategy sets out what we will do or are already doing to achieve these objectives, why we have chosen them, how we will measure progress and who we think will benefit in particular. It also explains how each objective relates to other work we are doing and who we will need to work with. We believe these five equality and inclusion objectives will help us to meet the commitments we made when we signed the Bristol Equality Charter as outlined in Annex 1.

Each year we will agree a corporate action plan setting out in more detail what we are doing to work towards each objective.

Reporting Progress

We will publish information explaining what progress we are making towards achieving these objectives. We also plan to host an equalities and inclusion annual event bringing together partners across the city, including civil society organisations and all those that have signed up to the Bristol Equality Charter, to review progress, celebrate successes and identify any new issues that we should address.



Timeline

 Annual progress report

 **2020**

2020 – Identify new and improved ways for principles and mechanisms in this strategy to be applied to socio-economic inequality and human rights in the council’s work.

..... **2019** 

2019 – Establish foundations to deliver this strategy effectively. Each service area to develop its own action plan. Equality and Inclusion Champions established. Collect baseline measures to inform and set targets.

..... **2021** 

2021 – Mid-point review of strategy and objectives. Identify gaps and issues, and review targets.

 **2022**

2022 – Ensure higher standards being met in all areas. Address challenges. Set new equality objectives.

..... **2023** 

2023 – Modelling good practice across the organisation. Self assessment against local government equality framework.

Annually report on progress and hold an equality and inclusion event with partners and civil society.



Equality Objective Key



Equality Objective



Assessing equality impacts



Related Bristol Equality Charter commitments



Human rights



Why this matters



Keeping citizens informed and tracking progress



What we are doing now and will be doing in future



Inter-action with other plans, organisations or groups includes



Responsibilities



Measures



Equality Objective 1

Our handling of equality and inclusion will reach the high standards we expect of ourselves and others will look to us as a source of good practice.

This objective is about what we will do to support the quality of decision making.



Related Bristol Equality Charter commitments

As an organisation we will

- Recognise, support and empower those responsible for promoting equality in our organisation
- Measure and share our progress and success



Why this matters

Creating the culture which embeds equality and inclusion across our activities, and adopting the right leadership model, structures and processes will enable us to achieve the high standards we have identified for ourselves.



What we are doing now and will be doing in future

Co-ordination

- Establishing a suitable core staff structure and resources to deliver this strategy
- Setting up an operational-level equalities and inclusion steering group consisting of representatives of the Equalities and Inclusion team, the Human Resources' Diversity, Inclusion and Employee Initiatives team, the Neighbourhoods and Communities Service team and the equality and inclusion champions for each directorate. The steering group's role will be to co-ordinate progress against

this strategy, share intelligence, identify upcoming issues and support the Corporate Leadership Board on equalities and inclusion.



Responsibilities

- Assigning to the Head of Paid Service the role of Senior Equality and Inclusion Champion, responsible for leading the implementation of this strategy and for senior-level sponsorship of the staff-led equalities groups
- Ensuring progress against this strategy is a regular item on Corporate Leadership Board's agenda and features regularly in internal communications to colleagues
- Identifying an equality and inclusion champion on each directorate management team who will take the lead in ensuring their directorate has equalities and inclusion action plans in place that will help deliver this strategy
- Identifying equality and inclusion champions at service level to improve robustness of Equality Impact Assessments.



Assessing equality impacts

- Regularly refining the council's understanding of the underlying causes of inequalities in the city so this can drive future strategic thinking and action.
- Establishing tighter criteria, processes and standards for equality impact assessment to:
 - Assess the equalities impacts of different policy choices/ spending options before a preferred option is identified, so equality impacts inform decisions about which option is selected
 - Assess the equalities impact of all relevant policy and service decisions
 - Ensure appropriate equalities data is available and is used to inform decision making
 - Ensure decision makers have appropriate information about equalities impacts in the lead up to decisions and at the time they are made, understand their responsibility to pay due regard to this information and exercise it in practice
 - Develop and implement a process to assess the cumulative impact of a series of connected/interdependent decisions
 - Where possible, assess the impact of decisions on socio-economic inequality as well as on the Equality Act protected characteristic groups.



Human rights

- Looking at ways to incorporate human rights commitments and approaches into the Equality and Inclusion Strategy in line with good practice



Keeping citizens informed and tracking progress

- Publishing information at least once a year summarising progress against our equality and inclusion objectives and outlining any challenges we are facing in moving forward
- Review data currently collected through an equality lens and update where required.
- Our consultation and engagement strategy will outline how our activities will adopt best practice in seeking the views of all citizens about the council's services
- Regular intelligence-gathering and liaison between representatives of the equalities and inclusion steering group and civil society groups with an interest in this agenda
- Holding an annual equality and inclusion event with partner organisations and civil society groups to discuss progress, identify upcoming issues and celebrate successes



Inter-action with other plans, organisations or groups includes

Voice and Influence Partnership
VOSCUR
Bristol Equality Network

Mayoral Commission on
Race Equality
Women's Commission



Measures

- Information about Bristol's performance on equality and inclusion is published at least annually in forms that are accessible and engaging to citizens
- Self-assessment against the local government equality framework shows Bristol is returning to an excellent level of performance
- Equality impact assessments are timely and relevant and are used to inform decisions
- Improvement in the quality of equality impact assessments
- The council has a clear understanding when decisions are made about the impact on equality including socio-economic equality



Equality Objective 2

To build an inclusive organisation where the workforce reflects the city we serve and the needs of all citizens, and where colleagues feel confident about being themselves at work.

This objective is about the council's role as an employer.



Related Bristol Equality Charter commitments

As an organisation we will:

- Listen to and understand the diverse needs of all people to make our information, services and products more accessible and inclusive
- Review the diversity of our workforce in order to identify areas for improvement and set ourselves equality goals
- Ensure that equal opportunities are integral to how we recruit and treat our workforce
- Address all allegations of discrimination, harassment, bullying and victimisation in an effective and timely manner



Why this matters

To achieve our vision we need to do more than eliminate discrimination and harassment, important though that is. We must develop a culture that has inclusion and equality at the heart of everything we do. Unless leaders and managers role model inclusive behaviours and oversee practices that support equality and inclusion, our policies will not have the impact that we need to see.

This is not just about the council's role as an employer: a genuinely inclusive organisation is the foundation for commissioning and delivering services that meet the needs of Bristol's diverse communities and treat citizens with respect. Inclusive cultures do not just happen - unconscious biases and unwitting prejudices get in the way, as do time pressures and lack of knowledge or confidence - so creating this culture will involve conscious effort and co-ordination over the whole period of this strategy.



What we are doing now and will be doing in future

Inclusive leadership

- Inclusive leadership training for senior colleagues so that all senior leaders are able consistently to role model inclusive behaviours
- Inclusive leadership training to all colleagues with line management/supervisory roles

Recruitment and progression

- Review of policies such as secondment and acting up policies to support increased mobility and career progression for staff from groups that are under-represented at middle and senior management levels
- Support targeted initiatives like ‘Stepping Up’ that enable colleagues from groups that are under-represented at senior levels to progress their careers
- Monitor the impact of positive action programmes like ‘Stepping Up’ to review how well they achieve their goals and apply our learning to future work
- Actively seeking to recruit council staff in wards with disproportionately high levels of unemployment and to raise awareness of range of roles available within the council

- Review how recruitment processes operate in practice with a view to better understanding why some groups, e.g. Black, Asian and Minority Ethnic (BAME) and disabled applicants, are proportionately less likely to succeed in getting jobs than other groups

Pay

- Continue the work of the council’s gender pay commission
- Determine whether there is a race pay gap, or a disability pay gap and plan how to tackle these gaps

Human Resources (HR) policy framework

- Expand current review of HR policies to include systematic review of potential for unconscious bias within practices and policies

Performance and staff engagement

- Ensure all colleagues, including managers, have relevant performance objectives for their role in sustaining an inclusive organisation. Link these objectives to assessments of colleagues’ learning needs within the performance review system (how we will achieve this will be determined by our current review of this area.) HR will develop a bank of model inclusive organisation performance objectives

- Explore reasons behind grievances from and disciplinary actions involving under-represented groups and take appropriate action to deal with any equalities issues identified
 - Look at ways of supporting career progression for groups who are under-represented at senior levels, including how effectively we make reasonable adjustments for disabled colleagues and how well we make it possible for colleagues to combine work and family or caring responsibilities
- Knowledge and skills**
- Build workforce knowledge and skills on equality and inclusion by
 - Expanding unconscious bias training so that, as a minimum essential requirement, all council colleagues complete an e-learning module, for which completion is tracked
 - Regularly training colleagues on good equality and inclusion practices, prioritising areas/ teams where feedback suggests there may be bias hotspots. Bias hotspots might be identified by clusters of grievances or disciplinaries or complaints or concerns from citizens
 - Ensuring information about these equality objectives and progress towards them is regularly communicated to colleagues via our cascaded communications approach
 - Developing a clear narrative about how the council’s values can be applied to support equality and inclusion and incorporating this into training on the values
 - Training all colleagues who carry out equalities impact assessment on appropriate techniques and processes.



Inter-action with other plans, organisations or groups includes

Workforce and Organisational Improvement Plan

Learning and Development Plan

Corporate Strategy

Corporate Business Plan

Staff-led equality groups

Trade unions



Measures

- Reduce the disability pay gap (if monitoring shows a gap)
- Reduce the race pay gap
- Reduce the gender pay gap
- Increase the % of employees that live in the 10% most deprived areas of the city
- Difference between progression rate of BAME and non-BAME employees
- Difference between progression rate of female and male employees
- Percentage of top earners who are women
- Percentage of top earners who are BAME
- Percentage of top earners who have a disability
- Staff survey shows high levels of engagement and wellbeing, with year on year improvement
- Staff survey — no statistically significant difference in engagement and wellbeing levels between of BAME, disabled and Lesbian, Gay, Bisexual and Transgender (LGBT+) staff and workforce as a whole
- Year on year increases in the proportion of colleagues who self-declare their diversity characteristics
- Consider taking part in Stonewall’s Workplace Equality Index
- Bristol City Council’s workforce is broadly reflective of the demographics of the working age population in the communities we serve
- Reduction in disproportionate numbers of grievances from BAME colleagues and disabled colleagues
- Reduction in disproportionate numbers of disciplinaries involving BAME colleagues and disabled colleagues
- Staff-led equality groups feel they are able to contribute effectively and help make a difference.



Equality Objective 3

To provide inclusive services which actively address inequality and exclusion and enable all of Bristol's citizens to realise their potential and live safely.

This objective is about the council's role as a deliverer and commissioner of services.



Related Bristol Equality Charter commitments

As an organisation we will:

- Share good equality practice and improve outcomes for all those living, working, studying in or visiting Bristol



Why this matters

The council has duties and powers to provide a wide range of services. Many of these services can play a role in creating a more level playing field for people who face inequality or exclusion.



What we are doing now and will be doing in future

- Each service area will identify local equalities gaps, issues and priorities and create an annual action plan for addressing them
- We will develop a systematic risk-based approach to reviewing service areas to identify and address potential unconscious bias in service design or delivery arrangements
- We will review the approach to equality in the commissioning and procuring of goods, works and services set out in our Social Value policy to ensure that:
 - we design commissioned services in ways that will eliminate discrimination and harassment, advance equality, including socio-economic equality, and foster good relations wherever it is possible and relevant to do so
 - we take all possible opportunities to ensure our suppliers and contractors take an active approach to contributing to our equalities and inclusion goals, including having standard terms in contracts with external suppliers that require adherence to the Council's Equalities and Inclusion policy and equal pay and cooperation to enable the Council to comply with any of its requirements under the Equality Act 2010.

- We will review how effectively the council is currently using its powers in relation to planning, transport, housing and licencing to enable disabled and older citizens to live, work and move around safely and efficiently
- We will develop and implement an accessible communications policy that sets good practice accessibility standards for the design and content of all council communications – corporate and service specific
- We will develop and implement an accessible website policy, building on current good practice, to ensure means of requesting services or raising issues with the council are accessible to disabled people and to those at risk of being excluded because of language issues
- Our draft Consultation and Engagement Strategy (in preparation) will define how we will seek to increase participation by under-represented citizens in consultations and engagement. This will help to ensure that our services and actions are informed by the views and needs of all our citizens
- We will ensure that equalities and inclusion are fully embedded in our scrutiny arrangements



Inter-action with other plans, organisations or groups includes

Bristol Voice and Influence Partnership

VOSCUR

Race and Women’s Commissions

Bristol Manifesto for Race Equality
Strategic Leaders Group

Staff-led equality groups



Measures

We will develop a set of measures and protocols for this objective once each service area has identified its equalities priorities and created an action plan for addressing them. Further measures will be developed in alignment with the emerging Social Value policy.



Equality Objective 4

To achieve a measurable increase in the extent to which communities facing inequality can share in and contribute to the city's success.

This objective is about the council's role as a leading agency in the city.



Related Bristol Equality Charter commitments

As an organisation we will:

- Share good equality practice and improve outcomes for all those living, working, studying in or visiting Bristol



Why this matters

Ensuring that all communities share in the city's success is a core part of the vision set out in our Corporate Strategy. Many of the challenges we face need action by a range of players and the council has a leading role to play in bringing together agencies across the private, public and voluntary sectors to tackle inequalities and exclusion across Bristol.



What we are doing and will be doing in future

- Working with partners to develop a new approach to city governance via the One City approach and the production of the One City Plan both of which will place inclusivity at their core
- With our partners, developing and implementing the emerging One City Plan; as the One City approach develops we will update the actions and measures against this objective
- Launching the Bristol Equality Charter and participating in the Bristol Equality Network that will support effective implementation of the Charter
- Becoming a fully accredited Living Wage Employer
- Working with the council-commissioned Voice and Influence Partnership to build mechanisms for a diversity of less well heard community voices to be more clearly heard and for their input to influence decision making
- Helping to maximise the impact of city-wide equality networks and groups; for example by helping to align the priorities of the Race Equalities Strategic Leaders Group and Commission on Race Equality
- Working with partners to ensure we continue to support Bristol as a City of Sanctuary, as set out on our strategy for welcoming refugees and asylum seekers



Inter-action with other plans, organisations or groups includes

One City Plan and partners

Equality Charter

Corporate Plan

Commission on Race Equality

Women's Commission

Bristol Manifesto for Race Equality
Strategic Leaders Group

Voice and Influence Partnership

Bristol Equality Network



Measures

- Reduction in the gap between children in the 30% most deprived 'Super Output Areas' achieving a good level of development at Early Years Foundation stage compared to those not in the most deprived areas
- An increase in the proportion of looked-after children who meet and exceed their educational achievement outcomes
- A reduction in the number of homeless households and rough sleepers
- Reduction in the gap between disadvantaged pupils (including pupils with special educational needs, disabilities and children in care) and the Bristol Average at Key Stage 4
- A reduction in the difference between high performing and poorly performing areas in the number of unemployed people
- A reduction in the proportion of young people who are not in education, employment or training
- An increase in the proportion of residents in deprived areas who have access to the internet at home via home broadband, mobile phone or mobile broadband
- A reduction in the gap in life expectancy for men and women between the most deprived and least deprived areas



Equality Objective 5

Progressive building of good relationships between different communities in Bristol so everyone is able to participate and contribute.

This objective is about the council's role in the community.



Related Bristol Equality Charter commitments

As an organisation we will:

- Play our part in promoting good relations between people from different backgrounds



Why this matters

We cannot tackle inequalities and exclusion without fostering good relations between people with different backgrounds. Empowering communities and supporting them to become more resilient and connected is a core goal of our Corporate Strategy.



What we are doing now and will be doing in future

- Develop an 'inclusive communities' approach in the way Bristol City Council and partners work in and with place based communities to build more welcoming and inclusive places to live
- Deliver and build on projects such as Everyday Integration, Inclusive Cities and City of Sanctuary
- Work with Bristol Ageing Better to help create Age Friendly Streets
- Work with partners in 10 neighbourhoods across Bristol to build communities – facilitating connections between neighbours and communities who may not otherwise come together to take action on shared interests
- Collaborate with others to create spaces for sharing knowledge, insight and experience between place based communities and communities of interest to build alliances and understanding
- Promote and celebrate Bristol's diversity and cultural heritage by supporting community-led initiatives, e.g. Black History Month, Pride, and the International Day of Disabled People
- Our actions to meet this objective will be updated and amplified once our neighbourhoods and communities' service plan has been finalised, following a significant reshaping of this area of our work.



Inter-action with other plans, organisations or groups includes

Corporate Strategy

Quality of Life Survey

Commission on Race Equality

Women's Commissions

Bristol Manifesto for Race Equality
Strategic Leaders Group

Voice and Influence Partnership

VOSCUR

Locality

Neighbourhood-level community partners



Measures

- Reduce % living in the most deprived areas who lack information to get involved in the community
- An increase in the proportion of residents who report they see friends and family as often as they like
- Reduce % living in the most deprived areas who feel 'fear of crime affects my day to day life'
- Narrowing of the gap between the proportion of residents in the most deprived areas who report that people in their area from different backgrounds get on well and the proportion in the city as a whole
- Increase % satisfied (in deprived areas) with the range and quality of outdoor events
- Reduction in proportion of residents who report experiencing discrimination or harassment in the past year
- Increase % of people in the most deprived areas who are satisfied with their local area

Annex 1: Bristol Equality Charter

BRISTOL Equality Charter

Everybody counts - a pledge for equality across Bristol

Bristol is a vibrant city with a growing diverse population. We share an ambition to create a fairer, safer, accessible and inclusive city where everyone feels they belong, has a voice and an equal opportunity to succeed and thrive.

We are committed to making a real difference by:

- 1 Making Bristol a welcoming city where everyone feels they belong
- 2 Inspiring trust and confidence in all the city has to offer
- 3 Recognising, valuing and celebrating diversity
- 4 Building good relations and understanding between people
- 5 Promoting inclusion, participation and equal access
- 6 Challenging discrimination, harassment, bullying, hate crime and victimisation

As an organisation we will:

- 1 Recognise, support and empower those responsible for promoting equality in our organisation
- 2 Listen to and understand the diverse needs of all people to make our information, services and products more accessible and inclusive
- 3 Review the diversity of our workforce in order to identify areas for improvement and set ourselves equality goals
- 4 Ensure that equal opportunities are integral to how we recruit and treat our workforce
- 5 Address all allegations of discrimination, harassment, bullying and victimisation in an effective and timely manner
- 6 Play our part in promoting good relations between people from different backgrounds
- 7 Share good equality practice and improve outcomes for all those living, working, studying in or visiting Bristol
- 8 Measure and share our progress and success



Annex 2: Sources of information about people and communities in Bristol

The Population of Bristol

The Population of Bristol report provides a regularly updated overview of the people living in the Bristol Local Authority area.

www.bristol.gov.uk/statistics-census-information/the-population-of-bristol

Key Facts about Bristol

A summary of major facts and infographics about Bristol, and living in the city.

www.bristol.gov.uk/documents/20182/32947/State+of+Bristol+Key+Facts+2017-18

2011 Census information

We use data and analysis from the 2011 Census to tell us about equalities groups in Bristol.

www.bristol.gov.uk/statistics-census-information/census-2011

Quality of Life in Bristol

The Quality of Life survey is a yearly survey carried out in Bristol. It gives us information about the quality of life for Bristol's residents broken down by ward, equalities groups and areas of deprivation.

www.bristol.gov.uk/statistics-census-information/the-quality-of-life-in-bristol

Open Data Bristol

The Open Data Bristol project has data and information about Bristol, including useful information about people with protected characteristics.

www.opendata.bristol.gov.uk/

Joint Strategic Needs Assessment (JSNA)

The JSNA is a profile of data about the health and wellbeing of Bristol. It aims to help with designing and delivering services, and tackling health inequalities across communities in Bristol.

www.bristol.gov.uk/policies-plans-strategies/joint-strategic-needs-assessment

Gender Pay Gap

We publish our gender pay gap every 12 months to show the pay gap between female and male Bristol City Council employees.

www.bristol.gov.uk/people-communities/measuring-equalities-success

Annex 3: Terminology

Accessible communications means communications that can be understood by all members of the community, including Deaf and disabled people and people who use English as a second language.

An **asylum seeker** is a person who has sought protection as a refugee, but whose claim for refugee status has not yet been assessed.

BAME stands for black, Asian and minority ethnic and is used to refer to members of non-white communities in the UK.

Carer is someone who provides support, unpaid, for a friend or family member who needs support owing to disability, illness, or for another reason such as an addiction.

Disability Bristol City Council is committed to the social model of disability which defines it as the effect of the barriers, discrimination and disadvantages faced by disabled people, not the impact of their specific impairment. The Equality Act 2010, defines it as a physical or mental impairment that has a substantial and long-term negative effect on a person's ability to do normal daily activities.

Diversity is about recognising the many ways in which people are different from each other and the impact these differences can have on the opportunities people have. These differences go beyond the Equality Act protected characteristics and include class and family background.

Employment rate: The number in employment expressed as a percentage of everyone in that age group (in this case, all those of working age).

Equality is about recognising and respecting differences, including different needs, to ensure people can live their lives free from discrimination, know their rights will be protected, and have what they need to succeed in life. It is about ensuring equality of opportunity by tackling the barriers that some groups face, and making society fairer by narrowing the social and economic divides that separate people. The characteristics protected by equality legislation are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and/or belief, sex and sexual orientation.

Food poverty means that an individual or household isn't able to obtain healthy, nutritious food, or can't access the food they would like to eat. It often results in people eating poor diets, which can lead to heart disease, obesity, diabetes and cancer, as well as inadequate levels of many vitamins and minerals.

Fuel poverty: Households that spend more than ten per cent of their income on fuel to maintain a satisfactory heating regime, as well as meeting their other fuel needs (lighting and appliances, cooking and water heating).

Hate crime is any crime that is targeted at a person because of hostility or prejudice towards that person's actual or perceived disability, race or ethnicity, religion or belief, sexual orientation or trans identity. This can be committed against a person or property. The Law Commission is reviewing whether the law should be amended to treat crimes caused by misogyny as hate crimes.

Homelessness is the state of lacking a place to live that is supportive, affordable, decent and secure. While rough sleepers are the most visible homeless population, most homeless people live in hostels, squats, bed and breakfasts or in temporary and insecure conditions with friends and family.

Inclusive design creates environments that everyone can use to access and benefit from the full range of opportunities available in society. It enables people to participate, confidently, independently and with choice and dignity. Inclusive design avoids separation or segregation and is made up of places and spaces meet the needs of everyone in society.

Inclusion means taking active steps to create equality, ensuring equal access and opportunity for all and tackling discrimination and injustice. It is also about ensuring that people feel they belong, and are encouraged and equipped to connect with others and to contribute to the life of the city.

LGBT+ stands for Lesbian, Gay, Bisexual and Transgender (including Genderqueer, Non Binary, Questioning, Intersex and Asexual).

Pay gap is the difference between the average hourly pay of two different groups of people, for example men and women, or groups from different ethnic backgrounds.

Protected characteristics are the nine characteristics protected under the Equality Act 2010. They are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Poverty is defined relative to the standards of living in a society at a specific time. People live in poverty when they are denied an income sufficient for their material needs and when these circumstances exclude them from taking part in activities that are an accepted part of daily life in that society.

A **refugee** is someone who 'owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country...' (1951 Refugee Convention).

Social integration is the extent to which people interact and connect with others who are different to themselves and is determined by the level of equality between people, the nature of their relationships, and their degree of participation in the communities in which they live.

Socio-economic duty is covered by Section 1 of the Equality Act 2010, which is not currently in force. It would require a public body 'when making decisions of a strategic nature about how to exercise its functions, [to] have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage'.

Socio-economic status or National Socio-Economic Classification (NS-SEC) is formally defined as a proxy measure for social class, produced since 2001 by the Office for National Statistics, that is based on a person's occupation.



Appendix D - Bristol Equality and Inclusion Policy and Strategy - Risk Register

Negative Risks that offer a threat to Bristol Equality Charter and its Aims (Aim - Reduce Level of Risk)

Ref	Risk Description	Key Causes	Key Consequence	Status Open / Closed	Strategic Theme	Risk Category	Risk Owner	What we have done	Direction of travel	Current Risk Level			Monetary Impact of Risk Ek	Risk Tolerance			Date	Management Action, Control and Fallback Plans			Management Status/ Comments
										Likelihood	Impact	Risk Rating		Likelihood	Impact	Risk Rating		Actions to be undertaken	Resp. Officer	Due date	
1	The Council fails to meet its statutory obligations under the Equality Act 2010	<p>1. Lack of consistent council-wide knowledge on the Public Sector Equality Duty and how to take equalities into consideration.</p> <p>2. Gaps in available data and analysis to understand potential impacts of decision making.</p> <p>3. Compliance driven rather than understanding based on good analysis.</p> <p>4. High turnover of staff resulting in loss of knowledge/institutional memory.</p>	The Council challenged in court via Judicial Review for failing to meet its equality duty	Open	Our Organisation, Empowering and Caring, Fair and Inclusive, Well Connected, Wellbeing.	Legal	Mike Jackson, Head of Paid Service	<p>1. Conducted an independent review, including desktop research, stakeholder survey and engagement, report published and recommendations actioned (SPB approved, 21.6.18)</p> <p>2. Second phase of review, appointed a second consultant to refresh equality policy and draft equality strategy (between August - October). Policy and Strategy has been approved at CLB, was considered by OSMB and is requested for approval at Full Council on 13 October 2018</p> <p>3. Developed and delivering EQIA training as well as embedding other equalities related training into Learning Development offer.</p>	↔	2	5	10		1	3	3	31.10.2018	Good progress has been made and we are assured that our self-assessment of potential issues has been largely validated by the independent review. There is clarity on required actions and appropriate resource being put in place. Some complex work has been carried out considering future structure, required levels of investment in this function and how the new strategy/policy is embedded and assurance provided. The outcome is a newly revised policy setting out the vision and strategy to deliver a 5 year programme of work.	Jean Candler, Head of Policy and Public Affairs	Nov-18	
2	Insufficient resource is put in place to ensure strategy is mainstreamed and embedded.	<p>1. Overall budget pressures. Other priorities require funding.</p> <p>2. Some funding is put in place but not sufficient to meet all aspirations.</p>	Our aspirations are not achieved and this could result in stakeholders' concerns not being addressed.	Open	Our Organisation, Empowering and Caring, Fair and Inclusive, Well Connected, Wellbeing.	Finance / Reputation	Mike Jackson, Head of Paid Service	A revised equality structure with additional resource has been recommended, subject to approval with the 2019/20 budget	↔	2	3	6		1	3	3	31.10.2018	<p>A revised policy and strategy has been drafted and we are seeking approval from Full Council for its adoption. This sets out our ambitions and the demands it places on a central equalities function as well as all service areas.</p> <p>A proposal for additional resource is subject to final 2019/20 budget approval.</p>	Jean Candler, Head of Policy and Public Affairs	Feb-19	
3	The strategy sets out aspirations that are not achievable.	<p>1. Insufficient prioritisation at all levels. Competing against other priorities.</p> <p>2. Lack of ownership within service areas.</p>	Our aspirations are not achieved and this could result in stakeholders' concerns not being addressed.	Open	Our Organisation, Empowering and Caring, Fair and Inclusive, Well Connected, Wellbeing.	Communities / Reputation / Service provision	Mike Jackson, Head of Paid Service	As part of the second phase of the equality review we appointed a second consultant to refresh equality policy and draft equality strategy between August - October. We are requesting Full Council to adopt the policy and strategy in order to take this programme of work forward, at which point more detailed action plans will be developed. All service areas are required to develop their own equality action plans.	↔	1	3	3		1	3	3	31.10.2018	Commitment has been sought at Corporate Leadership Board, and from the Mayor and Deputy Mayor, to ensure ownership and leadership at the senior level. Included in the strategy is the development of Equality and Inclusion Champions and a steering group to ensure this programme of work is taken forward with tangible outcomes. At the end of the 5 year strategy we will undertake self assessment against the Local Government Equality Framework	Jean Candler, Head of Policy and Public Affairs	Mar-19	
4	Service areas may focus on what they consider their core business and consider equality KPIs less relevant.	<p>1. Inconsistent ownership across service areas.</p> <p>2. Competing demands within services.</p>	Failings within some service areas	Open	Our Organisation, Empowering and Caring, Fair and Inclusive, Well Connected, Wellbeing.	Communities / Reputation / Service provision	Mike Jackson, Head of Paid Service	<p>Within the draft strategy are actions including: to prioritise areas/teams where feedback suggest bias hotspots. Targeted training including inclusive leadership training for all senior colleagues and for colleagues with line management/supervisory roles.</p> <p>Each service area will be required to produce an equality action plan and held accountable for it.</p> <p>We will report annually on our equalities activities and hold an annual event with external stakeholders to discuss progress.</p> <p>Baseline measures will be collected for the first 2 years of the strategy to inform new targets, which will be set midpoint during the lifespan of the strategy. We will also conduct a mid-point review.</p>	↔	1	3	3		1	3	3	31.10.2018	<p>The strategy includes actions to identify where challenges lie within service areas to focus on those and ensure high standards are met across the organisation.</p> <p>The central equalities team (within Policy and Strategy) and the central human resources team focusing on equality and diversity within the workforce have already taken steps to address issues within their respective areas: identifying new resource, priorities and action plans. These teams will support other service areas to develop and implement robust equality plans.</p>	Jean Candler, Head of Policy and Public Affairs	Mar-19	

Bristol City Council Equality Impact Assessment Form



Name of proposal	Equality and Inclusion Policy and Strategy
Directorate and Service Area	Policy and Strategy - Equalities
Name of Lead Officer	Jean Candler

Step 1: What is the proposal?

Please explain your proposal in Plain English, avoiding acronyms and jargon. This section should explain how the proposal will impact service users, staff and/or the wider community.

1.1 What is the proposal?

The proposal is to update Bristol City Council's Equalities and Inclusion Policy and Strategy.

This new policy and strategy will help us to fulfil and go beyond our Public Sector Equality Duty to achieve our ambition to create a fairer, safer, accessible and inclusive city where everyone feels they belong, has a voice and an equal opportunity to succeed and thrive.

We recognise that as a council our current approach to corporate equalities needs strengthening. Following the recent Safeguarding Adult Reviews (SARs) and Safer Bristol's Ebrahimi report we also know that we need to do more to challenge unconscious bias, racism and discrimination.

The updated Policy sets out our approach and emphasises the role that everyone working for the council has to play in promoting equality, diversity and inclusion.

The updated Strategy identifies our equality and inclusion objectives for the next four years, what we will do to achieve them, and how we will measure our success.

Each year we will agree a corporate action plan setting out in more detail what we are doing to work towards each objective. Our equalities and inclusion

policy and strategy directly support our Corporate Strategy and in future they will be updated alongside each other.

Step 2: What information do we have?

Decisions must be evidence-based, and involve people with protected characteristics that could be affected. Please use this section to demonstrate understanding of who could be affected by the proposal.

2.1 What data or evidence is there which tells us who is, or could be affected?

Bristol City Council:

The Public Sector Equality Duty requires all public authorities to publish data on the equalities profile of their workforce. BCC has workforce diversity statistics for Age; Disability; Gender; Ethnicity; Religion / Belief; and Sexual Orientation broken down by applications received; applicants shortlisted; job offers; employees in post; employees in post by salary; training received; acting-ups / secondments; grievances; disciplinaries; leavers; leavers by reason.

Key findings from HR information analysis:

Recruitment

We are attracting large numbers of BME and young applicants but they are not getting shortlisted or job offers at the same rate as employees who are not in these groups.

Disabled employees

There is a wide variance between the directorates for the percentage of disabled employees.

Salary

The number of female and BME employees on lower salary brackets is disproportionately high.

Fixed term contracts

Younger and BME employees are more likely to be employed on fixed term contracts than non-BME employees.

Religion / Belief

The number of employees declaring themselves as having no religion or belief has increased rapidly over the last five years.

Sexual orientation

The number of employees declaring themselves as LGBT has been increasing over the last five years.

BCC workforce diversity data¹:

AGE GROUPS

	Head-count	16 to 24		25 to 34		35 to 44		45 to 54		55 to 64		65 plus	
		No	%	No	%	No	%	No	%	No	%	No	%
Bristol City Council	6279	259	4.1	1020	16.2	1421	22.6	2001	31.9	1407	22.4	171	2.7
Bristol Economically Active Citizens (Census 2011)			17		29		22		19		11		2

DISABLED EMPLOYEES

	Head-count	Not Disabled		Disabled		Unknown
		No	%	No	%	No
Bristol City Council	6279	5230	92.1	447	7.9	602
Bristol Economically Active Citizens (Census 2011)			93		7	

ETHNICITY

	Head-count	White British		WME		BME		Unknown
		No	%	No	%	No	%	No
Bristol City Council	6279	4688	82.3	309	5.4	698	12.3	584
Bristol Economically Active Citizens (Census 2011)			80		8		13	

GENDER

	Head-count	Female		Male		Unknown
		No	%	No	%	No
Bristol City Council	6279	3784	60.3	2494	39.7	1
Bristol Economically Active Citizens (Census 2011)			47		53	

RELIGION / BELIEF

	Head-count	No religion		Christian		Other religion		Unknown
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¹ From BCC Diversity Dashboard June 2018

		or belief				or belief		
		No	%	No	%	No	%	No
Bristol City Council	6279	2061	50.6	1656	40.7	356	8.7	2206
Bristol Economically Active Citizens (Census 2011)			45		42		7	

SEXUAL ORIENTATION

	Head- count	Hetero sexual		LGB		Unknown
		No	%	No	%	No
Bristol City Council	6279	3923	94.6	222	5.4	2134
Bristol Economically Active Citizens (Census 2011)			94		6	

Bristol Citizens

Bristol Joint Strategic Needs Assessment (JSNA)² and citywide data available from Open Data Bristol³ shows that Bristol is a thriving and diverse city, but its success is not shared by everyone, and inequality is growing. A quarter of Bristol's children grow up in poverty, and the city has 42 neighbourhoods ranked in the most deprived 10% in England. Life expectancy is 9.6 years lower for men and 7.0 years lower for women in the most deprived areas of Bristol than in the least deprived areas.

State of Bristol – Key Facts 2017-18⁴ provides a summary of the city demographics including that:

- The population of Bristol has become increasingly diverse and some local communities have changed significantly. There are now at least 45 religions, at least 180 countries of birth and at least 91 main languages spoken.
- The proportion of the population who are not 'White British' increased from 12% (2001) to 22% (2011)
- Bristol has a relatively young age profile with more children aged 0-15 than people aged 65 and over. The median age of people living in Bristol is 33 years old, compared to 40 years in England and Wales.

² https://www.bristol.gov.uk/en_US/policies-plans-strategies/joint-strategic-needs-assessment

³ <https://bristol.opendatasoft.com/pages/home/>

⁴ <https://www.bristol.gov.uk/documents/20182/32947/State+of+Bristol+Key+Facts+2017-18/94b14c82-b664-0f5f-4487-8623f4be9ae6>

2.2 Who is missing? Are there any gaps in the data?

There are gaps in our diversity data for some protected characteristics citywide, especially where this has not historically been included in census and statutory reporting e.g. for sexual orientation.

We also know there are some gaps in our workforce diversity information - especially where personal and confidential information is voluntarily requested from staff. A new refresh of personal data will be launched in November 2018

2.3 How have we involved, or will we involve, communities and groups that could be affected?

The development of this policy and strategy has been informed by an independent review of Bristol City Council's equality and diversity which took place in Spring 2018. This review included:

- A review of policies, structure and roles of teams/posts with an equality brief.
- One to one conversations with 15 key individuals, ranging from members, including the Deputy Mayor, key staff with an equality and diversity brief across the Council, representatives from BCC staff led equality groups, a union representative, and representatives from the Race and Women's Commissions.
- 44 responses from an online survey asking for feedback on key issues of concern, barriers to progress and ideas for improvement.
- Feedback from a stakeholder meeting, attended by 31 people, including the Mayor. Participants at the meeting were asked to reflect on key emerging themes and recommendations, and raise any other issues.
- A review of equality and diversity polices from other local authorities, including core cities, Camden and Birmingham, other practice in civil service and the higher education sector.

In September 2018 we met with key external stakeholders to provide a full update on the process of drafting our new Equalities and Inclusion policy and strategy, and to discuss the next steps in working together to develop our equality and diversity culture. We held a follow-on session in October 2018 to share the draft Policy and Strategy and seek further feedback.

We will continue to engage with our internal and external stakeholders to ensure that this new policy and strategy, plus emerging action plans, are fully integrated into the council's activities and partnership working.

Step 3: Who might the proposal impact?

Analysis of impacts on people with protected characteristics must be rigorous. Please demonstrate your analysis of any impacts in this section, referring to all of the equalities groups as defined in the Equality Act 2010.

3.1 Does the proposal have any potentially adverse impacts on people with protected characteristics?

The purpose of the policy and strategy is to challenge and address discrimination and inequalities, and promote equality and good relations. At its heart lies the council's Public Sector Equality Duty to consider how our policies and decisions affect people who are protected under the Equality Act. The strategy is a living document and will be continually monitored and updated to address inequalities and discrimination.

3.2 Can these impacts be mitigated or justified? If so, how?

- We will ensure that the activities and measures that we use to achieve the objectives identified in this proposal are evidenced based.
- The strategy requires a range of activities to be undertaken to ensure that we meet our objectives to become a more inclusive organisation.
- We will work closely with key internal and external stakeholders, including the staff led equality groups, and representative external organisations to ensure we meet the needs of people with protected characteristics.

3.3 Does the proposal create any benefits for people with protected characteristics?

Our refreshed approach will ensure that the council is embracing Public Sector Equality Duty requirements with respect to people with protected characteristics. Focussing on the benefits of inclusion will allow the council to go beyond basic compliance towards delivering good inclusive practice.

By considering socio-economic inequality alongside the protected characteristics recognised by the Equality Act 2010 we will align with emerging good practice that addresses the structural causes of inequality.

3.4 Can they be maximised? If so, how?

The potential benefits of the new Equality and Inclusion policy and strategy can

be maximised through sustained ownership of the equality agenda by the council's leadership and workforce.

Step 4: So what?

The Equality Impact Assessment must be able to influence the proposal and decision. This section asks how your understanding of impacts on people with protected characteristics has influenced your proposal, and how the findings of your Equality Impact Assessment can be measured going forward.

4.1 How has the equality impact assessment informed or changed the proposal?

Consideration of the potential impact of council activities on people with protected characteristics has been central to the development of the Equality and Inclusion Policy and Strategy.

4.2 What actions have been identified going forward?

The Equality Act 2010 (Specific Duties) Regulations 2011 require public bodies to prepare and publish one or more objectives it thinks it should achieve to do any of the things mentioned in the requirements of the Public Sector Equality Duty at least every 4 years.

We will fulfil this duty by updating the Equality and Inclusion strategy and action plans in alignment with the council's Corporate Strategy.

Additionally we will:

- Strengthen the core equalities team in policy and strategy and devise closer working arrangements with the Diversity and Inclusion team in HR
- The Head of Paid Service will become our Senior Equality and Inclusion Champion
- Equality and Inclusion will be a regular item at Corporate Leadership Board
- Equality and Inclusion Champions will be identified on each directorate EDM to lead directorate level equalities action plan
- Identify service level champions to ensure robust equality impact assessments

4.3 How will the impact of your proposal and actions be measured moving forward?

Each service area will identify local equalities risks and priorities and create an

annual action plan for addressing them with appropriate performance indicators.

Service Director Sign-Off:



Tim Borrett

Date: 01/11/2018

Equalities Officer Sign Off:



Duncan Fleming

Date: 10/10/2018

Full Council

13 November 2018



Report of: Quentin Baker, Interim Service Director – Legal & Democratic Services

Title: **Appointment of Statutory Scrutiny Officer**

Ward: Citywide

Recommendation:

That Lucy Fleming, (interim) Service Manager - Democratic Engagement, be appointed as the authority's Statutory Scrutiny Officer.



Context / proposal:

The City Council must appoint named individuals to particular roles, including the role of Statutory Scrutiny Officer.

Statutory Scrutiny Officer

Originally introduced by the Local Democracy, Economic Development and Construction Act 2009, the requirement for English councils to designate a “statutory” scrutiny officer can now be found at s9FB of the Local Government Act 2000 (the legislative framework having been altered by the Localism Act 2011).

The statutory scrutiny officer’s role is (these points paraphrase the precise wording of the Act, which can be found at <http://www.legislation.gov.uk/ukpga/2011/20/schedule/2>):

- To promote the role of the authority’s overview and scrutiny committee(s);
- To provide support to the authority’s overview and scrutiny function and to local councillors;
- To provide guidance to members and officers of the council in relation to overview and scrutiny functions.

The statutory scrutiny officer cannot be the authority’s Head of Paid Service, the Monitoring Officer or the Chief Finance Officer.

The Full Council is asked to appoint Lucy Fleming, (interim) Service Manager - Democratic Engagement as the authority’s Statutory Scrutiny Officer.

Legal and Resource Implications

Legal Implications

Failure to ensure appointment to these roles could lead to the Council being challenged for failing to meet its statutory duties.

Quentin Baker

Service Director: Legal and Democratic Services

Financial Implications

None.

Appendices

None.

Full Council

13 November 2018



Report of: Service Director: Finance

Title: Treasury Management Annual Report 2017/18

Ward: City Wide

Member Presenting Report: Deputy Mayor – Finance, Governance and Performance

Recommendation

Council note the Annual Treasury Management Report for 2017/18, as detailed in Appendix A.

Summary

The Council is required to produce an annual treasury management review of activities and the actual treasury indicators in accordance with Local Government regulations.

The significant issues in the report are:

- The Council has complied with treasury management legislative and regulatory requirements during the period and all transactions were in accordance with the approved Treasury Management Strategy.
- The 2017–2022 Treasury Strategy identified a medium term borrowing requirement of £450m to support the existing and future Capital Programme. The Council's agreed policy is to defer borrowing while it has significant levels of cash balances (£64m at March 2018).
- The Council's long term debt at the 31 March 2018 was £431m with an average annual interest rate of 4.68%. Investments were £64m at the 31 March 2018 with an average annual interest rate of 0.44%.

Policy

There are no policy implications as a direct result of this report.

Consultation

1. Internal

Audit Committee, Strategic & Service Directors, and Deputy Mayor – Finance, Governance & Performance.

2. External

Link Asset Services – the Council’s external treasury management advisors

Context

1. The Council’s treasury management activity is underpinned by CIPFA’s Code of Practice on Treasury Management (the Code), which requires local authorities to produce annually Prudential Indicators and a Treasury Management Strategy Statement on the likely financing and investment activity. The Code also requires reports to full Council mid-year and after the year end. The 2017/18 outturn report is set out as Appendix A.
2. The Code also requires the Council to nominate one of its Committees to have responsibility for scrutiny of its treasury management strategy, policy and activity. Council has delegated that responsibility to the Overview and Scrutiny Management Board and Audit Committee. Overall responsibility for treasury management remains with the Council. No treasury management activity is without risk; the effective identification and management of risk are integral to the Council’s treasury management objectives.
3. Treasury management is defined as:

“The management of the local authority’s investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”.

Proposal

Council note the Annual Treasury Management Report for 2017/18, as detailed in Appendix A.

Other Options Considered

Not applicable

Risk Assessment

The principal risks associated with treasury management are:

Risk	Mitigation
Loss of investments as a result of failure of counterparties	Limiting the types of investment instruments used, setting lending criteria for counterparties, and limiting the extent of exposure to individual counterparties
Increase in the net financing costs of the authority due to borrowing at high rates of interest / lending at low rates of interest	Planning and undertaking borrowing and lending in light of assessments of future interest rate movements, and by undertaking most long term borrowing at fixed rates of interest (to reduce the volatility of capital financing costs)

Public Sector Equality Duties

None necessary for this report

Legal and Resource Implications

Legal

The Council is under a duty to manage its resources prudently and therefore due consideration must always be given to its borrowing and lending strategy. A wide range of local authority financial activities, including borrowing, lending, financial management, and the approval of types of investment vehicle are governed by legislation and various regulations. The Council is obliged to comply with these.

(Legal advice provided by Quentin Baker – Interim Service Director: Legal and Democratic Services)

Financial

(a) Revenues

The financing costs arising from planned borrowing are provided for in the revenue budget and medium term financial plan. Any additional operating costs arising from capital investment must be contained within the revenue budget of the relevant department.

(b) Capital

Not Applicable

(Financial advice provided by Jon Clayton – Principal Accountant)

Land

Not applicable

Personnel

Not Applicable

Appendices:

Appendix A – Treasury Management Annual Report 2017/18

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

None

Treasury Management Annual Report 2017/18

Purpose of the report:

1. Under the CIPFA Code of Practice on Treasury Management (the Code) the Section 151 Officer is required to produce an outturn report on activities in the year to account for how the Strategy set at the start of the year has been implemented. This report meets the requirements of both the Code and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

Background

2. The Council's treasury management activity is underpinned by CIPFA's Code of Practice on Treasury Management (the Code), which requires local authorities to produce annually Prudential Indicators and a Treasury Management Strategy Statement on the likely financing and investment activity. The Code also requires reports to full Council mid-year and after the year end.
3. The Code also requires the Council to nominate one of its Committees to have responsibility for scrutiny of its treasury management strategy, policy and activity. Council has delegated this responsibility to the Overview and Scrutiny Management Board and Audit Committee. Overall responsibility for treasury management remains with the Council. No treasury management activity is without risk; the effective identification and management of risk are integral to the Council's treasury management objectives.
4. Treasury management is defined as:

"The management of the local authority's borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."

The Economy and Interest Rates for 2017/18

5. **UK.** During the year of 2017, there was a major shift in expectations in financial markets in terms of how soon Bank Rate would start on a rising trend. After the UK economy surprised with strong growth in the second half of 2016, growth in 2017 was weak in the first half of the year; quarter 1 came in at +0.3% (+1.7% y/y) and quarter 2 was +0.3% (+1.5% y/y), which meant that growth in the first half of 2017 was the slowest for the first half of any year since 2012. The main reason for this was the sharp increase in inflation caused by the devaluation of sterling after the EU referendum, increasing the cost of imports into the economy. This caused a reduction in consumer disposable income and spending power as inflation exceeded average wage increases. Consequently, the services sector of the economy, accounting for around 75% of GDP, saw weak growth as consumers responded by cutting back on their expenditure. However, growth did pick up in quarter 3 to 0.5% before dipping to 0.4% in quarter 4.

6. Consequently, market expectations during the autumn rose that the MPC would be heading in the direction of raising Bank Rate. The **MPC meeting of 14 September** provided a shock to the markets with a sharp increase in tone in the minutes where the MPC considerably hardened their wording in terms of a raise in Bank Rate very soon. The **2 November MPC quarterly Inflation Report meeting** delivered on this by withdrawing the 0.25% emergency rate cut which had been implemented in August 2016. Market debate then moved on as to whether this would be a one and done move for maybe a year or more by the MPC, or the first of a series of increases in Bank Rate over the next 2-3 years. The MPC minutes from that meeting were viewed as being dovish, i.e. there was now little pressure to raise rates by much over that time period. In particular, the GDP growth forecasts were weak while there was little evidence of pressure on wage increases despite the low unemployment. The MPC forecast that CPI would peak at about 3.1% and chose to look through that breaching of its 2% target as this was a one off result of the devaluation of sterling caused by the result of the EU referendum. The inflation forecast showed that the MPC expected inflation to come down to near the 2% target over the two to three year time horizon meaning cooling expectations of further action to raise Bank Rate over the next two years.
7. However, GDP growth in the second half of 2017 came in stronger than expected, while in the new-year there was evidence that wage increases had started to rise. The **8 February MPC meeting** minutes therefore revealed another sharp hardening in MPC warnings focusing on a reduction in spare capacity in the economy, weak increases in productivity, higher GDP growth forecasts and a shift of their time horizon to focus on the 18 – 24 month period for seeing inflation come down to 2%. (CPI inflation ended the year at 2.7% but was forecast to still be just over 2% within two years.) This resulted in an increase in expectations that there would be another Bank Rate in 2018 and a bringing forward of the timing of subsequent increases in Bank Rate. This shift in expectations resulted in **investment rates** from 3 – 12 months increasing sharply during the spring quarter.
8. **PWLB borrowing rates** increased correspondingly to the above developments with the shorter term rates increasing more sharply than longer term rates. In addition, UK gilts have moved in a relatively narrow band this year, (within 25 basis points for much of the year), compared to **US**. During the second half of the year, there was a noticeable trend in treasury yields being on a rising trend with the Fed raising rates by 0.25% in June, December and March. The effect of these increases was greater in shorter terms around 5 year, rather than longer term yields.
9. **Equity markets**, the FTSE 100 hit a new peak near to 7,800 in early January before there was a sharp sell-off in a number of stages during the spring, replicating similar developments in US equity markets.
10. The major UK landmark event of the year was the inconclusive result of the **general election** on 8 June. However, this had relatively little impact on financial markets. However, **sterling** did suffer a sharp devaluation against most other currencies, although it has recovered about half of that fall since then. Brexit negotiations have been a focus of much attention and concern during the year but so far this has been progressing.
11. **Manufacturing sector** has been the bright spot in the economy, seeing stronger growth, particularly as a result of increased demand for exports. It has helped that growth in the EU, our main trading partner, has improved significantly over the last year. However, the manufacturing sector only accounts for around 11% of GDP so expansion in this sector has a

much more muted effect on the average total GDP growth figure for the UK economy as a whole.

12. **EU.** Economic growth in the EU, (the UK's biggest trading partner), was lack lustre for several years after the financial crisis despite the ECB eventually cutting its main rate to -0.4% and embarking on a massive programme of quantitative easing to stimulate growth. However, growth eventually picked up in 2016 and subsequently gathered further momentum to produce an overall GDP figure for 2017 of 2.3%. Nevertheless, despite providing this massive monetary stimulus, the ECB is still struggling to get inflation up to its 2% target and in March, inflation was still only 1.4%. It is, therefore, unlikely to start an upswing in rates until possibly towards the end of 2019.
13. **USA.** Growth in the American economy was volatile in 2015 and 2016. 2017 followed that path again with quarter 1 at 1.2%, quarter 2 3.1%, quarter 3 3.2% and quarter 4 2.9%. The annual rate of GDP growth for 2017 was 2.3%, up from 1.6% in 2016. Unemployment in the US also fell to the lowest level for 17 years, reaching 4.1% in October to February, while wage inflation pressures, and inflationary pressures in general, have been building. The Fed has been the first major western central bank to start on an upswing in rates with six increases since the first one in December 2015 to lift the central rate to 1.50 – 1.75% in March 2018. There could be a further two or three increases in 2018 as the Fed faces a challenging situation with GDP growth trending upwards at a time when the recent Trump fiscal stimulus is likely to increase growth further, consequently increasing inflationary pressures in an economy which is already operating at near full capacity. In October 2017, the Fed also became the first major western central bank to make a start on unwinding quantitative easing by phasing in a gradual reduction in reinvesting maturing debt.
14. **Chinese economic growth** has been weakening over successive years, despite repeated rounds of central bank stimulus and medium term risks are increasing. Major progress still needs to be made to eliminate excess industrial capacity and the stock of unsold property, and to address the level of non-performing loans in the banking and credit systems.

Treasury position as at 31 March 2018

15. The table below indicates the balance of borrowing and investments at the beginning and end of the year and average borrowing cost and investment returns for each period:

	31 March 2017		31 March 2018	
	£m	Average Rate %	£m	Average Rate %
Long Term Debt (fixed rates) - PWLB	311	5.09	311	4.92
Long Term Debt (fixed rates) – LOBOS	100	4.11	100	4.11
Long Term Debt (fixed rates) – Market	23	4.24	20	3.84
Short Term Borrowing	-	-	-	-
Total borrowing	434	4.81	431	4.68
Investments	70	0.57	64	0.44
Net Borrowing Position	364		367	

16. The total borrowing excludes accrued interest of £5m (£5m at 31/3/17) and the outstanding finance on PFI and service contracts of £140m at 31 March 2018 (£146m at 31/3/17).
17. The authority also has long term service investments costing £36m primarily relating to the holdings in Bristol Holdings Company (£23m), Bristol Port Company (£3m) and a property fund to support Homelessness (£10m).
18. The Net debt has increased by £3m from £364m to £367m primarily due to;
 - Funding of the capital programme financed by borrowing +£44m
 - Net increase of reserves (£55m)
 - Other changes to working capital / provisions +£14m

Long Term Borrowing – Strategy and outturn

19. The 2017–2022 Treasury Strategy (approved 21st February 2017) identified a medium term borrowing requirement of £450m to support the existing and future Capital Programme with the debt servicing costs predominately met from revenue savings from capital investment and the economic development fund. The £450m was planned to be borrowed in the following periods, 17/18 - £130m, 18/19 - £140m, 19/20 - £90m, 20/21, £50m and 21/22 - £40m.
20. The Council’s Strategy is also to defer borrowing while it has significant levels of liquid treasury investments, £64m at March 2018 (£70m at March 2017). Deferring borrowing will reduce the “net” revenue interest cost of the Authority as well as reducing the Councils exposure to counter party risk for its investments. The Council recognises that utilising investments in lieu of borrowing clearly has a finite duration and that future borrowing will be required to support capital expenditure (see 2017/18 Treasury Management Strategy approved by Council 21st February 2017).

<https://democracy.bristol.gov.uk/documents/s11926/Appendix%204%20Treasury%20Management%20Strategy%20201718.pdf>

21. Borrowing activity in year was in accordance with the Strategy approved at the beginning of the year:
 - **Borrowing** – No borrowing was undertaken as the authority maintained higher levels of investments than originally anticipated for a variety of reasons including the time taken to progress capital schemes where the source of financing is external borrowing.
 - **Rescheduling** – No debt rescheduling activity was undertaken in 2017/18. As set out in the Treasury Mid-Year report the total life cycle cost of rescheduling loans on a discounted cash-flow basis has been reviewed with no loans providing a positive cash-flow benefit to the authority. This would in part be due to large early repayment penalties that the authority will incur, circa £253m penalty to repay the PWLB loans (£311m) early as at 31st March 2018.

Annual Investment Strategy and Outturn

22. Investment rates for 3 months and longer have been on a rising trend during the second half of the year in the expectation of Bank Rate increasing from its floor of 0.25%.
23. Bank Rate was raised from 0.25% to 0.50% on the 2nd November 2017 and remained at that level for the rest of the year, with further increases expected over the next few years. Deposit rates continued into the start of 2017/18 at previous depressed levels due, in part, to a large tranche of cheap financing being made available under the Term Funding Scheme to the banking sector by the Bank of England; this facility ended on the 28th of February 2018.
24. Security of capital remained the Council's main investment objective. This was maintained by following the Council's policy for assessing institutions to which the council might lend. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies supplemented by additional market data (such as rating outlooks, credit default swaps, bank share prices etc.).
25. Investments held by the Council - the Council maintained an average balance of £94m (£146m 2016/17) of internally managed funds. The internally managed funds received an average return of 0.44% (0.57% 2016/17). The comparable performance indicator is the average 7-day LIBID rate, which was 0.22%.

Compliance with Treasury Limits and Treasury Related Prudential Indicators

26. The Council can confirm that:
 - All treasury related transactions were undertaken by authorised officers and within the limits and parameters approved by the Council;
 - All investments were to counterparties on the approved lending list
 - The Council operated within the Prudential Indicators within Appendix 1.

Performance Indicators set for 2017/18

27. One of the key requirements in the Code is the formal introduction of performance measurement relating to investments, debt, and capital financing activities. Whilst investment performance criteria have been well developed and universally accepted, debt performance indicators continue to be a more problematic area with the traditional average portfolio rate of interest acting as the main guide. The Council's performance indicators were set out in the Annual Treasury Management Strategy.
28. The following performance indicators have been set:
 - Debt – Average rate movement, noting no borrowing undertaken during the year.
 - Investments – Internal returns above the 7 day LIBID rate
 - Average rate for the year 0.44% vs. annual average 7 day LIBID of 0.22%

Consultation and scrutiny input

29. The report has been discussed with the Council's external treasury management advisers and internally with Strategic & Service Directors, and Deputy Mayor – Finance, Governance & Performance.

Risk Assessment

30. The principal risks associated with treasury management are:

Risk	Mitigation
Loss of investments as a result of failure of counterparties	Limiting the types of investment instruments used, setting lending criteria for counterparties, and limiting the extent of exposure to individual counterparties
Increase in the net financing costs of the authority due to borrowing at high rates of interest / lending at low rates of interest	Planning and undertaking borrowing and lending in light of assessments of future interest rate movements, and by undertaking most long term borrowing at fixed rates of interest (to reduce the volatility of capital financing costs)

Public sector equality duties:

31. There are no proposals in this report, which require either a statement as to the relevance of public sector equality duties or an Equalities Impact Assessment.

Environmental checklist / eco impact assessment

32. There are no proposals in this report which have environmental impacts

Legal and Resource Implications

33. Legal- the Council is under a duty to manage its resources prudently and therefore due consideration must always be given to its borrowing and lending strategy. A wide range of local authority financial activities, including borrowing, lending, financial management, and the approval of types of investment vehicle are governed by legislation and various regulations. The Council is obliged to comply with these.

Advice provided by Quentin Baker (Interim Service Director: Legal and Democratic Services)

Financial

(a) Revenue

34. The financing costs arising from planned borrowing are provided for in the revenue budget and medium term financial plan.

Advice given by Jon Clayton (Principal Accountant)

(b) Capital

35. There is no direct capital investment implications contained within this report.

Land

36. There are no direct implications for this report.

Personnel

37. There are no direct implications for this report.

Appendices:

Appendix 1: Treasury Management Annual Report 2017/18

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

38. Treasury Management Strategy 2017/18

<https://democracy.bristol.gov.uk/documents/s11926/Appendix%204%20Treasury%20Management%20Strategy%20201718.pdf>

Annual Report on the Treasury Management Service 2017/18 (Incorporating Outturn Prudential Indicators)

Introduction

1. This report summarises:

- The capital activity during the year
- What resources the Council applied to pay for this activity;
- The impact of this activity on the Council's underlying indebtedness (the Capital Financing Requirement);
- The reporting of the required prudential indicators;
- Overall treasury position identifying how the Council has borrowed in relation to this indebtedness, and the impact on investment balances;
- A summary of interest rate movements in the year;
- The detailed debt activity;
- The detailed investment activity;
- Local Issues

The Council's Capital Expenditure and Financing 2017/18

2. The Council undertakes capital expenditure to invest in the acquisition and enhancement of long-term assets. These activities may either be:

- Financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resultant impact on the Council's borrowing need; or
- If insufficient financing is available, or a decision is taken not to apply resources, the capital expenditure will give rise to a borrowing need.

3. The actual capital expenditure forms one of the required prudential indicators. The table below shows the actual capital expenditure and how this was financed.

	2016/17 Actual £m	2017/18 Original Budget £m	2017/18 P10 - Final Budget £m	2017/18 Actual £m
Non-HRA capital expenditure	147	173	114	104
HRA capital expenditure	49	41	34	32
Total capital expenditure	196	214	146	136
Resourced by:				
Capital receipts	15	3	5	6
Capital grants	62	39	40	45
HRA Self Financing	34	25	25	24
Prudential borrowing	67	130	59	44
Revenue	18	17	17	17
Total Resources	196	214	146	136

The Council's Overall Borrowing Need

4. The Council's underlying need to borrow is called the Capital Financing Requirement (CFR). This figure is a gauge of the Council's debt position. It represents 2017/18 and prior years' net capital expenditure that has not yet been paid for by revenue or other resources.
5. Part of the Council's treasury activities is to address this borrowing need, either through borrowing from external bodies, or utilising temporary cash resources within the Council.
6. Reducing the CFR – Whilst under treasury management arrangements actual debt can be borrowed or repaid at any time within the confines of the annual treasury strategy, the Council is required to make an annual revenue charge to reduce the CFR – effectively a repayment of the Non-Housing Revenue Account (HRA) borrowing need. There is no statutory requirement to reduce the HRA CFR.
7. This statutory revenue charge is called the Minimum Revenue Provision - MRP. The total CFR can also be reduced by:
- the application of additional capital resources (such as unapplied capital receipts); or
 - charging more than the statutory revenue charge (MRP) each year through a Voluntary

Revenue Provision (VRP).

8. The Council's 2017/18 MRP Policy (as required by CLG Guidance) was approved on the 17th February 2017.
9. The Council's CFR for the year is shown below, and represents a key prudential indicator. Accounting rule changes in previous years has meant that PFI schemes are now included on the balance sheet, which increases the Council's borrowing need, the CFR. No borrowing is actually required against these schemes as a borrowing facility is included in the contract.

CFR	General Fund 31 March 2017 Actual £m	General Fund 31 March 2018 Actual £m	HRA 31 March 2017 Actual £m	HRA 31 March 2018 Actual £m	Total CFR 31 March 2018 Actual £m
Opening balance	489	543	245	245	788
Add unfinanced capital expenditure (as above)	67	44	-	-	44
Less MRP/VRP	(8)	(3)	-	-	(3)
Less PFI & finance lease repayments	(5)	(6)	-	-	(6)
Closing balance	543	578	245	245	823

Treasury Position at 31 March 2018

10. Whilst the Council's gauge of its underlying need to borrow is the CFR, Finance can manage the Council's actual borrowing position by either:
- Borrowing to the CFR; or
 - Choosing to utilise some temporary internal cash flow funds in lieu of borrowing or
 - Borrowing for future increases in the CFR (borrowing in advance of need).

11. The figures in this report are based on the principal amounts borrowed and invested and so may differ from those in the final accounts by items such as accrued interest.

	31 March 2017		31 March 2018	
	Principal £m	Average Rate % ²	Principal £m	Average Rate % ²
Fixed Interest Rate Debt	311	5.09	311	4.92
Variable Interest Rate Debt	-	-	-	-
Market Debt – LOBO ¹	100	4.11	100	4.11
Market Debt	23	4.24	20	3.84
PFI / Service Contracts	146	-	140	-
Total Debt	580	4.81	571	4.68
Debt administered of behalf of Unitary Authorities (Ex Avon Debt)	(46)	-	(44)	-
Revised Debt	534	4.81	527	4.68
Capital Financing Requirement	788		823	
Over/(Under) borrowing	(254)		(296)	
Investment position				
Investments (Fixed & Call)	70	0.57	64	0.44
Net borrowing position (excl leasing arrangements)	364	-	367	-

1 Lender option Borrower option, 2 reflects the average rate for the year taking account of new loans and repayments.

12. The fixed Interest rate debt is apportioned between the General Fund and HRA as set out in the table below.

Fixed Interest Rate Debt	31 March 2017		31 March 2018	
	Principal £m	Average Rate%	Principal £m	Average Rate%
General Fund	194	4.96	193	4.68
HRA	240	4.69	238	4.68
Total	434	4.81	431	4.68

13. The maturity structure of the debt portfolio (excluding accrued interest) was as follows:

	Approved Min Limit%	Approved Max Limit%	31 March 2017		31 March 2018	
			Actual £m	%	Actual £m	%
Under 12 Months	0	20	3	1	-	-
1 to 2 years	0	20	-	-	-	-
2 to 5 years	0	40	10	2	15	3
5 to 10 years	0	40	37	9	49	11
10 years and over	25	100	384	88	367	86
Total			434	100	431	100

14. The Council hold £100m of LOBOS with maturities averaging 50 years. Inherent within these loan instruments are options (averaging an option every 4 years) that could give rise to the debt being repaid early. These loans are regularly reviewed with the current and expected structure of interest rates. The risk of the lenders exercising their options is currently low for the short to medium term. Therefore, the maturity of these loans in above table is based on their maturity date, 10 years and over.
15. The Council will continually review these loans in accordance with economic forecasts and will update the maturity structure of the debt portfolio accordingly and assess the future re-financing risks exposed to the authority and report any changes within future monitoring reports.
16. The authority's borrowing strategy is to delay borrowing and use its existing resources to support the Capital Programme to reduce its exposure to counterparty risk and the net interest cost of the authority. The authority, as planned, did not undertake further borrowing while the authority maintained higher levels of investments than originally anticipated. This was due to a variety of reasons including the time taken to progress capital schemes where the source of financing was external borrowing.
17. If it had been felt that there was a significant risk of a much sharper RISE in long and short term rates than expected, perhaps arising from an acceleration in bank rate, an increase in world economic activity or a sudden increase in inflation risks, then this course of action would have been re-appraised. Most likely, fixed rate funding would have been drawn whilst interest rates were lower than they were projected to be over the short to medium term.

Prudential Indicators and Compliance Issues

18. Some of the prudential indicators provide either an overview or specific limits on treasury activity. These are shown below:
19. **Gross Borrowing and the CFR** - In order to ensure that borrowing levels are prudent over the medium term and only for a capital purpose, the Council should ensure that its gross external borrowing does not, except in the short term, exceed the total of the capital financing requirement over the medium term. This essentially means that the Council is not borrowing to support revenue expenditure. The table below highlights the Council's gross borrowing position against the CFR. The Council has complied with this prudential indicator.

	31 March 2017 Actual £m	31 March 2018 Actual £m
Gross borrowing position	434	431
CFR (excluding PFI)	642	683

20. **The Authorised Limit** - The Authorised Limit is the "Affordable Borrowing Limit" required by Section 3 of the Local Government Act 2003. Once agreed the authorised limit cannot be breached. The Council does not have the power to borrow above this level. The table below demonstrates that during 2017/18 the Council has maintained gross borrowing within its

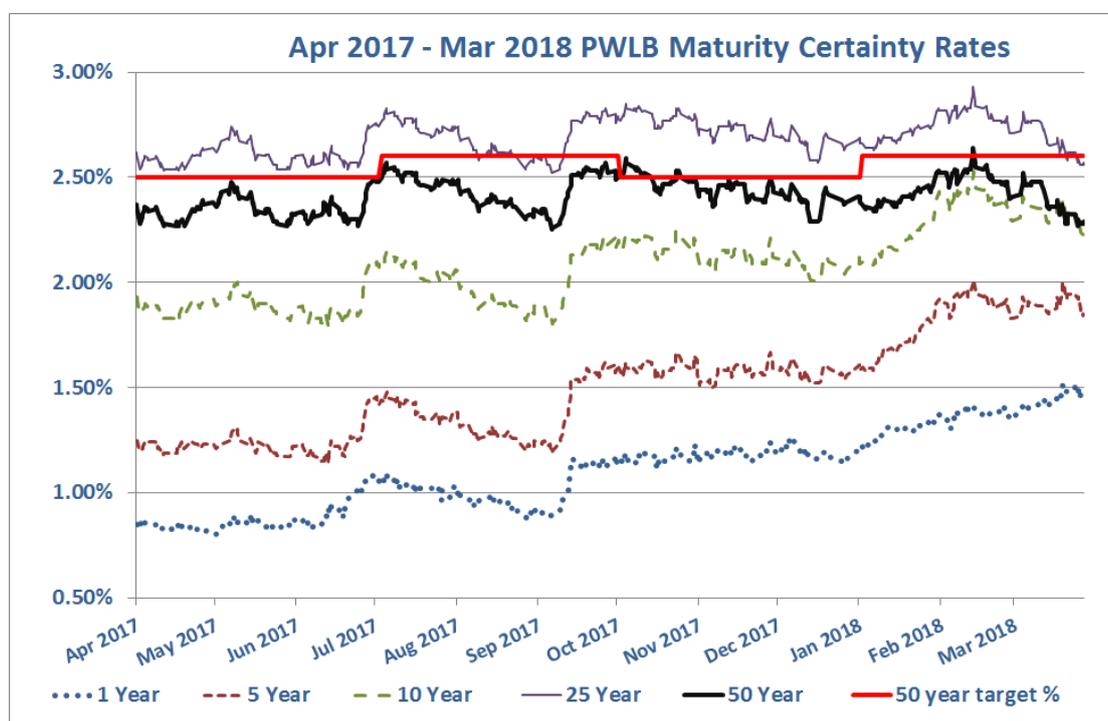
Authorised Limit.

21. **The Operational Boundary** – The Operational Boundary is the expected borrowing position of the Council during the year. Periods where the actual position is either below or over the Boundary is acceptable subject to the Authorised Limit not being breached.
22. **Actual financing costs as a proportion of net revenue stream** - This indicator identifies the cost of capital (borrowing and other long term obligation costs net of investment income) against the net revenue stream.

	2017/18 £m
Authorised Limit	900
Operational Boundary	683
Average gross borrowing position (including PFI)	575
Financing costs as a proportion of net revenue stream:	
General Fund	6.35%
HRA	8.80%

Borrowing Rates in 2017/18

23. PWLB borrowing rates - the graph below shows how PWLB certainty rates have fluctuated throughout the year. The PWLB 25 and 50 year rates have been volatile during the year with little consistent trend, while the shorter rates were on a rising trend during the second half of the year and reached peaks in February / March.



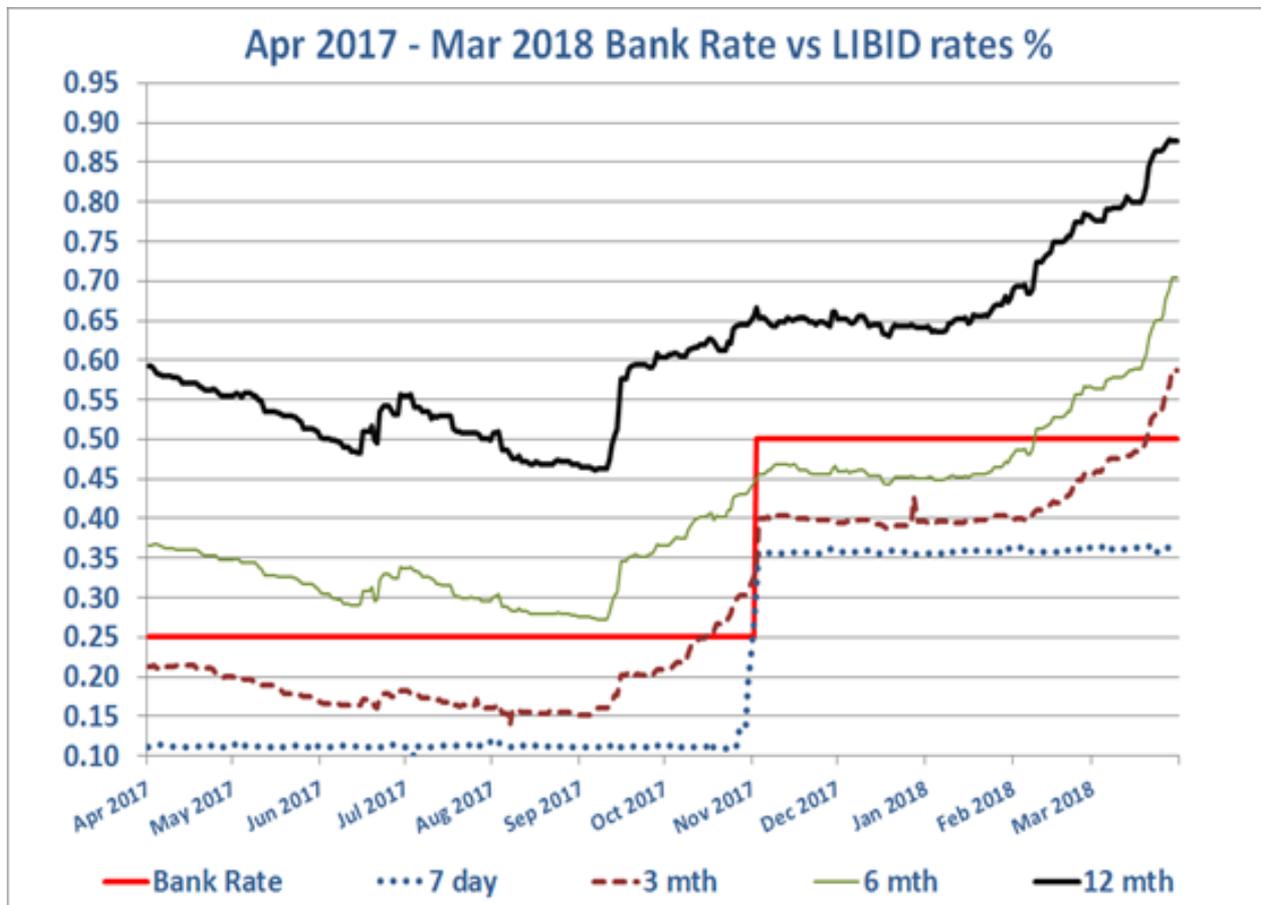
24. **Summary of Debt Transactions** – No long term borrowing was undertaken during year as mentioned previously within the report.

25. The average rate of interest for the debt portfolio is 4.68%.

Investment Rates in 2017/18

26. Investment rates for 3 months and longer have been on a rising trend during the second half of the year in the expectation of Bank Rate increasing from its floor of 0.25%, and reached a peak at the end of March.

Bank Rate was duly raised from 0.25% to 0.50% on the 2nd of November 2017 and remained at that level for the rest of the year. However, further increases are expected over the next few years. Deposit rates continued into the start of 2017/18 at previous depressed levels due, in part, to a large tranche of cheap financing being made available under the Term Funding Scheme to the banking sector by the Bank of England; this facility ended on the 28th February 2018.



27. The Council's investment policy is governed by CLG guidance, which has been implemented in the annual investment strategy approved by the Council on 21st February 2017. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings

provided by the three main credit rating agencies supplemented by additional market data (such as rating outlooks, credit default swaps, bank share prices etc.). The investment activity during the year conformed to the approved strategy, and the Council had no liquidity difficulties.

Local Issues

28. **Ethical Investment Policy**- The “Ethical Investment Policy” was approved by Cabinet on 15th December 2011 (updated February 2015). There are no breaches to report.

Regulatory Framework, Risk and Performance

29. The Council’s treasury management activities are regulated by a variety of professional codes and statutes and guidance:

- The Local Government Act 2003 (the Act), which provides the powers to borrow and invest as well as providing controls and limits on this activity;
- The Act permits the Secretary of State to set limits either on the Council or nationally on all local authorities restricting the amount of borrowing which may be undertaken (although no restrictions have been made);
- Statutory Instrument (SI) 3146 2003, as amended, develops the controls and powers within the Act;
- The SI requires the Council to undertake any borrowing activity with regard to the CIPFA Prudential Code for Capital Finance in Local Authorities;
- The SI also requires the Council to operate the overall treasury function with regard to the CIPFA Code of Practice for Treasury Management in the Public Services;
- Under the Act the CLG has issued Investment Guidance to structure and regulate the Council’s investment activities.
- Under section 238(2) of the Local Government and Public Involvement in Health Act 2007 the Secretary of State has taken powers to issue guidance on accounting practices. Guidance on Minimum Revenue Provision was issued under this section on 8th November 2007.

30. The Council has complied with all of the above relevant statutory and regulatory requirements which require the Council to identify and, where possible, quantify the levels of risk associated with its treasury management activities. In particular its adoption and implementation of both the Prudential Code and the Code of Practice for Treasury Management means both that its capital expenditure is prudent, affordable and sustainable, and its treasury practices demonstrate a low risk approach.

31. The Council has ensured that the principles of security, liquidity and yield have been adhered to within the treasury operation. This implies that the safeguarding of the principal investment with a suitable counterparty remains the Council’s highest priority followed by liquidity (i.e. ease of access to the principal amount deposited) and yield (i.e. return) on investment.

Revised Cipfa Codes

32. In December 2017, the Chartered Institute of Public Finance and Accountancy, (CIPFA), issued a revised Treasury Management Code and Cross Sectoral Guidance Notes, and a revised Prudential Code.
33. A particular focus of these revised codes was how to deal with local authority investments which are not treasury type investments. The outcome being that local authorities will produce a new report to members to give a high level summary of the overall capital strategy and to enable members to see how the cash resources of the Authority have been apportioned between treasury and non-treasury investments. Officers will report this new report, "Capital Strategy" during 2018/19.

Markets in Financial Instruments Directive II (MiFID II)

34. The EU set the date of 3 January 2018 for the introduction of regulations under MIFID II. These regulations govern the relationship that financial institutions conducting lending and borrowing transactions will have with local authorities from that date. This has had little effect on this Authority apart from having to fill in forms sent by each institution dealing with this Authority and for each type of investment instrument we use, apart from for cash deposits with banks and building societies.
35. The EU set the date of 3 January 2018 for the introduction of regulations under MIFID II. These regulations govern the relationship that financial institutions conducting lending and borrowing transactions will have with local authorities from that date. This has had little effect on this authority apart from the completion on annual forms sent by each institution dealing with this authority and for each type of investment instrument that we currently use apart from standard cash deposits with banks and building societies.