

# Summons to attend meeting of Full Council



**Date:** Tuesday, 12 November 2019

**Time:** 6.00 pm

**Venue:** The Council Chamber - City Hall, College Green,  
Bristol, BS1 5TR

**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.

City Hall has a water fountain by the Council Chamber. The public are invited to bring their own reusable receptacles as there are no plastic cups.

**Issued by:** Sam Wilcock, Democratic Services

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**Date:** Friday, 1 November 2019



# Agenda

## 1. Welcome, Introductions and Safety Information

(Pages 5 - 6)

## 2. Apologies for Absence

## 3. Declarations of Interest

To note any declarations of interest from the 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 declarations of interest made at the meeting which are not on the register of interests should be notified to the Monitoring Officer for inclusion.

## 4. Minutes of the Previous Meeting

To agree the minutes of the previous meeting as a correct record.

(Pages 7 - 20)

## 5. Lord Mayor's Business

To note any announcements from the Lord Mayor

## 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](mailto: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 11 November 2019**. One written statement per member of the public is permitted.

b. Public questions: Written public questions must be received by **5pm on Wednesday 6 November 2019** at the latest. A maximum of 2



questions per member of the public are permitted. Questions should be addressed to the Mayor or relevant Cabinet Member.

## **7. Petitions Notified by Councillors**

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 by Councillors is **12 noon on Monday 11 November 2019**.

## **8. Petition Debate - Publish Full Feasibility Report on Cumberland Basin Road Options**

**(Pages 21 - 22)**

## **9. Review of the Member Officer Protocol**

**(Pages 23 - 34)**

## **10. For information: Work of Bristol Women's Commission 2018-19**

**(Pages 35 - 41)**

## **11. For information: Report From Bristol Commission On Race Equality (CoRE)**

**(Pages 42 - 51)**

## **12. For information: Treasury Management Annual Report 2018/19**

**(Pages 52 - 70)**

## **13. For information: Annual Report of Local Government and Social Care Ombudsman Decisions**

**(Pages 71 - 86)**

## **14. For information: Decisions Taken Under Special Urgency Provisions**

**(Pages 87 - 88)**

Signed



Proper Officer  
Friday, 1 November 2019



# Public Information Sheet - Full Council

## Public Forum – Full Council

You can find papers for all our meetings on our website at [www.bristol.gov.uk](http://www.bristol.gov.uk).

Members of the public may present a petition, make a written statement or ask a question at Full Council meetings. Please submit it to [democratic.services@bristol.gov.uk](mailto:democratic.services@bristol.gov.uk).

Petitions, Statements and Questions must be about a matter the Council has responsibility for or which directly affects the city.

For further information about procedure rules please refer to our Constitution <https://www.bristol.gov.uk/how-council-decisions-are-made/constitution>

### **Petitions from members of the public**

- Petitions will be presented to the Council first.
- Petitions must include name, address and details for the wording of the petition.
- The person presenting a petition will be asked to read out the objectives of the petition with one minute allowed.
- A written reply will be provided to the lead petitioner within 10 working days of the Full Council meeting.

### **Statements**

- Statements should be received no later than **12.00 noon on the working day before the meeting**.
- There can be one statement per person and subject to overall time constraints, a maximum of one minute is allocated for presentation.
- Any statement submitted should be no longer than one side of A4 paper.
- For copyright reasons, we are unable to reproduce or publish newspaper or magazine articles that may be attached to statements.

### **Questions**

- Questions should be received no later than **three clear working days before the meeting**.
- A maximum of two written questions per person can be submitted.
- At the meeting, a maximum of one supplementary question may be asked, arising directly out of the original question or reply.

By participating in public forum business, we will assume that you have consented to your name and the details of your submission being recorded and circulated. This information will also be made available at the meeting to which it relates and placed in the official minute book as a public record.

We will try to remove personal information such as contact details. However, because of time constraints we cannot guarantee this, and you may therefore wish to consider if your statement contains information that you would prefer not to be in the public domain. Public Forum statements will not be posted on the council's website.



### **Process during the meeting:**

- The Chair will call each submission in turn. When you are invited to speak, please make sure that your presentation focuses on the key issues that you would like Members to consider. This will have the greatest impact.
- If there are a large number of submissions on one matter a representative may be requested to speak on the groups behalf.
- There will be no debate on statements or petitions.
- If you do not attend or speak at the meeting at which your public forum submission is being taken your statement will be noted by Members.
- If you are called on to use the microphone, please place it approx 5 cm in front of your mouth and move the microphone as you move your head.

### Other formats and languages and assistance for those with hearing impairment

You can get committee papers in other formats (e.g. large print, audio tape, braille etc) or in community languages by contacting the Democratic Services Officer. Please give as much notice as possible. We cannot guarantee re-formatting or translation of papers before the date of a particular meeting.

Committee rooms are fitted with induction loops to assist people with hearing impairment. If you require any assistance with this please speak to the Democratic Services Officer.

### Security Arrangements for Full Council

The public gallery in the Council Chamber is available for members of the public to observe the Full Council meeting.

The Lord Mayor has determined:

- Attendees should please be quiet and not interrupt proceedings.
- Large bags will be left at reception.
- All loud hailers, banners, and placards must be left at the main entrance and will not be permitted to be brought into the building.
- The Council reserves the right to remove any person who disrupts the proceedings. In appropriate circumstances, the police may be called.

Under our security arrangements, all members of the public (and bags) will be searched. This applies to all members of the public attending the meeting in the interests of helping to ensure a safe meeting environment for all attending. Visitors' bags are liable to be searched prior to entry, and entry is conditional upon visitors consenting to be searched. Searches are carried out to ensure that no items which may interrupt proceedings are brought into the building. This includes weapons, loud hailers, banners, and placards. Small notices may be acceptable if they are not obstructive or offensive (no more than A4 size).

## Bristol City Council Minutes of the Full Council

10 September 2019 at 6.00 pm



### Members Present:-

**Councillors:** Lord Mayor Councillor Jos Clark, Mayor Marvin Rees, Peter Abraham, Donald Alexander, Lesley Alexander, Nicola Bowden-Jones, Mark Bradshaw, Charlie Bolton, Tom Brook, Fabian Breckels, Tony Carey, Craig Cheney, Barry Clark, Jos Clark, Harriet Clough, Eleanor Combley, Asher Craig, Mike Davies, Carla Denyer, Kye Dudd, Richard Eddy, Martin Fodor, Helen Godwin, Geoff Gollop, John Goulandris, Fi Hance, Margaret Hickman, Claire Hiscott, Helen Holland, Gary Hopkins, Chris Jackson, Hibaq Jama, Carole Johnson, Anna Keen, Tim Kent, Sultan Khan, Cleo Lake, Jeff Lovell, Brenda Massey, Olly Mead, Matt Melias, Graham Morris, Anthony Negus, Paula O'Rourke, Steve Pearce, Celia Phipps, Ruth Pickersgill, Kevin Quartley, Jo Sergeant, Afzal Shah, Steve Smith, Paul Smith, Clive Stevens, Estella Tincknell, Jon Wellington, Mark Weston, Lucy Whittle, Chris Windows and Mark Wright

**Aldermen:** C Orlik, A Massey, J McLaren, J Smith, C J Williams, S Williams,

### 1. Welcome, Introductions 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 Beech, Bradley, Clarke, C Davies, English, Goggin, S Jones, Kirk, Langley, Radford, Thomas and Threlfall.

### 3. Minutes of the Previous Meeting

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

#### **RESOLVED:**

**That the minutes of the meeting of the Full Council held on the 16 July 2019 be confirmed as correct record and signed by the Lord Mayor.**



#### 4. Declarations of Interest

None received.

#### 5. Lord Mayor's Business

##### Dr Ann Kennard

The Lord Mayor congratulated Dr Ann Kennard on being awarded a medal by the German Government in part for her work as Chair of the Hannover Twinning Associations for the past twenty years.

##### Alderman Mervyn Hulin

The Lord Mayor informed Full Council of the recent death of former Bristol City Councillor, Alderman Mervyn Hulin.

Councillors Holland and Abraham addressed Full Council, paying tribute in remembrance of Alderman Hulin.

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

#### 6. Public Forum (Public Petitions, Statements and Questions)

##### Public petitions:

There were no public petitions received.

##### Public statements:

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

Ref No	Name	Title
PS01	Amber Eastman	5G
PS02	David Mullaney	Blaise Parking Charges
PS03	Oliver Fortune	Bristol Airport Expansion
PS03a	Karen Churchill	5G
PS04	Paul Tasman	Green New Deal
PS05	Steve Shaw, Riverside Garden Centre Ltd	Western Harbour Road Schemes



PS06	Judith Brown, Bristol Older People's Forum	Post-Brexit Medication Supplies
PS07	Sue Hollyman/Fiona Evans	Stoke Lodge Field
PS08	Andrew Varney	BCC Consultations
PS09	Kevin Gummet	Canford Road Crossing
PS10	Robert Clarke	5G
PS11	Sangeetha Wynter	School Funding
PS12	Jen Smith	Special Educational Needs and Disabilities
PS13	Helen Powell	Stoke Lodge Playing Fields
PS14	Julie Boston	Public Toilets
PS15	Louise Thomas	5G
PS16	Graham Donald	Canford Lane Crossing
PS17	Monique Sapla	Climate Emergency
PS18	Eileen Means	Local Train Services
PS19	Susan Mayer	Stoke Lodge Playing Fields
PS20	* withdrawn	
PS21	Mobile UK	5G
PS22	Mary Page	Independent Remuneration Panel report
PS23	John S Andrews - Extinction Rebellion	Pension Divestment
PS24	Sarah Menage	5G
PS25	Sue Geary	Stoke Bishop Playing Fields

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:

Ref No	Name	Title
PQ01	Judith Brown	Public Toilets in our Parks
PQ02	Jon Eccles	Netham Park
PQ03 & PQ04	Amber Eastman	5G
PQ05 & PQ06	Bristol Tree Forum	Tree Preservation Orders at Stoke Lodge Playing Fields





PQ07	Lee Starr-Elliott	Impact of No Deal Brexit
PQ08	Aileen McLoughlin	Green New Deal
PQ09	Kathy Welham	Stoke Lodge Field
PQ10	Oliver Fortune	Bristol Airport Expansion
PQ11	Oliver Fortune	Clean Air Zones
PQ12	Riverside Garden Centre	Riverside Garden Centre
PQ13 & PQ14	Michael Owen	Cumberland Basin
PQ15	Tim Rippington	Callington Link Road
PQ16 & PQ17	Edward Bowditch	Railway Employment
PQ18	Mary Page	Low emissions vehicles and charging hubs
PQ19	Paul Bullivant	BOSA
PQ20	Darran McLaughlin	Green New Deal
PQ21	Kai Damani	Bristol Youth Strikes for Climate
PQ22 & PQ23	Gerry Evans	Reusable Cans

Within the time available, the Mayor responded verbally to questions PQ01, PQ02, PQ03, PQ04, PQ07 and PQ08 also responding to supplementary questions.

## 7. Petitions Notified by Councillors

None received.

## 8. Petition Debate - Pause Bristol's 5G Rollout

The Full Council considered a report of the Director – Legal and Democratic Services setting out details of a petition ‘Pause Bristol’s 5G Rollout’. The petition had reached the 3,500 signature threshold to qualify for a Full Council debate.

Sally Beare, 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 comment from the debate be noted and referred to the Mayor/ Cabinet Member for Transport, Energy and the Green New Deal for consideration and response.**



## 9. Petition Debate - A Right to Shelter

The Full Council considered a report of the Director – Legal and Democratic Services setting out details of a petition ‘A Right to Shelter’. The petition had reached the 3,500 signature threshold to qualify for a Full Council debate.

Paul Blake, 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 comment from the debate be noted and referred to the Mayor/ Cabinet Member for Housing for consideration and response.**

## 10. Report from Youth Mayors/ Youth Council on manifesto for year ahead

The Full Council received a progress report from the Youth Mayors and representatives of the Youth Council.

### **RESOLVED**

**That the report from the Youth Mayors and Youth Council be noted.**

## 11. Report of the Independent Remuneration Panel

The Full Council received the report and recommendations of the Independent Remuneration Panel.

The Lord Mayor moved the report.

The Deputy Lord Mayor seconded the report.

The Chair of the Independent Remuneration Panel addressed Full Council.

There was no debate and it was:

### **RESOLVED**

**That the recommendations of the Independent Member Remuneration Panel be approved as set out in Appendix A.**



An adjournment then followed, for 20 minutes.

## 12. Polling District Review

The Full Council considered a report asking Council to approve the polling districts and places for all wards in Bristol as listed in the appendix to the report.

The Lord Mayor moved the report and the recommendations set out therein.

The Deputy Lord Mayor seconded the report.

There was no debate and it was:

**RESOLVED:  
That Council**

- 1. Approved the polling districts and places for all wards in Bristol as listed in the schedule of polling districts and polling places and shown in the ward maps.**
- 2. Noted the proposed polling stations for all Wards in Bristol.**

It was then moved by the Lord Mayor that standing order CPR9.1 be suspended to allow the meeting to go past the 2 hrs 30 time limit. Following a vote it was agreed to proceed until no later than 9.30pm.

## 13. Annual Report of the Audit Committee

The Full Council considered the annual report of the Audit Committee 2018-2019.

Councillor Mead moved the report and the recommendations contained therein.

Councillor Stevens seconded the report.

Following debate it was:

**RESOLVED:**

**That Council accept the report of the Audit Committee 2018-2019 and noted the Committee's concerns that internal control arrangements at the Council were not yet as robust as they should be. The Committee will continue to monitor and support improvement required during 2019/20.**

## 14. Updates to the Constitution



The Full Council considered the report.

Councillor Mead moved the report and the recommendations contained therein.

Councillor Stevens seconded the report.

There was no debate and it was:

**RESOLVED:**

**That Council**

- 1. Approved the updated Terms of Reference for the Audit Committee**
- 2. Adopted the Terms of Reference for the Health Scrutiny Sub Committee of the People Scrutiny Commission.**

**15. Motions**

**Motion 1 – Green New Deal**

Councillor Dudd moved the following motion:

**Full Council notes:**

1. The Paris Agreement, which recognises that we must keep global temperature rises below 1.5°C to prevent the worst effects of climate change; said accord's commitment by national governments to reduce carbon emissions, though by less than the ambitious targets set and brought forward by Bristol's Labour council – most recently to 2025.
2. The draft Local Plan's commitment to carbon neutral homes and development, together with successive investments by Labour budgets in renewable energy; lower-emissions vehicles for the authority, waste company, and Lord Mayor; progress towards a new recycling and reuse centre at Hartcliffe Way; low-carbon heat networks to tackle fuel poverty; insulating 20,000 council properties; and delivering renewable energy projects.
3. The Climate Emergency, which Bristol institutions have been the first in the country to declare and which Mayor Marvin Rees led 435 UK councils to declare via the Local Government Association; the climate protests sweeping this country including the youth strikes for climate and Extinction Rebellion and the increasingly widespread calls for a transformative Green New Deal to tackle the challenges that face us.
4. The radical carbon neutrality action plan, the Mayor's speech on Clean Air Day, Bus Deal negotiations, the £1 billion City Leap energy transformation programme, progressing plans for an underground/overground mass transit system, introduction of carbon budgeting, and establishment of



the One City Environment Board, advised by the expert Advisory Group on Climate Change; and the data set out within July's action plan, which shows that the city's consumption and imports make up ten times the emissions of aviation and shipping, and twice as much as electricity, gas, and transport.

5. The shadow Chancellor's plans to bring forward the Government's net-zero emissions target from 2050, invest £250 billion in a National Transformation Fund, ensure 60% of energy is from low or zero carbon sources by 2030, and raise research and development spending to 3% by of Gross Domestic Product by 2030.

**Full Council believes:**

1. As set out repeatedly by the Labour administration, social and environmental justice must go hand-in-hand – especially given the poorest suffer first and most from climate change and that the richest have carbon footprints four times larger than those of the poorest; and that cities have an increasingly crucial role in delivering on both fronts, as set out in the Global Parliament of Mayors' Bristol Declaration of 2018.
2. In the work being done by this council with partners to locally implement the United Nations' Sustainable Development Goals (UN SDGs), which recognise the interdependence of the Climate Emergency with simultaneous crises including poverty, housing, and health.
3. Deregulation and cuts to support for renewable energy by the Government have discouraged corporations away from reducing their dependence on dwindling and damaging fossil fuels.
4. A state-led green industrial revolution of investment, regulation, and partnerships would decarbonise and transform our economy, and limit global average temperature rises below 1.5°C
5. Bristol's world-famous aerospace sector, the birthplace of Concorde, should be at the forefront of decarbonising the aviation industry – increasing fuel efficiency advances and further accelerating the development of hybrid/electric planes.

**Full Council resolves:**

1. To restate the urgency of the Climate Emergency, and welcome declarations from the LGA and the West of England Combined Authority.
2. To back the One City Plan, aligned with the UN's SDGs, and to work towards delivering the Green New Deal locally where possible, as below.
3. To request that Party Group Leaders write to their respective national party leaders for their support with national legislation, regulation, and investment to enable the accelerated delivery of the Friends of the Earth asks and projects set out in 'Notes 4' together with the following local and national pledges which we would like to work towards and deliver:
  - a commitment to zero carbon emissions by 2030;
  - the rapid phase-out of all fossil fuels and a low-carbon transport integrated network for Bristol and the region;



- large scale investment in renewables;
- a just transition to well-paid, unionised, green jobs available for all, with skills (re-)training and support for the jobs of the present and future, together with workers' cooperatives and mutuals;
- a green industrial revolution expanding active workers' engagement, representation and consultation and public, democratic ownership as far as necessary for the transformation, green public integrated transport that connects Britain;
- support developing countries' climate transitions by increasing transfers of finance, technology, and capacity;
- assuring empowered communities and everyone's basic rights through the provision of universal services;
- and welcoming climate refugees while taking measures against the displacement of peoples from their home cities and countries and how that further compounds political and social instability.

Councillor Whittle seconded the motion.

Councillor Denyer moved the following amendment:

**Full Council notes:**

1. The Paris Agreement, which recognises that we must keep global temperature rises below 1.5°C to prevent the worst effects of climate change; said accord's commitment by national governments to reduce carbon emissions, and Bristol City Council's commitments to a carbon neutral council by 2025 and carbon neutral city by 2030.
2. The Council's draft Local Plan's commitment to carbon neutral homes and development, together with successive investments in renewable energy; lower-emissions vehicles; progress towards a new recycling and reuse centre at Hartcliffe Way; low-carbon heat networks to tackle fuel poverty; insulating 20,000 council properties; and the £1 billion City Leap energy transformation programme.
3. The Climate Emergency, which Bristol institutions have been the first in the country to declare; the climate protests sweeping this country including the youth strikes for climate and Extinction Rebellion.
4. The Mayor's response to the Climate Emergency, published in July 2019, which outlines initial proposals for further carbon reduction including the introduction of carbon budgeting, and establishment of the One City Environment Board, advised by the expert Advisory Group on Climate Change.
5. The shadow Chancellor's plans to bring forward the Government's net-zero emissions target from 2050, invest £250 billion in a National Transformation Fund, ensure 60% of energy is from low or zero carbon sources by 2030, and raise research and development spending to 3% by of Gross Domestic Product by 2030.
6. The concept of a 'Green New Deal', created in the UK by a multi-disciplinary group of experts in 2008 [1] and inspired by Franklin Roosevelt's New Deal of the 1930s, which aims to decarbonise the economy



and eradicate inequality through public investment, and the Decarbonisation and Economic Strategy Bill proposed in Parliament by Caroline Lucas MP and Clive Lewis MP to enact it.

**Full Council believes:**

1. Social and environmental justice must go hand-in-hand – especially given the poorest suffer first and most from climate change and that the richest have carbon footprints four times larger than those of the poorest; and that cities have an increasingly crucial role in delivering on both fronts, as set out in the Global Parliament of Mayors’ Bristol Declaration of 2018.
2. In the work being done by this council with partners to locally implement the United Nations’ Sustainable Development Goals (UN SDGs), which recognise the interdependence of the Climate Emergency with simultaneous crises including poverty, housing, and health.
3. Deregulation and cuts to support for renewable energy by the Government have discouraged corporations away from reducing their dependence on dwindling and damaging fossil fuels.
4. A state-led green industrial revolution of investment, regulation, and partnerships would decarbonise and transform our economy, and limit global average temperature rises below 1.5°C.
5. Bristol’s world-famous aerospace sector, the birthplace of Concorde, should be at the forefront of decarbonising the aviation industry – increasing fuel efficiency advances and further accelerating the development of hybrid/electric planes. However, as such technological developments are still many years away and the percentage of the UK’s emissions from aircraft is predicted to rise steeply [2], in the meantime there should be a moratorium on any further expansion of passenger capacity at airports (including at Bristol Airport).
6. That while proper funding and legislation to tackle the Climate Emergency are urgently needed from Central Government, there are still a lot of things that local government can do to start tackling climate change right now, such as the ‘33 actions’ suggested by Friends of the Earth. [3]

**Full Council resolves:**

1. To restate the urgency of the Climate Emergency, and welcome declarations from the LGA and the West of England Combined Authority (WECA).
2. To back the One City Plan, aligned with the UN’s SDGs, and to work towards delivering the Green New Deal locally where possible, as below.
3. To call on the Council administration to *begin* a Green New Deal for Bristol by committing to actions, as proposed by the Green New Deal group [1] and Friends of the Earth [3], that are currently within its powers, including:
  - Ensure that *every* decision made by the Council is commensurate with the Climate Emergency and UN SDGs by contributing to reductions in both greenhouse gas emissions *and* inequality;





- Use its influence on the multi-billion pound Avon Pension Fund to fully divest out of fossil fuels and into socially and environmentally beneficial investments such as renewable energy generation and low-carbon housebuilding, over the next five years;
- Begin work on a Congestion Charge or Workplace Parking Levy to raise funds and support cleaner, cheaper public transport;
- Oppose plans for new road capacity which inevitably leads to more traffic and carbon emissions;
- Build dozens of miles of cycling freeways and quietways across Bristol – by funding the cycling and pedestrian strategies that will improve quality of life and make it easier for people to get out of their cars;
- Stronger Local Plan policies and Council property management policies to ensure all new residential and commercial developments on private and Council land are ‘climate emergency-proof’;
- Work with WECA and North Somerset Council to *prioritise* the skills training and improve local supply chains to accelerate and enable the retrofitting for existing homes and buildings to become carbon neutral.

4. To request that Party Group Leaders write to their respective national party leaders for their support with national legislation, regulation, devolution and investment to enable the Council to carry out the other Green New Deal group [1] and Friends of the Earth [3] proposals, including:

- a commitment to zero carbon emissions by 2030;
- the rapid phase-out of all fossil fuels and fossil fuel infrastructure;
- a low-carbon transport integrated network for the whole of the UK;
- steps to tackle tax evasion and avoidance (which the Green New Deal group proposes would provide part of the funding for such a deal);
- a real reduction in emissions from our local airport;
- insulating every home and commercial building;
- large scale investment in renewables;
- more sustainable and local food production;
- a strengthening of the commons - natural and digital - to steward nature sustainably and ensure data and digital technologies are organised as a common resource to meet our needs;
- a just transition to well-paid, unionised, green jobs available for all, with skills (re-)training and support for the jobs of the present and future, together with workers’ cooperatives and mutuals;
- restructuring the economy and world of work through a green industrial strategy for more meaningful jobs and an expansion of leisure time, expanding active workers’ engagement, representation and consultation and public, democratic ownership;
- a reshaping and democratisation of the financial system to drive a step-change in investment and ensure its power serves the interests of people and planet;
- support developing countries’ climate transitions by increasing transfers of finance, technology, and capacity;





- assuring empowered communities and everyone’s basic rights through the provision of universal services;
- and welcoming climate refugees while taking measures against the displacement of peoples from their home cities and countries and how that further compounds political and social instability.

References:

1. <https://greennewdealgroup.org>
2. <https://www.ft.com/content/285d31c6-1fbc-11e9-b126-46fc3ad87c65>
3. <https://policy.friendsoftheearth.uk/insight/33-actions-local-authorities-can-take-climate-change>

Councillor Pearce raised a point of order CPR15.1 and 15.2. The Director of Legal and Democratic Services provided advice to the Lord Mayor and Full Council.

The amendment was seconded by Councillor Combley.

Following debate after being put to the vote, the amendment was LOST.

Upon moving to the vote on the original motion, it was CARRIED.

**Full Council notes:**

- 1. The Paris Agreement, which recognises that we must keep global temperature rises below 1.5°C to prevent the worst effects of climate change; said accord’s commitment by national governments to reduce carbon emissions, though by less than the ambitious targets set and brought forward by Bristol’s Labour council – most recently to 2025.**
- 2. The draft Local Plan’s commitment to carbon neutral homes and development, together with successive investments by Labour budgets in renewable energy; lower-emissions vehicles for the authority, waste company, and Lord Mayor; progress towards a new recycling and reuse centre at Hartcliffe Way; low-carbon heat networks to tackle fuel poverty; insulating 20,000 council properties; and delivering renewable energy projects.**
- 3. The Climate Emergency, which Bristol institutions have been the first in the country to declare and which Mayor Marvin Rees led 435 UK councils to declare via the Local Government Association; the climate protests sweeping this country including the youth strikes for climate and Extinction Rebellion and the increasingly widespread calls for a transformative Green New Deal to tackle the challenges that face us.**
- 4. The radical carbon neutrality action plan, the Mayor’s speech on Clean Air Day, Bus Deal negotiations, the £1 billion City Leap energy transformation programme, progressing plans for an underground/overground mass transit system, introduction of carbon budgeting, and establishment of the One City Environment Board, advised by the expert Advisory Group on Climate Change; and the data set out within July’s action plan, which shows that the city’s consumption and imports**



make up ten times the emissions of aviation and shipping, and twice as much as electricity, gas, and transport.

5. The shadow Chancellor's plans to bring forward the Government's net-zero emissions target from 2050, invest £250 billion in a National Transformation Fund, ensure 60% of energy is from low or zero carbon sources by 2030, and raise research and development spending to 3% by of Gross Domestic Product by 2030.

**Full Council believes:**

1. As set out repeatedly by the Labour administration, social and environmental justice must go hand-in-hand – especially given the poorest suffer first and most from climate change and that the richest have carbon footprints four times larger than those of the poorest; and that cities have an increasingly crucial role in delivering on both fronts, as set out in the Global Parliament of Mayors' Bristol Declaration of 2018.
2. In the work being done by this council with partners to locally implement the United Nations' Sustainable Development Goals (UN SDGs), which recognise the interdependence of the Climate Emergency with simultaneous crises including poverty, housing, and health.
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4. A state-led green industrial revolution of investment, regulation, and partnerships would decarbonise and transform our economy, and limit global average temperature rises below 1.5°C
5. Bristol's world-famous aerospace sector, the birthplace of Concorde, should be at the forefront of decarbonising the aviation industry – increasing fuel efficiency advances and further accelerating the development of hybrid/electric planes.

**Full Council resolves:**

1. To restate the urgency of the Climate Emergency, and welcome declarations from the LGA and the West of England Combined Authority.
2. To back the One City Plan, aligned with the UN's SDGs, and to work towards delivering the Green New Deal locally where possible, as below.
3. To request that Party Group Leaders write to their respective national party leaders for their support with national legislation, regulation, and investment to enable the accelerated delivery of the Friends of the Earth asks and projects set out in 'Notes 4' together with the following local and national pledges which we would like to work towards and deliver:
  - a commitment to zero carbon emissions by 2030;
  - the rapid phase-out of all fossil fuels and a low-carbon transport integrated network for Bristol and the region;
  - large scale investment in renewables;



- a just transition to well-paid, unionised, green jobs available for all, with skills (re-)training and support for the jobs of the present and future, together with workers' cooperatives and mutuals;
- a green industrial revolution expanding active workers' engagement, representation and consultation and public, democratic ownership as far as necessary for the transformation, green public integrated transport that connects Britain;
- support developing countries' climate transitions by increasing transfers of finance, technology, and capacity;
- assuring empowered communities and everyone's basic rights through the provision of universal services;
- and welcoming climate refugees while taking measures against the displacement of peoples from their home cities and countries and how that further compounds political and social instability.

Meeting ended at 9.30 pm

**CHAIR** \_\_\_\_\_



## Full Council 12 November 2019



**Report of:** The Monitoring Officer

**Title:** Petition Debate – Publish full feasibility report on Cumberland Basin road options

### **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 options for the proposed 'Western Harbour' development.

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: **Publish full feasibility report on Cumberland Basin road options**

“Please make public the full feasibility report looking at detailed options for the Cumberland Basin ('Western Harbour') road network.

### *Why is this important?*

There is considerable public confusion and concern over the three options proposed for the Cumberland Basin road network in Bristol. In the current Bristol City Council consultation it is stated: "In 2018, Bristol City Council commissioned Arup, Alec French and JLL to undertake an initial feasibility study to consider approaches for reconfiguring traffic movements across the Western Harbour. A number of approaches were considered against their ability to provide transformative growth and regeneration opportunities, whilst also considering the impact on the local environment and on traffic flow. From this initial assessment, three road network approaches have been looked at in more detail.

The three chosen options all list considerable weaknesses including: environmental harm to the river and riverbank, community severance (areas being 'cut off' from each other by busy roads), harm to historic assets, harm to iconic views of the Clifton Suspension Bridge, changing the cycle route from a rural to a heavily-trafficked area, increased heavy traffic alongside the Nova Scotia and Pump House pubs, and increased air pollution. Local residents and businesses are also fearful about the future of their homes and premises.

Given the importance of this for the future of the city, we urge Bristol's Mayor and Council to publish the full feasibility report.”

2. The petition has been organised by Suzanne Audrey.
3. The petition has secured 3,614 signatures from those who qualify as living, working or studying in Bristol as of verification on 22 October 2019.
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.**

# Report to Full Council

## 12<sup>th</sup> November 2019



**Report of:** Tim O’Gara, Monitoring Officer

**Title:** Review of the Member Officer Protocol

**Ward:** Citywide

### **Recommendation;**

**That Full Council approve the revised Member Officer Protocol.**

### **Summary**

In September 2018 the Local Government Association Peer Review recommended that the effectiveness of the Member Officer Protocol should be reviewed. Officers have produced the attached amended Protocol in consultation with the Values and Ethics Sub Committee and the Audit Committee.



## 1. Policy

Not applicable.

## 2. Consultation

### Internal

The Mayor and Party Group Leaders  
The Values and Ethics Sub Committee of the Audit Committee  
The Audit Committee

### External

Not applicable.

## 3. Context

In September 2018 the LGA peer review report commented:

***“BCC should review its governance arrangements to ensure they are more effective in enabling good decision making. Specifically addressing:***

***a. forward plan arrangements to make them more transparent and open, ensuring information is shared in good time and used responsibly by all***

***b. structure, focus and impact of its Scrutiny arrangements***

***c. the effectiveness of the application of its member and officer protocol***

***Between members and officers, for the most part we saw and heard about respectful relationships. However, this was not universally so and in some areas we heard examples where the opposite was true. BCC has this year sought to direct attention to reviewing its protocol and using the opportunity of the development of the new values and behaviours to undertake development with the senior officers within the council. The council has a Member Development Steering Group which has prioritised the need for similar training for Members. The peer team would endorse this as an effective way of ensuring the councils values are shared, owned and understood across the political as well as officer side of the council.”***

The Council’s Action plan in response specifies that the Monitoring officer will Review the Member Officer Protocol as part of the update to the Constitution.

Members are asked to approve the revised protocol.

## 4. Other Options Considered

None necessary.

## 5. Risk Assessment

Not applicable.

## **6. Legal and Resource Implications**

As set out in the report.

## **7. Financial:**

### **(a) Revenue**

Not applicable.

### **(b) Capital**

Not applicable.

### **Land/Property**

Not applicable.

### **Human Resources**

Not applicable.

## **Appendices:**

Appendix A – Member Officer Protocol September 2019

## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Background Papers: [LGA Corporate Peer Challenge 2018](#)



# Draft Protocol on Member/Officer Relations

## Introduction

1. An effective working relationship between elected Members of the Council ('Members') and Council staff ('Officers') is critical to the successful operation of Council business. Excellent working relationships are required to deliver best value services to local citizens and to maintain confidence in local government in Bristol. This protocol is designed to help Members and Officers to perform effectively by giving guidance on their respective roles and their relationship with each other. **This protocol applies to independent Chairs and Members of committees when they are acting in that capacity.**

## Respective roles

2. Members and Officers are public servants. They are indispensable to each other, but their responsibilities are distinct. All Members (including the Directly Elected Mayor) are responsible to the electorate and serve only so long as their term of office lasts. Officers are responsible to the Council as a corporate body and not to any single Member. Their job is to give advice to all Members (including the Mayor) and to the authority, and to carry out the authority's work under the direction and control of the Council, its Executive and relevant Committees. Officers are accountable to the Head of Paid Service.

The role of Political Assistants and the advisor to the Mayor are covered under specific legislation.<sup>1</sup>

3. Respect between Members and Officers, both personally and for their different roles, is crucial to the successful operation of the Council's business.

## Members' roles

4. Members generally have six main areas of responsibility:
  - (a) Determining Council Policy, Budget and Strategy;
  - (b) Making decisions within overall Council policy (for example on planning applications, or on the establishment or closure of a school);
  - (c) Monitoring and reviewing performance;
  - (d) Representing Bristol and the Local Authority;
  - (e) Community Leadership;

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<sup>1</sup> [S.9 Local Government and Housing Act 1989](#)

[Reg.3\(7\) The Local Authorities \(Elected Mayor and Mayor's Assistant\) \(England\) Regulations 2002](#)

[reg.3\(1\)\(c\) of The Local Government Officers \(Political Restrictions\) Regulations 1990](#)

- (f) Acting as advocates on behalf of constituents;

It is not the role of Members to involve themselves in the day-to-day management of the Council's services.

- 5. The Mayor, Members of the Executive and Committee Chairs and Vice Chairs have additional powers or responsibilities. As a result, their relationships with Officers may differ from and have additional complexity compared to those of Members without those responsibilities. However, such Members must still respect that Officers have a duty to be impartial and therefore must not ask them to undertake work of a political nature.
- 6. All Members and the Mayor have the same rights and duties in their relationships with Officers.

### **Officers' Roles**

- 7. The role of Officers is to give advice and information to Members to inform their decision making and to implement the policies and decisions of the Council. In giving their advice, it is the responsibility of the Officer to present their professional views and recommendations. Members must not pressurise an Officer to make a recommendation contrary to their professional view or seek to persuade an Officer to withdraw a report.
- 8. In discharging their role as an Officer of the authority, staff must act in a politically neutral way.
- 9. Certain officers<sup>2</sup> hold statutory posts, which confer legal responsibilities over and above their obligations to the authority and its Members. Members must respect these obligations and must not obstruct them in the discharge of these responsibilities. Certain Officers hold politically restricted posts. Additional guidance can be found at Appendix A.

### **Expectations**

- 10. Members can expect from Officers:
  - (a) Commitment to the Council as a whole and not only to a part of it, or to any political group;
  - (b) Respect and courtesy;
  - (c) The highest standards of integrity;
  - (d) A working partnership;
  - (e) An understanding of and support for respective roles, workloads and pressures;
  - (f) Timely responses to enquiries and complaints i.e. within the corporate standard of 7 working days;
  - (g) Professional advice, not influenced by political views or preference,

- which does not compromise the political neutrality of Officers;
- (h) Regular up-to-date information that is appropriate and relevant to their needs, having regard to any individual responsibilities that they have;
- (i) Awareness of and sensitivity to the political environment;
- (j) Training and development in order to carry out their role effectively;
- (k) Appropriate confidentiality;
- (l) Support for the role of Members as the local representatives of the authority;
- (m) Compliance with the Employees' Code of Conduct.

Officers can expect from Members:

- (a) Respect and courtesy;
- (b) The highest standards of integrity, including maintaining confidentiality where required;
- (c) A working partnership;
- (d) An understanding of and support for individual Officers' roles, workloads and pressures;
- (e) Political leadership;
- (f) Not to be subject to bullying or to be put under pressure, taking into consideration the seniority of roles and potential vulnerability of Officers in junior roles;
- (g) That Members will not use their position or relationships with Officers to seek to advance their personal interests, or those of others, or to influence decisions improperly;
- (h) Compliance with the Members' Code of Conduct;
- (i) Participation in any mandatory training sessions e.g. before sitting on Selection or Regulatory Committees.

### **Close Personal Relationships**

11. Both Members and Officers must maintain public confidence in the separation of their roles. Close personal relationships between Members and Officers can cause confusion and get in the way of the proper discharge of the authority's functions. Additional guidance can be found at Appendix A.

### **Political Groups**

12. The operation of political groups is an integral feature of local government. They have an important part to play in the development of policy and the political management of the authority. It is in the interest of the authority to support the effective operation of political groups.
13. The impartiality of Officers should not be compromised through their support of political groups. Officers may assist party groups if requested to do so, but must at all times maintain political neutrality. All Officers must, in their dealings with political groups and individual Members, treat them in a fair and even-handed manner. All groups must be informed of party briefings and offered an identical session.

14. Officers may not engage in political discussion when attending party group meetings. Information will be provided on the issue being considered and appropriate questions answered. Officers must withdraw after any briefing and questions, and before political discussion commences. Officers should not support political groups by writing political reports.

Party group meetings do not make decisions on behalf of the Council. Where Officers provide information and advice to a party group meeting in relation to Council business, this is not a substitute for providing all necessary information and advice to the relevant Committee or Sub-Committee of the Council when the matter in question is considered.

15. Special care needs to be taken if Officers are providing information and advice to a party group meeting which includes people who are neither Members nor Officers of the Council, as they are not bound by the Council Code of Conduct. Officers must be cautious about attending and/or giving advice to such meetings and seek guidance from the Head of Paid service or the Monitoring Officer if they have any concerns about doing so.
16. Officers must respect the confidentiality of any party group discussions at which they are present and in particular they must not relay the content of any discussion to another party group.
17. The Council can only provide support services (e.g. stationery, typing, printing, photocopying, transport etc.) to Members to assist them in discharging their role as Members of the Council. **It is recognised that Some Members may need additional support.** Council resources should not be used in connection with party political or campaigning activity or for private purposes, including the use of ICT and social media as set out in the Member Code of Conduct.

### **Reports to Council, Executive or Committee**

18. Under the Constitution adopted by the Council to comply with the Local Government Act 2000, decisions may be made by the directly Elected Mayor or Members of the Executive to whom the Mayor has delegated decision-making power. In other cases, they may also be taken by the Full Council or committees or sub-committees. The Council's Constitution provides that Member decisions may only be taken on the basis of a written report containing all relevant considerations. Reports to the Mayor, Executive (whether collectively or otherwise) or to a committee or sub-committee should be written by the Executive Director or another officer authorised by them. Additional guidance can be found at Appendix A.

### **Access to Information**

## **Page 28**

19. Members have a right to view Council documents (including both exempt and

confidential material) in accordance with the statutory framework. Members may also be entitled to access information which is reasonably necessary to enable them to exercise their duties as a Member of the Council. Members with a particular role may have an additional (and in some cases statutory) right to access information, for example:

- (a) Executive Members - matters relating to their portfolio;
- (b) Scrutiny Members - matters relating to their terms of reference and committee business;
- (c) Ward Members - matters with particular implications for the ward (i.e. significantly more than for the general city).

20. All Members are also entitled to be briefed on the same basis and within the same constraints as set out above.

21. Access to information is also limited where:

- (a) The information is primarily needed for a non-Council purpose;
- (b) There is a conflict of interest;
- (c) There is an over-riding individual right of confidentiality (for example, in a children's or employment matter).

22. The Proper Officer [Insert note at foot of page - Full Council appoints an officer to discharge certain statutory functions known as the proper officer for that purpose the relevant proper officer for these purposes in the Director of Legal and Democratic Services. A list of proper officer functions can be found in the constitution here ( link)]

23. Members may have access to exempt information in reports. Exempt information is defined in our Constitution in the Access to Information Procedure rules [APR10.3](#).

24. The presumption is that all information in formal reports should be open to the public but, where this is not possible, the public will be made aware of the nature of any information that is being discussed in exempt session.

25. The process for deciding on whether information in a report is exempt and the relevant Member access is as follows:

- (a) Report authors must ensure that as much information as possible is open by using exempt appendices and/or redactions;
- (b) Where an Officer considers that information may be exempt, the Proper Officer will decide based on the rules set out above;
- (c) If the Proper Officer is satisfied that there is information that may need to be discussed in exempt session, they will consult with the Chair of the Overview and Scrutiny Management Board or relevant Scrutiny Commission before making a final decision;
- (d) Members of the relevant Scrutiny Commission will be given access to the exempt information in the report once the papers are published. In some instances the Proper Officer may decide that

this will be by managed access (i.e. viewing of hard copy documents), but this will only be in exceptional circumstances.

26. Apart from information in reports, confidential material may be shared with Members if requested (except where there is an overriding Council interest e.g. protecting its legal and financial position) and natural justice requires disclosure (for example, giving an individual the chance to respond to allegations). All requests for access to confidential information will be considered by the Proper Officer.
27. Executive Members, individually and collectively, are entitled to regular confidential briefings on matters relevant to their portfolios and in support of the policies they are developing, prior to the formulation of formal proposals. Informal briefings cannot be a substitute for providing all necessary advice in the formal decision-making process. Officers must ensure that their objective professional advice is robustly presented in the formal report.
28. Scrutiny Chairs are entitled to regular and confidential briefings on matters relating to Scrutiny business (as a group, or individually).
29. Any unauthorised disclosure of Council documents will be treated as a breach of the Code of Conduct for Members (and Officers) and may also expose the Member to the risk of legal action from a third party.

### **Publicity**

30. The Council has a duty to publicise its services and activity and to explain its objectives and policies to citizens in an accessible manner.
31. The Government has issued a code of [Recommended Practice on Local Authority Publicity](#) which deals with the conventions that apply to publicity. It requires that all local authorities shall have regard to its provisions in reaching decisions relating to publicity.
32. Particular care should be taken in relation to any publicity in the run-up to an election. Prior to each pre-election period, specific guidance is provided by the Monitoring Officer to all Members and Officers on the necessary precautions required in relation to publicity.
33. The Code does not apply to press releases and publicity that Members may arrange and distribute in their individual political capacity. Members should refer to the Member Code of Conduct, which sets out the requirements related to publicity and communications. Members should neither use Council resources for party political purposes, nor ask officers to do so.

### **Scrutiny Function**

34. Scrutiny Members determine their programme for scrutinising the implementation of decisions and recommending policy changes to the executive. Reports commissioned and evidence requested will avoid:
- (a) Duplicating work which is being contemplated or already being undertaken in support of developing executive policies;
  - (b) Incurring unreasonable costs and use of Officer time.
35. Overview and Scrutiny bodies have statutory powers to scrutinise decisions the executive is planning to take, those it plans to implement, and those that have already been taken/implemented. Creating a strong organisational culture that supports scrutiny work that can add value by, for example, improving policy-making and the efficient delivery of public services.
36. Effective Overview and Scrutiny should:
- (a) Provide constructive 'critical friend' challenge;
  - (b) Amplify the voices and concerns of the public;
  - (c) Be led by independent people who take responsibility for their role;
  - (d) Drive improvement in public services.
37. A Scrutiny Commission does not have the power to require a department to prepare reports for it, but the obligation upon Officers is to make all reasonable efforts to support Scrutiny and requests for information will only be refused in exceptional circumstances. The Head of Paid Service will have the final decision on whether a report will be provided to Scrutiny.
38. Where the Executive and a Scrutiny Commission are considering the same service area, the Executive Member, relevant Scrutiny Commission Chair and Head of Paid Service should agree a joint programme of work and the order in which reports should be consulted upon and presented.

Further advice on the application of this Protocol can be obtained from the Monitoring Officer. This Protocol will be reviewed annually by the Values and Ethics Sub Committee of the Audit Committee and guidance on its application will be provided as appropriate.

Updated 17<sup>th</sup> September 2019

## Additional Guidance Notes

### 1. Executive Decisions

- 1.1 Executive Members introduce reports at Cabinet. Officer advice should be obtained, if possible, before the meeting on any alternative recommendation to be moved in order to ensure that relevant operational, financial and legal factors are taken into account.
- 1.2 The principle of unified advice requires that financial and legal and other implications of a decision are obtained and made clear in the report. The [Article 14](#) principles of decision making must be taken into account when preparing the report.
- 1.3 Executive Members determine the timetable for developing their policies, including:
  - (a) The point at which confidential ideas become formal proposals for publication;
  - (b) Who to consult and to what deadline;
  - (c) The timing of executive reports.
- 1.4 Deferring a report is an executive decision and responsibility (within legal constraints). The Chief Financial Officer and/or the Monitoring Officer may require a report to be withdrawn.

### 2. Councillor Involvement in Casework and Staff Issues

- 2.1 A Member pursuing a ward matter on behalf of a family member or friend should declare the relationship and consider whether to ask another Member to represent.
- 2.2 Members should not provide a reference in relation to staffing matters within the Council (other than in exceptional circumstances). They should avoid involvement in staff lobbying outside of formal procedures.
- 2.3 Officers may raise issues with their local Councillor as citizens. They should not lobby a Councillor inappropriately on personal employment or budgetary matters in accordance with the [Code of Conduct for Employees](#).
- 2.4 Councillors should refuse to respond to inappropriate lobbying from Officers and inform the Head of Paid Service who can direct the individual to the appropriate channels.
- 2.5 Senior Officers should ensure their staff are aware of these requirements and ways that their views can be put forward.



### 3. Politically Restricted Posts

3.1. [The Local Government and Housing Act 1989](#) introduced a regime aimed at ensuring that key local authority employees are politically impartial. The Act designates certain posts as 'politically restricted' and those who hold such positions are disqualified from holding office as a Member of Parliament or Member of a local authority.

3.2 The following posts are politically restricted:

- a) The Head of Paid service;
- b) The Monitoring Officer and the Chief Financial Officer;
- c) The Chief Officers and Deputy Chief Officers;
- d) The Political Assistants and the advisor to the Mayor;
- e) Any other posts that conduct the following activities:
  - Giving advice on a regular basis to the authority themselves, to any committee or sub-committee of the authority or to any joint committee on which the authority are represented or to the executive of the authority, to any committee of that executive, or to any member of that executive who is also a member of the authority;
  - Speaking on behalf of the authority on a regular basis to journalists or broadcasters.

It is possible for Officers to apply to be removed from the list and details can be obtained from the Monitoring Officer.



# Full Council

November 12<sup>th</sup> 2019

**Report of:** Penny Gane : Chair, Bristol Women's Commission  
Jackie Jensen: Strategic Director

**Title:** Work of Bristol Women's Commission 2018-19

**Ward:** Citywide

**Presenting Report:** Penny Gane: Chair, Bristol Women's Commission

## Recommendation

Council are asked to note the report

## Summary

The work of Bristol Women's Commission since Full Council meeting May 4th 2018

The significant issues in the report are: Working towards equality of women in the priority areas of Safety, Health, Education, Economy, Business and Women's representation in public life

Bristol Women's Commission ask Council to:

- \* Ensure Bristol City Council plays its role in implementing the work of the commission
- \* Support Bristol Women's Commission



## Policy

European Charter of Equality for Women and Men in local Life  
 One City Plan  
 Inclusive Growth Strategy  
 Joint Strategic Needs Assessment and Women’s Health Strategy

## Consultation

### 1. Internal

Bristol Women’s Commission has cross party membership of elected members and is supported by Cllr Helen Godwin in her role as Cabinet member for Women, children and young people. Ann James is new lead officer on commission. Commission is supported by Cherene Whitfield.

### 2. External

Please see all organisations that make up the commission and its 6 task groups. Some 65 external agencies are participants in the work of the commission.

### 3. Context

## Bristol Women’s Commission

### Introduction

Bristol Women’s Commission (BWC) has the following membership:

Bristol City Council (councillors and officers), Bristol Women’s Voice, University of Bristol, University West of England, City of Bristol College, Avon and Somerset Police, TUC, University Hospitals Bristol, Voscur, Fawcett Society, First Group, Trinity Mirror, WECA, Commission for Racial Equality, One City Chair: Penny Gane, Bristol Women’s Voice

Since the last report to full council which celebrated the glorious lantern parade on February 4<sup>th</sup> 2018 we continued to commemorate the first women to get the vote in 1918 with a programme of events throughout 2018 in partnership with Bristol Women’s Voice and partners throughout the city.

Future Brunels on the SS Great Britain	Building the future	Education Task Group and Future Brunels Programme spectacular hands on science event encouraging girls to take up STEM subjects on International Women and Engineering Day 2018
An Audience with Sarah Guppy Show of Strength	Celebrating women’s role in making change	Theatre production about the forgotten role of engineer Sarah Guppy in the design and building of the Clifton Suspension Bridge. Launched at Clifton Suspension Bridge
Dreadnought SW ‘The Cause’	Celebrating Women’s Role in Making change	A conversation between Millicent Fawcett and Emmeline Pankhurst on different approaches to achieving women’s suffrage

Girls' Voices	Celebrating women building the future	Bringing girls together from six schools at each event. Year 6 and Year 11. Series of presentations by inspirational women role models on identity and empowerment with an emphasis on delivering positive change. Girls discussed what changes they would like to make in school and in their lives.
Girrl Games	Encouraging girls to take up game design	A collection of digital games designed and built by young women in workshops around Bristol telling the story of women's suffrage
Out and about with suffragettes	Why women should vote	Suffragettes at Knowle West festival leading conversations around importance of voting
Upfest BWV in collaboration with The Simpsons!	Street Art for Women	Taking part in Europe's largest street art festival with 3 female artists commissioned and activities giving visitors the opportunity to create their own artwork of famous Bristol women and suffragette slogans
In Our Hands	Young women film makers	Working with Rife to produce In Our Hands, an inspirational film made by young women
The next 100 years- University of Bristol	Panel debate at UoB looking to the future	Working with Bristol University to host and introduce a panel of women including Baroness Shami Chakrabarti 'Women and Equality; The next 100 years' in a packed Wills Tower
Breathing Fire and In Between Time	Women's workshops leading to light and sound show	'We are Warriors' a sound and light show at Arnolfini using footage from interviews with 130 women and girls from 8-85 raising their voices as a tribute to those who have gone before them
Black Women 100	Black women's suffrage and current day achievements and inspiration	An exploration of black women's suffrage the world over brought to life with a commissioned play, music, film, panel debates and audience participation

This year on International Women's Day Bristol Women's Commission celebrated the fifth anniversary of Bristol signing the European Charter for Equality of Women and Men in Local Life. The commission and all the task groups (some 70 women in total) celebrated with cake and talks from Cllr Flo Clucas from CEMR, Mayor Marvin Rees, Chair Penny Gane and Thangam Debonnaire MP. Diane Bunyan was warmly thanked for her work on the European Charter. Bristol remains the only UK signatory to the charter. The work of the Commission continues to develop and grow as partnerships strengthen. Key areas of work over the past 12 months have been business, economy, health, education, safety and representation. It is the Commission's purpose to ensure women's equality and rights are embedded in decision making in the City.

This year BWC has hosted speakers including:

- Golden Key and One25 presenting Complex Lives, a gendered approach to homelessness, substance misuse and poor mental health
- Chlo Winfield- her journey from personal experience to influencing change
- Superintendent Tina Robinson updated commission on how A&S Police are protecting the most vulnerable women and girls from harm
- Jane Ginnever-MD Shift Consultancy and Vanessa Moon-MD Moon Consulting speaking on Women's Leadership in Bristol Business
- Tom Sperlinger- UoB; Engagement at Temple Quarter Enterprise Campus
- Debra Newrick-BWV; Women of Lawrence Hill seeking to be economically active
- Prof Anne de Graft Johnson-UWE; High rise buildings and the impact on women
- Sue Cohen-Women's Budget Group; Operation Yellowhammer and implications of Brexit for women
- Dr. Nikki Cotterel -UWE 'Hidden in plain sight' - women's incontinence
- Lauren Chiren, Director Women of a certain stage; Menopause at Work
- Jenna Holliday, Director Catalyse Change; Climate Emergency-engaging young women
- Stepping up Positive Action Programme

### **Women in Business**

Lead: Jane Ginnever, Shift Consultancy

Member organisations: Rolls Royce, OVO Energy, Destination Bristol, UWE, Shift Consultancy, Strategy Hive Ltd, Moon Executive Search, BWV, Structur3dPeople, Women's Work Lab, Community of Purpose, Business West, KPMG, Gapsquare

This year the group has:

- Run a successful flexible working event hosted by UWE and attended by 80 people, in Feb 2018, at which business leaders and experts shared their knowledge and experience.
- Successfully launched the Women in Business Charter which includes 7 goals for businesses to sign up to. More than 30 large Bristol employers including Rolls Royce, OVO Energy and UWE have signed up.

### **Women and the Economy**

Lead: Diane Bunyan BWV

UoB, UWE, TUC, BWV, Fairplay SW, Women's Budget Group

The Women of Lawrence Hill project has produced clear data on what women need to access employment, the barriers that exist and how they can be overcome.

The wide and varied work has included presenting the outcomes of women's concerns at a Mayor's hot coffee hot topic sessions, subsequently meeting with developers and businesses involved in the Temple Quay development; supporting the development of Bristol University's inclusion strategy and continuing to support groups of women realise their start-up business aspirations and skill development.

Outcomes include;

- a pilot scheme of affordable childcare as a One City priority
- lobbying key stakeholders for the provision of free, high quality, flexible childcare as part of the infrastructure required to deliver the aspiration of inclusive growth.

- Underpinning BWV’s successful bid to GEO (City Listening Project) by using Women of Lawrence Hill scheme of work as a model.

### **Women and girls’ education**

Leads: Isabel Tobias-Redmaids High, Joanne butler -Cotham School

Member organisations: Bristol Headteachers, CoBC, BCC

The Task Group formed a student group which reported the major issues of concern for them. These include sexist and intimidating behaviour of boys towards them in school, the availability and reliability of public transport and more careers information. Two events were organised for Year 10, 12 and Year 8 students. The two conferences were a huge success, attended by about 250 girls. We targeted girls who lack confidence or may for other reasons often go ‘under the radar’. Outcomes have included career events at the University of Bristol, a “human library” of 50 women in conversation with girls about career choice, Staying Safe on the Streets and Self Defence workshops.

### **Women’s Health**

Leads: Monira Chowdhury- CASS, Carol Metters- Next Link

Member organisations: BWV, CASS, Next Link, Self-Injury support, UWE Centre for health and clinical research, GP, UHB, UoB, BCC

This year has seen the development of a women’s chapter for the Bristol Joint Strategic Needs Assessment (JSNA), the BWC Health Task Group have been working to develop a Women’s Health Strategy. The Commission’s Chair has met with Bristol Health Partners about the possibility of reviewing the HITs (Health Improvement Teams) in terms of women’s health.

The priorities for 2020 include the menopause, incontinence, poor perinatal health (BME women) and mental health. The Menopause work is based on work established by Bristol Women’s Voice. The Commission’s own member organisations are currently developing best practice menopause policies.

### **Women’s Safety**

Lead: Anna Smith-One25

Member organisations: UWE, Workinglinkssecure, Bristol Drugs Project, UoB, Fawcett Society, One25, St Mungos, A&SP, One City, SARSAS, Golden Key, Unseen UK, Second Step

Priority has been agreed for the need of research into the high level of domestic homicide in Bristol. Patterns of behaviour need to be understood so that resources can be directed into counteracting largely preventable crime and its horrific consequences.

The Commission are also very concerned about the impact that a third SEV will have on the city. The group will object on behalf of the commission to the licensing of SEVs.

The Bristol Sexual Violence Forum has requested strategic acknowledgement of the issue of the adverse impact of Universal Credit on women’s finance to the extent that some are returning to or increasing sex work. This is coupled with the Yellowhammer report which outlines a disproportionate impact of a no deal Brexit on women’s finances, access to medicine and benefits.

## **Representation Group, Lead: Margaret Hickman Global Parliament of Mayors Summit; Women in Leadership**

BWC Representation Task Group worked with Councillors Craig and Godwin to develop a programme for the Women in Leadership session of the Global Parliament of Mayors' Summit.

Hosted by Bristol Deputy Mayor Asher Craig and moderated by Christine Bamford of Women's Coin Foundation, the Women in Leadership session of the Global Parliament of Mayors presented a panel of mayors and women leaders Mayor Célestine Ketcha Courtés OBE of Bangangté, Cameroon, Mayor Zandie Gumede, Durban, South Africa, Mayor Nan Whaley, Dayton, USA, Mayor Yvonne Aki-Sawyer, Freetown, Sierra Leone, Helen Godwin BCC and speakers Penny Gane Chair of BWC and BWV and Caroline Hubbard of the Women Mayors' Network (WoMN). In an animated debate the discussion focused on ways to encourage more women into leadership roles, as well as the need for cities to develop gender-centric policies and practices. The delegates presented more than 50 actions for the Global Parliament of Mayors to act on to show their commitment to gender inclusion.

### **Bristol Women's Commission budget**

The 5k budget for the women's commission has meant we were able to commission a health researcher to complete our health strategy, employ two community researchers to interview single parents and disabled women in Lawrence Hill, provide staff and security for the International Women's day event at City Hall, celebrate the 5 year anniversary of the signing of European charter and contribute to the highly successful launch of the Women in Business Charter at City Hall.

We have an ambitious programme of work for 2019/20

Outline action plan 2019-20

#### **Economy**

- Promote the case for affordable, flexible and high quality child care by promoting and supporting the City Office actions to run a pilot project
- Ensure that the skills, knowledge and contribution of women to the local economy is facilitated through the WECA Industrial Strategy and the Inclusive Growth Strategy
- Provide and use data to inform decision makers so that all women can contribute to and benefit from Bristol's economic development.

#### **Representation**

- Undertake a survey of candidates for the local government elections in Bristol in 2020 to understand what are the barriers to women standing for election.
- Undertake a survey of those standing down from the council to see if there is a difference between the reasons given by women and men and to identify changes that could be introduced to address any issues
- Promote locally the recommendations of the Fawcett Society to increase the representation of women in local government
- Develop new strand on women's representation in the media

## Health

- Work with Health Partners to undertake a gender analysis of HITs programmes
- Collect best practice information from four case studies of menopause policies in the workplace and promote throughout public, private and voluntary sectors.
- Develop new programmes and campaigns on self-harm, suicide and perinatal depression
- Support HIT work on incontinence in women and link to toilet provision in the workplace and in the city

## Women in Business

- Create a Community Interest Company to run the Women in Business Charter and ensure that it is both effectively governed and sustainable;
- Encourage more SMEs to sign up to the Charter, given that large numbers of people are employed by these companies and they often don't have the support of HR teams to promote gender equality;
- Engage further with the One City Plan, Business West, LEP and other key players in business in Bristol to ensure that women's voices are heard in future decision-making throughout the city.

## Women and Girls' education

- Run two summer conferences engaging girls across the city from different schools to i) explore careers with a human library of inspirational role models and ii) to discuss issues of concern to them and ways in which they and their schools can tackle them.

## Women's Safety

- Work with Bristol City Council to agree to formally research and publish the patterns and underlying issues/ reasons for the high levels of Domestic Homicide so that the council and organisations working with women at risk can identify gaps in services and request funding to increase resourcing in this area.
- Use the outcomes of the forthcoming research into sex work undertaken by University of Bristol to target areas which endanger women.

October 10<sup>th</sup> 2019

**Proposal Ensure Bristol City Council plays its role in the work of the Women's Commission Support  
Bristol Women's Commission**



## FULL COUNCIL

NOVEMBER 2019

### REPORT FROM BRISTOL COMMISSION ON RACE EQUALITY (CoRE)

#### Report summary

This report summarises the work undertaken by CoRE since its inception in 2018.

It originally focused on 6 key areas that were identified as areas where inequality had been visibly identified by the data: **Education; Employment & Economics; Health; Homes and Communities; Criminal Justice; and Leadership & Representation.**

Due to the level of resource and the work needed to deliver the key actions, it was decided to reduce the number of task groups from 6 to 3. This report covers the three revised chosen areas where it was felt that disparity impacted on BAME people most:

- **Criminal Justice**
- **Leadership and Representation**
- **Education**

#### Background

Bristol is a city where racial and ethnic disparities prevail.

*“Ethnic minorities in Bristol experience greater disadvantage than in England and Wales as a whole in education and employment and this is particularly so for Black African people”  
(Runnymede 2017)*

The lived experience and chances for BAME people in Bristol differ significantly and detrimentally from those of white people. CoRE recognises the divergent experiences of different BAME groups and factors of intersectionality.

In education, employment, leadership, health, housing, justice and policing, BAME people experience significant inequalities. For example, black people are **over 6 times more likely to be stopped and searched** by the police (Avon and Somerset Police 2016/17). This is an increase on the preceding year.

The Bristol Mayoral Commission on Race Equality was set up in January 2018 to help address the systemic discrimination and disadvantages experienced by members of its community because of their race or ethnicity.

*The Commission has a ‘vision for a city where BAME people are valued and empowered to fulfil their potential’.*

## 1. Objectives:

The objectives of the Race Equality Commission are to:

- 1.1 Operate at the heart of Bristol's communities and institutions to advance and prioritise race equality to achieve an inclusive, cohesive, thriving and representative city.
- 1.2 Influence city, sub-regional and regional leaders who have significant influence on Bristol, particularly in the development of policy and strategy practices and the allocation of resources.
- 1.3 Uphold the Bristol Race Equality manifesto objectives in providing challenge to public, private or voluntary sector organisations through scrutiny processes and profiles.
- 3.4 Report on progress on race equality and the general impact of inequality and discrimination on the BAME communities of Bristol.

## 2. Function:

- 2.1 Increase the power, representation and influence of BAME people in the city and work collaboratively with partners to effect change, where necessary, across the region and sub-region.
- 2.2 Ensure the effective engagement of BAME communities in the life of the city.
- 2.3 Provide challenge to public, private and voluntary institutions and organisations in relation to race equality.
- 2.4 Engaging with policy and strategy developers to inform processes to ensure that race equality is embedded into planning, delivery and outcomes.
- 2.5 Engaging with organisations and institutions (regardless of their geographical coverage) whose operations impact directly on the BAME communities of Bristol.
- 2.6 Providing independent scrutiny, including through collaboration with, for example, The Bristol Strategic Race Equality Leaders Group, Learning City Partnership, One City Partnership Boards, HR Race Strategic Leaders Group, Bristol Equality Charter Network.
- 2.7 Progress a strategic action plan to be reviewed annually.

The Commission receives £5k per year from BCC to support its work alongside support to minute the commission meetings. It has an independent unpaid Chair. Additional funding has been sourced to facilitate and deliver Community events as part of the Criminal Justice Task group.

The commission has three main focused task groups: **Education; Leadership and Representation; and Criminal Justice.**

The Commission's work plans and independent task groups have consulted with relevant stakeholders at Community led events and task related events.

## **Work of the Task Groups**

### **1. CRIMINAL JUSTICE TASK GROUP**

#### **Chair: Maya Mate-Kole**

The Criminal Justice Task Group was established following recognition by the Bristol Manifesto for Race Equality that BAME people were disproportionately represented within the criminal justice system. Demonstrated by Avon and Somerset Police's statistics highlighting that those from a black ethnicity are 9.7 times more likely to be stopped and searched than their white counterparts (Avon & Somerset Police April-June 2019), or that currently 45% of young people in custody identify as BAME, (Ministry of Justice 2019).

The aim of the task group is to address race disparity within the city relating to the Criminal Justice System to be achieved by focussing on the following key areas;

#### **Training**

- Consultation with Avon and Somerset Police relating to the development of diversity and inclusion training pathway to ensure cultural competency throughout process.

#### **Stop & Search**

- Ongoing scrutiny of Stop & Search statistics, complaints and incidents relating to arrests and within custody.

#### **Representation**

- BAME Magistrates Bench programme delivered; offering information, advice and guidance relating to how to become a magistrate, leading to the recruitment of 11 BAME magistrates across the area; increasing BAME magistrate representation to an area record of 33%.
- Ensuring C.O.R.E's representation and influence relating to criminal justice activity including Commissioners membership of the Police Strategic Independent Advisory Group, Women's Independent Advisory Group and Lammy Review Meeting.

#### **Community Engagement**

- Facilitating a series of community engagement events focussed on Black and Dual heritage families exploring impact of serious youth violence and the criminal justice system.
- The events promoted community action and offered an opportunity to gather direct feedback from the community to inform strategic priorities, support community action planning and identify gaps in service provision and unmet need.

#### **Aims for the future**

- To see an increase in the diversity and race equality within the Criminal Justice System workforce.
- To raise awareness and understanding of rights and responsibilities relating to Stop and Search within BAME communities.

- To encourage and support community action to address serious youth violence in addition to delivering community workshops raising awareness and equipping family members to support young people affected by youth crime.
- To engage with BAME young people regarding the criminal justice system, gathering their views to inform future areas of work for the task group and encouraging a youth led response and action.
- To ensure BAME representation within strategic groups/boards and governance structures relating to criminal justice within the city

## **2. LEADERSHIP AND REPRESENTATION TASK GROUP (L&RTG)**

**Co-Chairs:** Sandra Meadows (CEO, Voscur), Sumita Hutchison (Commissioning Manager, Adults & Communities, BCC)

**Member organisations:** Voscur, BCC Adult Commissioning (Social Care), BCC Mayors Office, BeOnBoard, MAG Consulting, SLG Consulting

The Leadership & Representation Task Group of CoRE was established in recognition of the fact that Black, Asian and Minority Ethnic people are significantly under-represented within leadership, management and executive/decision making boards and bodies across Bristol. This is evident across all sectors.

Lack of representation is not only a deficit in democratic terms but also deprives our city of opportunities for economic and social advancement. Diversity of thought, knowledge, experience and talent are key to the advancement of city and society in general.

The L&RTG, therefore, works as a cross sector collaboration to increase BAME representation and leadership in all spheres within Bristol, increasing understanding of the barriers to inclusion and offering support and encouragement to members of BAME communities to enter leadership positions. Our aim is to promote and ensure balanced representation in democratic, economic and social spheres across all sectors in Bristol. The L&RTG also works to ensure that the pathways to positions of influence in the city are accessible and inclusive so as to ensure balance and equity.

The following outlines the groups' key performance indicators (KPIs) and relative progress in each area.

### **KPIs / Actions**

- Participate in Strategic Race Equality Leaders Group to address race inequality in the public sector.
- Influence HR Leaders to deliver diversity in organisations.

Gather data on the private and voluntary sector around salary band, percentage of BME staff within organisations, sickness, and disciplinary cases by ethnicity

## **Race Equality Strategic Leaders Group (SLG)**

In order to help ensure good strategic co-ordination across the SLG and its members, both the joint-Chair of CoRE and the joint-Chair of the Leadership & Representation Task Group regularly attend and contribute to the Race Equality Strategic Leaders Group. The joint-Chair of CoRE also attends and contributes to the HR Leaders Group.

Key aspects of the purpose of the Race Equality SLG is to:

- To uphold the Bristol Race Equality Manifesto objectives
- To ensure alignment and collaboration with the Commission on Race Equality (CORE) and other key strategic groups.
- To steer and provide direction to the established H.R. Leaders group to ensure work is aligned with and focused on contributing towards the stated aims of the strategic leaders group as agreed with CORE.
- To regularly contribute to, and to understand our collective Bristol data on the key challenges and priorities identified and agreed with CoRE including employment, service delivery, commissioning
- To work with CoRE and in partnership with all group members and wider city stakeholders to set targeted action plans to respond to the challenges and opportunities highlighted in the data product and those evident and raised through other channels.

The Leadership & Representation Task Group has been working as part of the SLG to extend the reach of Bristol's Public Sector data product through the inclusion of the VCSE sector. Given the size and scope of the VCSE sector and the fact that participation is not mandatory, Voscur is working on a programme of engagement with organisations of different types, sizes and locations. Following successful engagement, a researcher will be deployed to undertake primary research aligned to the established public sector data sets. We anticipate that this work will begin in early 2020, to set the foundation for VCSE involvement in the full 2020 citywide data collation exercise.

- This will be the first time Bristol's VCSE sector has been included in this area of work which supports the view of the sector as a key strategic partner. Our aim is to impact on inequality and discrimination and to ensure VCSE organisations understand the need for and benefit of diversity and inclusion in relation to race equality and develop a consistent approach to data collection and analysis.

### Trade Unions

The L&RTG has written to local trade unions to invite them to contribute to a series of meetings later this year in line with the task group and CoRE objectives.

Unions should be key and critical agencies for ensuring fair and equitable practice through the delivery of best practice responses and advocacy for individuals facing racial discrimination and barriers to progression at work. Whilst there are examples of good practice, guidance and commentary at the national level, the picture at workplace/grassroots level is very different.

We are, therefore, proposing a joint Union Leaders and CoRE meeting (led by the L&RTG) to kick-start what will hopefully be a rolling programme where we would agree key areas of focus linked to a meaningful, time-bound, race equality action plan.

Mayor Marvin Rees will launch this series of meetings and CoRE Commissioners will be there to present an overview of the work of the Commission to date and where we think useful improvement can be made in relation to BAME Union membership and strategic, equalities driven development within Union bodies.

### **Key Performance Indicators / Actions**

- Support the recruitment of BAME leaders, e.g: teachers, NED, City Boards and forums.
- Collaborate and share senior leadership positions, including boards across the BME communities

Increase development and raise opportunities for BME staff wanting to step up into leadership positions. Support and receive reports on the progress of Stepping Up Programme.

### Update

Acknowledging the variety of interests and activity in the city in relation to increasing diversity within senior leadership and boards, task group members met to discuss and map potential areas of synergy and duplication across respective programmes and initiatives in the city. This provided useful intelligence on where action and support is needed to increase diversity within leadership and decision making bodies in the city.

We have also begun to engage with variety of BAME Networks in order to promote opportunities e.g. Black Professionals Network, Stepping Up and Black South West Network's BAME Enterprise Network. Next steps are to explore how we ensure this information is also shared at a Community level – mapping and connecting with relevant organisations and individuals across the city with community influence and reach.

Strategically, L&RTG is considering how leadership and development opportunities for BAME professionals within the city can be shared more widely and looking at opportunities to secure the resources necessary to develop a regular (i.e. monthly) bulletin. During the year, L&RTG engaged its networks to assist in identifying suitable BAME candidates to apply to join the City Funds Investment Advisory Committee. Through this work, 2 x BAME females were successfully recruited.

BeOnBoard - the Founder and CEO, Kalpna Woolf, is a member of the L&RTG and contributes to the delivery of all areas of work. BeOnBoard is a Bristol based company currently focussed on supporting businesses and organisations to improve the diversity of their Governing Bodies and Boards. Working collaboratively, BeOnBoard and CoRE L&RTG aim to create a greater pool of diverse, talented and well-prepared Board members from Black, Asian and Minority Ethnic communities. We are also mapping and developing the training and development offer in the city for prospective candidates to better understand

where there are barriers and opportunities. Work on strategic co-ordination has also begun to ensure that other leadership and development programmes, such as Stepping Up, are established as part of a wider framework of delivery for the city.

Stepping Up - CoRE Joint-Chair provided mentoring to the Stepping Up programme in 2018/19. For 2019/20 the Joint-Chair of L&RTG has joined the mentoring team and provides a link to the SU programme. Link has also been established with the Diversity, Inclusion and Employee Initiatives Manager and Senior Business Support Officer for SU

Aims for the future:

- To see an increase in the ethnic diversity leadership positions, on Boards and in decision making bodies in Bristol.
  - Achieve a 10% increase in BAME representation across public, private and voluntary sectors in 2020.
  - Finalise mapping of activity that supports increased leadership and representation within the city to better understand gaps and opportunities.
  - Increase the numbers of BAME people recruited onto leadership development programmes such as Stepping Up and BeOnBoard, so as to strengthen the pipeline of BAME leadership in the city.
  - Develop methods of communication and engagement to ensure the timely dissemination of opportunities across BAME communities.
  - Conduct primary research on race and gender equality across areas of HR within VCSE sector organisations in line with the public sector data product.
  - Work with Criminal Justice & Hate Crime Task Group to support the drive to increase BAME representation within Avon & Somerset Magistracy
    - Deliver the CoRE BAME Bench Prep Programme in 2020.
  - Continue working with local trades unions to establish race equality action plans.

### 3. EDUCATION TASK GROUP

#### Chair: Esther Deans

CoRE appointed a CoRE commissioner to take on the Chairperson role of REEG (Race Equality in Education Group) in Oct 2018 to take the education agenda forward after some stagnation with the group who were awaiting a new Chair.

REEG has taken a proactive approach in having an oversight of the current situation in education and connecting education groups to promote a more cohesive approach to education in the city.

#### **Race Equality in Education Group - update and progress:**

In response to the Runnymede Trust Report Bristol 2017, the data analysis figures showing the progress/attainment gap based on ethnicity, and the current Bristol context REEG have taken the following actions:

1. **In Dec 2018, REEG commissioned a BAME Teacher Recruitment and Retention event.** This event went to Teach Diverse and was both well attended and well received in the community. It not only encouraged BAME teachers to join the profession but also highlighted different pathways into teaching. REEG are now planning 3 annual commissioned events around BAME Teacher Recruitment and

Retention – a) promotion and connecting with teaching partners b) drop in to support those wanting more information on getting into teaching/support in teaching c) drop in to help to fill out the forms for application into teaching.

**IMPACT:** so far has shown a 33% rise in BAME applications into teaching. The aim is to increase the current context of 4.4% BAME teachers in Bristol to the national average of 7.5%.

2. **BAME Parent School Governor Recruitment** is also part of our action plan in order to have diverse representation on panel groups to allow BAME voice within education, and to sit on teacher recruitment panels. **IMPACT:** BAME School Governors have an important role in ensuring that BAME voice/considerations are part of the conversation. Research shows the benefits of diverse groups, and moves away from trends of employing those from the group you identify with most.
3. In Feb 2019 **analysis of the KS1-5 data** showed educational gaps based on ethnicity. This looked further into the data around progress, attainment, attendance, exclusions. As part of the REEG action plan **a database on ethnicity** will be set up to look at patterns and trends to improve the current picture of performance for pupils in KS1-5.

**IMPACT:** will be narrowing the education gap to increase the overall Bristol performance figures of progress and attainment. Currently Bristol is ranked 3<sup>rd</sup> worst in educational achievement for BAME communities and we are looking to reverse that picture.

4. Alongside the database REEG have also commissioned a **research project** to look at the national and global initiatives that have led to higher performance within the BAME community with a view to bringing this back to the Bristol Context.

**IMPACT:** Rigorous understanding of what is done differently elsewhere and how this could be implemented into the Bristol Context eg. Why are neighbouring cities like Birmingham, London more able to recruit BAME teachers? How has Hackney schools managed to increase their number of BAME Oxbridge students?

5. **REEG supported the Global Majority Teachers Network** in June 2019 to bring Bristol's BAME teachers together. This group supports teachers through CPD, networking and allowing BAME teachers who often work in isolation a place to share their experiences with other. This is especially important in supporting teachers to stay in teaching – whether through buddy/mentoring models. REEG members continue to work with and support the GMT network and regularly attend group meetings.

**IMPACT:** the Global Majority Network has already attracted over 27 BAME teachers/educators to join with others also expressing an interest as the group grows.

6. REEG/CORE has undertaken oversight and support for the **One Bristol Curriculum**, working with Cognitive Paths and other organisations. The One Bristol Curriculum supports a more representative curriculum for the communities it serves. Based on an approach asking schools to sign up to a commitment to a more diverse learning environment, the One Bristol Curriculum aims to create lesson plans with a wider representative focus, and well as bringing community projects into the classroom. The aim is to create a greater awareness, tolerance, respect for others through breaking stereotypes and working with communities they may not have had the



opportunity to do in the past. The aim is to increase engagement and relevance of the curriculum as we prepare ALL students to become Global Citizens.

**IMPACT:** The **One Bristol Curriculum** is now the curriculum many schools are asking to sign up to and feel ready to support. It is important to note that before the **intervention of CORE/REEG** there was much confusion and dissent around the One Bristol Curriculum and those who had charge of it– CORE have worked hard and allowed a cohesive and accepted version of the One Bristol Curriculum. We now have teachers and community projects signed up to this exciting venture that is a beacon pilot – in fact at the last meeting people came from as far as Nottingham to hear our ideas. There are current pilot schemes being delivered with further pilot schemes planned as resources are gathered. It is expected to be ready for launch in 2020.

7. REEG have a commissioned project to address the needs of parents / students / teachers in a changing multicultural environment. Challenges within educational organisations around race and equality suggest that fundamental changes can be made by working together to provide a greater understanding of how this situation can be improved. REEG have commissioned **parent/teacher/student conferences** with a view to address the current inequalities suggested through data and incidents to identify changes to current CPD programmes to support teachers, and identify support needed for parents.

**IMPACT:** Information identified for CPD programmes to be provided to **CPD providers** who will then become recommended CPD providers for schools (currently there is no real registry or monitoring of the number of providers or quality of provision). Support identified for parents will allow REEG to organise how this need is best met, with current suggestion of advice pages, 'It takes a village' style sessions to support needs, supporting schools to support parents.

8. **Mapping provision in the city** to be housed on CORE/REEG Learning City webpage will enable people in the city to have greater confidence in education in Bristol through having one place they can find support for the educational needs of their children, as well as receiving social support within communities.

**IMPACT:** Support for BAME pupils and parents within community groups e.g. Black Boys Can, Going for Gold – through knowing where and when these projects are on and how to contact, rather than relying on whether you know someone who knows. This is aimed at raising aspirations and attainment, which can further be monitored through our databases.

9. **Connecting people/connecting communities** – REEG have worked hard to listen to educational groups across all key stages, including further education, as well as connecting with communities. REEG are proud to have addressed all issues on education raised at the 'Take A Village' meeting organised by CoRE.

**IMPACT:** See the 'Take A Village' updated grid to be able to respond appropriately to community groups showing that we are listening and working on educational shift in Bristol to allow further positive feedback to continue to work with the system.

10. CoRE/REEG are committed to raising education for **ALL students** through its work with the **ONE CITY PLAN** and engages with all communities across the city inclusive of support for South Bristol and its particular context

## **Conclusion: key points**

The task of delivering equality and equity to the city's disadvantaged individuals and communities is no small matter and is a task for us all. The rewards are a stronger, more productive and cohesive place for us all in which to live and thrive. The city needs to embrace the challenge required to make real change through a One City collective approach to delivery. There is a need to explore this opportunity and work towards the Mayoral Commission becoming a City Commission and an integral part of the One City Plan.

There are a number of priorities and key deliverables within each of the task groups that the Commission will continue to lead in the next 12 months such as:

- Achieve a 10% increase in BAME representation across public, private and voluntary sectors in 2020.
- Encourage and support community action to address serious youth violence in addition to delivering community workshops raising awareness and equipping family members to support young people affected by youth crime.
- Achieving acceptance of the **One Bristol Curriculum** to many more Schools in the South West.

# Full Council

12 November 2019



<b>Report of:</b>	Service Director: Finance
<b>Title:</b>	Treasury Management Annual Report 2018/19
<b>Ward:</b>	City Wide
<b>Member Presenting Report:</b>	Deputy Mayor – Finance, Governance and Performance

## Recommendation

Council note the Annual Treasury Management Report for 2018/19, 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 2018–2023 Treasury Strategy identified a medium term borrowing requirement of £370m 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 (£108m at March 2019), noting if the financial environment changes and borrowing was deemed advantageous the Council may borrow over appropriate maturity periods.
- The Council's long term debt at 31 March 2019 was £431m with an average annual interest rate of 4.68%. Investments were £108m at the 31 March 2019 with an average annual interest rate of 0.76%.



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## 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 2018/19 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 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.”.

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## Proposal

Council note the Annual Treasury Management Report for 2018/19, 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.

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**(Legal advice provided by Tim O’Gara – 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 – Capital and Investments Manager)**

**Land**

Not applicable

**Personnel**

Not Applicable

**Appendices:**

Appendix A – Treasury Management Annual Report 2018/19

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**Background Papers:**

None

### Treasury Management Annual Report 2018/19

#### 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.
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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 2018/19

5. **UK.** After weak economic growth of only 0.2% in quarter one of 2018, growth picked up to 0.4% in quarter 2 and to a particularly strong 0.7% in quarter 3, before cooling off to 0.2% in the final quarter. Given all the uncertainties over Brexit, this weak growth in the final quarter was as to be expected. However, some recovery in the rate of growth is expected going forward. The annual growth in Q4 came in at 1.4% year on year confirming that the UK was the third fastest growing country in the G7 in quarter 4.

After the Monetary Policy Committee (MPC) raised Bank Rate from 0.5% to 0.75% in August 2018, it is little surprise that they have abstained from any further increases since then. We are unlikely to see any changes in bank rate until the uncertainties over Brexit clear. If there were a disorderly exit, it is possible that Bank Rate would be cut to support growth. Nevertheless, the MPC has been having increasing concerns over the trend in wage inflation which peaked at a new post financial crisis high of 3.5%, (excluding bonuses), in the three months to December

before falling only marginally to 3.4% in the three months to January. British employers increased their hiring at the fastest pace in more than three years in the three months to January as the country's labour market defied the broader weakness in the overall economy as Brexit approached. The number of people in work surged by 222,000, helping to push down the unemployment rate to 3.9 percent, its lowest rate since 1975. Correspondingly, the total level of vacancies has risen to new highs.

CPI inflation has been on a falling trend since peaking at 3.1% in November 2017, reaching a new low of 1.8% in January 2019 before rising marginally to 1.9% in February. However, in the February 2019 Bank of England Inflation Report, the latest forecast for inflation over both the two and three year time horizons remained marginally above the MPC's target of 2%.

The rise in wage inflation and fall in CPI inflation is good news for consumers as their spending power is improving in this scenario as the difference between the two figures is now around 1.5%, i.e. a real terms increase. Given the UK economy is very much services sector driven, an increase in household spending power is likely to feed through into providing some support to the overall rate of economic growth in the coming months.

**Brexit.** This first half of the year (2019/20) has been a time of upheaval on the political front as Theresa May resigned as Prime Minister to be replaced by Boris Johnson on a platform of the UK leaving the EU on or 31 October, with or without a deal. However, so far, there has been no majority of MPs for any one option to move forward on enabling Brexit to be implemented. At the time of writing, (early September), the political situation in the UK over Brexit is fluid and could change by the day. The vote in the Commons on 3 September looks likely to lead to a delay in the date for Brexit to 31 January 2020, but there is also likelihood that there will be an imminent general election. This could result in a potential loosening of monetary policy and therefore medium to longer dated gilt yields could rise on the expectation of a weak pound and concerns around inflation picking up.

6. **USA.** President Trump's easing of fiscal policy in 2018 fuelled a (temporary) boost in consumption in 2018 which generated an upturn in the strong rate of growth; this rose from 2.2%, (annualised rate) in quarter 1 of 2018 to 4.2% in quarter 2, 3.5% in quarter 3 and then back to 2.2% in quarter 4. The annual rate came in at 2.9% for 2018, just below President Trump's aim for 3% growth. The strong growth in employment numbers has fed through to an upturn in wage inflation which hit 3.4% in February, a decade high point. However, CPI inflation overall fell to 1.5% in February, a two and a half year low, and looks to be likely to stay around this level in 2019, below the Federal Reserve's target of 2%. The Federal Reserve increased rates by another 0.25% in December to between 2.25% and 2.50%, this being the fourth increase in 2018 and the ninth in the upward swing cycle. However, the Federal Reserve now appears to be edging towards a change of direction and admitting there may be a need to switch to taking action to cut rates over the next two years. Financial markets are now predicting two cuts of 25 bps by the end of 2020.
7. **EUROZONE.** The European Central Bank (ECB) provided high levels of monetary stimulus in 2016 and 2017 to encourage growth in the Eurozone and that produced strong annual growth in 2017 of 2.3%. However, since then the ECB has been reducing its monetary stimulus measures and growth has been weakening - to 0.4% in quarters 1 and 2 of 2018, and then slowed further to 0.2% in quarters 3 and 4; it is likely to be only 0.1 - 0.2% in quarter 1 of 2019. The annual rate of growth for 2018 was 1.8% but is expected to fall to around half that rate in



2019. The ECB ended its programme of quantitative easing purchases of debt in December 2018, which means that the central banks in the US, UK and EU have all ended the phase of post financial crisis expansion of liquidity supporting world financial markets by purchases of debt. However, the downturn in growth, together with inflation falling well below its target range prompted the ECB to take new measures to stimulate growth. With its refinancing rate already at 0.0% and the deposit rate at -0.4%, it has probably reached the limit of cutting rates. At its March 2019 meeting it said that it expects to leave interest rates at their present levels “at least through the end of 2019”, but that is of little help to boosting growth in the near term. Consequently, it also announced a third round of “Targeted longer-term refinancing operations” (TLTROs) to encourage bank lending.

8. **CHINA.** Economic growth has been weakening over successive years, despite repeated rounds of central bank stimulus; 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.
9. **WORLD GROWTH.** Equity markets are currently concerned about the synchronised general weakening of growth in the major economies of the world: they fear there could even be a recession looming up in the US, though this fear is probably overdone.

#### Treasury position as at 31 March 2019

10. 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 2018		31 March 2019	
	£m	Average Rate %	£m	Average Rate %
Long Term Debt (fixed rates) - PWLB	311	4.92	311	4.92
Long Term Debt (fixed rates) – LOBOS	100	4.11	70	4.09
Long Term Debt (fixed rates) – Market	20	3.84	50	4.04
Short Term Borrowing	-	-	-	-
<b>Total borrowing</b>	<b>431</b>	<b>4.68</b>	<b>431</b>	<b>4.68</b>
Investments	64	0.44	108	0.76
<b>Net Borrowing Position</b>	<b>367</b>		<b>323</b>	

11. During the year £30m of RBS Lobo's <sup>(Lender option, Borrower option)</sup> were converted to fixed rate loans when the options in these loans were unilaterally removed.
12. The total borrowing excludes accrued interest of £5m (£5m at 31/3/18) and the outstanding finance on PFI and service contracts of £135m at 31 March 2018 (£140m at 31/3/18).
13. The authority also has long term service investments costing £42m primarily relating to the holdings in Bristol Holdings Company (£29m), Bristol Port Company (£3m) and a property fund to support Homelessness (£10m).

14. The Net debt has decreased by £44m from £367m to £323m primarily due to;
- Funding of the capital programme financed by borrowing +£32m
  - Net increase of reserves (£30m)
  - Other changes to working capital / provisions (£46m)

### Long Term Borrowing – Strategy and outturn

15. The 2018–2023 Treasury Strategy (approved 20<sup>th</sup> February 2018) identified a medium term borrowing requirement of £370m 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 £370m was planned to be borrowed in the following periods, 18/19 - £120m, 19/20 - £120m, 20/21, £80m, 21/22 - £40m and 22/23 - £10m.

16. The Council's Strategy is also to defer borrowing while it has significant levels of liquid treasury investments, £108m at March 2019 (£64m at March 2018). However the Strategy also considers where the financial environment changes and borrowing is deemed advantageous the Council will seek to borrow over appropriate maturity periods. Deferring borrowing reduces 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 2018/19 Treasury Management Strategy approved by Council 20<sup>th</sup> February 2018).

<https://democracy.bristol.gov.uk/documents/s19529/Appendix%204%20-%20Treasury%20Management%20Strategy.pdf>

17. 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 2018/19. 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 the large early repayment penalties that the authority will incur, circa £261m penalty to repay the £311m of PWLB loans early as at 31<sup>st</sup> March 2019 (the penalty at 31/03/18 was £253m).

### Annual Investment Strategy and Outturn

18. Investment returns remained low during 2018/19. The expectation for interest rates within the treasury management strategy for 2018/19 was that Bank Rate would rise

from 0.50% to 0.75%. At the start of 2018-19, and after UK GDP growth had proved disappointingly weak in the first few months of 2018, the expectation for the timing of this increase was pushed back to August 2018. Investment interest rates were therefore on a gently rising trend in the first half of the year after April, in anticipation that the MPC would raise Bank Rate in August. This duly happened at the MPC meeting on 2 August 2018.

It was not expected that the MPC would raise Bank Rate again during 2018-19 after August in view of the fact that the UK was entering into a time of major uncertainty with Brexit due in March 2019. Value was therefore sought by placing longer term investments after 2 August where cash balances were sufficient to allow this.

19. 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.).

20. Treasury Investments held by the Council - the Council maintained an average balance of £128m (£94m 2017/18) of internally managed funds. The internally managed funds received an average return of 0.76% (0.44% 2017/18). The comparable performance indicator is the average 7-day LIBID rate, which was 0.51%.

### **Compliance with Treasury Limits and Treasury Related Prudential Indicators**

21. 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 2018/19**

22. 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.

23. 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 0.76% vs. annual average 7 day LIBID of 0.51%

### Consultation and scrutiny input

24. 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

25. 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:

26. 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

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

### Legal and Resource Implications

28. 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 Tim O’Gara (Service Director: Legal and Democratic Services)

### Financial

**(a) Revenue**

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

Advice given by Jon Clayton (Capital and Investment Manager)

**(b) Capital**

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

**Land**

31. There are no direct implications for this report.

**Personnel**

32. There are no direct implications for this report.

**Appendices:**

Appendix 1: Treasury Management Annual Report 2018/19

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**Background Papers:**

33. Treasury Management Strategy 2018/19

<https://democracy.bristol.gov.uk/documents/s19529/Appendix%204%20-%20Treasury%20Management%20Strategy.pdf>

## Appendix 1

### Annual Report on the Treasury Management Service 2018/19 (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 2018/19

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.

	<b>2017/18 Actual £m</b>	<b>2018/19 Original Budget £m</b>	<b>2018/19 P10 - Final Budget £m</b>	<b>2018/19 Actual £m</b>
Non-HRA capital expenditure	104	197	121	93
HRA capital expenditure	32	47	39	37
<b>Total capital expenditure</b>	<b>136</b>	<b>244</b>	<b>160</b>	<b>130</b>
<b>Resourced by:</b>				
Capital receipts	6	16		11
Capital grants	45	79		44
HRA Self Financing	24	25		23
Prudential borrowing	44	111		32
Revenue	17	13		20
<b>Total Resources</b>	<b>136</b>	<b>244</b>		<b>130</b>

#### **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 2018/19 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 2018/19 MRP Policy (as required by CLG Guidance) was approved on the 20<sup>th</sup> February 2018.
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.

<b>CFR</b>	<b>General Fund 31 March 2018 Actual £m</b>	<b>General Fund 31 March 2019 Actual £m</b>	<b>HRA 31 March 2018 Actual £m</b>	<b>HRA 31 March 2019 Actual £m</b>	<b>Total CFR 31 March 2019 Actual £m</b>
<b>Opening balance</b>	<b>543</b>	<b>578</b>	<b>245</b>	<b>245</b>	<b>823</b>
Add unfinanced capital expenditure (as above)	44	32	-	-	32
Less MRP/VRP	(3)	(2)	-	-	(2)
Less PFI & finance lease repayments	(6)	(6)	-	-	(6)
<b>Closing balance</b>	<b>578</b>	<b>602</b>	<b>245</b>	<b>245</b>	<b>847</b>

#### **Treasury Position at 31 March 2019**

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 2018		31 March 2019	
	Principal £m	Average Rate % <sup>2</sup>	Principal £m	Average Rate % <sup>2</sup>
Fixed Interest Rate Debt	311	4.92	311	4.92
Variable Interest Rate Debt	-	-	-	-
Market Debt – LOBO <sup>1</sup>	100	4.11	70	4.09
Market Debt	20	3.84	50	4.04
PFI / Service Contracts	140	-	135	-
<b>Total Debt</b>	<b>571</b>	<b>4.68</b>	<b>566</b>	<b>4.68</b>
Debt administered of behalf of Unitary Authorities (Ex Avon Debt)	(44)	-	(43)	-
<b>Revised Debt</b>	<b>527</b>	<b>4.68</b>	<b>523</b>	<b>4.68</b>
Capital Financing Requirement	823		847	
Over/(Under) borrowing	(296)		(324)	
<b>Investment position</b>				
Investments (Fixed & Call)	64	0.44	108	0.76
<b>Net borrowing position (excl leasing arrangements)</b>	<b>367</b>	<b>-</b>	<b>323</b>	<b>-</b>

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 2018		31 March 2019	
	Principal £m	Average Rate%	Principal £m	Average Rate%
General Fund	186	4.68	186	4.68
HRA	245	4.68	245	4.68
Total	431	4.68	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 2018		31 March 2019	
			Actual £m	%	Actual £m	%
Under 12 Months	0	20	-	-	-	-
1 to 2 years	0	20	-	-	10	2
2 to 5 years	0	40	15	3	5	1
5 to 10 years	0	40	49	11	54	13
10 years and over	25	100	367	86	362	84
<b>Total</b>			<b>431</b>	<b>100</b>	<b>431</b>	<b>100</b>

14. The Council hold £70m of LOBOS with maturities averaging 42 years. Inherent within these loan instruments are options (averaging an option every 3.5 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.

	<b>31 March 2018</b> <b>Actual</b> <b>£m</b>	<b>31 March 2019</b> <b>Actual</b> <b>£m</b>
Gross borrowing position	431	431
CFR (excluding PFI)	683	712

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 2018/19 the Council has maintained gross borrowing within its

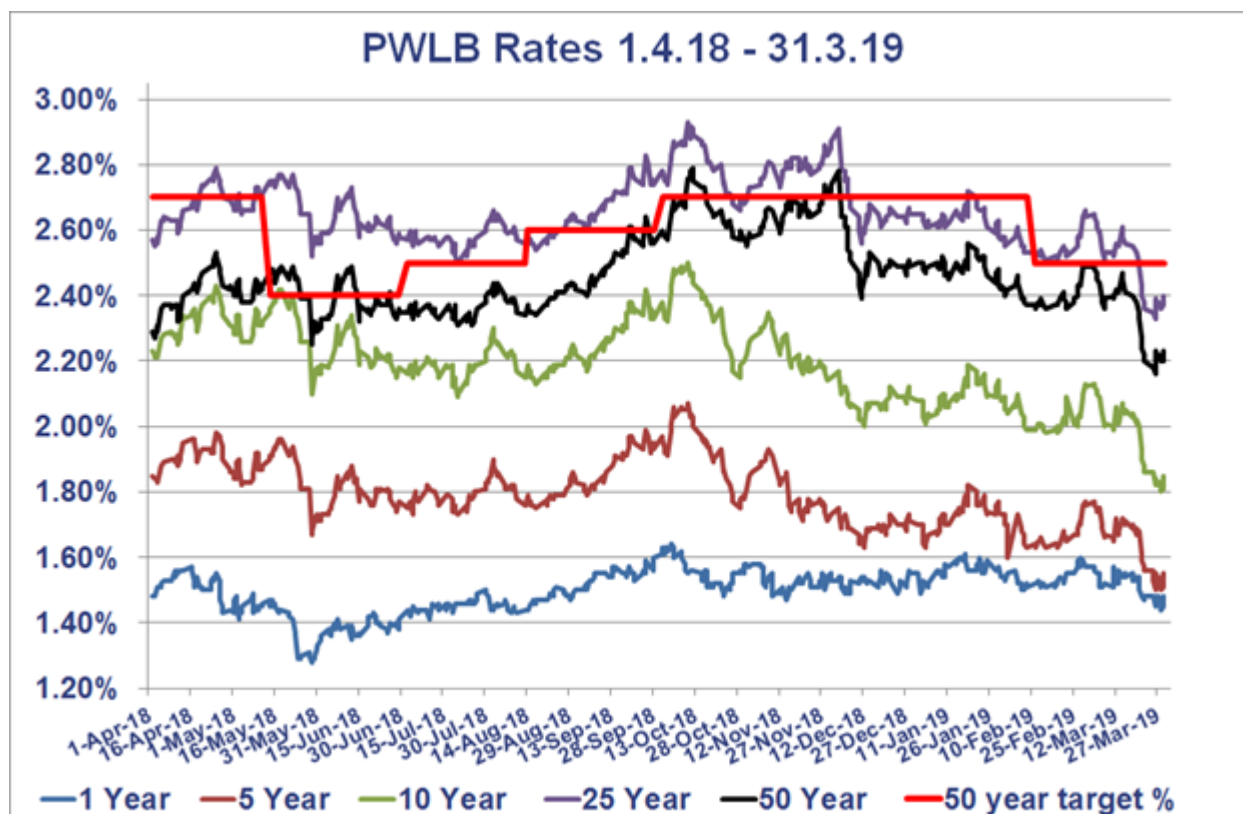
Authorised Limit.

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. **TO HERE**

	<b>2018/19</b>
	<b>£m</b>
Authorised Limit	960
Operational Boundary	672
Average gross borrowing position (including PFI)	568
Financing costs as a proportion of net revenue stream:	
General Fund	6.14%
HRA	8.71%

### Borrowing Rates in 2018/19

23. PWLB borrowing rates - the graph below shows PWLB rates peaked during October, and since then most PWLB rates have been on a general downward trend, though longer term rates did spike upwards again during December, and then reached lows for the year at the end of March.



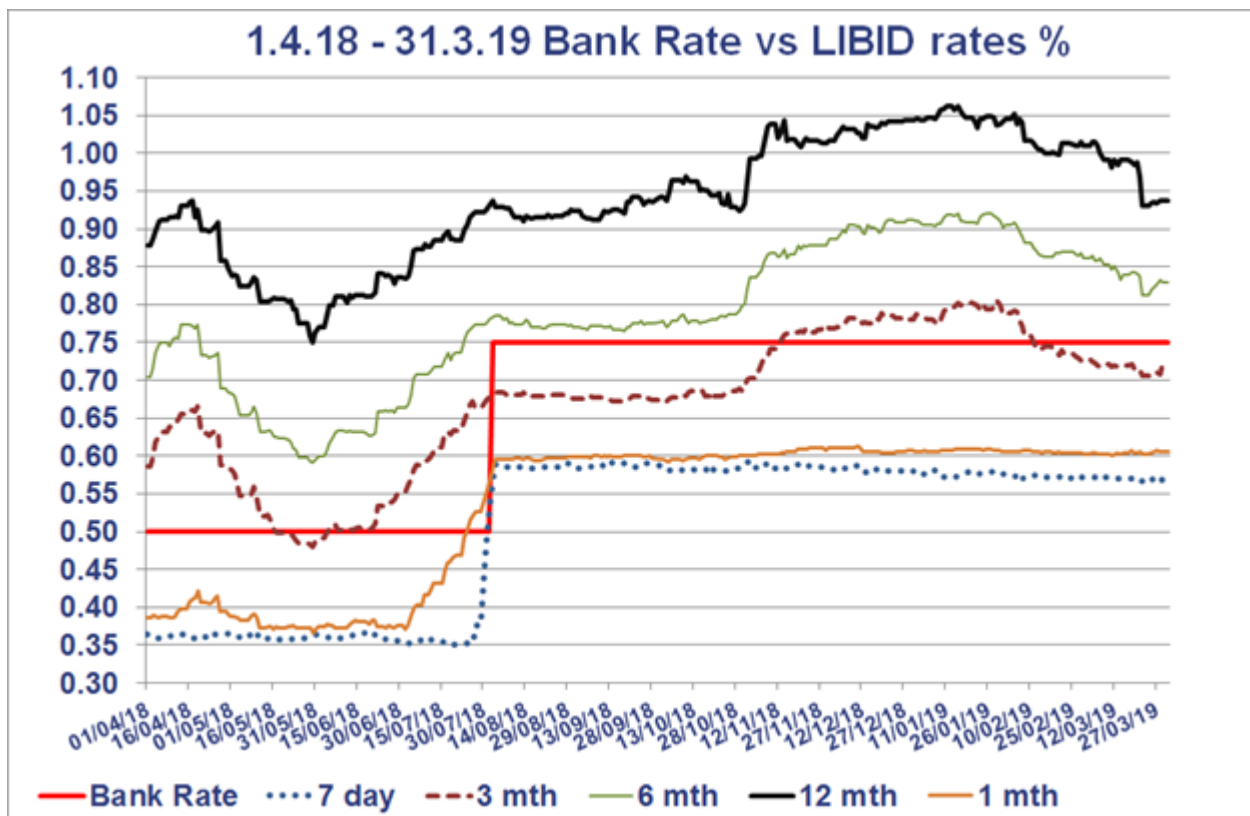
24. **Summary of Debt Transactions** – No long term borrowing was undertaken during year as mentioned previously within the report.

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

**Investment Rates in 2018/19**

26. Investment interest rates were on a gently rising trend in the first half in anticipation that the MPC would raise Bank Rate. This duly happened at the MPC meeting on 2 August 2018.

27. Investment rates were little changed during August to October but rose sharply after the MPC meeting of 1 November was unexpectedly hawkish about their perception of building inflationary pressures, particularly from rising wages. However, weak GDP growth data after December, plus increasing concerns generated by Brexit, resulted in investment rates falling back again



28. The Council’s investment policy is governed by CLG guidance, which has been implemented in the annual investment strategy approved by the Council on 20<sup>th</sup> February 2018. 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

29. **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

30. 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 8<sup>th</sup> November 2007.

31. 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.

32. 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.



# Report to Full Council 12<sup>th</sup> November 2019

**Report of:** Tim O’Gara, Monitoring Officer

**Title:** Annual Report of Local Government and Social Care Ombudsman Decisions

**Ward:** Citywide

## Recommendation

**That the Full Council note the report.**

## Summary

The report summarises the finding made in respect of the Council by the Local Government and Social Care Ombudsman (LGO) in 2018/19. One public report was made and details were reported to Cabinet on [1<sup>st</sup> May 2018](#) and [2<sup>nd</sup> October 2018](#):-

### The significant issues in the report are:

The LGO made one public report and concludes that there were 12 upheld complaints out of a total of 124 cases in 18/19 as compared to 12 complaints upheld out of a total of 129 cases in the previous year.

- Housing x 1 case
- Benefits & Tax x 2 cases
- Planning & Development x 1 case
- Education & Children’s Services x 2 cases
- Adult Care Services x 4 cases
- Environmental Services & Public Protection x 1 case
- Corporate & Other Services x 1 case



## Context

1. This report is presented in line with the duty to report to the Full Council where findings of maladministration or fault have been made by the Ombudsman, summarising the findings made. The findings have been considered and commented on by the Audit Committee to inform this report.
2. For this year, the Ombudsman performance data includes lessons learnt with a view to looking at wider improvements that can be achieved. The Ombudsman has now published an interactive map of council performance showing annual performance data for all councils in England, with links to published decision statements, public interest reports, annual letters and information about service improvements that have been agreed by each council. It also highlights those instances where each authority offered a suitable remedy to resolve a complaint before the matter came to the Ombudsman, and the authority's compliance with the recommendations made to remedy complaints:

<https://www.lgo.org.uk/your-councils-performance>

3. The Ombudsman has sent the Council all findings made in the year ending the 31<sup>st</sup> March 2019.
4. One public report has been made in respect of the Council in that time. This was reported in detail to Cabinet on the 1<sup>st</sup> May 2018 and 2<sup>nd</sup> October (the reports are referenced in the link above).
5. The requirement applies to all Ombudsman complaint decisions, not just those that result in a public report.
6. The LGO has upheld 12 cases in the year to March 2019 compared to 12 the previous year.
7. The Council dealt with 9,148 Stage 1 and Stage 2 complaints in 2018/2019 giving an escalation rate of 1.35% of the total number of cases and 0.13% against the number of upheld cases.
8. The link below taken from the LGSCO website shows that the Council's upheld rate of 67% is higher than the UK authority average of 55%. However, of the upheld cases the Council has provided satisfactory remedies in 25% of cases compared with the national average of 11%.  
<https://www.lgo.org.uk/your-councils-performance/bristol-city-council/statistics>
9. In respect of cases where routine mistakes and service failures have been made, and the Council has agreed to remedy the complaint by implementing the recommendations made following an investigation, the Ombudsman is of the view that the duty to report is satisfactorily discharged if the Monitoring Officer makes a periodic report to the Council summarising the findings on all upheld complaints over a specific period of time.
10. Appendix 1 sets out a summary of the findings made, remedies agreed and lessons learnt.
11. Appendix 2 sets out comparator information for the Core cities
12. The Annual letter from the LGO to the Council is at Appendix 4
13. The Ombudsman has commented:-

*Unfortunately, there have been other investigations during the year that have not progressed as quickly as they should have. Several of my investigators were delayed by your Council's failure to respond in a timely way to our requests for information. This is*

*frustrating, particularly for the complainant. I would ask the Council ensures it has robust procedures in place to ensure it responds efficiently and comprehensively to contact from my office.*

14. LGO investigators always give a deadline for responses to their investigative enquiries, which is typically 20 working days or, for more urgent cases, a shorter period. Likewise, when they issue Draft Decisions for the Council's consideration, a deadline of 10 working days is usually given.
15. Complaints Co-ordinators prioritise sending LGSCO correspondence to relevant managers and/or directors for their consideration and always make clear the timescales to be met. They also follow up when responses are not received.
16. This year there has been an increase in cases where services have been slow in responding to LGSCO enquiries and Draft Decisions. It is recognised that officers have significant workloads which may account for this. The Corporate Leadership Board have considered this issue and agreed that Directors will remind all officers in their Directorates of the importance of prioritising LGO casework when. The Complaints Co-ordinators will keep this under review and will report back to the leadership team on progress.

### **Proposal**

That Full Council note the report.

### **Legal and Resource Implications**

#### **Legal**

This report is made in compliance with the Council's duty to report Findings of maladministration or fault to Full Council

**Legal advice provided by** Nancy Rollason Head of Legal Service

#### **Financial**

### **Appendices:**

Appendix 1 – Summary of complaints upheld and lessons learnt

Appendix 2 – Comparitor data

Appendix 3 – Annual letter from the LGO

### **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

#### **Background Papers:**

None



## **Appendix 1**

**The report summarises the findings made in respect of the Council by the Local Government and Social Care Ombudsman (LGSCO) in 2018/2019. No public reports have been made.**

### **Significant issues in the report are:**

The LGSCO has upheld 12 complaints out of a total of 124 cases in 2018/2019 compared with 12 out of 129 in 2017/2018.

The Council dealt with 9,148 Stage 1 and Stage 2 complaints in 2018/2019, which means the escalation rate is 1.35% of the total number of cases, and 0.13% against the upheld number of cases.

The link below taken from the LGSCO website shows that the Council's upheld rate of 67% is higher than the UK authority average of 55%. However, of the upheld cases the Council has provided satisfactory remedies in 25% of cases compared with the national average of 11%.

<https://www.lgo.org.uk/your-councils-performance/bristol-city-council/statistics>

### **Summary of upheld cases:-**

Housing x 1 case

Benefits & Tax x 2 cases

Planning & Development x 1 case

Education & Children's Services x 2 cases

Adult Care Services x 4 cases

Environmental Services & Public Protection x 1 case

Corporate & Other Services x 1 case

NB The case leading to a public report has not been included here as it has already been reported to Full Council.

### **Upheld cases summary**

- 1. Bristol City Council (18 000 762) - Charging 30-Nov-2018**

**Summary:** There was fault by the Council. It did not give the complainant clear information or advice about how it would charge for her care. This meant the family could not make informed decisions about how to pay for care and were unaware that the Council would backdate an increase in charges. The Council also took too long to deal with her son's complaint about this. The Council has agreed to refund the backdated charges, pay the complainant's son £200 for his time and trouble in pursuing matters, share this decision with relevant staff, and identify the lessons learned to prevent this recurring.

#### **Action points and Learning**

[Action plan to improve services in relation to Care Home charges 18000762.docx](#)

### **2. Bristol City Council (18 007 898) - Other 16-Nov-2018**

**Summary:** The executors of the late Mr D complained that the Council failed to terminate his council tenancy when he moved to residential care and so charged him both rent and care fees. The Council has acknowledged that it should have done this and that its communications with the executors were lacking. The Council has agreed to pay the additional fees incurred by the estate in corresponding with it on this issue. The Council has also reviewed its processes.

#### **Action points and Learning**

Executors complained of failure to terminate tenancy when the Service User moved to residential care and charged him rent and care fees. Paid additional fees incurred by estate and reviewed processes.

Remedy response sent to Ombudsman: "Following this complaint the following steps have been taken to improve the Council's processes to make sure that deputyship is dealt with in good time, where there is an accruing rent liability.

- Additional resources have been agreed for the Council's Financial Protection Team to increase the staffing level by two officers. This will increase the supports to front facing staff to progress these cases and ensure a more timely response to cases where people lack capacity in respect to their finances and where there is no one willing, suitable or able to manager their property or affairs. This will give the team capacity to deal with more cases. The post has been recruited to and the post holders will start in the New Year.
- Whilst these posts are being recruited to additional resources have been diverted to increase the number of cases that can be considered at the council Financial Protection Panel. This will ensure increased capacity to consider emergency applications through this fast tracked process.
- A Practice a note has been issues to reminded staff of the need to priorities these cases.
- There is an ongoing review by the Financial Protection Team focusing on identifying similar cases to ensure that we are responding in a timely manner and to that we continue to make improvements to the way we resolve these cases. "

### **3. Bristol City Council (18 003 104) - Refuse and recycling 14-Nov-2018**

**Summary:** Mr F complains the Council ignored his reports of littering near his home and delayed dealing with his complaint. The Ombudsman has found fault causing injustice to Mr F. The Council will apologise, make a payment to Mr F and clarify how it will keep the area litter free.

#### **Action points and Learning**

Collective responsibility needs to be taken where more than one department or party is involved. Co-ordination between departments took place to ensure that the area was and is kept litter free and the agreement with the 3<sup>rd</sup> Party is being monitored and will be enforced if necessary.

### **4. Bristol City Council (18 002 590) - Other 25-Oct-2018**

**Summary:** Mrs X complains about the Council's response to her reports of noise nuisance and says they were not acknowledged or resolved until after she made a formal complaint. We found there was fault by the Council, as the investigating officer did not contact Mrs X to update her on his investigation and did not offer her access to its Noise App sooner. This put Mrs X to the time and trouble of having to complain and left her to live with the nuisance for longer than she might otherwise have done. The Ombudsman recommended the Council should remedy this by apologising to Mrs X, paying her a financial remedy and revising its policy to prevent this happening in future. It agreed to do so.

#### **Action points and Learning**

The Neighbourhood Enforcement Team (NET), which deals with noise complaints, has now changed its case allocation process to enable officers with specialism in noise nuisance to concentrate more on this area of enforcement. Guidelines on the use of the Noise App have been produced. Improved monitoring of response times to complainants has also been introduced and is a key performance management indicator to NET officers.

### **5. Bristol City Council (17 017 860) - Council tax 31-Jul-2018**

**Summary:** It was fault for the Council to allocate Ms X's payments from a 2014 Liability Order, received through an Attachment of Earnings, to Ms X's older debts, and then to seek recovery of further Council Tax debts using the same Liability Order in 2016. That fault did not result in financial disadvantage to Ms X. However, it was fault that the Council did not tell Ms X of what it intended to do with the Attachment of Earnings payments in 2014, and the 2014 Liability Order in 2016. This caused avoidable injustice to Ms X needing a remedy. It was fault for the Council to recall all of Ms X's debts from the recovery agent in 2018. The Council has acted to remedy the injustice this caused Ms X.

#### **Action points and Learning**

There are inherent difficulties in differentiating between payments received from the liable party and payments from their Employer (via deductions from earnings orders) and the appropriate allocation of the payments, as well as any subsequent re-allocation of payments once identified as

from the Employer, between the debts involved. This made it difficult for the Complainant to be clear about her arrears position and what had been paid via deductions versus what remained due. In future, the officer setting up a Deductions from Earnings order will retain ownership of the case until the order is settled or ceases, to assist in the resolution of payment allocations, as they arrive.

#### **6. Bristol City Council (17 014 187) - Assessment and care plan 27-Jul-2018**

**Summary:** The Council delayed completing an assessment of adult social care needs, and wrongly recorded Miss B's thoughts and wishes. A reassessment overturned the original decision that she was ineligible. This meant over a year delay to receive a support package. Meanwhile, Miss B could not move into a property and remained living in an abusive home environment. The Council should refund Miss B the costs of the property she could not live in, and pay £1500 to acknowledge the impact on her mental health.

#### **Action points and Learning**

Mrs B was reimbursed the costs of the property and paid £1500 to acknowledge the impact on her mental health.

We took steps to resolve the issues, and have reduced waiting times as a result, but we accept that it is still delayed in some cases. The Council has improved its recruitment and retention of social work staff meaning that there are no longer Social Work vacancies which has reduced waiting times.

#### **7. Bristol City Council (17 012 184) - Assessment and care plan 19-Jul-2018**

**Summary:** Ms X complained the Council has not properly assessed or reviewed her care needs for three years, and it did not investigate her complaints about abuse by two care agencies. The Council was not at fault in how it responded to Ms X's concerns about the care providers. The Council was at fault as it did not carry out care reviews when it should have, however this did not cause Ms X a significant personal injustice. The Council was also at fault when it gave Ms X incorrect information about when it should carry out reviews, which caused confusion for Ms X. The Council has agreed to apologise to Ms X, create a plan for reducing its backlog of outstanding care reviews and write to those affected.

#### **Action points and Learning**

Failure to properly assess or review care needs for three years and did not investigate the Service Users complaints about abuse by two care agencies. This did not cause significant personal injustice. Gave Service User incorrect information about when it should carry out reviews which caused confusion. This had major implications for adult social care which was found to be in breach of the Care Act by not holding reviews within 12 months.

An action plan was written with targets and timescales for working through the backlog of overdue care reviews by 30 August 2020. A letter was sent to all people with overdue care reviews setting out:

- that their care review was overdue
- estimated timescales for their review, should they not contact the Council in the meantime

- how they could request a review sooner if they believed their care package did not meet their current needs
- how to complain if they believed the delay in reviewing their needs caused them an injustice.”

**8. Bristol City Council (18 000 139) - Other 06-Jul-2018**

**Summary:** Mr B complains about the inadequate amount of compensation the Council has offered to settle his complaint which concerned events at his placement care home. The offer of £700 made by the Council is a reasonable one and we will not pursue the complaint any further.

**Action points and Learning**

This concerned events at placement care home which left the Service User distressed and angry. Much of complaint upheld before going to LGSCO. Dispute over the amount of financial remedy, the Ombudsman agreed with our offer of £700.

Learning not applicable in this case

**9. Bristol City Council (17 013 579) - Enforcement 27-Jun-2018**

**Summary:** Mr X complains the Council was wrong to allow a neighbour to present a revised planning application when it found breaches of planning control. The Ombudsman has found there was no fault when the Council invited the revised planning application or when it later approved it. However, it failed to properly update Mr X while it investigated his concerns. This caused him an injustice it should remedy by apologising to him and reminding officers of their responsibilities.

**Action points and Learning**

A written apology was sent to the complainant and the Planning Enforcement Team leader wrote to team members reminding them to provide regular updates to complainants at key stages of cases, and that this was a response to a case investigated by the LGO.

**10. Bristol City Council (17 020 268) - Other 25-Apr-2018**

**Summary:** The Ombudsman should not investigate Mr J's complaint about difficulty and delay in obtaining small business rate relief, because there is nothing he can add to what the Council has already done.

**Action points and Learning**

Although there were no technical or legislative errors in the processing of this case two ancillary issues were identified

1. Comments on the conduct of an officer in the Citizen Services team, - this was dealt with by an internal email sent to the team by the manager reminding them of required standards of service and the comments were referred to the Councils complaints team for investigation
2. Comments regarding inconsistent approach.

This was highlighted to relevant Manager and refresher training and a clarification on authorised parties was requested.

#### **11. Bristol City Council (18 005 923) – Corporate and other services**

##### **Summary**

This related to a Data protection breach in the Allotment service, where personal details were shared. The Council had admitted fault and apologised before the LGSO was involved.

##### **Action points and Learning**

1. Refresher training was given to the relevant officer
2. Procedure was changed so that so site representatives were blind copied into emails and representatives gave consent before the Council could share contact details relating to their role.

**Garfield Horner and Nancy Rollason**

17<sup>th</sup> October 2019

Authority Name	Invalid or Incomplete	Advice Given	Referred Back for Local Resolution	Closed after Initial Enquiries
Birmingham City Council	26	31	173	112
Bristol City Council	7	8	51	40
Coventry City Council	5	1	41	35
Derby City Council	6	1	32	11
Leeds City Council	13	10	47	63
Leicester City Council	8	6	41	37
Liverpool City Council	8	0	42	51
Manchester City Council	14	1	50	71
Newcastle upon Tyne City Council	1	1	31	26
Nottingham City Council	10	2	27	33
Sheffield City Council	13	7	51	62
Southampton City Council	3	5	27	15
Stoke-on-Trent City Council	5	2	33	38
Wolverhampton City Council	4	4	19	24

**Notes**

These statistics include all complaints and enquiries that were decided from 01 April 2018 to 31 March 2019.

Some cases are received and decided in different business years. This means the number of complaints and enquiries received may not r

For more information on how to interpret our statistics, please visit: <http://www.lgo.org.uk/information-centre/reports/annual-review>

## Decisions Decided (by Outcome) 2018-19

Not Upheld	Upheld	Total	Uphold Rate (%)	Average uphold rate (%) of similar authorities
23	77	442	77	61
6	12	124	67	55
8	10	100	56	61
8	10	68	56	55
26	21	180	45	61
16	9	117	36	55
8	22	131	73	61
17	21	174	55	61
5	9	73	64	61
8	18	98	69	55
13	22	168	63	61
7	17	74	71	55
7	15	100	68	55
10	9	70	47	61

match the number of decisions made.

[/-reports/interpreting-local-authority-statistics](#)



24 July 2019

*By email*

Mike Jackson  
Executive Director: Resources and Head of Paid Service  
Bristol City Council

Dear Mr Jackson

### **Annual Review letter 2019**

I write to you with our annual summary of statistics on the complaints made to the Local Government and Social Care Ombudsman about your authority for the year ending 31 March 2019. The enclosed tables present the number of complaints and enquiries received about your authority, the decisions we made, and your authority's compliance with recommendations during the period. I hope this information will prove helpful in assessing your authority's performance in handling complaints.

### **Complaint statistics**

As ever, I would stress that the number of complaints, taken alone, is not necessarily a reliable indicator of an authority's performance. The volume of complaints should be considered alongside the uphold rate (how often we found fault when we investigated a complaint), and alongside statistics that indicate your authority's willingness to accept fault and put things right when they go wrong. We also provide a figure for the number of cases where your authority provided a satisfactory remedy before the complaint reached us, and new statistics about your authority's compliance with recommendations we have made; both of which offer a more comprehensive and insightful view of your authority's approach to complaint handling.

The new statistics on compliance are the result of a series of changes we have made to how we make and monitor our recommendations to remedy the fault we find. Our recommendations are specific and often include a time-frame for completion, allowing us to follow up with authorities and seek evidence that recommendations have been implemented. These changes mean we can provide these new statistics about your authority's compliance with our recommendations.

I want to emphasise the statistics in this letter reflect the data we hold and may not necessarily align with the data your authority holds. For example, our numbers include

enquiries from people we signpost back to your authority, some of whom may never contact you.

In line with usual practice, we are publishing our annual data for all authorities on our website, alongside our annual review of local government complaints. For the first time, this includes data on authorities' compliance with our recommendations. This collated data further aids the scrutiny of local services and we encourage you to share learning from the report, which highlights key cases we have investigated during the year.

Last year, we published one public report about your Council. We found the Council had prevented a family from applying for housing and wrongly ended its responsibility for storing their belongings. We also found that many departments across the Council knew what was happening but did not help. From 2015 the Council's Housing Department refused to talk to the father. This resulted in a family of five, including two disabled children, living for years in one room in bed and breakfast accommodation. The Council also wrongly sent them a bill for £4,749.96 for storing their belongings.

During our investigation the Council began to put things right. Following a recommendation from us it accepted a housing application from the family and the complainant made a successful bid for housing within two months. It also returned his belongings and cancelled the bill. As soon as we issued the report the Council paid the complainant the £9,000 we recommended for time the family were without suitable accommodation and their time, trouble, distress and frustration. It also confirmed it would follow the law when storing homeless applicants' possessions in future. I welcome the Council's acceptance of our findings and recommendations and how promptly they were implemented.

Unfortunately, there have been other investigations during the year that have not progressed as quickly as they should have. Several of my investigators were delayed by your Council's failure to respond in a timely way to our requests for information. This is frustrating, particularly for the complainant. I would ask the Council ensures it has robust procedures in place to ensure it responds efficiently and comprehensively to contact from my office.

### **New interactive data map**

In recent years we have been taking steps to move away from a simplistic focus on complaint volumes and instead focus on the lessons learned and the wider improvements we can achieve through our recommendations to improve services for the many. Our ambition is outlined in our [corporate strategy 2018-21](#) and commits us to publishing the outcomes of our investigations and the occasions our recommendations result in improvements for local services.

The result of this work is the launch of an interactive map of council performance on our website later this month. [Your Council's Performance](#) shows annual performance data for all councils in England, with links to our published decision statements, public interest reports, annual letters and information about service improvements that have been agreed by each council. It also highlights those instances where your authority offered a suitable remedy to resolve a complaint before the matter came to us, and your authority's compliance with the recommendations we have made to remedy complaints.

The intention of this new tool is to place a focus on your authority's compliance with investigations. It is a useful snapshot of the service improvement recommendations your authority has agreed to. It also highlights the wider outcomes of our investigations to the public, advocacy and advice organisations, and others who have a role in holding local councils to account.

I hope you, and colleagues, find the map a useful addition to the data we publish. We are the first UK public sector ombudsman scheme to provide compliance data in such a way and believe the launch of this innovative work will lead to improved scrutiny of councils as well as providing increased recognition to the improvements councils have agreed to make following our interventions.

### **Complaint handling training**

We have a well-established and successful training programme supporting local authorities and independent care providers to help improve local complaint handling. In 2018-19 we delivered 71 courses, training more than 900 people, including our first 'open courses' in Effective Complaint Handling for local authorities. Due to their popularity we are running six more open courses for local authorities in 2019-20, in York, Manchester, Coventry and London. To find out more visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training).

Finally, I am conscious of the resource pressures that many authorities are working within, and which are often the context for the problems that we investigate. In response to that situation we have published a significant piece of research this year looking at some of the common issues we are finding as a result of change and budget constraints. Called, [Under Pressure](#), this report provides a contribution to the debate about how local government can navigate the unprecedented changes affecting the sector. I commend this to you, along with our revised guidance on [Good Administrative Practice](#). I hope that together these are a timely reminder of the value of getting the basics right at a time of great change.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M King', with a stylized flourish at the end.

Michael King  
Local Government and Social Care Ombudsman  
Chair, Commission for Local Administration in England

**Local Authority Report:** Bristol City Council  
**For the Period Ending:** 31/03/2019

For further information on how to interpret our statistics, please visit our [website](#)

## Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
10	24	4	16	28	14	21	14	5	136

Page 84

## Decisions made

Decisions made				Detailed Investigations			
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate (%)	Total
7	8	51	40	6	12	67	124

**Note:** The uphold rate shows how often we found evidence of fault. It is expressed as a percentage of the total number of detailed investigations we completed.

## Satisfactory remedy provided by authority

Upheld cases where the authority had provided a satisfactory remedy before the complaint reached the Ombudsman	% of upheld cases
3	25

**Note:** These are the cases in which we decided that, while the authority did get things wrong, it offered a satisfactory way to resolve it before the complaint came to us.

## Compliance with Ombudsman recommendations

Complaints where compliance with the recommended remedy was recorded during the year*	Complaints where the authority complied with our recommendations on-time	Complaints where the authority complied with our recommendations late	Complaints where the authority has not complied with our recommendations	
10	10	0	0	<b>Number</b>
	100%		-	<b>Compliance rate**</b>
<p><b>Notes:</b>            * This is the number of complaints where we have recorded a response (or failure to respond) to our recommendation for a remedy during the reporting year. This includes complaints that may have been decided in the preceding year but where the data for compliance falls within the current reporting year.            ** The compliance rate is based on the number of complaints where the authority has provided evidence of their compliance with our recommendations to remedy a fault. This includes instances where an authority has accepted and implemented our recommendation but provided late evidence of that.</p>				



# Full Council

12 November 2019

**Report of:** Tim O’Gara, Director – Legal & Democratic Services

**Title:** **Information Report – Decisions Taken Under Special Urgency Provisions**

**Ward:** Citywide

## RECOMMENDATION

Full Council is asked to note the use of special urgency provisions in the Constitution (APR 16) in relation to a decision that was taken by Cabinet on the 1 October 2019 in respect of a Home Care Contract Extension.



## Background / information

1. Statute and the Council's Constitution provide that notification of key decisions that are intended to be taken by the Executive must be published 28 days before the decision is taken, and that the papers in relation to that decision must be published not less than 5 working days before the decision to be taken.
2. There are, however, exceptions in law and the Constitution to these timescales so that shorter notice can be given in certain circumstances.
3. The Constitution provides (Access to Information rules APR15), that if a matter which is likely to be a key decision has not been included in the Forward Plan ( to give 28 days' notice), the decision may still be taken if:
  - (a) The decision must be taken by such a date that it is impracticable for it to be deferred until it can be included in the next Forward Plan;
  - (b) The Proper Officer has given notice to the chair and members of a relevant Overview and Scrutiny body in writing, of the matter to which the decision is to be made;
  - (c) The Proper Officer has made copies of that notice available to the public at the offices of the Council; and
  - (d) At least five clear working days have elapsed since the Proper Officer complied with (a) and (b).
4. If an urgent decision needs to be taken and 5 clear working days cannot be given as set out in APR 15 above, APR 16 provides that in cases of special urgency a decision may still be taken if the decision taker obtains the agreement of the chair of a relevant Overview and Scrutiny body that the taking of the decision cannot be reasonably deferred.

Councillor Gollop and Councillor Hiscott gave their agreement on the 26 September 2019.

5. The Constitution also requires that cases where special urgency provisions (APR 16) have been required, this will be reported to the Full Council for information.
6. This report informs Full Council of the following decision taken under special urgency provisions at the cabinet meeting on the 1 October 2019.

### **APR 16 – Home Care Contract Extension**

#### **Decision:**

- 1. Cabinet delegated authority to the Service Director for Care and Support Adults in consultation with the Cabinet Member for Adult Social Care to extend 9 home care contracts for a maximum period of 9 months for a total of approx. £2.9million.**