



## Community and Wellbeing Scrutiny Committee

**Thursday 9 May 2019 at 6.00 pm**

Boardrooms 3-5 - Brent Civic Centre, Engineers Way,  
Wembley, HA9 0FJ

### Membership:

#### Members

Councillors:

Ketan Sheth (Chair)  
Colwill (Vice-Chair)  
Afzal  
Ethapemi  
Hector  
Knight  
Shahzad  
Stephens  
Thakkar  
Vacancy  
Vacancy

#### Substitute Members

Councillors:

Aden, S Butt, Gbajumo, Gill, Johnson, Kabir, Kelcher,  
Mashari and Nerva

Councillors:

Kansagra and Maurice

#### Co-opted Members

Helen Askwith, Church of England Schools  
Simon Goulden, Jewish Faith Schools  
Sayed Jaffar Milani, Muslim Faith Schools  
Dinah Walker, Parent Governor Representative (Primary)  
Alloysius Frederick, Roman Catholic Diocese Schools

#### Observers

Ms Sotira Michael, Brent Teachers' Association  
Lesley Gouldbourne, Brent Teachers' Association  
Jean Roberts, Brent Teachers' Association  
Brent Youth Parliament, Brent Youth Parliament

**For further information contact:** Bryony Gibbs, Governance Officer  
Tel: 020 8937 1355; Email: [bryony.gibbs@brent.gov.uk](mailto:bryony.gibbs@brent.gov.uk)

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**The press and public are welcome to attend this meeting**

### **Notes for Members - Declarations of Interest:**

If a Member is aware they have a Disclosable Pecuniary Interest\* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest\*\* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

### **\*Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

### **\*\*Personal Interests:**

The business relates to or affects:

- (a) Anybody of which you are a member or in a position of general control or management, and:
  - To which you are appointed by the council;
  - which exercises functions of a public nature;
  - which is directed is to charitable purposes;
  - whose principal purposes include the influence of public opinion or policy (including a political party or trade union).

- (b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest

# Agenda

Introductions, if appropriate.

Item Page

## 1 Apologies for absence and clarification of alternate members

Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 64.

## 2 Declarations of interests

Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary or personal interests in the items on this agenda and to specify the item(s) to which they relate.

## 3 Deputations (if any)

To hear any deputations received from members of the public in accordance with Standing Order 67.

## 4 Call-In of Executive Decision - Approval to Establish an Alternative Provision Free School with Integrated Youth Offer from the Roundwood Youth Centre 1 - 34

A decision made by the Cabinet on 15 April 2019 in respect of the “Approval to Establish an Alternative Provision Free School with Integrated Youth Offer from the Roundwood Youth Centre” report from the Council’s Strategic Director Children and Young People, has been called-in for consideration by the Community and Wellbeing Scrutiny Committee, in accordance with Standing Order 14.

Appendix A – Call-In Form – to follow


**Date of the next meeting:** To be confirmed following the Annual Council Meeting on 1 May 2019



- Please remember to **SWITCH OFF** your mobile phone during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public.



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 <p><b>Brent</b></p>	<p><b>Community and Wellbeing Scrutiny Committee</b> 9 May 2019</p> <hr/> <p><b>Report from the Director Performance, Policy &amp; Partnerships</b></p>
<p><b>Call-In of Executive Decision - Approval to Establish an Alternative Provision Free School with Integrated Youth Offer from the Roundwood Youth Centre</b></p>	

<b>Wards Affected:</b>	All
<b>Key or Non-Key Decision:</b>	Key
<b>Open or Part/Fully Exempt:</b> <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
<b>No. of Appendices:</b>	Three: <ul style="list-style-type: none"> <li>• Appendix A – Call-in form</li> <li>• Appendix B – Cabinet Report (15 April 2019)</li> <li>• Appendix C – Call-in Protocol</li> </ul>
<b>Background Papers:</b>	None
<b>Contact Officer(s):</b> <small>(Name, Title, Contact Details)</small>	Thomas Cattermole Head of Executive and Member Services <a href="mailto:Thomas.Cattermole@brent.gov.uk">Thomas.Cattermole@brent.gov.uk</a> Tel. 020 8937 5446

## 1.0 Summary

1.1 A decision made by the Cabinet on 15 April 2019 in respect of the “*Approval to Establish an Alternative Provision Free School with Integrated Youth Offer from the Roundwood Youth Centre*” report from the Council’s Strategic Director Children and Young People, has been called-in for consideration by the Community and Wellbeing Scrutiny Committee, in accordance with Standing Order 14.

## 2.0 Recommendation

2.1 That the Committee considers the call-in and agrees to one of the following outcomes:

2.1.1 The Committee does not wish to refer the matter back to the decision

maker or to Council, at which point the decision is deemed to be confirmed and takes effect immediately following the meeting; or

2.1.2 The Committee decides to ask the Cabinet to reconsider its decision, in light of any observations of the Committee; or

2.1.3 Having had regard to the advice of the Director of Legal and HR Services or Chief Finance Officer, the Committee considers the decision is contrary to the Council's Budget or Policy Framework, at which point it refers the matter to the next practicable meeting of the Council, subject to the provisions of Standing Orders

### **3.0 Background**

3.1 At the meeting held on 15 April 2019, Cabinet considered the report from the Strategic Director Children and Young People, "*Approval to Establish an Alternative Provision Free School with Integrated Youth Offer from the Roundwood Youth Centre*" where it was **RESOLVED**:

- i. Cabinet approved the establishment of an Alternative Provision Free School with integrated youth provision on the site of Roundwood Youth Centre as set out in the report.
- ii. Cabinet approved the use of the Free School Presumption process to establish the school, as set out in the report, noting that the final decision on the selected provider would be taken by the Secretary of State for Education.
- iii. Cabinet delegated authority to the Strategic Director of Children and Young People, in consultation with the Lead Member for Children's Safeguarding, Early Help and Social Care, to identify the Council's preferred provider of the Alternative Provision Free School with integrated youth provision.

3.2 The Cabinet decision has subsequently been called-in by 5 members, with details of the call-in attached as Appendix A to this report.

3.3 The Cabinet report from 15 April 2019, on which the called-in decision is based is attached at Appendix B to this report.

3.4 The procedure for dealing with the call-in and the conduct of the Scrutiny Committee meeting is attached at Appendix C of this report.

### **4.0 Financial Implications**

4.1 There are no financial implications arising from this covering report.

### **5.0 Legal Implications**

5.1 There are no direct legal implications from this covering report.



## **6.0 Equality Implications**

6.1 There are no direct equality implications arising from this covering report.


**Report sign off:**

**PETER GADSDON**

Director Performance, Policy &  
Partnerships

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## Appendix B

	<p style="text-align: center;"><b>Cabinet</b> 15 April 2019</p>
	<p style="text-align: center;"><b>Report from the Strategic Director of Children and Young People</b></p>
<p><b>Approval to establish an Alternative Provision Free School with Integrated Youth Offer from the Roundwood Youth Centre</b></p>	

<b>Wards Affected:</b>	All
<b>Key or Non-Key Decision:</b>	Key
<b>Open or Part/Fully Exempt:</b> <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
<b>No. of Appendices:</b>	Two: <ul style="list-style-type: none"> <li>Appendix 1: Summary specification and assessment criteria</li> <li>Appendix 2: Equality Analysis</li> </ul>
<b>Background Papers:</b>	None
<b>Contact Officer(s):</b> <small>(Name, Title, Contact Details)</small>	<p>Sarah Miller, Head of Inclusion and the Virtual School for Looked After Children 0208 937 3804 <a href="mailto:sarah.miller@brent.gov.uk">sarah.miller@brent.gov.uk</a></p> <p>Shirley Parks, Head of Forward Planning, Performance and Partnerships 0208 937 4529 <a href="mailto:shirley.parks@brent.gov.uk">shirley.parks@brent.gov.uk</a></p> <p>Nigel Chapman, Operational Director, Integration &amp; Improved Outcomes 0208 937 4456 <a href="mailto:nigel.chapman@brent.gov.uk">nigel.chapman@brent.gov.uk</a></p>

### 1.0 Purpose of the Report

- 1.1 The purpose of this report is to seek Cabinet approval to follow the Free School Presumption process to establish an Alternative Provision Free School with an integrated youth offer on the site of Roundwood Youth Centre.

- 1.2 The 2019-23 School Place Planning Strategy, approved by Cabinet in November 2018, identifies the need for additional Alternative Provision in the borough at secondary level that would offer a bespoke curriculum for pupils whose social, emotional and mental health needs cannot be met within mainstream schools. Subject to the presumption process, the intention is that the new Alternative Provision Free School opens in January 2020.

## **2.0 Recommendation(s)**

That Cabinet:

- 2.1 Confirms approval of the establishment of an Alternative Provision Free School with integrated youth provision on the site of Roundwood Youth Centre as set out in sections 4 and 5 of the report.
- 2.2 Approves use of the Free School Presumption process to establish the school, as set out in paragraph 5.2, noting that the final decision on the selected provider will be taken by the Secretary of State for Education.
- 2.3 Delegates authority to the Strategic Director of Children and Young People, in consultation with the Lead Member for Children's Safeguarding, Early Help and Social Care, to identify the Council's preferred provider of the Alternative Provision Free School with integrated youth provision.

## **3.0 Detail**

- 3.1 Local Authorities have a responsibility under section 507b of the Education Act 1996 (as amended by Education and Inspections Act 2006) to secure, so far as reasonably practicable, sufficient educational and recreational activities which are for the improvement of young people's well-being, personal and social development, and sufficient facilities for such activities for young people aged 13 – 19, (or up to 25 for young people with additional needs).
- 3.2 In the context of a reduced budget for non-statutory services and increasing demand within statutory children's services, Brent Council has been reshaping its Youth Service since 2015. This has included how the Roundwood Youth Centre, which was opened using MyPlace funding from the Department for Education in 2012, is used to support young people. Currently the Centre is used to provide evening and weekend activities for young people delivered by the council and the voluntary sector. Young people can also access mentoring support and services commissioned by the council to provide information, advice and guidance regarding their education, employment and training options at the Roundwood site.
- 3.3 Brent Council approved a saving of £0.25M from the Youth Service budget (savings reference number CYP005) as part of the 2019/20 budget at Full Council on 25<sup>th</sup> February 2019. This approved the transformation of the Roundwood site to an educational setting with voluntary and community sector led activities to enhance the current offer for vulnerable adolescents while saving on premises costs.

- 3.4 The Roundwood Youth Centre also hosts a provision called Right Track that is commissioned by secondary schools to provide education for children who are subject to fixed term exclusions.
- 3.5 The current delivery model has been successful at supporting a range of vulnerable children and young people through offering positive diversionary activities via the youth offer, engaging them with EET opportunities, and use of the 'Right Track' exclusion provision, where necessary. However, the Centre has the potential to be used more effectively to support young people in Brent. By focusing upon building additional services that will support a cohort of young people most at risk of permanent school exclusion during the day, when the Centre is under-utilised, it will make a significant contribution to the borough priorities of keeping young people safe and improving educational outcomes for all.
- 3.6 The council also has a statutory duty to provide an appropriate full-time education for pupils who have been permanently excluded from school or who are otherwise without a mainstream school place. Through co-ordinated and focused activity between the local authority and Brent schools there has been a declining recent trend in the number of permanent exclusions at secondary level and performance in the 2016-17 academic year was better than the national average. However, there is still an average 35 Brent pupils of secondary age placed in Alternative Provision settings each academic year who are subject to fixed-term exclusions. Many are placed out of borough because there is insufficient local, high quality provision to meet their needs. Consultation with secondary headteachers has identified a need to develop local Alternative Provision that schools can commission for young people subject to permanent/fixed term exclusions, or for those with social, emotional or mental health difficulties, whose needs cannot be met in mainstream, either for respite or for longer-term places (at Key Stage 4).
- 3.7 The council has gained a greater understanding in recent years of contextual safeguarding approaches to supporting young people and the links between deprivation, school exclusion, undiagnosed learning difficulties and serious youth violence. The multi-agency Vulnerable Adolescents' Panel has identified connections and concerning patterns of behaviour in some young people that lead to negative outcomes. This learning has informed the need to develop services that are able to provide a co-ordinated, community-based response.
- 3.8 The council is committed to providing services that respond to the challenges faced by a rise in serious youth violence within the borough, particularly the continued high number of knife crime victims, which in 2018 was the second highest amongst statistical neighbour London authorities. The vast majority of both victims and perpetrators of serious youth violence are more likely to be young (under 25), male, live in the south of the borough and are of Black African or Black Caribbean heritage.
- 3.9 Responding to the impact of gang-related activity is also a council priority. The council's Integrated Offender Management Programme has demonstrated that the profile of people within the programme is closely aligned to those who are

most likely to be a victim or perpetrator of serious youth violence. Education training and employment is the most prominent need/pathway within the cohort and an issue for approximately 60% of the offenders on the programme.

- 3.10 To support the response to the issues of school exclusion, to promote positive educational outcomes, to reduce the risks of serious youth violence and to provide more local activities for young people it is proposed that an Alternative Provision Free School with integrated youth provision is established on the Roundwood site, within existing buildings. The proposal is for the provider to deliver an integrated youth offer to secure access to an exciting, supportive and expanded youth offer in the afternoons, evenings, weekends and school holidays from the same site.
- 3.11 The wraparound youth and community offer at Roundwood Youth Centre would form part of the borough's early intervention strategy as set out in the 2019-23 Borough Plan - to better connect vulnerable young people with support services and improve access to community-led provision outside of traditional working hours. The offer will support a contextual safeguarding approach that considers family, school and neighbourhood/social contexts, including a rapid multi-agency response, thereby improving outcomes for young people and their families through earlier intervention. The intention is that the Alternative Provision school will be a key component in the borough's response to helping young people - keeping them safe and improving their outcomes for adult life.

#### **4.0 The Proposal**

- 4.1 The Alternative Provision School and wraparound youth offer would be based within the community of south Brent. The intention is that the local community is involved in ensuring services meet need through local organisations running services from the site and voluntary sector representation prominent within the governance of the school. It is envisaged that the Young Brent Foundation would work closely with the successful bidder to enhance the current youth offer from the Roundwood site with the intention that there would be a doubling of the number of hours of universal services currently on offer from the site.
- 4.2 The Alternative Provision School would operate a full school timetable and meet need within borough for pupils at risk of exclusion, thereby ending the need to place young people out of borough in maintained and independent alternative provisions. The wrap-around youth provision would also provide a "soft start" to the school day and afternoon enrichment activity, offering a wider, more supportive pastoral package than currently available either in or out of borough. An information, advice and guidance offer would complement the provision, providing a longer term range of options and pathways and supported transitions for those vulnerable Brent secondary pupils who are placed in the Alternative Provision.
- 4.3 This Alternative Provision School would be an integral part of the wider Brent community of schools and educational settings. Secondary schools, alongside the council, would commission places and there is confirmed support from secondary headteachers in Brent for this approach. Places would be accessible

to vulnerable students who schools feel would benefit from short-term respite (at Key Stage 3), as well as longer-term engagement modules. It is envisaged that at KS3 the Alternative Provision School would offer the opportunity to re-engage vulnerable young people at risk of exclusion through a 12-week assessment and therapy module. At Key Stage 4 the school would provide full-time education for some permanently excluded students for whom, because of specific needs or peer network concerns (e.g. social/gang interactions), the local Pupil Referral Unit (Brent River College) is not an appropriate provider.

- 4.4 The curriculum offer would include access to core academic subjects to ensure pupils with academic potential leave with the required qualifications to apply to further or higher education, alongside a wider vocational offer. The vision is to offer a true alternative to mainstream secondary, within a very different context, in order to re-engage and re-enthuse disengaged students. The anticipated maximum number of young people on roll at the new Alternative Provision School would total 30 - 40 secondary aged pupils.
- 4.5 Currently a small youth service team deliver activities for young people 3 nights a week from the Roundwood Youth Centre and the intention is that the new offer significantly enhances these arrangements to bring in a greater range of other providers who currently operate from the centre. At the present time a variety of activities are delivered by both the local authority youth team and the Voluntary Sector including cookery, martial arts, music production, table tennis, Wii sport, craft activities and a steel band, as well as mentoring by the local authority youth workers. Providers from the voluntary sector deliver a service on the remaining weekday nights.
- 4.6 More use would be made of the site for youth activities than is currently the case and an expectation of the successful provider would at least double the amount of hours of universal youth offer services to the wider local 11-19 population (or 25 for young people with SEND). There is an opportunity to provide activities before school and to make more use of the site at the weekends and school holidays than is currently the case.
- 4.7 It is envisaged that a number of smaller voluntary and community sector organisations, supported by the Young Brent Foundation, would deliver activities, before and after the school day, at weekends and during school holidays. The Roundwood site currently has outdoor grounds for sports and facilities inside for a wide range of activities, including kitchen/quiet areas, gym/showers, dance/music studios, and break out areas for small group work or 1:1 mentoring. This could be enhanced to allow for significant enrichment, positive role-modelling and personal and social development. This integrated youth offer would be universal, open to all young people across Brent, whether they attend the day-time Alternative Provision School or not.
- 4.8 The Council's recently launched online youth offer, 'Brent Youth Zone', developed in collaboration with young people across the borough including Brent Youth Parliament and users of Roundwood Youth Centre would help drive up awareness of the new services and encourage take-up of the offer.

- 4.9 The Roundwood site would also remain as a key access point for the re-commissioned Targeted Service to Promote Education, Employment and Training for Young People that delivers the authority's statutory duties in relation to information, advice and guidance for 16-19 year olds and young people up to the age of 25 for those with SEND.
- 4.10 The anticipated outcomes contributed to by the combined, wraparound service at Roundwood Youth Centre for vulnerable groups would be:
- A reduction in the proportion of 16-18 year olds, who are not in education, employment or training (NEET);
  - A reduction in the numbers of first time entrants into the Youth Justice System aged 10-17;
  - A reduction in the number of young people vulnerable to CSE;
  - Mitigation against the future risk of young people becoming gang affected;
  - A reduction in the under 18 conception rate;
  - A reduction in the number of 16-18 year olds presenting as homeless;
  - Mitigation against the risk of school exclusion, and;
  - An increase in the percentage of young people (aged 14-16) actively engaging with and participating in learning.

## **5.0 Submission of proposals**

- 5.1 It is not possible for the council to open new community schools (Education Act 2011). There are two routes to establishing new schools once the council has identified need:
- The Free School presumption route whereby the council would advertise a proposal to establish a new school and invite DfE approved academy sponsors to apply to run the school. The council is responsible for providing a site and buildings.
  - The Free School application process run by DfE, which would provide capital investment for approved projects.
- 5.2 As there is not currently a Free School application window open for Alternative Provision proposals and given that the council already has a site and building available at the Roundwood Youth Centre, it is proposed that the Local Authority triggers the Free School Presumption process for an Alternative Provision Free School. This involves notifying the Department for Education of the intention to invite proposals for the development of an Alternative Provision Free School with an integrated youth offer and working with the DfE via the presumption process to identify a suitable provider. Through the presumption process, the Local Authority evaluates proposals and identifies a preferred provider that is notified to the Secretary of State for approval. The Regional Schools Commissioner acts on behalf of the Secretary of State in this regard. It is proposed that delegated authority is given to the Strategic Director for Children and Young People, in consultation with the Statutory Lead Member for Children's Safeguarding, Early Help and Social Care and the Cabinet Member for Schools, Employment and Skills to identify the Local Authority's preferred provider.



- 5.3 As the proposed site used central government MyPlace funding that has a number of conditions attached in terms of providing a youth offer, the Council has sought approval, in principle, from the Department of Culture, Media and Sport (DCMS) for the extended use of the Roundwood site. Indicative support for the proposal from DCMS, ultimately subject to DfE approval, was received on 12<sup>th</sup> March 2019.
- 5.4 In accordance with the Department for Education's guidance for Local Authorities regarding new school proposals, as updated in May 2018, an indicative timeline for the presumption process is outlined below:

<b>Action</b>	<b>Date</b>
Report to Cabinet triggering Free School presumption process	15/04/19
Publish the specification for the school on the local authority's website, and provide a copy to the DfE for publication	Week beginning 23/04/19
Competition period (minimum of 6 weeks)	April to June 2019
Assessment of proposals, including due diligence (DfE requirement: at least 4 weeks) and preferred provider identified by the local authority	By mid-July 2019
Regional Schools Commissioner approval (decision on behalf of Secretary of State)	By mid-September 2019
Pre-opening phase, including statutory 6 weeks consultation by provider	September - December 2019
Alternative Provision School opens, with youth offer in place for out of school hours.	January 2020

- 5.5 The Local Authority is required to develop a specification and criteria for applicants to follow in making a bid to run the provision. The specification includes detail on the School, Vision, Education Plan, Capacity and Capability, Funding and Costs and Equalities Assessments. A summary of the specification and assessment criteria is attached at Appendix 1.
- 5.6 The expectation is that the services would be delivered through a partnership approach to ensure that the provider has appropriate expertise and networks within the wider community to broaden the reach of the Centre's impact. To deliver the youth offer, it is envisaged that a voluntary sector organisation would partner with the Alternative Provision School provider. The final form of governance would need to be shaped by bidders, but the local authority would expect to be involved potentially with a senior officer acting as a Trustee (which is possible so long as this does not constitute more than 19.9% of trustees). This would help to ensure that the Local Authority continued to support the offer and retained influence to ensure that the MyPlace grant conditions continue to be met.
- 5.7 The intention is for one single overall provider working with relevant partners to deliver the Alternative Provision School combined with the integrated youth/community offer. The Council would retain the freehold for Roundwood

Youth Centre but the deed of designation would transfer to the new provider, who would take on responsibility for maintenance of the building.

## **6.0 Financial implications**

- 6.1 The budget for the Roundwood centre and the associated MyPlace budget totalled £360k before a reduction of £250k is applied, as per the youth service saving (ref no. CYP005) approved as part of the 2019/20 budget setting process in February 2019. The saving to the General Fund is to be achieved by ending Council run and directly funded youth services from the site creating savings on premises costs, and creating a different model of community and voluntary provision. This model would come into effect when the Alternative Provision School plans to open in January 2020, so the running costs of the Roundwood centre and cost of any operational activity up until this date would need to be contained within the residual £110k budget, or alternative in-year savings would need to be found across the Inclusion service.
- 6.2 The Local Authority would be responsible for the pre-opening and post-opening revenue costs of the provision. Once open the council would commission places from the Alternative Provision School, funded from the High Needs block of the Dedicated Schools Grant (DSG). Currently, the council commissions alternative provision places from within the borough at Brent River College and from external providers. The Alternative Provision School would allow an increased proportion of pupils to be placed in Brent. The procurement process should therefore consider the rates the provider would charge the council and secondary schools for commissioning places, as this will have an impact on the DSG, and there is potential to achieve better value for money for High Needs Block.

## **7.0 Legal implications**

- 7.1 Section 6A of the Education and Inspections Act 2006 (the 'free school presumption') requires that, where a local authority identifies the need for a new school in its area, it must seek proposals to establish a free school.
- 7.2 The Department for Education (DfE) has issued guidance regarding the free school presumption stating that under the presumption route the local authority is responsible for providing the site for the new school, with the DfE's expectation that the site be made available free or on a peppercorn basis by the local authority to the trust. The local authority is also responsible for meeting the associated capital and pre/post-opening revenue costs.
- 7.3 It is proposed that the Alternative Provision School would be based at the Roundwood Centre. As mentioned in paragraph 5.1, the Roundwood Centre is subject to a Big Lottery Fund MyPlace grant agreement which is protected by a restriction on the council title at the Land Registry and therefore the form of lease would be subject to the approval of the Education and Skills Funding Agency and the Department for Culture, Media and Sport.

## **8.0 Equality implications**

- 8.1 Under Section 149 of the Equality Act 2010, the council has a duty when exercising its public functions to have ‘due regard’ to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act; advance equality of opportunity, and foster good relations between those who share a “protected characteristic” and those who do not. This duty is known as the public sector equality duty (PSED). The protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex, and sexual orientation. All providers that are commissioned to deliver public services on behalf of or in partnership with Brent Council are required to comply with the PSED and the council’s Equality and Diversity policies.
- 8.2 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.
- 8.3 There is no prescribed manner in which the council must exercise its public sector equality duty but having an adequate evidence base for its decision is necessary.
- 8.4 The service seeks to provide an in-borough Alternative Provision Free School to support vulnerable young people that have been, or are at risk of being, permanently excluded whilst creating an integrated youth and IAG offer. It is anticipated therefore, that there would be positive impact in terms of PSED, due to the increased and wider range of targeted provision. An Equalities Assessment has been conducted and is included at Appendix 2.

## **9.0 Consultation with Ward Members and Stakeholders**

- 9.1 The council has consulted with young people at Roundwood Youth Centre (including young people with Special Educational Needs and Disabilities), council staff and other stakeholders on the proposed Alternative Provision schools and Youth Offer. See time-line below:
- Youth Offer consultation with Brent Youth Parliament, January 2018;
  - Youth Offer consultation with Youth Offending Service, February 2018;
  - Design of the Youth Offer site (Hackathon), March 2018;
  - Consultation with Roundwood Youth Centre (RYC) staff about budget proposals and changes to delivery at RYC, October 2018;
  - Feedback on Youth Offer final design, October 2018;
  - Children’s Commissioner takeover day (re Youth Offer), November 2018.
  - Consultation with RYC service users, January 2019;
  - Consultation with RYC service providers, January 2019;

Young people's views have been sought from the Roundwood Youth Centre as well as from Brent Youth Parliament, Care in Action / Care Leavers in Action and other young people's focus groups (as above). Young people were also previously consulted as part of the Council's Outcome Based Reviews related to Gangs and Children on the Edge of Care, which have fed into proposals.

- 9.2 Budget proposals with respect to Youth services were considered at the Community Wellbeing Scrutiny Committee in November 2018 and separately at the Budget Scrutiny Committee in December 2018. Public consultation took place as part of the budget proposals.
- 9.3 The Council has consulted with schools and voluntary sector organisations in the borough about proposed plans for an in-borough alternative provision and wraparound youth offer. Through this engagement it is clear there is support for the proposal from professionals in these sectors.
- 9.4 Young people will be involved as part of the evaluation process of the proposals for the new provision.
- 9.5 In accordance with the Department for Education, the chosen provider will also conduct a statutory 6-week consultation period in the pre-opening phase, as described in section 5.4 of this report.

## **10.0 Human Resources/Property Implications**

- 10.1 The council currently employs a full-time youth-work team leader, a full time facilities manager and 3-part time youth workers. Any proposed staffing changes will comply with the council's management of change procedures and staff consultation. Whether TUPE or redundancy applies in relation to the 3 youth workers, appropriate staff consultation process would take place over any proposed measures. With new partnership arrangements and a potential new service offer, there may be a change in the direct delivery of youth provision.
- 10.2 It is intended that the council would retain the freehold of Roundwood Youth Centre but the deed of designation would transfer to the provider, who would then take on responsibility for maintenance of the building.
- 10.3 As the proposed site was built through MyPlace funding the council has sought and received approval, in principle, from DCMS. Any requirements that have been placed on the council due to MyPlace funding would be upheld in arrangements made with the new provider.

## **11.0 Public Services (Social Value) Act 2012**

- 11.1 The council is under duty pursuant to the Public Services (Social Value) Act 2012 ("the Social Value Act") to consider how services being procured might improve the economic, social and environmental well-being of its area; how, in conducting the procurement process, the council might act with a view to securing that improvement; and whether the council should undertake

consultation. Officers have had regard to considerations contained in the Social Value Act in relation to the procurement. (See 4. above).

- 11.2 The services under the proposed contract have as their primary aim the improvement of the social wellbeing/educational attainment of vulnerable young people in Brent as set out in section 4.

**Report sign off:**

**GAIL TOLLEY**

Strategic Director of Children and  
Young People

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## **Appendix 1: Summary of specification and assessment criteria for Roundwood Centre Alternative Provision Free School and Integrated Youth Offer**

### **1.0 Overview**

- 1.1 Brent is seeking proposals from appropriate sponsors to open a new Alternative Provision Free School, with integrated wraparound youth provision. The school will work in partnership with the voluntary sector to deliver positive diversionary activities and the youth offer.
- 1.2 It is envisaged that the pupil capacity for the school would be 30 – 40, growing to 50 pupil places, if there is local demand. Places would be open to boys and girls from year 7 (age 11) to year 11 (age 16).
- 1.3 The specification will require sponsors to submit against the following 3 key headings: Vision, Education Plan, and Capacity and Capability (of the Sponsor team). Overall, the quality of all responses will be judged on the basis of their equality and impact.

### **2.0 Vision**

- 2.1 The specification will request that proposers share their overarching vision of the Alternative Provision School and how it will transform opportunities for the young people who attend, both in terms of social and emotional outcomes, academic attainment and employment or training as appropriate. Each young person should be enabled to achieve their full potential by accessing a broad curriculum which is based on raising aspiration, improving achievement, alongside enrichment and co-curricular activities - both within and outside of the school day.
- 2.2 A key part of the proposal will be the Integrated Youth Offer that will be open to all young people across Brent, as well as the young people attending the Alternative Provision School. Proposers will need to demonstrate how they will deliver educational opportunities, enrichment and youth services delivered by the right mix of practitioners, whether teachers or youth workers, working with and alongside young people to improve their life chances.
- 2.3 Specifically – proposers will be asked explain how the provision will:
  - Provide a place where all young people, but especially disadvantaged groups, can have open access to information, advice and guidance relevant to their needs.
  - Support successful transition into post 16 education, employment and training.
  - Provide continuity in mentoring and other support during school time and after hours to enable the development of trusted relationships.
  - Provide a safe space hub for young people living in difficult circumstances.
  - Provide excellent support facilities to meet the needs of all children, including looked after children, those with Special Educational Needs, and other vulnerable cohorts such as young carers or young parents.
  - Ensure appropriate engagement with the local community and parents during the pre-opening period, and on-going engagement.

### **3.0 Education Plan**

- 3.1 Proposers will be asked to highlight how they will offer an ambitious, broad and balanced curriculum plan that is consistent with the vision and pupil intake. Specifically, proposers will be asked to consider:
- How the curriculum will be inclusive but enable each learner to achieve their potential, within a context of high expectations.
  - How the curriculum will diminish the difference for students that enter the school with low levels of attainment in relation to their chronological age and reading age.
  - Details on the length of the school day, including enrichment opportunities, breaks and lunch times, alongside allocated slots for breakfast or other clubs, therapeutic sessions, 1:1 intervention and coaching or mentoring sessions.
  - A compelling work experience and Careers Education Information, Advice and Guidance offer to all students.
  - Appropriate behaviour and attendance policies that will bring about impact and quantifiable results, in the context of potentially disengaged young people.
  - A broad and balanced curriculum incorporating a relevant spiritual, moral, social and cultural curriculum, PSHE (personal, social and health education), British values, pastoral care and aspiration such that students develop character and resilience, achieving and sustaining successful outcomes.

### **4.0 Capacity and Capability**

- 4.1 Proposers will be asked to detail their planned staffing arrangements, their proposed governance, the partnership model and the format of that arrangement. They will also be asked to outline financial capability, and track record.

### **5.0 Assessment process**

- 5.1 Proposals will be assessed by a panel against the published assessment criteria. As such, proposals will be scored and evaluated on the basis of the written proposal submitted. Proposals that meet the required threshold will be invited to an interview with into Brent Council to discuss their bid.
- 5.2 Scoring will be conducted on the basis of the model assessment criteria for Free School proposals, produced by the DfE as Annex C of the Free School Presumption guidance.
- 5.3 Scoring criteria:  
Each of the 3 areas (Vision, Education Plan & Capacity and Capability) will be scored using the following four-point scale with each given equal weighting:
- 1 = The evidence and argument contained in the application is 'inadequate'.
  - 2 = The evidence and argument contained in the application is 'adequate'.
  - 3 = The evidence and argument contained in the application is 'good'.
  - 4 = The evidence and argument contained in the application is 'excellent'



- 5.4 The Regional School Commissioner (RSC) on behalf of the Secretary of State, will consider the local authority assessment and proposer recommendation before deciding which proposer is in the best position to take forward the new Free School. The RSC will inform the local authority and the successful proposer of its decision, and the local authority will inform any unsuccessful proposers.

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## Appendix 2 - EQUALITY ANALYSIS (EA)

<b>POLICY/PROPOSAL:</b>	<b>Alternative Provision Free School with Integrated Youth Offer from the Roundwood Youth Centre.</b>
<b>DEPARTMENT:</b>	Children and Young People
<b>TEAM:</b>	Inclusion
<b>LEAD OFFICER:</b>	Bhavna Bilimoria
<b>DATE:</b>	29/03/2019

*NB: Please ensure you have read the accompanying EA guidance and instructions in full.*

### SECTION A – INITIAL SCREENING

1. Please provide a description of the policy, proposal, change or initiative, and a summary of its objectives and the intended results.

This Equalities Assessment is in respect of the changes planned to the Youth Offer currently delivered by the Local Authority. In order to meet the needs of children at risk of permanent exclusion from school the council intends to create more local provision by commissioning the creation of a new alternative provision school from the Roundwood Youth Centre site, enhancing the existing arrangements that are in place. Alongside this will be a greater youth and community offer from the site by enabling more use of the centre in the evenings, at weekends and school holidays.

The change of focus will be that an education provider, in partnership with the voluntary sector (including the Young Brent Foundation), will ensure new and enhanced services are offered to Brent's young people. The local authority will provide a co-ordinating function, making better use of its asset in the shape of the Roundwood site to meet the needs of children and young people who will benefit most from additional support outside the home.

The local authority has a responsibility under section 507b of the Education Act 1996 (as amended by Education and Inspections Act 2006) to secure, so far as reasonably practicable, sufficient educational and recreational activities which are for the improvement of young people's well-being, personal and social development, and sufficient facilities for such activities for young people aged 13 – 19, (or up to 25 for young people with additional needs).

The council also has a statutory responsibility to publish a Youth Offer – a directory listing all provision across Brent. There is no requirement on the local authority to directly fund or deliver services to a particular level (or at all). Current local authority funded youth work programmes will end under the proposal.

### **Current Delivery Model:**

1) Youth work activities. Following service reductions in 2016 the Council continued to directly provide youth work activities from the Roundwood Centre site. A team leader and a small part-time team of youth workers deliver activities for young people on 3 nights a week from the Roundwood site. A variety of activities are delivered on those 3 evenings including cookery, music production, table tennis, Wii sport, craft activities - as well as positive mentoring by local authority youth workers. Providers from the voluntary sector deliver services on the remaining weekday evenings. Providers include: Sport at the Heart; The SAAFI Project; Zest of Mind; St. Michael and All Angels Church Steel band; Middlesex Cricket Club; The Challenge Project; QPR Community Trust.

2) 'Right Track'. Also operating during the day within term-time is a project called 'Right Track' which provides classroom based activities for a small number of young people who have received fixed-term school exclusions. The project is funded by Brent secondary schools and has demonstrated an effective model of intervention for children. 'Right Track' operates independently of the youth work provision from the site.

3) 16+ Education, Employment and Training Advice (Connexions). A Brent Council funded offer to provide advice and guidance to young people regarding their education, employment and training options is also based from the Roundwood site. This successful project has helped Brent to be in the top 20% of Local Authority's nationally in terms of the number of young people who are in education, employment and training. The project operates independently of the youth work provision from the site.

### **Proposed Delivery Model:**

The plan is to transition the Roundwood Youth Centre site to a new provider, enhancing the current youth offer whilst connecting up the needs of young people at risk of school exclusion to positive activities outside of the school day. The needs of all Brent's young people who have been excluded cannot currently be met within the borough. Establishing a new site for alternative education provision will increase the numbers of young people who will receive their schooling closer to home, rather than out of the borough which is currently the case.

It is planned that the 16+ education, employment and training advice (Connexions) offer would continue to operate from the site with clearer links established to the new alternative education provision and wraparound youth activities so there is co-ordination of the various services on offer, based around the needs of individual young people.

The intended governance arrangements would bring the voluntary sector, potentially through the Young Brent Foundation and the school provider into a partnership that

will ensure a co-ordinated approach to all services as well as the ability to access a wider network of grant funding.

The council has a statutory responsibility to publish a Youth Offer – a directory listing all provision across Brent. In the proposed new delivery model the Local Authority will continue to publish a Youth Offer. Work has been undertaken in the Local Authority to develop the online Youth Offer, 'Brent Youth Zone'. Council officers will continue to gauge feedback to improve the site to make it accessible to young people. The council is also looking into the potential development of an App. to go alongside 'Brent Youth Zone'.

The expected outcomes of the new alternative provision and enhanced youth offer will be:

- To improve the educational outcomes of young people at risk of exclusion or who have been excluded from mainstream secondary school.
- To provide alternative, structured pathways into education, employment and training for the 16-19 age group, reducing still further the numbers of 'NEET' young people in the borough.
- To provide a comprehensive, up to date and all-encompassing Youth Offer that will include positive diversionary activities for the universal cohort of young people, contributing towards overall Council objectives that will:
  - give every child the opportunity to succeed;
  - create a borough where all can feel safe, secure, happy and healthy.

## 2. Who may be affected by this policy or proposal?

Changes to the Youth Offer will affect young people aged 13 to 19 (and up to 25 for young people with Special Educational Need and Disability (SEND)). Further detail is included in section B. Some Brent Council officers will also be affected as the proposals will affect the direct work currently delivered by youth workers at Roundwood Youth Centre.

## 3. Is there relevance to equality and the council's public sector equality duty? Please explain why. If your answer is no, you must still provide an explanation.

There is a relevance to the public sector equality duty in relation to fostering good relations within the community.

## 4. Please indicate with an "X" the potential impact of the policy or proposal on groups with each protected characteristic. Carefully consider if the proposal will impact on people in different ways as a result of their characteristics.

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age	X	X	
Sex		X	
Race	X	X	
Disability		X	
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage		X	

5. Please complete **each row** of the checklist with an “X”.

SCREENING CHECKLIST		
	YES	NO
Have you established that the policy or proposal <i>is</i> relevant to the council’s public sector equality duty?	X	
Does the policy or proposal relate to an area with known inequalities?	X	
Would the policy or proposal change or remove services used by vulnerable groups of people?	X	
Has the potential for negative or positive equality impacts been identified with this policy or proposal?	X	
<b>If you have answered YES to ANY of the above, then proceed to section B.</b>		
<b>If you have answered NO to ALL of the above, then proceed straight to section D.</b>		

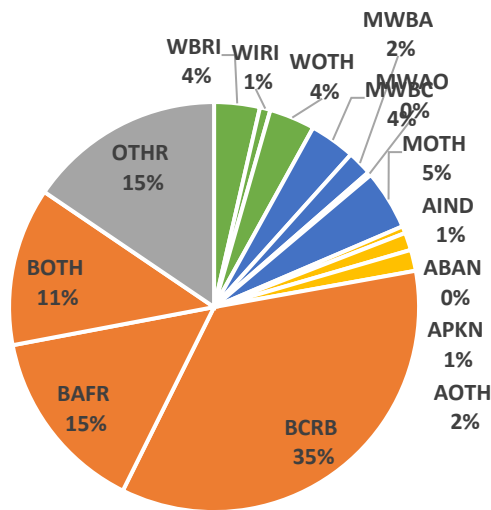
## SECTION B – IMPACT ANALYSIS

1. Outline what information and evidence have you gathered and considered for this analysis. If there is little, then explain your judgements in detail and your plans to validate them with evidence. If you have monitoring information available, include it here.

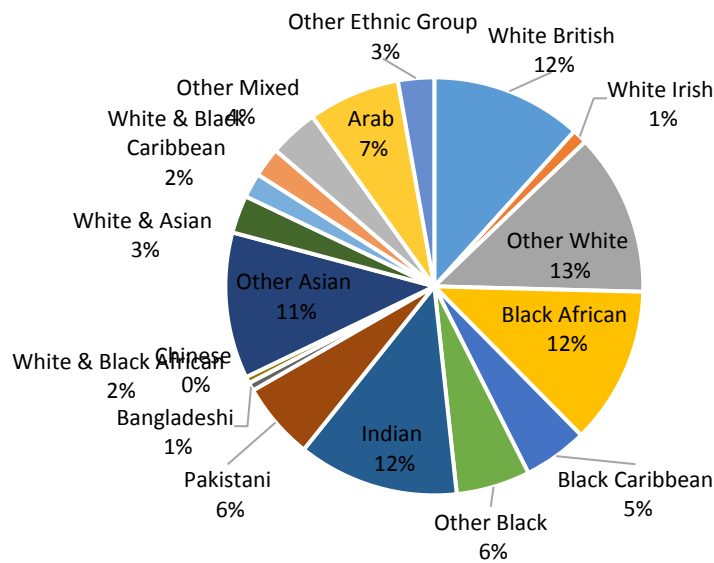
The GLA 2016-based Housing-led Ethnic Group Population Projections have been used to compare the ethnicities of the borough wide 0-17 cohort and the cohort that attend Roundwood Youth Centre. The figures taken from Roundwood Youth Centre are based on number of individual contacts.

In 17/18 361 young people aged 13-19 attended Roundwood Youth Centre. The ethnicity of the majority of young people in attendance was Black Caribbean, followed by Black African and Black Other. The proportion of Black Caribbean attendees is significantly higher than the proportion of Black Caribbean young people across Brent.

Roundwood YC Ethnicity Breakdown, Aged 13-19 (Annual)



0-17 population in Brent by ethnicity



Enhancing the youth offer will have a beneficial impact upon young people, particularly from black ethnic backgrounds as these groups have the highest attendance at current youth provision.

More than 80% (as at January 2019) of young people who require alternative education provision attend a setting out of the borough. Improving the number of places within the local area will ensure young people can be educated closer to home, reducing travelling time and potential safeguarding risks for some young people.

Further information is required to determine the overall impact of a new alternative provision educational setting for young people of secondary school age. Initial judgements are based on professional opinion within the Inclusion Service and focus group discussions with local secondary school Head teachers, as well as the voluntary sector including the Young Brent Foundation.

2. For each “protected characteristic” provide details of all the potential or known impacts identified, both positive and negative, and explain how you have reached these conclusions based on the information and evidence listed above. Where appropriate state “not applicable”.

<b>AGE</b>	
<b>Details of impacts identified</b>	<p>The proposed delivery model will continue to provide an open access youth offer and deliver positive diversionary activities for young people aged 13-19 (and up to 25 for young people with SEND). The proposed changes will see the local authority end their role in direct delivery of universal youth services by co-ordinating the alternative provision and voluntary sector offer. The potential positive impact will be the creation of more joined up, wraparound services being available to connect daytime educational provision with evening youth activities. This will also apply to the education, employment and training project. A potential negative impact for young people may be seen in any change to providers and individuals delivering services to them and some disruption to the continuity of service.</p> <p>The Council has a statutory responsibility to publish a Youth Offer – a directory listing all provision across Brent. In the proposed new delivery model this will continue and so there is no anticipated negative impact.</p>



<b>DISABILITY</b>	
<b>Details of impacts identified</b>	<p>The proposed delivery model aims to continue to provide a universal youth offer and deliver positive diversionary activities for young people aged 13-19 (and up to 25 for young people with SEND). There will be a positive impact for any young people with additional needs through the creation of alternative educational provision as the services will be available locally and can be connected to extra-curricular youth activities. This will enable any relevant young people with an education, health and care plan to receive services co-ordinated from the same venue.</p> <p>A potential negative impact for young people may be seen in any change to providers and individuals delivering services to them and some disruption to the continuity of service.</p> <p>The council publishes information for children and young people with special educational needs and disabilities (and their parents/carers) via the Local Offer. The Local Offer signposts organisations and groups that are accessible to children and young people with special educational needs and disabilities (and their parents/carers) and this service will not be affected by the proposed changes.</p>
<b>RACE</b>	
<b>Details of impacts identified</b>	<p>Enhancing the youth offer will have a beneficial impact upon young from black ethnic backgrounds as these groups have the highest attendance at current youth provision.</p> <p>As young people from black ethnic backgrounds are the largest group attending current provision at the Roundwood site a potential negative impact may be seen in any change to providers and individuals delivering services and possible disruption to the continuity of service during a handover period.</p>
<b>SEX</b>	
<b>Details of impacts identified</b>	<p>Further investigation is required to understand the impact of the proposed changes on sex, however the proposed delivery model will aim to continue to offer a universal youth offer and deliver positive diversionary activities for young people aged 13-19 (and up to 25 for young people with SEND). Roundwood Youth Centre is accessed by young men and women (with a female only</p>

	session run on a Thursday). Further detail will be gathered on the female only session to determine any impacts that a change in service and/or provider would have.
<b>SEXUAL ORIENTATION</b>	
<b>Details of impacts identified</b>	There are no anticipated impacts for sexual orientation.
<b>PREGANCY AND MATERNITY</b>	
<b>Details of impacts identified</b>	There are no anticipated impacts for pregnancy and/or maternity.
<b>RELIGION OR BELIEF</b>	
<b>Details of impacts identified</b>	There are no anticipated impacts for religion or belief.
<b>GENDER REASSIGNMENT</b>	
<b>Details of impacts identified</b>	The proposed delivery model will aim to continue to offer a universal youth offer and deliver positive diversionary activities for young people aged 13-19 (and up to 25 for young people with SEND) and any service provider would have to ensure they did not discriminate based on gender reassignment.
<b>MARRIAGE &amp; CIVIL PARTNERSHIP</b>	
<b>Details of impacts identified</b>	There are no anticipated impacts for marriage and civil partnership.

3. Could any of the impacts you have identified be unlawful under the Equality Act 2010?

No

4. Were the participants in any engagement initiatives representative of the people who will be affected by your proposal and is further engagement required?

Over the past few years the local authority has consulted with young people, Roundwood Youth Centre users, council staff and other stakeholders on the Youth Offer. Young people's views were gained from users of the Roundwood Youth Centre as well as Brent Youth Parliament, Care in Action / Care Leavers in Action and other focus groups. Young people were also consulted with as part of the Outcome Based Reviews related to Gangs and children on the edge of care.

The Brent Youth Zone website has been developed in collaboration with young people across the borough including Brent Youth Parliament and users of Roundwood Youth Centre. A questionnaire was distributed with around 40 responses giving feedback on what they would like from the website.

There has been ongoing consultation with education providers and the voluntary sector around the proposed Alternative Provision and how it could work within Brent.

Young people will be involved as part of the evaluation process of the proposals for the new provision.

5. Please detail any areas identified as requiring further data or detailed analysis.

Further investigation is required to understand the impact of the proposed changes on sex.

6. If, following your action plan, negative impacts will or may remain, please explain how these can be justified?

The specification for the proposed Alternative Provision will clearly state the need for the inclusion of employment, advice and guidance services alongside an expanded youth and community offer aimed at young people after school, at weekends and during school holidays. The local authority also intends to be represented within the governance arrangements for the new provision in order to ensure wider council objectives are realised. These approaches will mitigate any potential negative impact of the proposed changes. The local authority will signpost affected individuals to other services available including those within the Council's Early Help services or through the proposed Family Hubs.

7. Outline how you will monitor the actual, ongoing impact of the policy or proposal?

- Through data monitoring of school exclusion data and overall outcome measures for children attending the alternative provision.

- An annual survey of young people using the new out of school hours open access provision.

## SECTION C - CONCLUSIONS

Based on the analysis above, please detail your overall conclusions. State if any mitigating actions are required to alleviate negative impacts, what these are and what the desired outcomes will be. If positive equality impacts have been identified, consider what actions you can take to enhance them. If you have decided to justify and continue with the policy despite negative equality impacts, provide your justification. If you are to stop the policy, explain why.

The proposed policy to transform the Roundwood centre to an alternative educational setting with community youth activities will continue to provide positive diversionary activities for young people aged 13-19 (and up to 25 for young people with SEND) within Brent. It is more likely to enhance and improve the current offer to young people within the borough than through current service provision – primarily through the greater connectedness of services that will provide a more connected approach based around the needs of individual young people.

The potential for negative impact as described above in section B can be mitigated through effective and clear local authority partnership expectations with the voluntary sector and alternative education provider alongside robust governance arrangements. Some further investigation into the impact of the proposed changes on grounds of gender is required.

The proposed Alternative Provision will also support young people at risk of exclusion through offering alternative pathways into education, employment and training. This element of the proposal will have a positive impact on Brent young people.

## SECTION D – RESULT

<i>Please select one of the following options. Mark with an "X".</i>		
<b>A</b>	<b>CONTINUE WITH THE POLICY/PROPOSAL UNCHANGED</b>	<b>X</b>
<b>B</b>	<b>JUSTIFY AND CONTINUE THE POLICY/PROPOSAL</b>	
<b>C</b>	<b>CHANGE / ADJUST THE POLICY/PROPOSAL</b>	
<b>D</b>	<b>STOP OR ABANDON THE POLICY/PROPOSAL</b>	

## SECTION E - ACTION PLAN

This will help you monitor the steps you have identified to reduce the negative impacts (or increase the positive); monitor actual or ongoing impacts; plan reviews and any further engagement or analysis required.

Action	Expected outcome	Officer	Completion Date
Identify the sex (gender) of Roundwood Youth Centre users	Identify any impacts that may arise from information	Sarah Miller	By April 2019
Consultation with current staff employed in Roundwood Youth Centre about the new service delivery model	Local Authority to inform and gain the views of the staff employed in Roundwood Youth Centre on the proposed changes	Sarah Miller	June 2019
To involve young people as part of the evaluation process of the proposals for the new provision.	Young people's voice is heard within the decision-making process to select the service provider.	Sarah Miller	July 2019
Monitoring the impact of the Alternative Provision and community activities offered at Roundwood.	New provider to meet service specification such that community/youth offer is delivered	Sarah Miller	Ongoing

## SECTION F – SIGN OFF

Please ensure this section is signed and dated.

<b>OFFICER:</b>	Bhavna Bilimoria
<b>REVIEWING OFFICER:</b>	Bhavna Bilimoria
<b>HEAD OF SERVICE:</b>	Sarah Miller, March 29 <sup>th</sup> 2019

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# **Appendix C**

## **PART 5**

### **CODES AND PROTOCOLS**

**Protocol on Call-in**

## PROTOCOL ON CALL-IN

### 1. Introduction

- 1.1 The basic premise of call-in is that it is a failsafe mechanism enabling non executive Councillors to make the Cabinet, Cabinet Committee, Cabinet Member or an officer making a key decision, re-consider a particular decision if it is of major concern or in Members' eyes profoundly flawed.
- 1.2 The statutory guidance on call-in states that there needs to be an appropriate balance between effectively holding the executive to account, being able to question decisions prior to them being implemented and allowing effective, efficient decision making. It also balances the need to make the process accessible and the need to ensure that call-in procedures are not abused or used to delay or slow down the decision making process.
- 1.3 As call-in can inevitably result in a delay to the implementation of decisions it should not be used for party political purposes to seek to further discuss a decision that some members do not agree with. Equally, the rights of non executive members to call-in a decision and exercise their right to question the decision, the decision maker and consider alternative options needs to be respected.
- 1.4 This protocol is designed to provide a locally agreed framework within which call-in can operate, a clear set of criteria against which an otherwise valid call-in request can be judged and a format for the effective conduct of the meeting considering the call in.

### 2. What is a call-in?

- 2.1 A decision made by the council's Cabinet or a Cabinet committee, or a key decision by an officer, can be called in for review before it is implemented. Decisions can be called in by five non-executive members or by the Scrutiny Committee. If a Cabinet decision is called-in, that decision cannot normally be implemented until it has been considered by a scrutiny committee. An urgency procedure is in place in Standing Orders for any decision that cannot afford to be delayed.
- 2.2 The Scrutiny Committee is required to meet within 15 working days of the date on which a call-in is accepted as valid. The Committee may decide to refer the matter back to the Cabinet or other decision maker, along with the reasons why the Committee thinks it should be reconsidered. The Cabinet or other decision maker will then decide whether to implement the original decision or review the decision based on the views of the Scrutiny Committee. Alternatively the Committee can decide that the matter should not be referred back to the Cabinet or other decision maker in which case the original decision will be implemented.

### 3. The call-in process

- 3.1 A call in request must be submitted in accordance with the requirements of Standing Order 14 within 5 days of the relevant decision being made or in the case of a key decision made by officers within 5 days of the date on which the record of the decision is made publicly available in accordance with the Access to Information Rules. When submitting the call in request members must either complete the call-in form available [LINK]) or include in their written request all the information required by the form. In particular this includes:



- an explanation as to why they are calling in the decision and if they are calling in all or part of the decision(s).
  - an outline of the suggested alternative course of action.
- 3.2 When a call-in request is submitted the Head of Executive and Member Services Which meets the requirements of Standing Order 14(b)((i) – iv) the Head of Executive and Member Services will refer it to the Chief Executive, who, in consultation with the Head of Policy and Scrutiny (the council’s designated Scrutiny Officer) and the Director of Legal and HR Services, will decide whether or not an otherwise valid call-in conforms with the following requirements of this protocol. The call-in request will be assessed against the following criteria:
- Is the call-in process being used as a means of gaining information / understanding or discussing general concerns with Members and officers? If this could be achieved through the general overview and scrutiny process or by talking to the relevant officer or lead member informally the call-in will not be valid,
  - Does the call-in duplicate a recent call-in on the same issue? If the call-in duplicates another call-in made within the previous 6 months it will not be valid,
  - Have the reasons for calling in the decision already been discussed by the Scrutiny Committee? If the reasons for calling in the decision have been discussed by the Scrutiny Committee prior to the decision being made the call-in will not be valid,
  - Call-in of a decision of the Cabinet referring a matter to Full Council for consideration will not be valid,
  - Call in of operational management decisions taken by officers will not be valid
  - If the call in request is considered by the Chief Executive to be frivolous, vexatious or clearly outside the call-in provisions it may be deemed invalid.

Prior to deciding the validity the Director of Legal and HR Services and the Head of Policy and Scrutiny may seek clarification from the members concerned.

#### **4. The Conduct of the call-in Meeting**

- 4.1 Scrutiny Committees are official committees of the council and it meets in public.
- 4.2 The purpose of a call-in meeting is for non executive members to examine and consider the decision made by the Cabinet, Cabinet Committee, or officers (in respect of key decisions) and for members of the committee to make suggestions and recommendations they consider appropriate to the decision maker. The Scrutiny Committee meeting provides an opportunity for members to seek clarification of the methodology used in enabling a decision to be made, as well as explore work undertaken by officers culminating in the matter coming before the decision maker .
- 4.3 The relevant Cabinet Portfolio Holder and chief officer (or his/her representative) will be invited to attend the scrutiny committee meeting to explain the reasons for the decision, respond to the issues raised in the call-in request and answer questions at the meeting.

- 4.4 It is the chair of the scrutiny committee's responsibility to manage the meeting effectively by applying standing orders, maintaining good discipline and fostering a culture of respect. All contributions to the meeting should go through the chair and the chair should ensure that no purely personal disagreements or comments are allowed to continue.
- 4.5 To ensure that the meeting is effective the procedure at the meeting (subject to the Chair's discretion) shall be as follows:
- (a) The chair will ask a representative of the members who called in the decision to set out the reasons for the call in for up to 5 minutes. In the event that different members have identified different reasons the chair may in their discretion as more than one member to speak in which case the available time under (b) below shall be shared equally between the members.
  - (b) The chair will consider whether to permit any member of the public who has made a request to address the meeting to do so, the rules relating to members of the public addressing a meeting as set out in Standing Orders apply. Members of the public can be allowed to speak for 2 minutes. If a number of requests to speak have been received then the chair should seek to limit the number of contributions to avoid hearing the same points repeated and should seek advice from the Head of Executive and Member Services about how this should be managed.
  - (c) All of the members of the public who it has been agreed will address the meeting will be heard prior to the lead member and any relevant officers being asked to respond to the issues raised by the call-in.
  - (d) The lead member shall then be invited to respond to the issues raised in the call in.
  - (e) The chair will then invite members of the committee to question the lead member and officers and discuss the issues. Members who are not members of the committee but wish to ask a question can be invited to do so.
  - (f) Having considered the call-in invite members of the committee are required to come to one of the following conclusions:
    - That the matter should be referred back to the decision maker for reconsideration with reasons for its request and what the committee wants the decision maker to do.
    - That it does not object to the decision and the decision can be implemented.