

# Council

**Date: Thursday 18th July 2024**

**Time: 6.30 pm**

**Venue: Council Chamber - Guildhall, Bath**

**To: All Members of the Council**

Dear Member

You are invited to attend a meeting of the **Council** on **Thursday 18th July 2024** in the **Council Chamber - Guildhall, Bath**.

The agenda is set out overleaf.

Yours sincerely



Jo Morrison  
Democratic Services Manager  
for Chief Executive

## NOTES:

1. **Inspection of Papers:** Papers are available for inspection as follows:

Council's website: <https://democracy.bathnes.gov.uk/ieDocHome.aspx?bcr=1>

2. **Details of decisions taken at this meeting** can be found in the minutes which will be circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting as above.

## 3. **Recording at Meetings:-**

The Openness of Local Government Bodies Regulations 2014 now allows filming and recording by anyone attending a meeting. This is not within the Council's control. Some of our meetings are webcast. At the start of the meeting, the Chair will confirm if all or part of the meeting is to be filmed. If you would prefer not to be filmed for the webcast, please make yourself known to the camera operators. We request that those filming/recording meetings avoid filming public seating areas, children, vulnerable people etc; however, the Council cannot guarantee this will happen.

The Council will broadcast the images and sounds live via the internet [www.bathnes.gov.uk/webcast](http://www.bathnes.gov.uk/webcast). The Council may also use the images/sound recordings on its social media site or share with other organisations, such as broadcasters.

## 4. **Public Speaking at Meetings**

The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group.

**Advance notice is required not less than two full working days before the meeting. This means that for meetings held on Thursdays notice must be received in Democratic Services by 5.00pm the previous Monday.**

The Council now has a maximum time limit for this, so any requests to speak cannot be guaranteed if the list is full.

Further details of the scheme can be found at:

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=12942>

## 5. **Emergency Evacuation Procedure**

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are signposted. Arrangements are in place for the safe evacuation of disabled people.

## 6. **Supplementary information for meetings**

Additional information and Protocols and procedures relating to meetings

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13505>

## Council - Thursday 18th July 2024

at 6.30 pm in the Council Chamber - Guildhall, Bath

### A G E N D A

1. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as set out under Note 5.

2. APOLOGIES FOR ABSENCE

3. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to complete the green interest forms circulated to groups in their pre-meetings (which will be announced at the Council Meeting) to indicate:

(a) The agenda item number in which they have an interest to declare.

(b) The nature of their interest.

(c) Whether their interest is **a disclosable pecuniary interest** or an **other interest**, (as defined in Part 4.4 Appendix B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer or a member of his staff before the meeting to expedite dealing with the item during the meeting.

4. MINUTES - 16TH MAY 2024 (Pages 5 - 10)

To be confirmed as a correct record and signed by the Chair

5. ANNOUNCEMENTS FROM THE CHAIR OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE

These are matters of information for Members of the Council. No decisions will be required arising from the announcements.

6. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

If there is any urgent business arising since the formal agenda was published, the Chair will announce this and give reasons why it has been agreed for consideration at this meeting. In making this decision, the Chair will, where practicable, have consulted with the Leaders of the Political Groups. Any documentation on urgent business will be circulated at the meeting, if not made available previously.

7. QUESTIONS, STATEMENTS AND PETITIONS FROM THE PUBLIC

The Democratic Services Manager will announce any submissions received. The Council will be invited to decide what action it wishes to take, if any, on the matters raised in these submissions. As the questions received and the answers given will be circulated in written form there is no requirement for them to be read out at the meeting. The questions and answers will be published with the draft minutes.

8. YOUTH JUSTICE PLAN 2024 - 2026 (Pages 11 - 72)

9. STANDARDS COMMITTEE ANNUAL REPORT (Pages 73 - 106)

To consider the Standards Committee annual report.

10. TREASURY MANAGEMENT OUTTURN REPORT 2023/24 (Pages 107 - 130)

11. PROPORTIONALITY REVIEW (Pages 131 - 136)

12. GREEN GROUP MOTION ON PEACE (Pages 137 - 140)

13. LIBERAL DEMOCRAT MOTION ON B&NES AGE FRIENDLY COMMUNITY (Pages 141 - 142)

14. QUESTIONS, STATEMENTS AND PETITIONS FROM COUNCILLORS

The Democratic Services Manager will announce any submissions received. The Council will be invited to decide what action it wishes to take, if any, on the matters raised in these submissions. As the questions received and the answers given will be circulated in written form there is no requirement for them to be read out at the meeting. The questions and answers will be published with the draft minutes.

The Committee Administrator for this meeting is Jo Morrison who can be contacted on 01225 394358.

**BATH AND NORTH EAST SOMERSET COUNCIL**

**MINUTES OF COUNCIL MEETING**

Thursday 16th May 2024

Present:- **Councillors** Michael Auton, Tim Ball, Alex Beaumont, David Biddleston, Colin Blackburn, Alison Born, Anna Box, Deborah Collins, Paul Crossley, Chris Dando, Jess David, Mark Elliott, Sarah Evans, Fiona Gourley, Kevin Guy, Ian Halsall, Liz Hardman, Gavin Heathcote, Steve Hedges, Saskia Heijltjes, Oli Henman, Joel Hirst, Lucy Hodge, Duncan Hounsell, Dr Eleanor Jackson, Grant Johnson, George Leach, John Leach, Hal MacFie, Ruth Malloy, Lesley Mansell, Matt McCabe, Paul May, Sarah Moore, Ann Morgan, Robin Moss, Michelle O'Doherty, June Player, Manda Rigby, Dine Romero, Paul Roper, Sam Ross, Onkar Saini, Toby Simon, Shaun Stephenson-McGall, George Tomlin, Malcolm Treby, Karen Walker, Sarah Warren, Tim Warren CBE, Andy Wait, David Wood and Joanna Wright

Apologies for absence: **Councillors** Alan Hale, Dave Harding, Shaun Hughes, Samantha Kelly, Bharat Pankhania and Alison Streatfeild-James

**1 EMERGENCY EVACUATION PROCEDURE**

The Chair drew attention to the emergency evacuation procedure as set out in the agenda.

**2 ELECTION OF CHAIR 2024/25**

It was proposed by Councillor Gavin Heathcote, seconded by Councillor Kevin Guy and supported by Councillors Robin Moss, Tim Warren and Joanna Wright and then

**RESOLVED** unanimously that Councillor Karen Walker be elected Chair of the Council for the Council year 2024/25.

Councillor Karen Walker made and signed her Declaration of Acceptance of Office, received the Chain of Office from Councillor Sarah Moore and then addressed the Council. She thanked Members for their support and confidence in her and expressed her huge honour at being given the chance to chair for a second time in 9 years. She explained that she passionately believed that everyone should have the same opportunities and so her theme for the year was inclusion for all living life to the full.

**3 APPOINTMENT OF VICE CHAIR 2024/25**

It was proposed by Councillor Robin Moss, seconded by Councillor Kevin Guy, and unanimously

**RESOLVED** that Councillor Liz Hardman be elected Vice Chair of the Council for the Council year 2024/25.

Councillor Liz Hardman made and signed her Declaration of Acceptance of Office, received the Chain of Office from Councillor Karen Walker and thanked the Council for her appointment.

#### **4 MINUTES - 14TH MARCH 2024**

On a motion from Councillor Eleanor Jackson, seconded by Councillor Michelle O'Doherty, it was

**RESOLVED** that the minutes of the meeting of 14<sup>th</sup> March 2024 be confirmed as a correct record and signed by the Chair.

*[Notes;*

- 1. The above resolution was carried with one councillor abstaining and all other councillors voting in favour.]*

#### **5 DECLARATIONS OF INTEREST**

Councillor Robin Moss declared a non-pecuniary (other) interest during the Items from the Public (minute number 10) as reference was made to the Homes for Ukraine scheme, which he has participated in. This declaration was made during that item.

#### **6 ANNOUNCEMENTS FROM THE CHAIR OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE**

Councillor Karen Walker presented Councillor Sarah Moore with her past Chair's badge.

It was proposed by Councillor Kevin Guy, seconded by Councillor Robin Moss and supported by Councillors Colin Blackburn, Joanna Wright and Tim Warren that the Council places on record its appreciation of the services performed by Councillor Sarah Moore in the office of Chair of the Council for 2023/24.

Councillor Sarah Moore then addressed the Council and, in so doing, highlighted a number of the key moments of the year and made particular reference to welcoming 250 new UK citizens to the country. She had been struck by the number of communities and people within them who give up their time. She thanked the Lord Lieutenant of Somerset and his deputies, B&NES staff, family and friends for their support during her year.

The Chair then;

1. Reminded everyone to switch off/to silent their mobile phones and laptops;
2. Reminded Members to use their microphones so that their comments are picked up for the webcast, and to turn them off when finished speaking; and
3. Announced that the meeting was being webcast and invited anyone who did not wish to be filmed to make themselves known to the camera operators.

## **7 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

There were no items of urgent business.

## **8 APPOINTMENT OF COMMITTEES AND PANELS & OTHER ANNUAL BUSINESS**

On a motion from Councillor Kevin Guy, seconded by Councillor Robin Moss, it was unanimously

### **RESOLVED to**

1. Approve the structure for non-executive and regulatory decision making and Policy Development & Scrutiny working (set out in current form in Appendix 1 of the report);
2. Accordingly, appoint those bodies with membership, terms of reference and delegated powers as set out in the Constitution (with the correction to the proportionality table of 3 not 4 independent members on the Avon Pension Fund Investment Panel);
3. Approve the allocation of seats on those Committees and Panels (such seats to be filled in accordance with the nominations made by the political groups);
4. Appoint to chair each committee and panel those Councillors as may from time to time be nominated by the political group to whom the chairmanship of the body is allocated;
5. Authorise the Monitoring Officer to fill any casual vacancies in membership of all the bodies constituted and vacancy in the office of Chair of such bodies in accordance with the wishes of the political groups;
6. Determine the bodies on which co-opted and independent members are to have seats, as either voting or non-voting members and appoint such members accordingly (current arrangements are set out in Appendix 1 to the report);
7. Note the arrangements for the conduct of Cabinet business, as set out in section 5 of the report;
8. Note the activity of the Member Advocates, as set out in Appendix 3 of the report;
9. Instruct the Monitoring Officer, in consultation with Group Leaders, to make appointments on non-executive outside bodies and note that the Leader or Cabinet Members will do so for executive outside bodies, where such vacancies arise;
10. Note the calendar of meeting dates that has been prepared up to May 2025 which is available on the Council's website;

11. Authorise the Monitoring Officer to make and publicise any amendment to the Council's Constitution required, or take any other necessary action, as a result of decisions taken at this meeting on this and other reports within the agenda, or otherwise as required by law.

## **9 CONSTITUTION: ESTABLISHMENT OF CONSTITUTION WORKING GROUP & MINOR UPDATES TO NOTE**

On a motion from Councillor Dave Wood, seconded by Councillor Robin Moss, it was unanimously

**RESOLVED** to

1. Agree the Terms of Reference and scope of the Constitution Working group at Appendix 1 of the report and invite each political group to put forward their nomination(s) in due course, with the intention of bringing proposed changes to November 2024 Council; and
2. Note the minor amendments made by the Monitoring Officer, as part of his delegated authority, as set out in Appendix 2 to the report.

## **10 QUESTIONS AND STATEMENTS FROM THE PUBLIC**

The Chair made reference to the Question and Answer document which had been circulated to Councillors and provided to the members of the public who had submitted questions.

Statements were made by the following members of the public.

Lara Amro spoke to Councillors about the conflict in Gaza and its impact on her life in Bath. She made reference to the Nakba of 1948 and explained her family's experience. She explained that 17,000 children had been separated from their parents during the current conflict and called for support. Councillor Guy asked what Lara considered the Council could do to help. Lara replied that anything that helped advocate for the children in Gaza and possibly facilitate them coming to the UK for support would be helpful.

Ameerah Lebaqa described the UK's proud tradition of settlement schemes and asked why Palestinian lives were not seemingly worthy of protection. She called on the Council to put pressure on the Government to launch a scheme similar to the Homes for Ukraine scheme. Councillor Guy asked if Ameerah would be happy to meet the relevant Cabinet Member to discuss further, to which Ameerah replied that she would be. Councillor Ross asked Ameerah whether she was aware that the Green group were planning to bring a motion for peace to Council, to which she replied that she was aware, and was grateful.

Jane Samson made a statement calling on the Council to explain what practical support it had offered to Gaza since its statement in March, and to use its power to lobby Government to implement a resettlement scheme. A full copy of Jane's statement is attached to the minutes. Councillor Wright asked Jane if she was aware that the B&NES Constitution incorporates reference to the Human Rights Act



1998. Jane replied that she was glad to hear it, and would like to know what practical steps have been made to reach out to Palestinian residents in B&NES since the statement was made in March.

Marie Duffy addressed Councillors about the situation in Gaza and referred to the admirable work that the dedicated B&NES team had done supporting Ukrainian refugees and called for a similar arrangement to be put in place. A full copy of Marie's statement is attached to the minutes. She stressed that the Council must engage with its Palestinian residents about supporting their family members in Gaza. Councillor Moss asked Marie if she was aware that it was the Home Office that granted visas and that the Council could only step in and support once that had happened. Marie replied that she had heard such positive feedback about the Council support to Ukrainians, via the dedicated team, and hoped that the same kindness and hospitality could be offered to Palestinians.

Mohammed Alrozzi addressed Councillors about the situation in Gaza and explained that, since he had spoken to them in March, he felt ignored. He had not been offered any help or support for family members in Gaza and commented that the government action contrasted markedly with support that has been given to Ukrainian refugees. A full copy of Mohammed's statement is attached to the minutes. Councillor Joanna Wright asked Mohammed, as a resident of B&NES, whether the Council had done anything to support him, to which Mohammed replied that they had not.

Majdi Lebaqa spoke about the Gaza situation and implored Councillors to help bring Palestinian families to safety as there is nowhere safe for them to be. No more time can be wasted.

Malcolm Robinson spoke in support of the Sydney Road Liveable Neighbourhood scheme and outlined some of the positive changes the area had seen in terms of safety, pollution and community feel. He urged the Council to make this a permanent change. Councillor Blackburn asked Malcolm how many households had benefitted from the scheme compared to the hundreds of households being impacted from displaced traffic and increased pollution. Malcolm replied that he did not have that number. Councillor Heijltjes asked if Malcolm would welcome a crossing on Beckford road for people walking and cycling in an already congested area, to which Malcolm replied that he did not live there but residents there could request one.

Richard Andrews made a statement supporting the Sydney Road Liveable Neighbourhood scheme. Richard explained the positive benefits he had noticed and presented information from the South West Ambulance service that the road closures did not cause a significant delay. A full copy of Richard's statement is attached to the minutes. Councillor Blackburn asked the same question as he had to the previous speaker, to which Richard replied around 60/70 households.

Mary Allan spoke in support of the Sydney Road Liveable Neighbourhood scheme setting out a number of positive benefits she had spotted. A full copy of Mary's statement is attached to the minutes.

The Chair thanked everyone for their statements, which would be considered by the relevant Cabinet Members.

## 11 STATEMENTS FROM COUNCILLORS

Councillor Anna Box made a statement about supporting the No Mow May campaign. She explained the wildlife and biodiversity advantages of leaving patches of lawn un-mowed and urged her fellow Councillors to have a go with this low key but impactful action. Councillor Moss asked Councillor Box if she agreed that grass verges near junctions did still need mowing, for safety reasons, to which Councillor Box agreed.

Councillor Ruth Malloy made a statement about voting rights for EU citizens. She wanted to bring this back into the spotlight as the Election Act 2022 had led to the disenfranchisement of some residents for local, Mayoral and Police and Crime Commissioner elections. Councillor Guy asked if the councillor agreed that Brexit had significantly damaged local democracy, to which she replied that it had. Councillor Heijltjes asked how many EU citizens in B&NES would be affected by this, to which Councillor Malloy replied that she did have that figure, but it is a disenfranchising and inconsistent move, as it depends on their country of origin.

The Chair thanked the Councillors for their statements, which would be considered by the relevant Cabinet Members.

The meeting ended at 8.02 pm

Chair .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

<b>Bath &amp; North East Somerset Council</b>	
MEETING:	<b>Council</b>
MEETING DATE:	<b>18<sup>th</sup> July 2024</b>
TITLE:	<b>Youth Justice Plan 2024 to 2026</b>
WARD:	All
<b>AN OPEN PUBLIC ITEM</b>	
<b>List of attachments to this report:</b>	
Youth Justice Plan 2024 to 2026	

## **1 THE ISSUE**

1.1 The Local Authority has a statutory duty, in partnership with Health, Police and Probation, to produce a Youth Justice Plan. The Plan sets out how services are to be organised and funded and what functions will be carried out to prevent youth offending and re-offending across Bath and North East Somerset. The Plan is presented to the Children, Adults, Health and Wellbeing Policy, Development and Scrutiny Panel and to Cabinet and Council for approval. A final version is then submitted to the national Youth Justice Board (YJB).

## **2 RECOMMENDATION**

**The Council is asked to:**

2.1 Approve the Youth Justice Plan.

## **3 THE REPORT**

3.1 The principal, statutory aim of the youth justice system is to prevent youth offending by 10–17 year olds. The Youth Justice Plan includes the latest performance indicators for work with children at risk of offending and reoffending and sets out how services will be resourced and delivered in 2024 to 2026.

3.2 Actions in the work plan will help to make Bath and North East Somerset a safer place and support children to lead crime-free lives with better prospects for their futures. This includes working with the Violence Reduction Partnership to address knife crime and other serious violence.

3.3 The Youth Justice Plan 2024 to 2026 is attached as an appendix to this report. The report sets out strategic priorities for the next two years, but the plan will also be reviewed in April 2025 as required by the Youth Justice Board.

## **4 STATUTORY CONSIDERATIONS**

- 4.1 Preparation of a Youth Justice Plan is required under S.40 of the Crime and Disorder Act 1998. The national Youth Justice Board for England and Wales has published guidelines for its completion and submission.
- 4.2 The Council is the lead partner in meeting the statutory requirement under S.39 of the same legislation, to establish a multi-agency team made up of members from Police, Social Services, Education, Probation and Health, to prevent youth offending. Work with children at risk of offending or re-offending takes full account of their status as children and prioritises safeguarding them within their local communities as well as in their family settings.
- 4.3 By virtue of the Local Authorities (functions and responsibilities) (England) regulations 2000 (as amended) certain plans and strategies, which together make up the Council's budgetary and policy framework, must be approved by full Council, as reflected in the Council's constitution. These include the Youth Justice Plan.
- 4.4 The constitution requires that the Executive's proposals in relation to any such policy, plan or strategy be submitted to full Council and that, in reaching a decision, the Council may adopt the Executive's proposals, amend them, refer them back to the Executive for consideration or, in principle, submit its own proposals in their place.

## **5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

- 5.1 The above statutory partners share responsibility for resourcing the Youth Justice Service with staff and financial contributions. The Council continues to make the greatest contribution, together with significant in-kind support including access to buildings and finance, IT and human resources support. In 2024 to 2025, the Council will contribute £460,002 (50%) for staffing and the pooled budget, as part of a total budget of £916,369. The contribution is within the existing Council approved budget. The work of the Service also depends on a core national grant from the Ministry of Justice, via the Youth Justice Board. This year's allocation has not yet been confirmed due to the general election. The figures in the plan are based on last year's allocation of £230,904. The Police and Crime Commissioner's direct contribution remains at £10,217
- 5.2 Submission of a Youth Justice Plan and quarterly data returns are conditions for receipt of the Youth Justice Board grant. This includes reporting on ten new key performance indicators and the introduction of a new oversight framework.

## **6 RISK MANAGEMENT**

- 6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.
- 6.2 A summary of challenges and risks is contained within the Youth Justice Plan.

## 7 EQUALITIES

7.1 An Equalities Impact Assessment has been undertaken and has confirmed workstreams already identified within the Youth Justice Plan including addressing disproportionality amongst children from minority ethnic backgrounds and children with Special Educational Needs and Disabilities.

## 8 CLIMATE CHANGE

8.1 To improve climate change, the service minimises travel where possible, sometime using online meetings with colleagues where appropriate. Staff also have use of the pool cars when completing longer journeys and use public transport where possible.

## 9 OTHER OPTIONS CONSIDERED

9.1 None

## 10 CONSULTATION

10.1 This report has been shared with the Section 151 Officer and approved by the Monitoring Officer.

10.2 The Youth Justice Plan draws on feedback from children, parents and carers who worked with the Youth Justice Service during 2023/24.

10.3 The Plan has been approved by the Youth Justice Partnership Board and members of the Youth Justice Service itself.

<b>Contact person</b>	Carla Cooper, Interim Head of Young People's Prevention Service <a href="mailto:Carla_cooper@bathnes.gov.uk">Carla_cooper@bathnes.gov.uk</a> Mobile: 07980 998895
<b>Background papers</b>	None
<b>Please contact the report author if you need to access this report in an alternative format</b>	

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# **Bath and North East Somerset**

## **YOUTH JUSTICE PLAN**

### **2024 - 2026**



**Working in Partnership to achieve Child First Justice**

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# 1. Introduction, Vision, Strategy and Local Context

## Introduction

Welcome to the Youth Justice Strategic Plan for Bath and North East Somerset Youth Justice Service for 2024 - 2026.

This plan sets out the direction of travel and key priorities for the service and partnership over the next 2 years, as required by the Crime & Disorder Act 1998.

This Plan adheres to the Youth Justice Board's 'document 'Youth Justice Plans: Guidance for Youth Justice Services'. The plan will be reviewed annually, as required by the Youth Justice Board.

The Plan has been developed under the guidance of the Bath and North East Somerset (B&NES) Youth Justice Service (YJS) Partnership Board, in consultation with YJS team members, and considering feedback from B&NES YJS service users. The progress of the plan will be monitored by the YJS Partnership Board throughout the year ahead.

The Youth Justice Plan:

- summarises the YJS structure, governance, and partnership arrangements.
- outlines the resources available to the YJS.
- reviews achievements and developments during 2023 - 2024.
- identifies emerging issues and describes the partnership's priorities.
- sets out our priorities and actions for improving youth justice outcomes in the next two years.

## Vision and Strategy

The Vision for B&NES Youth Justice Service is:

### **“Working in Partnership to achieve Child First Justice”**

This means that we are working together to create a youth justice system that sees children as children. We prioritise the best interests and well-being of children. We recognise their individual needs, vulnerabilities, abilities, rights, and potential. Our work is informed by a Child First, Trauma Informed and Strengths Based approach.

We work together to build on children's individual strengths and capabilities as a way of helping them develop an identity away from offending, to lead to safer communities with fewer victims. We work together, as partners, to identify and reduce harm for communities, children and victims.

All our efforts are aimed at constructive and forward-looking approaches, based on nurturing relationships that empower children to reach their full potential and make positive contributions to society. This includes supporting children to have successful transitions to adult services.

We promote the active participation, engagement, and inclusion of children in society and our work seeks to collaborate with them and their parents and carers to hear and learn from their views.

We recognise that some children are over-represented in the justice system, in particular children from minority ethnic backgrounds and children with special educational needs (SEN).

We work in partnership to reduce this disproportionality, keeping the needs of the most vulnerable children we work with at the centre.

We advocate for a childhood that is separate from the justice system. We do this by implementing preventive measures, diversion programmes, and proportionate, timely intervention, thereby minimising any potential negative impact or stigma associated with being in the youth justice system.

B&NES YJS vision also includes a commitment to being an anti-racist service. The vision is:

### **B&NES Youth Justice Service Anti-Racism Vision**

- To commit to being an anti-racist service.
- To uphold social justice and challenge inequality and racism in the actions of individuals, in services and in society.
- To value and celebrate diversity and promote equality of opportunity.

B&NES Council is the lead partner in the multi-agency response to children and risk of offending. Its Corporate Strategy<sup>1</sup> sets out an overarching purpose to **'IMPROVE PEOPLE'S LIVES'**. The vision for all children and young people is that they live in safe, happy and healthy families and communities, which is detailed in the Health and Wellbeing Strategy for BANES<sup>2</sup>.

The Youth Justice Board's key objectives are in line with local ambitions and they are to:

- Reduce the number of children in the youth justice system.
- Reduce reoffending by children in the youth justice system.
- Improve the safety and wellbeing of children in the youth justice system.
- Improve outcomes for children in the youth justice system.

## **Local Context**

B&NES YJS is a statutory partnership between B&NES Council, Avon and Somerset Police, the Probation Service and NHS Bath, Swindon, and Wiltshire (BSW) Integrated Care Board (ICB).

The YJS works in partnership to prevent children entering the youth justice system, through the Compass Service. The YJS also works with children who have come to the attention of the police and are being dealt with for committing criminal offences. We work with children and their parents and carers, to understand their needs and risks, and to help them make positive changes in their lives.

We contact all victims of crimes committed by the children we work with to offer them the chance to take part in restorative justice, so we can help repair the harm they have experienced.

B&NES local authority covers the city of Bath and the more rural communities in North East Somerset, including Radstock, Midsomer Norton, Chew Valley and Keynsham. In 2022, the population of B&NES is estimated at 195,618<sup>3</sup> The 10-17 resident population estimate for mid-2022 is 17,033 (8.7%)

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<sup>1</sup> <https://beta.bathnes.gov.uk/document-and-policy-library/corporate-strategy-2023-2027>

<sup>2</sup> <https://beta.bathnes.gov.uk/document-and-policy-library/joint-health-and-wellbeing-strategy>

<sup>3</sup> Strategic Evidence Base for Bath and North East Somerset

[https://beta.bathnes.gov.uk/sites/default/files/jsna/Strategic%20Evidence%20Base%20Main%20Doc%20Publis hed%2020220630\\_0.pdf](https://beta.bathnes.gov.uk/sites/default/files/jsna/Strategic%20Evidence%20Base%20Main%20Doc%20Publis hed%2020220630_0.pdf)

The following information provides demographic information about children aged 10 – 17 years living in B&NES:

## Gender

- Males – 8,742                      Females – 8,291 <sup>3</sup>

## Ethnicity

- White population is c.14,960 for the 10-17 age group as at the time of the 2021 Census (March 2021). This represents 90.7% of the entire 10-17 year old population (c.16,495). Therefore, the **non-White population percentage is 9.3%**. This includes:  
Asian – c.465, Black – c.90, Mixed – c.920, Other – \*\* <sup>3</sup>

\* all ethnicity figures rounded to 5

\*\* suppression applied to age 15 figure

## Poverty

After Housing Costs, relative poverty for B&NES is **19.0% 2021/22**. In England it is 31.0%<sup>4</sup>.

## Free School Meals

The number of pupils eligible for Free School Meals (FSM) has increased in B&NES and nationally. In all state funded schools in B&NES, the number of pupils eligible for FSMs has more than doubled from 2,199 (8%) in 2015/16 to 4,361 (17%) in 2022/23. Nationally the percentage was 14.3% in 2015/16 and is 24% in 2022/23. <sup>3</sup>

The Strategic Evidence Base data shows an increasing attainment gap between pupils eligible for FSM and those who are not.

## Special Educational Needs (SEN)

Since the SEND reforms started to be implemented in 2014/15, there has been a year-on-year increase in the number of children and young people with an Education, Health and Care Plan (EHCP) The annual growth rate has been noticeably higher in B&NES between 2022 and 2023 (15%) compared to national and regional (9% and 8% respectively). In January 2023, there were 1,967 children and young people with an EHCP maintained by B&NES Council.

## Not in Education, Employment or Training (NEET)

The participation rate in April 2024 in B&NES for young people aged 16 and 17 years is 93.%.

The NEET rate in in B&NES in April 2024 is 3%, compared with a South West rate of 3.7% and a rate in England of 3.5%. <sup>5</sup>

## Social Care

There were 214 Children Looked After by B&NES LA as of 31<sup>st</sup> March 2024. This is at a rate of 58.35 per 10,000 children aged under 18 years.<sup>6</sup> There were 141 children on a Child Protection Plan and 439 children on a Child in Need Plan as of 31<sup>st</sup> March 2024.<sup>6</sup>

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<sup>4</sup> <https://endchildpoverty.org.uk/child-poverty-2024/>

<sup>5</sup> <https://explore-education-statistics.service.gov.uk/find-statistics/participation-in-education-and-training-and-employment>

<sup>6</sup> Children Social Care Performance Dashboard April 2024

## 2. Governance, Leadership and Partnership Arrangements

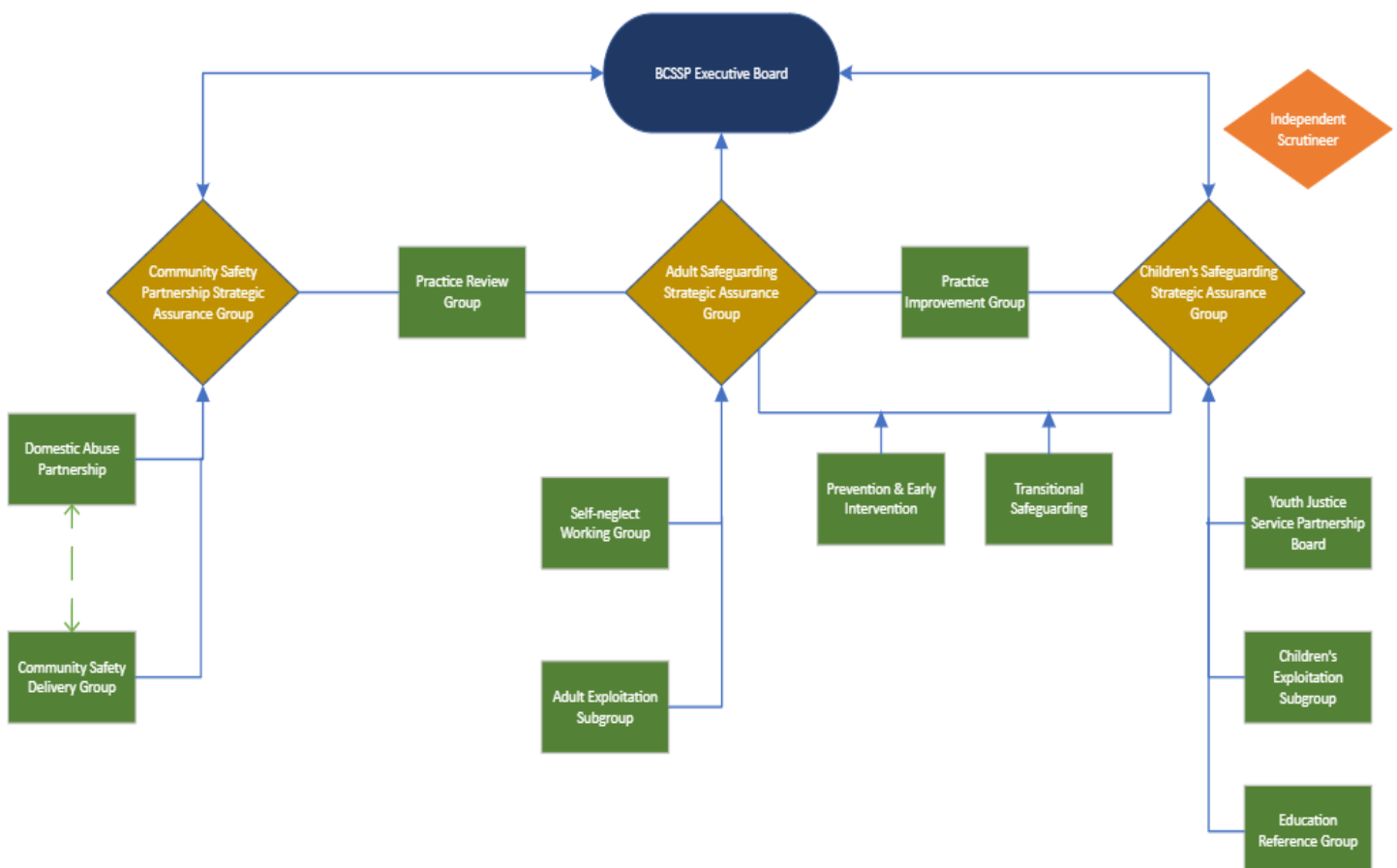
### Governance

The Youth Justice Service is based within the Local Authority, with the Chief Executive holding lead responsibility and management resting within Children’s Services as part of the wider People and Communities Department.

The Head of Service reports to the Director of Children and Education and is a member of the Children and Young People’s Service Management Group. The Head of Service also holds responsibility for the Violence Reduction Partnership and for some aspects of the Local Authority’s early help agenda and delivery, including use of Early Help Assessments.

The Cabinet Member for Children’s Services presents the Plan to the Cabinet and Full Council for their authorisation. The Plan is also presented to the Children, Adults, Health and Wellbeing Policy Development and Scrutiny Panel. The Youth Justice Partnership Board also reports annually to the Health and Wellbeing Board through its Chair, who is a member of the Health and Wellbeing Board, contributing to the outcome ‘children and young people are safe from crime.’

Multi-agency strategic oversight of Youth Justice Services is provided at a number of levels. Its dedicated Partnership Board operates as a sub-group of the B&NES Community Safety and Safeguarding Partnership (BCSSP)<sup>7</sup>. This partnership embraces the functions of the previous Local Children’s Safeguarding Board, Adult Safeguarding Board and Community Safety Partnership, recognising their shared responsibilities and interfaces. It operates across all ages, being well placed to address the challenges of transition, and encourages a focus on families and communities. The diagram below represents the BCSSP structure:



<sup>7</sup> B&NES Community Safety and Safeguarding Partnership <https://bcssp.bathnes.gov.uk/>

## Leadership

The work of the B&NES YJS is managed strategically by a Partnership Board.

The Partnership Board consists of senior representatives of the statutory partner organisations, together with other relevant local partners.

Membership:

- » Chair: Director of Children' Services and Education, B&NES Council
- » Deputy Chair: Director of Education and Safeguarding, B&NES Council
- » Health: Senior Commissioning Manager, BaNES, Swindon and Wiltshire ICB
- » Health: Regional Director, HCRG Care Group
- » Police: Chief Inspector, Avon and Somerset Police
- » Probation: Head of Bath and North Somerset PDU
- » Council: Lead Member for Children and Young People
- » Youth Bench: Chair of Avon and Somerset Youth Panel
- » College: Principal and CEO of Bath College
- » Child and Adolescent Mental Health Service: Service Manager
- » Community Panel Member
- » Youth Justice Board for England and Wales: South West Oversight Manager
- » Finance; Group Accountant
- » YJS: Operational Manager and Business and Performance Manager
- » Police: Force Tactical Lead for Out of Court Resolutions
- » Housing: Director of Tenancy Management and Compliance

All new members of the Board attend an induction session to introduce them into the work of the Youth Justice Service and their responsibilities as members of the Board.

The Board receives regular activity and outcome reports on key areas of service delivery including Out of Court Resolutions, Policing, Speech and Language Therapy, Nursing, Education, the Compass prevention service, Harmful Sexual Behaviour and the Enhanced Case Management initiative. The Board maintains and reviews Challenge and Risk Registers.

The Board has four Board Meetings per year and an annual development day. The development day is designed to assess the work of the Board, review progress and impact and set priorities for the year ahead.

There are two, multi-agency subgroups to the Youth Justice Partnership Board, which are the Custody Review Panel and the Youth Crime Prevention Board. This Custody Review panel is chaired by the Head of Service and reviews children held overnight in police custody, those sentenced or remanded to custody and children at risk of being sentenced to custody. The Youth Crime Prevention Board works in partnership to reduce first time entrants and address any emerging issues in relation to children offending.

All Partnership Board meetings begin with a practitioner's case study, illustrating an aspect of work undertaken, or from time to time, through a practitioner supporting a child working with the Service to attend and tell their story or present an issue. These presentations highlight challenges in the work undertaken and sometimes seek support in raising issues at a strategic level. Practitioners also compile and present reports about aspects of the work they are involved in. This gives opportunity to raise awareness and allows for some scrutiny of work undertaken. In turn, Board members are encouraged to participate in case audits and to meet with individual practitioners to observe or discuss their work, to deepen their understanding.

## Partnership Arrangements

In accordance with the Crime and Disorder Act 1998, we are a multi-disciplinary team which includes Social Workers, a Probation Officer, an Education Worker, a Police Officer, a Nurse, a Speech and Language Therapist, a Reparation and Participation Worker, Prevention Key Workers, Assessment and Information Officers, Administrators, and Managers. We also have a team of Volunteer Panel Members and in 2024, we are looking to recruit and train a small number of Volunteer Mentors. There is a staffing structure located at [Appendix 2](#) of this document.

Case manager staff including qualified Probation Officers and Registered Social Workers have key statutory functions, including the assessment and supervision of children aged 10-17 who are subject to voluntary and conditional Out-of-Court Resolutions and community and custodial Court Orders, and supporting parents/carers to strengthen their parenting skills. The Police Constable (one full-time equivalent) undertakes a range of tasks including facilitating information sharing but also giving those harmed a voice and an opportunity to become involved in restorative work with children if they wish to do so. This work is supplemented locally by a prevention service, Compass, which works with children aged 8-17 years who are assessed as being at risk of offending, and with their families. The Turnaround initiative for children on the cusp of the youth justice system, has been rolled out alongside Compass, to work with them to prevent them entering the formal justice system and addressing their needs as soon as possible.

The Youth Justice Service has close working relationships with a range of partners in the voluntary and community sector.

- **DHI Project 28**, which receives a small annual grant from the Police and Crime Commissioner as part of their core Council commission. With this, they provide substance misuse services for children subject to Youth Alcohol and Drugs Diversion (Outcome 22) interventions and programmes for those subject to voluntary and statutory supervision.
- **The Violence Reduction Partnership**, managed by the same Head of Service as the Youth Justice Service, including a Co-ordinator and Development Officer for the Council. The Violence Reduction Partnership (VRP) hosts a multi-agency information sharing meeting – the Partnership for Preventing Exploitation and Serious Violence (PREV). Individuals at risk of serious violence, networks and places of concern are all identified, the nature and level of risk is discussed, and actions are agreed to strengthen risk management. The Youth Justice Service plays an active role in this. The VRP commissions lived experience mentoring, detached youth work, Street Doctors training and staff training on serious violence and knife crime. The VRP also runs frequent knife awareness events for parents and carers.



- **Youth Connect South West**, commissioned by the Council, provides targeted support and access to universal youth services, together with programmes to support access to education, training and employment (ETE) opportunities.
- Social Care's **Adolescent and Child Exploitation Team** works with children who have been exploited, some of whom are also known to the Youth Justice Service. Managers in the two services endeavour to co-ordinate their work in the best interests of the children concerned, and usually identify a 'lead' worker with whom the child engages best.
- The **Early Intervention Team**, part of the Police contribution to the Violence Reduction Partnership, and including an Inspector, a Sergeant, and two Constables, undertake early intervention work with children on the fringes of involvement in serious violence. They are part of the Youth Crime Prevention Board to help 'join up' preventative approaches.
- **Southside**, a community-led project for supporting those affected by domestic abuse and also commissioned by the Violence Reduction Partnership to offer lived-experience mentoring to those at risk of being involved in serious violence.

## 3. Update on the Previous Year

### 3.1 Progress on Priorities in previous Plan

The priorities agreed for 2023 - 2024 were to strengthen participation, address disproportionality, embed child first principles, and tackle serious violence.

The associated actions have all been reviewed by the Partnership Board and progressed and many have been completed. A number of actions are in relation to longer-term pieces of work that will continue into this year and beyond.

An end of year position on all actions is included in [Appendix 3](#).

Our key achievements have been to continue to embed child first principles. The Partnership Board have transformed the way they work to hear voices of the child and hold each other to account to ensure their agencies are taking a child first approach. The Service has also contributed to the development of a local strategic needs assessment and reviewed interventions offered in relation to knife crime.

In 2023 - 2024, we made some significant strides in our work towards the anti-racism action plan, including:

- The YJS Partnership Board and YJS Team agreed a vision statement, and this has been added to relevant documents and our Webpage.
- We have made sure that YJS staff are familiar with the HMIP Effective Practice Guide, and this will be ongoing for all new staff.
- We procured and delivered two days Cultural Competency and Unconscious Bias Training for all staff.
- We included positive, representative images of children and adults on noticeboards and in leaflets in our Broad Street Office where children have some appointments with the YJS.
- The YJS Head of Service and the B&NES Virtual School Headteacher have joined the Youth Pillar of the Avon and Somerset Police and Crime Commissioner led Tackling Disproportionality group. This group is working to meet the recommendations in the Identifying Disproportionality report.<sup>8</sup> B&NES also have representation at the Data and Insights Pillar and the HR and Workforce Pillar.
- We updated our templates such as the Out of Court Disposal Assessment and PSR Quality Assurance to ensure that diversity and identity were included in all assessments and reports.
- We include discussion on the Social GRACES<sup>9</sup> in case work supervision.

There are areas in last year's plan that are aligned with and part of Avon and Somerset wide work to tackle disproportionality. These work streams will continue into this year's plan. As a service, we have made progress with participation work, but there is more to do and this will feature in the plan for the coming year.

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<sup>8</sup> <https://www.avonandsomerset-pcc.gov.uk/wp-content/uploads/2022/01/Identifying-Disproportionality-Report.pdf>

<sup>9</sup> <https://proceduresonline.com/trixcms/media/7086/social-graces.pdf>



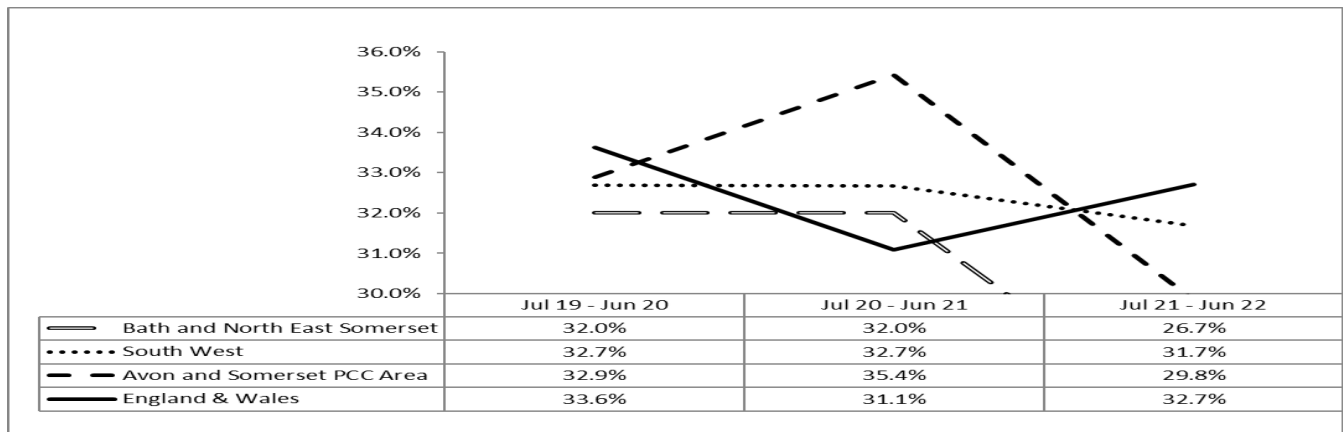
## 3.2 Performance over the previous year

### Re-Offending

One of the YJB's key measures of effectiveness of the youth justice system is re-offending. The indicator is the rate of re-offending after 12 months by a cohort of children who received substantive outcomes (Cautions, Conditional Cautions or Convictions). It is shown as a binary rate (the overall percentage of children who re-offended) and as the average rate of new offences committed by each child who re-offended. Local cohorts include very low numbers of children.

Our Binary percentage of re-offending has reduced in this reporting period by 5.33% for the period July 2021 - June 2022. There were 25 children in the previous cohort and 8 re-offended, compared with 15 in the current cohort of which 4 have re-offended. There continues to be a discrepancy between local and national data due to PNC data not including children for motoring offences. Our binary percentage of re-offending is showing as 26.7%, which is lower than all our Comparators.

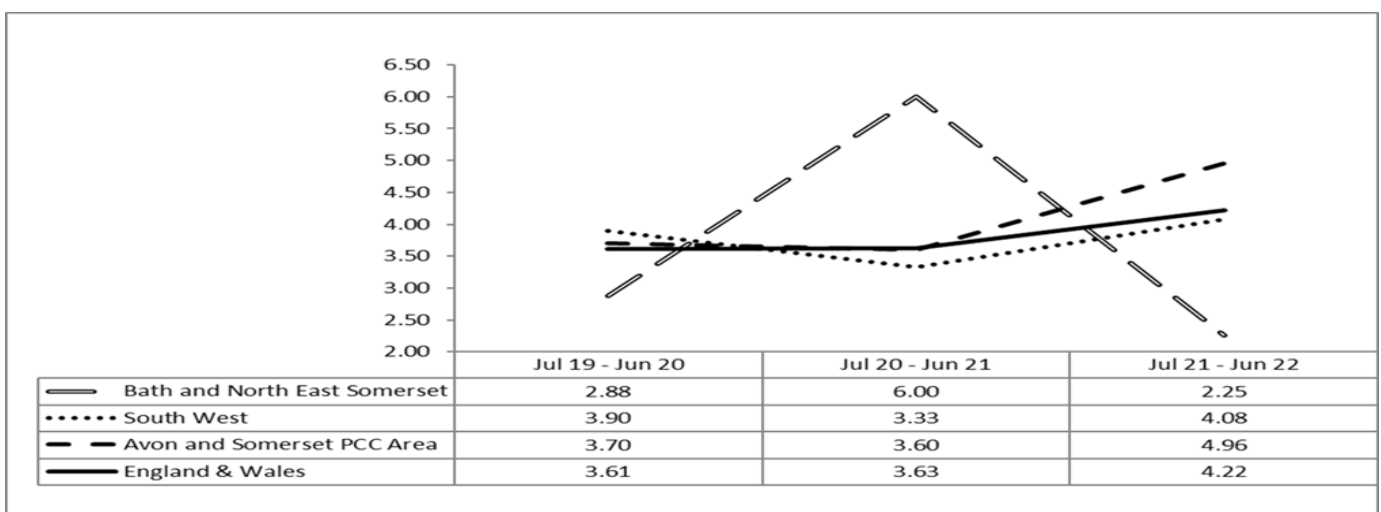
#### Reoffending rate (Reoffenders / Number in cohort) - Jul 21 - Jun 22



### Frequency of Reoffending

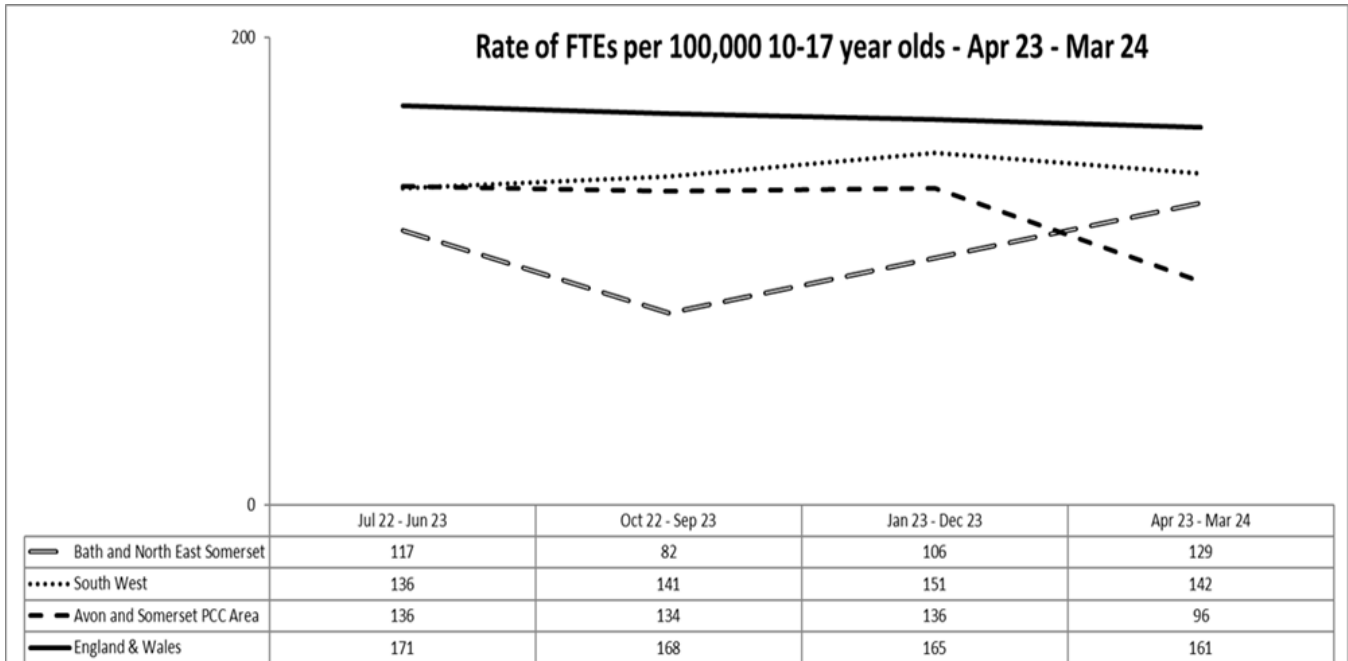
Our rate of re-offending for the period July 2021 - June 2022 is 2.25. This is a reduction from 6.00 (-62.5%). This is due to there being fewer children in the cohort and fewer children re-offending. There were 8 re-offenders in the previous reporting period committing 48 further offences and 4 re-offenders in the current period committing 9 further offences. Our rate is lower than all of our Comparators.

#### Reoffences / Reoffenders - Jul 21 - Jun 22



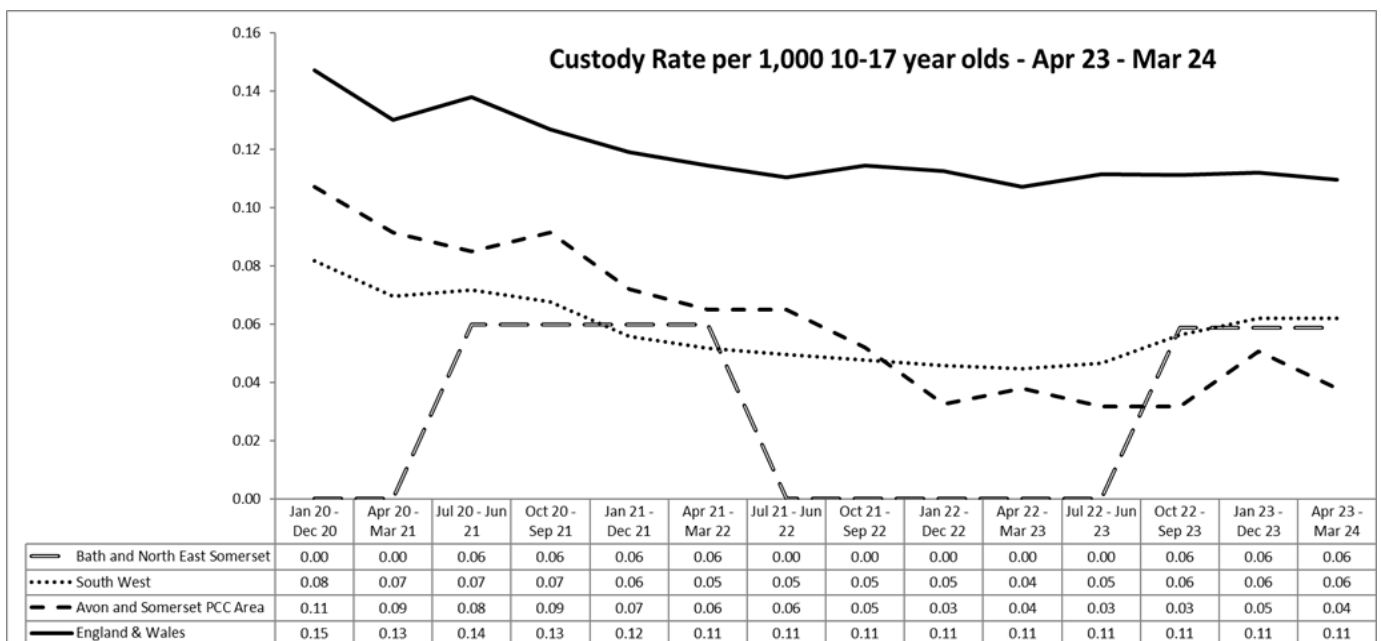
## First Time Entrants

First Time Entrants are those children who receive a substantive outcome for the first time. The rate of First Time Entrants has increased in this reporting period from 106 to 129 per 100,000 in the population. This represents 22 individual children compared with 14 in the previous reporting period. The YJB Published data now uses YJS data, so the local and national figures match. The rate in B&NES is lower than most of our comparators. The rates for our comparators are: South West (142), PCC Area, (96) and England and Wales (161).



## Custody

There was one custodial sentence in this reporting period and our rate remains the same at 0.06 per 1,000 in the population. The YJB published data matches our local data. The rates for our Comparators are:- South West Region (0.06), PCC Area (0.04) and England and Wales (0.11)

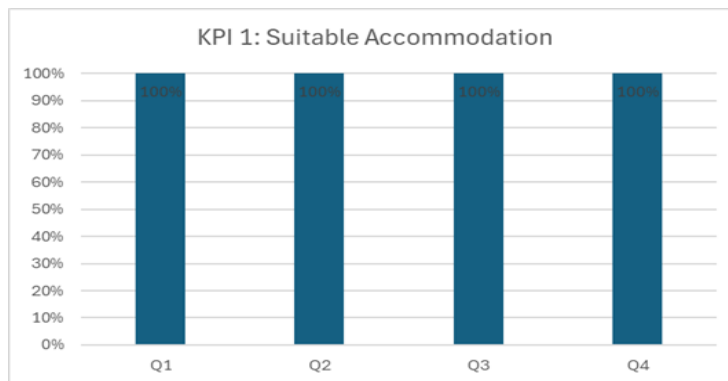


## New Key Performance Indicators

The Ministry of Justice introduced ten additional Key Performance Indicators from April 2024. This data was first reported to the Youth Justice Board in the autumn of 2023. Since then, there have been multiple issues with the production of this data including technical issues at a national level. There has been a huge contribution from the YJS staff to ensure these new data fields are input onto the case management system. Much development is still needed here, and we look forward to the problems with the national data being resolved and us being able to report fully on the KPI's. We are in a position to report the following information:

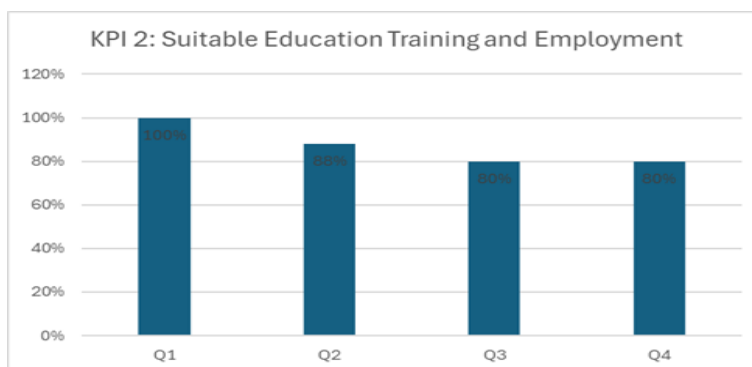
### 1. Suitable Accommodation

This key performance indicator is the proportion of children in the community and released from custody who have suitable accommodation arrangements at the end of their intervention. 100% of all children with relevant interventions closing in all 4 quarters for 2023 - 2024 were assessed as being in suitable accommodation at the end of their intervention with the Youth Justice Service.



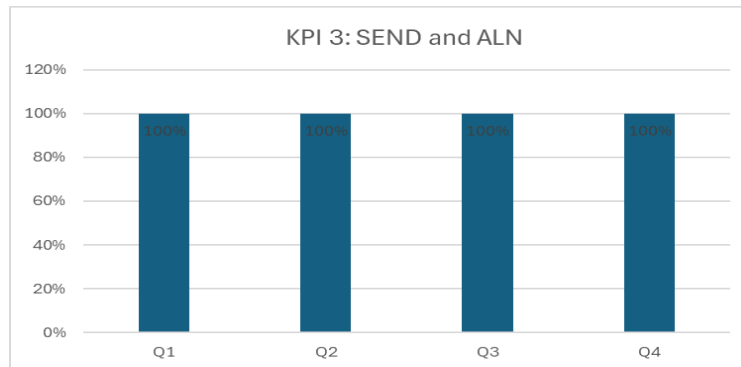
### 2. Education, Training and Employment

This key performance indicator is the proportion of children in the community and being released from custody in a suitable Education, Training and Employment arrangement at the end of their intervention. Between 80% and 100% of children with interventions closing in the 4 quarters in 2023 - 2024 were in suitable Education, Training and Employment at the end of their intervention with the Youth Justice Service.



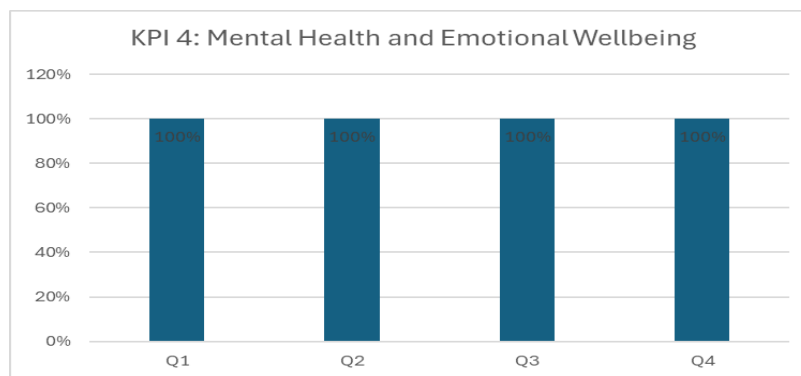
### 3. Special Educational Needs and Disability (SEND) and Alternative Learning Provision (ALN)

This key performance indicator is the number of children with SEND and ALN with a formal plan in place as a proportion of children with identified SEND/ALN. All children with relevant interventions closing in all 4 quarters for 2023 - 2024 who had an identified SEND/ALN need, had a formal plan in place.



### 4. Mental Health and Emotional Wellbeing

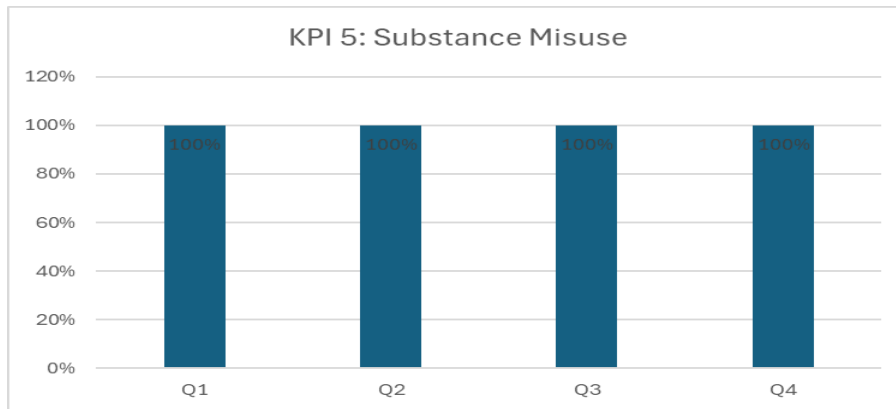
This key performance indicator is the number of children who have been screened for a mental health or emotional wellbeing need at the end of their intervention as a proportion of the number of children with interventions closing in the period. 100% of children with a relevant intervention closing in all 4 quarters for 2023 - 2024 were screened for Mental Health and Emotional Wellbeing as part of their assessment.



The Specialist Community Public Health Nurse offers a holistic health screening to all children who come into the service in order to identify any mental health or emotional well-being needs and provide direct support or refer to specialist services including CAMHS. For children who decline the health assessment from the Nurse, their emotional and mental health needs are screened using the relevant assessment tool, either Asset Plus or Prevention and Diversion by their case manager. The last annual health report to the Partnership Board identified emotional health as the second most prevalent need (with physical health needs being most prevalent). Support provided includes direct intervention using Brief Solution Focused approaches and supporting practitioners and the wider team around the child.

## 5. Substance Misuse

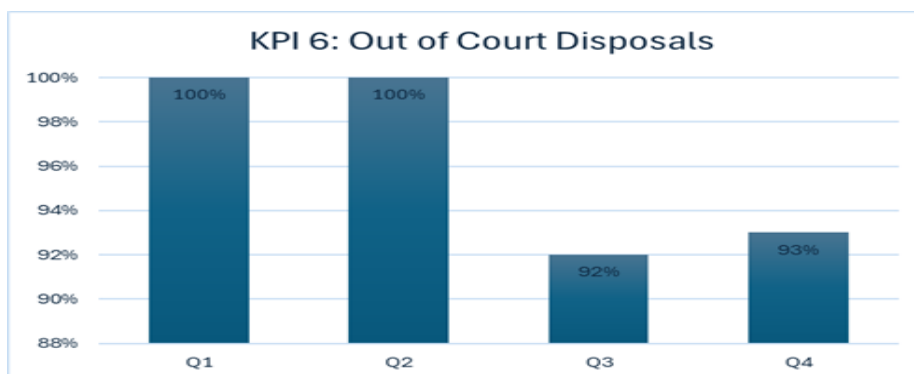
This key performance indicator is the number of children who have been screened for a need for specialist intervention or treatment to address substance misuse at the end of their intervention as a proportion of the number of children with an intervention closing in the period. 100% of children with a relevant intervention closing in all 4 quarters for 2023 - 2024 were screened for substance misuse as part of their assessment.



The Specialist Community Public Health Nurse also provides a holistic health screen for all children who come into the service and seeks to identify any substance misuse needs. In addition to this, the allocated case manager will also screen for any substance misuse needs as part of their assessment. The local substance misuse partner, DHI Project 28, provides specialist intervention for children in the area. In preparation for the introduction of the new measure, the Youth Justice Service has been working with DHI Project 28 to record the data of those who have been accessing support prior to their involvement and those that were screened and offered support via referral to them, including commencement of intervention.

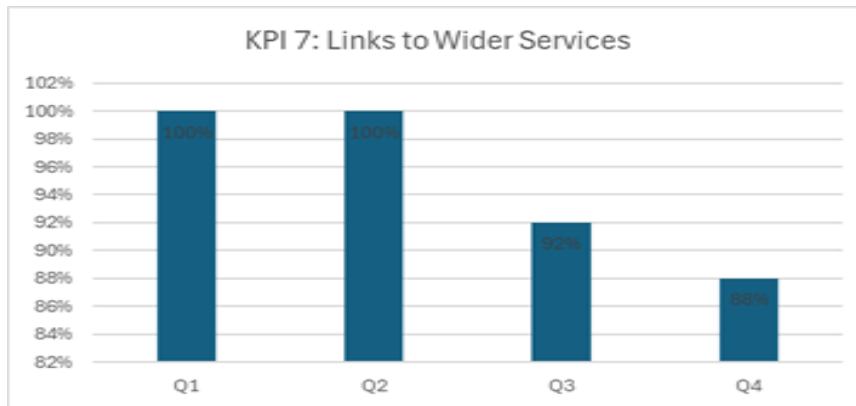
## 6. Out-of-Court Disposals

This key performance indicator is the number of children who completed an Out of Court Disposal programme as a proportion of the number of children with an Out of Court Disposal intervention ending in the period. Most children in all 4 quarters who had a relevant intervention close, successfully completed their programme. The reduction in quarters 3 and 4 were down to one case in each quarter.



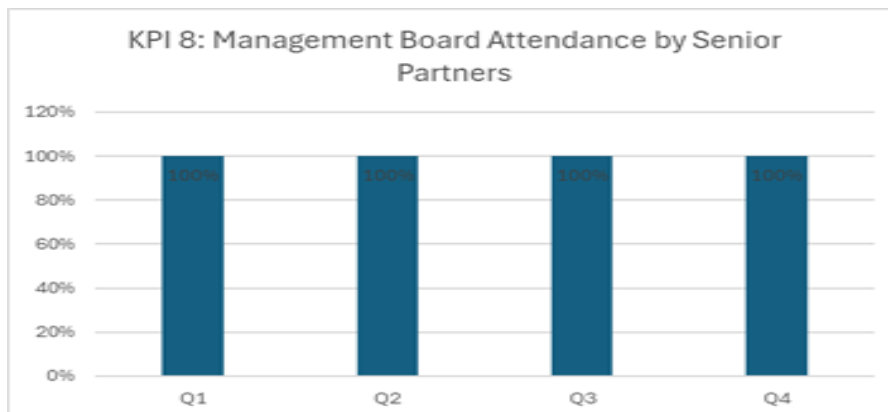
## 7. Wider Services

This key performance indicator is the proportion of children connected to or supported by wider services at the end of their intervention with the Youth Justice Service. Wider Services are either an Early Help Plan, Child Protection Plan, are classified as a Child in Need or a Child Looked After. In Quarters 1 and 2, 100% of the children with a relevant intervention closing in the period were working with wider services. In quarters 3 and 4 there were fewer children involved with wider services at the end of their intervention with the Youth Justice Service.



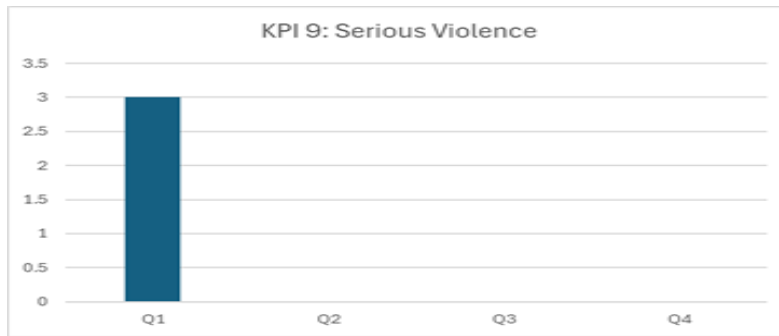
## 8. Management (Partnership) Board Attendance

This key performance indicator monitors senior (statutory) partner attendance at Partnership Board meetings and whether they contribute data from their individual services that identify areas of racial and ethnic disproportionality. Attendance has been monitored for many years as part of local assurance reporting. All of our Statutory Partners have attended all of the Partnership Board meetings for the period April 2023 - March 2024.



## 9. Serious Violence

This key performance indicator is the number of proven serious violence offences as a rate per 100,000 of the 10-17 population. The YJB definition for serious violence offences are Robbery offences, Drug offences and Violent offences with a gravity score of 5 or more. This data is reported but despite an apparent rise in serious violence in the area, in the last year, numbers fitting the criteria for reporting have been very low. There were no children convicted of serious violence offences in Quarters 2, 3 and 4. The offences relating to Quarter 1 were for Wounding without Intent and Attempt to Choke/Suffocate.



### 10. Victims

This key performance indicator is the number of victims who engaged in restorative justice opportunities as a proportion of the total number of victims who consent to be contacted by the Youth Justice Service. Victims are asked for their views prior to Out of Court Resolution decision-making and planning for statutory Court Orders, provided with information about the progress of a child’s case (when requested) and provided with information on appropriate services that support victims (when requested). The majority of victims have taken part in the restorative justice process for the period 1<sup>st</sup> April 2023 – 31<sup>st</sup> March 2024. Examples of the definition of what constitutes taking part in a restorative process include: Victim being consulted, Victim offered Direct or Indirect Reparation, Victim agreeing to attend a face-to-face meeting, Victim accepts and receives Letter of Apology.



### 3.3. Risks and Issues

A risk in this context is defined as a potential or emerging factor which may impede the delivery of positive outcomes for children in B&NES. An issue is something that has already occurred or is currently happening which is affecting outcomes. B&NES YJS has a full Risk Register that is reviewed annually with the Partnership Board.

Risks	Potential Impact	Actions and Proposed Actions
<p><b>Funding and Resources</b></p> <ul style="list-style-type: none"> <li>➤ Turnaround Funding to cease in March 2025</li> </ul>	<ul style="list-style-type: none"> <li>➤ Reduction in the number of children the service can offer prevention and diversion services to.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Contribute to evaluation of Turnaround to evidence effectiveness.</li> <li>➤ Consider alternative funding streams and how cases are allocated to Compass Service.</li> </ul>

<p><b>Funding and Resources</b></p> <ul style="list-style-type: none"> <li>➤ Partner contributions to pooled budget not being increased in line with inflation in the coming year.</li> <li>➤ YJB Grant for 24/25 not confirmed ahead of plan submission date.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Budget will become overspent in the future</li> </ul>	<ul style="list-style-type: none"> <li>➤ Present the risks to the Partnership Board and request for a raise in pooled budget contribution.</li> <li>➤ Plan with the finance team how to mitigate for this risk, in consideration of other YJS budgets.</li> </ul>
<p><b>Prevention and Diversion Assessment Tool</b></p> <ul style="list-style-type: none"> <li>➤ The YJB launched a new Prevention and Diversion Assessment Tool for out of Court work in April 2024. It is mandatory to use from April 2024. The training to use the tool is booked after this date in August 2024.</li> <li>➤ The new tool is written from a child first perspective, but offer less guidance for analysis of risk than our previous locally designed tool.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Without sufficient training prior to rolling out the tool, practitioners may be inadvertently making mistakes in its use and application.</li> <li>➤ In reducing the prompts in the tool around assessment of risk of harm, serious harm and likelihood of re-offending, risk judgements may not be sufficiently evidenced or explained.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Operational Manager to deliver workshops to practitioners on risk assessments to ensure continued good practice in this area.</li> <li>➤ Operational Manager and Senior Practitioner to attend the YJS training in August and roll out to the team at the earliest opportunity after that.</li> <li>➤ Create local guidance for practitioners to ensure risk assessments evidence nature, likelihood and potential impact of future offending.</li> </ul>

<b>Issue / Challenge</b>	<b>Potential Impact</b>	<b>Actions and Proposed Actions</b>
<p><b>Timeliness of offences being dealt with by Police and CPS</b></p> <ul style="list-style-type: none"> <li>➤ Delays continue to exist in investigations, in particular more complex investigations and through the Police / CPS interface.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Impact on mental health and wellbeing of children and victims.</li> <li>➤ Children sometimes being sentenced when they are adults for offences they committed as children.</li> <li>➤ Risks issues not being adequately addressed in the time between offence and charge.</li> <li>➤ Reduction in effectiveness of delayed interventions.</li> </ul>	<ul style="list-style-type: none"> <li>➤ YJS Partnership Board to request the issue is addressed by the Local Criminal Justice Board</li> </ul>



<p><b>Meeting children's complex needs, including children with Special Educational Needs and Disabilities (SEND)</b></p> <ul style="list-style-type: none"> <li>➤ Many children in the YJS have SEND and meeting their complex needs is a challenge when availability of suitable provision is limited.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Children in the YJS with SEND may not achieve their full potential and be offered appropriate opportunities to meet their needs.</li> <li>➤ Children in the YJS with SEND remain vulnerable to exploitation and further offending.</li> </ul>	<ul style="list-style-type: none"> <li>➤ B&amp;NES has a strategy in place to increase SEND provision in the coming year, including a new special school in the area.</li> <li>➤ YJS Partnership Board to work together to consider if children in the YJS can be offered an enhanced SEND service.</li> </ul>
<p><b>Disproportionality in particular children with SEND and children from minority ethnic groups</b></p> <ul style="list-style-type: none"> <li>➤ The children in the formal youth justice system continue to be over-represented by children from the most vulnerable groups.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Children from these vulnerable groups are at risk of receiving the worst outcomes in terms of education engagement, and achievement.</li> <li>➤ Children from these groups may receive the most significant criminal justice outcomes which means they may spend period of time in custody which will have adverse impact on their short and longer term future.</li> </ul>	<ul style="list-style-type: none"> <li>➤ YJS to work with A&amp;S colleagues in Youth Justice, Police and Education to continue to implement the recommendations in the Tackling Disproportionality Report.</li> <li>➤ YJS Partnership Board to work together to consider if children in the YJS can be offered an enhanced SEND service.</li> </ul>

## 4. Plan for the Forthcoming Year

### 4.1 Child First

The guiding principle for the youth justice system, including the B&NES Youth Justice Service and its Partnership Board, is 'Child First.' This approach has been promoted by the national Youth Justice Board and means keeping children at the heart of all work undertaken and privileging their needs according to their age and particular circumstances.

There is evidence that a Child First approach is effective in addressing the offending behaviour of the small number of children within the youth justice system today, and in preventing offending by those children who are more likely to enter the system. However, the Youth Justice Service is aware that some of those worked with wish to be regarded individually as young people or young adults rather than as children.

The Youth Justice Board's Child First principles have been adopted in B&NES and some examples are given below:

<b>1. Seeing children as children</b>	
<p style="text-align: center;"><b>Principle</b></p> <p>Prioritise the best interests of children and recognise their particular needs, capacities, rights and potential. All work is child-focused, developmentally informed, acknowledges structural barriers and meets responsibilities towards children.</p>	<p style="text-align: center;"><b>Examples</b></p> <p>All children working with B&amp;NES YJS participate in an individually tailored assessment, plan and intervention in their work with us. B&amp;NES YJS has prioritised trauma informed training for practitioners to ensure that our work is developmentally informed and based on building positive, attuned relationships with children. We continue to fund the trauma informed Enhanced Case Management project which supports us to prioritise the best interests of children and recognise their particular needs.</p>
<b>2. Helping children build a pro-social identity</b>	
<p style="text-align: center;"><b>Principle</b></p> <p>Promoting children's individual strengths and capacities to develop their pro-social identity for sustainable desistance, leading to safer communities and fewer victims. All work is constructive and future-focused, built on supportive relationships that empower children to fulfil their potential and make positive contributions to society.</p>	<p style="text-align: center;"><b>Examples</b></p> <p>We achieve this by ensuring that our plans and interventions focus on building strengths and a pro-social identity. We offer support to children to take part in positive activities and use participation work in reparation to utilise their skills and build confidence. Our education and training offer is designed to ensure we raise aspirations for children and have an individually tailored Education Training and Employment (ETE) goal for every child we work with.</p>

### 3. Collaborating with children

#### Principle

Encourage children's active participation, engagement and wider social inclusion. All work is a meaningful collaboration with children and their carers.

#### Examples

Children's involvement in innovative reparation projects enables them to contribute to the wider community. Locally, children have chosen to write leaflets for their peers, for example, explaining what reparation is and addressing the issue of carrying knives, using language and an approach that is more likely to be effective. Children have also helped us to make our office environment a young person friendly space, and their suggestions have been taken on board by getting bean bags and a pool table for the space where we have their appointments. We gain feedback from children and their parents / carers to ensure their views on our service delivery are heard and responded to. One of the ways we have responded to this is to vary the offer of reparation placements available.

### 4. Diverting children from the justice system

#### Principle

Promote a childhood outside the justice system, using pre-emptive prevention, diversion and minimal intervention. All work minimises criminogenic stigma from contact with the system.

#### Examples

The Compass service supports children who are at risk of offending with the aim of preventing them entering the justice system in the future. The Turnaround Service supports children on the cusp of the youth justice system. 'Outcome 22 / Deferred Caution' is being readily used in our Out of Court Resolution Panel for children who have committed low level offences. This offers them the opportunity of diversion from a formal outcome, while still offering the appropriate support to meet their needs. Most of the Service's work now takes place at a Pre-Court stage.

Our child first approach is evidenced by the voices of children and their parents and carers. Here is a small selection from the feedback gathered in the last year:

#### Voices of Children

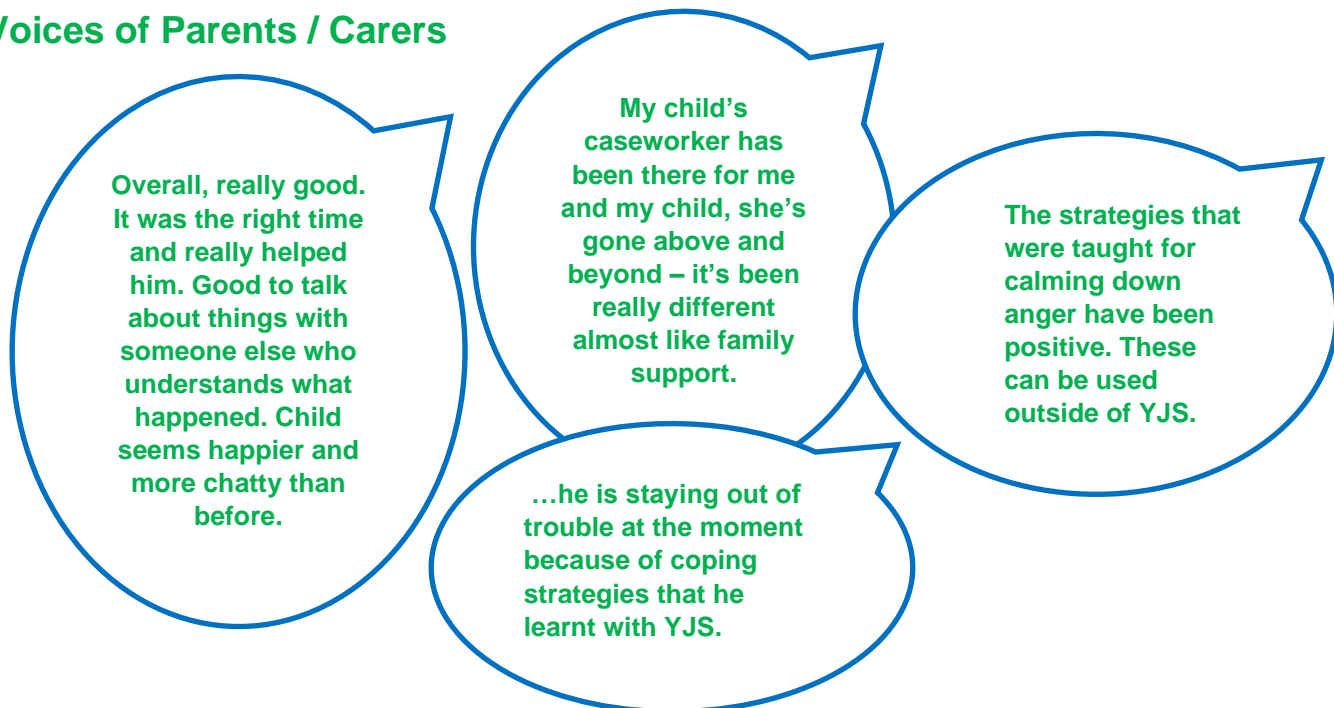
I messaged my caseworker and reparation worker when I needed to. They talked to me in a way I understand. There isn't anything I would want to change.

It has helped me. I would have had at least five more fights if I hadn't been with YJS. My caseworker helped me to focus on school better and to take it more seriously and it has helped me to see the good in myself.

I think if it wasn't for the worker I could have gone to jail – building a good relationship with her where I could trust her meant I could talk to her.

Support to get out of trouble, especially in the summer holidays – I didn't mind it though. Worker did loads, she understood where I was coming from, she was really on the ball. If I wanted to know something she would find it out.

## Voices of Parents / Carers



## 4.2 Resources and Services

All statutory partners contribute staffing resources and a financial contribution.

The Youth Justice core grant is used entirely to support the work of the Youth Justice Service. Expenditure is agreed annually, monitored at monthly finance meetings and overseen quarterly by the Partnership Board. It is used in accordance with the Terms and Conditions of Grant, specifically, towards the costs of employing two administrative staff, a Deputy Team Manager, a qualified Youth Justice Officer, a Reparation Worker and a contribution to the salary of the Senior Practitioner. The Grant also covers professional subscriptions, travel costs, room hire, equipment and other running costs.

The financial contributions from partners go into the pooled budget to meet the costs of employing the Business and Performance Manager and IT costs. Contributions have not increased for a number of years.

In terms of staffing, Avon and Somerset Police contribute one FTE Police Officer. The Probation Service contributes 0.5 FTE Probation Officer and 0.16 FTE Probation Service Officer, although this post has not been filled for over 3 years. The Health Contribution is 0.4 FTE School Nurse and 0.2 FTE Speech and Language Therapist.

B&NES Local Authority is the largest contributor covering costs for the Head of Service, Operational Manager, practitioners in the statutory and prevention service and an administrator.

The full budget costs and contributions can be found at [Appendix 1](#). The Staffing Structure can be found at [Appendix 2](#).

### 4.3 Board Development

The YJS Partnership Board is continually assessing its own performance and considering ways to improve. The Board met for a development day in May 2024.

The purpose of this day was:

- To re-affirm our Vision: Working in Partnership to Achieve Child First Justice
- To assess our own performance against agreed standards and include any areas for development to Youth Justice Plan for 2024 - 2026.
- To agree the Youth Justice Service and Partnership Board priorities for the year ahead.
- To be well prepared for the upcoming Inspection.

The outcomes of the day included:

- The Vision of Working in Partnership to achieve Child First Justice was re-affirmed. The detail of this was reviewed and updated and is written into the first section of this plan.
- Each member who attended completed the self-assessment, highlighting areas of strength and for development.
- The areas for Board development were agreed to be in strengthening links with the practitioners in the service, participating in more case audits and observing some areas of practice.
- The Board also agreed to work on some joint actions in this year's plan around reducing time scales for children being investigated by police and CPS, finding a way of offering an enhanced service for children in the YJS with SEND and for some training of YJS staff from CAMHS on neuro-diversity.
- The strategic priorities were discussed. It was agreed that progress had been made in every area of the priorities for 2023 - 2024, but as these are such important areas of our work, and are broad in range, we will continue with the same priorities for 2024 - 2026. The priorities are confirmed as:

- **Reduce Disproportionality**
- **Strengthen Participation**
- **Embed Child First Principles**
- **Reduce Serious Violence**

### 4.4 Workforce Development

Activity to develop the workforce is essential to meeting the needs of the children, parents / carers and victims and the wider community we serve. This includes a comprehensive induction, regular supervision, informal support, annual performance development conversations and appropriate training to all staff.

The team are supported by the offer of:

- Monthly reflective and case management supervision
- Monthly group reflective practice meeting – this group can focus on interventions or reflections on specific children and situations.
- Harmful Sexual Behaviour consultations from CAMHS
- Monthly case discussions / consultations with specialist workers such as School Nurse, Speech and Language Therapist and Education Officer
- Clinical Supervision for trauma recovery cases through the Enhanced Case Management service

The annual Training and Development Plan for 2024 to 2025 has been created in consultation with Board Members, Team Members, through discussion and a staff survey, and taking into account what we know about the issues facing the children that we work with.

Key training that has taken place in 2023 - 2024 has included trauma informed workshops for practitioners to ensure this approach remains embedded in our work, restorative justice facilitator training for our Police Officer and Referral Order Co-ordinator to ensure we have the capability to offer this intervention, and cultural competence and unconscious bias training for all staff to support work towards our anti-racism action plan.

The identified training and development priorities are agreed as:

- Strengthening our approach to Performance Development Conversations, ensuring they take place in a timely way and staff understand the process.
- Ongoing training offer for staff in cultural competence and unconscious bias to support our ongoing work to reduce disproportionality.
- Increasing staff confidence in working with children with SEND and neuro-diversity.
- Ensuring new staff are offered Trauma Informed Practice Training
- Training practitioners in the Prevention and Diversion Assessment Tool
- Offering training on specific areas of practice, as required, such as Restorative Justice, Harmful Sexual Behaviour and Child to Parent Violence.

## 4.5 Evidence-based Practice, Innovation and Evaluation

### Systemic Practice Model

As part of Children's Transformation Programme and supported by DfE funding, the Local Authority has adopted a systemic practice model for Children's Services. This is integrated within a trauma informed, relationship aware approach and is attachment focused.

The adoption of a systemic practice model has seen a significant proportion of the Children's Service workforce (from practitioners, supervisors to senior leaders) being trained by the Centre for Systemic Social Work. It is based on the view that human challenges are always embedded within the context of human relationships across family, community and wider society systems. The model provides theory, models and techniques to support practitioners in their support for families to seek a broader and deeper understanding of what could be creating challenges and ideas to change.



The Youth Justice Service has benefited from this training and as part of the wider Children's Service's Workforce will be accessing further training and development. Changes have been made through the influence of the systemic model including acknowledgement and consideration of people's personal and social identity in assessments, planning and support plans. Systemic tools including Burnham's Social GRACES<sup>10</sup>, developed to address inequality, have been used in training and Supervision to encourage reflection on individual characteristics that inform how the world is seen and experienced. The use of the Systemic model has enabled practitioners to consider wider perspectives when working with children and families and encourage others in the system to do the same.

### **Harmful Sexual Behaviour 'AIM3' Model**

Although not many children in the local area are identified with a risk of harmful sexual behaviour, the Service has staff trained in the Assessment of Adolescents and Harmful Sexual Behaviour model developed by Marcella Leonard and Simon Hackett, otherwise known as 'AIM3.' This is a suite of evidence-based frameworks and guidance to support practitioners to assess risk and develop interventions for use with children, including how to work with their parents/carers as well. The resources are trauma-informed and holistic and are a good fit with other intervention approaches used within the Service. The tools are used alongside standard youth justice assessment tools and plans to support a focus on particular presenting needs. Assessments are generally undertaken in partnership with a Social Worker and interventions are likely to then be co-delivered. The service has two staff who work with the CAMHS Harmful Sexual Behaviour Co-ordinator to deliver awareness raising training to colleagues in preventative services and universal settings such as schools, in support of early identification.

The use of this model has enabled evidenced based assessments and interventions to be undertaken to reduce the risk of harmful sexual behaviour and contribute to better outcomes for these children.

### **Enhanced Case Management**

The Service is now in its sixth year of working in partnership with three other Youth Justice Services to deliver trauma recovery, Psychology-led support to children in the youth justice system. The model has been developed by Johnny Matthews and Tricia Scuse, based on Maslow's hierarchy of need and a seven-stage trauma recovery model, and builds on work previously undertaken in Wales.

Evaluations have commented on how the model has been implemented consistently in line with guidance. The flexibility of the Psychologists' approach has been identified as central to the success of the work. The approach is perceived to have contributed to improvements in a range of psychosocial outcomes and linked with placement in more appropriate accommodation and re-building of family relationships. There has also been an improvement in children's mental health, coping skills and understanding of the impact of their behaviour on others. Improved relationships with staff in Youth Justice Services have also been noted and overall, no negative impacts have been identified for children.

The evaluation has also noted the embedding of trauma informed practice in staff throughout the participating Youth Justice Services and beginning within some partner agencies. Staff have an improved knowledge and understanding of recognising and working with children who have experienced trauma and are developing more flexible practices which are very child-focused and individually tailored. These positive outcomes outlined in the evaluation have been seen within B&NES YJS.

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<sup>10</sup> Burnham J (2012) Developments in the Social GRRRAACCEEESSS in Krause I (ed) *Culture and Reflexivity in systemic Psychotherapy: Mutual Perspectives*. London: Karnac

## 4.6 Priorities for the coming year: Standards for Children in the Youth Justice Service

The latest edition of National Standards were published in 2019, entitled 'Standards for Children in Youth Justice Services'<sup>11</sup>

The standards support our work in Out of Court Resolutions, at Court, in the Community, in secure settings and on transition and resettlement.

The most recent national standards self-assessment was completed in October 2023 and covered our work in Court. The audits were completed by Team Managers in the YJS and a Partnership Board Member.

B&NES YJS demonstrated adherence to the standards with a few areas requiring further activity in order to strengthen compliance.

Areas of strength identified were:

- Positive steps taken to promote fair treatment in court such as using communication profiles and advocating for children's needs being well evidenced.
- Reports written for court and Referral Order Panels were of a high standard, were child focussed and supported desistance.
- Reports took into account the view from victims and evidenced the impact of the offence on them.
- Good evidence of supporting children to participate effectively in court supporting children to view the court room in advance of the hearing, contacting all children and parents / carers before the day of court to help them prepare and ask any questions and explaining the outcome thoroughly to the child afterwards.

The following areas of activity were identified for further development:

- To collaborate with Avon and Somerset YJS's and CPS to ensure we are all working to the same guidance for diversion.

**PROGRESS MADE:** The new, national Police Child Gravity Score Matrix<sup>12</sup> has ensured greater consistency here. The A&S Out of Court Tactical group is auditing cases to check for consistency.

- To ensure greater consistency in diversion outcome in relation to driving matter.

**PROGRESS MADE:** Again, the Police Child Gravity Matrix has assisted with this and this is being used and referenced in Out of Court Decision Making.

- To consider ways to engage with fathers more effectively in the assessment writing process.

**PROGRESS MADE:** The issue has been discussed in reflective practice meetings and a renewed focus on ensuring both parents are involved if possible and appropriate.

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<sup>11</sup>

[https://assets.publishing.service.gov.uk/media/6363d2328fa8f50570e54222/Standards\\_for\\_children\\_in\\_youth\\_justice\\_services\\_2019.doc.pdf](https://assets.publishing.service.gov.uk/media/6363d2328fa8f50570e54222/Standards_for_children_in_youth_justice_services_2019.doc.pdf)

<sup>12</sup> <https://www.npcc.police.uk/SysSiteAssets/media/downloads/publications/publications-log/criminal-justice/2023/child-gravity-matrix-v2.2---september-2023.pdf>



## 4.7 Priorities for the coming year: Service Development

A detailed Service Development Action Plan for 2024 to 2026 has been written and will be monitored through the Youth Justice Partnership Board. The below information is a summary of the main actions and objectives.

### Reduce Disproportionality

This service development priority recognises the issue of over-represented groups in B&NES who are in the Youth Justice System. These groups are children with Special Educational Needs (SEN) and children from minority ethnic backgrounds. The data evidencing these areas of over-representation can be found in section 5.1 of this Plan.

#### Ethnicity

With regard to the issues of disproportionality of children from minority ethnic backgrounds, the service has a detailed anti-racism action plan which sets out operational and strategic actions to address these issues. This plan has been reviewed for the period 2024 to 2026.

The key objective of the plan is to reduce this disproportionality and make progress towards aligning with local demographic and population rates. The plan sets out partnership work with colleagues in education to scrutinise school suspensions and exclusions and proactively offer early help services to children who are represented in this group.

The plan outlines work with the Police to scrutinise out of court data to ensure there is no disproportionality in the offer of diversionary activity for children from minority ethnic groups. The PCC Out of Court Scrutiny Panel are focusing on youth and disproportionality issues at their meeting in the summer 2024.

Operational actions include a focus on ethnicity in audits and creating a good practice guide for staff in this area of work to be used in induction.

#### SEN

Regarding children with SEN being overrepresented in the youth justice system, the plan for the coming year includes YJS working with the Director for Education, the Director for Children's Services, the Head of Inclusion, and the Head of Service for the Virtual School to consider how children in the justice system can be offered an enhanced service to better meet their needs. There is also a joint action with the Child and Adolescent Mental Health Service to offer bespoke training to the YJS staff to support them with working most effectively with children with diagnosed needs such as ADHD and Autism.

The objective of this aspect of the plan is to ensure this most vulnerable group of children are offered sufficient support to access high quality education and training to meet their needs and to reduce the risks to them around exploitation and offending.

### Strengthen Participation

This service development area recognises the importance of participation in the work completed by the Youth Justice Service. Some developments have already been achieved in previous years, but this priority acknowledges there is more that can be done.

In 2023 - 2024, there has been a focus on developing participation for children and families within the service. We have used focus groups to generate ideas and projects we can action, which has helped with a more collaborative approach. From this we have reviewed the way we gather feedback from children and parents and carers. The team now has a QR code that can be used by service users to access an online form. These questionnaires will be offered at the end of an order or intervention and for longer interventions there will be a mid-point review questionnaire. The questionnaires have been developed in consultation with the Speech and Language Therapist to ensure they are accessible for everyone that accesses our service. By having the feedback in this format, the intention is to better analyse the data and to support service development.

Over the coming year, the participation action plan includes:

- To recruit and train a small group of community panel members and mentors.
- To develop our offer in relation to summer activities for children.
- To begin a drop-in support group for parents.
- To consult with children around our good practice guide for working with children from minority ethnic backgrounds.
- To improve the information about the YJS on our website.

## **Embed Child First Principles**

B&NES YJS continues to prioritise embedding Child First Principles in our work. This principle is the corner stone of our approach moving forward, so appropriately it remains as a strategic priority the plan for 2024 to 2026.

The actions for this period aim to ensure that every area of the YJS work is child focussed.

One of the key areas to be targeted this year includes working with the Police and CPS at a strategic level to reduce the timeliness of investigations so that criminal justice outcomes that children receive can then be more meaningful and responsive to their needs at the time the issues have arisen.

The YJS will also work with partners in the Police and Social Care to implement the recommendations in the HMIP Thematic Inspection of Work with Children Subject to Remand in Youth Detention.<sup>13</sup> The purpose of this is to ensure that children are only detained when absolutely necessary and when this does happen, that the services recognise them as children and prioritise their needs accordingly.

This area of the plan will also ensure that there are stronger links created between the YJS and the Anti-Social Behaviour team in the police so that children who are showing signs of being on the periphery of offending or anti-social behaviour will be offered prevention support as appropriate.

At an Operational level, the YJS will create an up-to-date Service wide Practice Guide that ensures child first practice is at the heart of everything we do. The role out of the new Prevention and Diversion Assessment tool, which has child first principles at its heart, also forms part of our action plan for the coming year.

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<sup>13</sup> <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2023/11/A-joint-thematic-inspection-of-work-with-children-subject-to-remand-in-youth-detention-v1.02.pdf>

## Reduce Serious Violence

From our participation work and all communication with children, parents and carers throughout the course of the year, it is clear that this is a key issue for them and so it remains a strategic priority for B&NES YJS into 2024 to 2026. Children have shared with their YJS workers that knife crime and the threat of serious violence are utmost in their minds.

The Violence Reduction Partnership is leading on this area of work across B&NES and the YJS is involved in this work at every level from operational to strategic.

In terms of specific YJS activity, we will continue to build on the progress we made last year in delivering high quality weapons awareness work with children and the Street Doctors sessions to support them with first aid and safety.

At an operational level, the YJS will build on its training offer to staff on risk assessment and risk management and ensure that we work closely with partners in Social Care to jointly assess and manage risk. This updated approach will be included in a refreshed Risk and Safety and Wellbeing Policy and Practice Guide.

There will also be additional local guidance created for use with the Prevention and Diversion Assessment Tool to ensure that while this tool focuses on a child first approach, practitioners retain their assessment skills in relation to risk and adequately evidence their risk-based judgements.

## 5. National Priority Areas

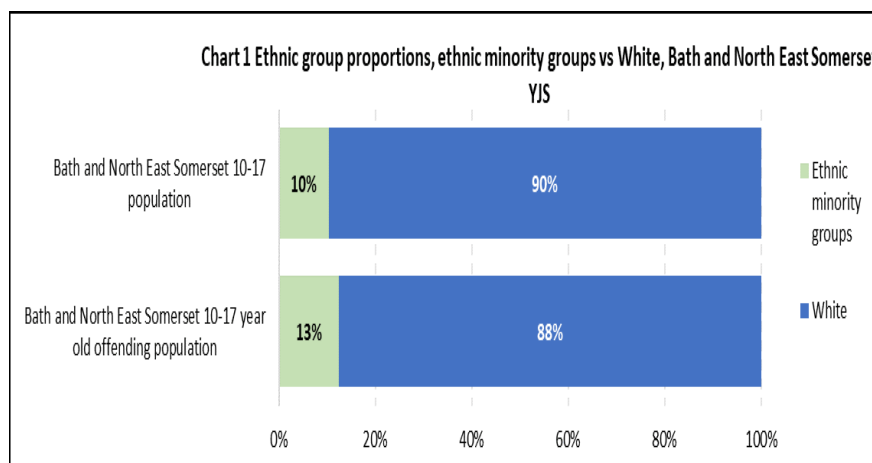
### 5.1 Children from groups which are over-represented

Children from a range of backgrounds are over-represented in the youth justice system. In B&NES, the most over-represented groups are children with Special Educational Needs and children from certain ethnicities, particularly those with a mixed heritage.

As stated above, reducing this disproportionality is a strategic priority for the service and there are actions in our annual development plan and anti-racism action plan to work towards this aim.

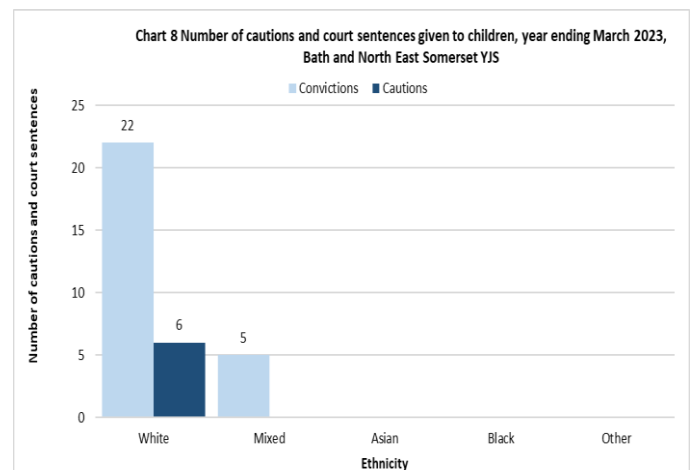
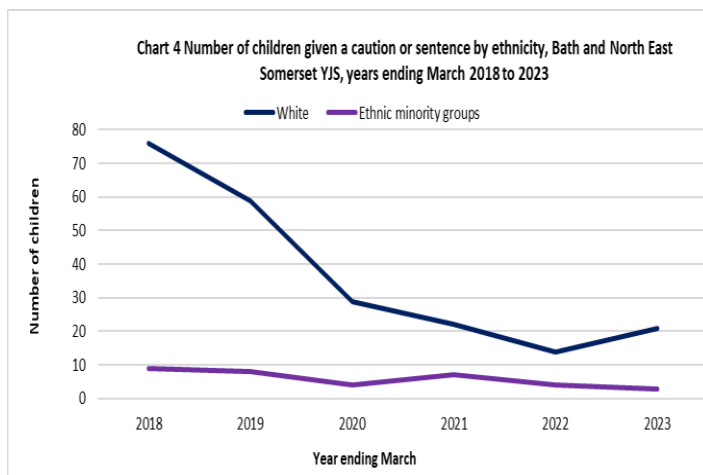
#### Ethnicity

The following charts are taken directly from the Youth Justice Board's Ethnic Disparity Tool for the year ending 2022 – 2023 and is the latest data available.



Of all the children Cautioned or Sentenced, White children accounted for 88% of these children and 12% were from minority ethnic backgrounds. In B&NES, YJS White children are under-represented and Ethnic Minority groups children are over-represented when comparing the offending population with the 10-17 population. White children make up 88% of the offending population and 90% of the 10-17 population.

Ethnic Minority groups children make up 13% of the offending population and 10% of the 10-17 population. The most over-represented ethnic group were Mixed children. They make up 13% of the offending population and 6% of the 10-17 population.



White children have shown an increase in the proportion of all children Cautioned or Sentenced over the last year, they accounted for 88% in 2022/23 and for 78% in the previous year. However, this still shows an over-representation for minority ethnic children. White children received 22 convictions in the period. Children from mixed ethnicities received 5 convictions. This equates to 18%, which is an over-representation of this group.

### Special Educational Needs

- 61 individual children had an intervention with B&NES YJS in the 12 month period April 2023 to March 2024. This figure includes both pre 16 and post 16 children.
- A total of 42 (**69%**) had an Education Health and Care Plan (EHCP) or a SEN support plan (i.e. formal plan in place)
- Of these 42 children with SEN, 32 (**52%**) had an EHCP (either draft or final) and 10 (**16%**) had an SEN support plan.
- These figures are very similar to those reported for the 2022 - 2023 academic year cohort.

### Gender

Of the 61 children that had a statutory YJS intervention in the 12 month period April 2023 to March 2024, there were 10 (16%) females. All but one received an out of court resolution and all but one was White British. These figures do not indicate an over-representation of girls in the YJS in B&NES at this time.

## 5.2 Policing

The Partnership between the YJS and Avon and Somerset (A&S) Constabulary is strong.

The Police Partnership Board member is an active and engaged member. They provide quarterly data for the Board to scrutinise a number of areas such as stop and search, strip search, time between arrest and disposal and overnight detention.

The YJS and Police work together to improve outcomes for children in various ways, including:

- **Monthly A&S Tactical Out of Court Resolution Group and Panels**
  - This Tactical group has worked to increase consistency in approach throughout A&S, including creating guidance documents and auditing work to ensure compliance with national and local guidance.
  - The Out of Court Panels are jointly chaired by a Sgt from Police Early Intervention Team (EIT) and a Manager from YJS. We have worked together closely to complete a Practice Guide for staff regarding out of court work.
  
- **Quarterly Custody Review Panel**
  - Children's Services, Police and YJS review cases where children have been held overnight in police detention, sentenced or remanded to custody. The purpose is to ensure ongoing compliance with the Concordat on Children In Custody<sup>14</sup> and to scrutinise occasions when this has not happened and identify learning opportunities for the partnership.
  
- **Out of Court Disposal Scrutiny Panel**
  - The YJS participates in the PCC led quarterly Scrutiny Panel for Out of Court Disposals to ensure youth matters are a key focus and that decision making is examined and any lessons learned.
  
- **Violence Reduction Partnership**
  - The Police EIT and YJS are key members of the Violence Reduction Partnership and work together at a strategic and operational level to reduce violence. This includes delivering Parental Knife Crime Awareness sessions, training and an annual conference for staff, and Street Doctors sessions with children.
  - All key partners, including Police and YJS, attend a monthly operational meeting 'Partnership to Reduce Exploitation and Violence' (PREV) where children who are at risk are discussed, information shared and assurances sought about the multi-agency approach to addressing these issues.
  - The Police EIT provide line management to the YJS Police Officer and this helps with information sharing, co-ordination of services and risk management.

## 5.3 Prevention

The rate of children entering the justice system is influenced by the effectiveness of local prevention and diversion activities. 'Prevention' work involves supporting children to address unmet needs, safeguard, promote positive outcomes and stop children entering the formal youth justice system.

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[https://assets.publishing.service.gov.uk/media/5a82211140f0b6230269afee/Concordat\\_on\\_Children\\_in\\_Custody\\_ISBN\\_Accessible.pdf](https://assets.publishing.service.gov.uk/media/5a82211140f0b6230269afee/Concordat_on_Children_in_Custody_ISBN_Accessible.pdf)

B&NES YJS delivers two targeted prevention services:

## Compass

- Compass works with 8 to 17 year-olds who are assessed as being at risk of offending. The model includes using a Key Worker model, an Early Help Assessment to identify need, agreement of a plan, and the use of Team Around the Family or Child Meetings to review plans. The Service monitors individual improvement in the areas of social well-being, emotional well-being, engagement in education, training and employment and child-parent relationships.
- Compass supports parents and carers in areas such as mediation, parenting skills, managing conflict and support in navigating any challenges within education.
- Compass is jointly funded by the Local Authority and the Police and Crime Commissioner.

## Turnaround

- Turnaround works with children aged 10 to 17 years who are on the cusp of the youth justice system. To be eligible for Turnaround a child would need to have received a level 3 anti-social behaviour warning, No Further Action, a Police Facilitated Community Resolution, a first time Youth Caution, interviewed under caution or be released under investigation or pre-charge bail for an offence.
- Turnaround uses the new Prevention and Diversion Assessment Tool to assess need and develop a support plan. Like the Compass Service, it operates using a key worker model and uses Team Around the Child or Family Meetings to review progress.

## Case Example

The case example is a 14 year-old girl who was supported by the Compass Service in 2023 - 2024.

Identified Needs	Work Completed	Outcomes
<p>A breakdown in family relationships                      Involvement in assaults with female peers                      Involvement in some thefts                      The child's needs were not fully understood                      Vulnerable to exploitation and episodes of going missing                      Not attending education</p>	<p>Parenting support                      Involvement in a family group conference                      Emotional regulation and healthy relationship sessions                      Education around exploitation                      Support and advice given for Education Health and Care Plan (EHCP)                      Support with starting new school – providing some transport.</p>	<p>Child received a diagnosis of Autism and an EHCP and was placed in a school that could meet her needs.                      Since starting at a new school that has been able to meet her needs, she is thriving there.                      Family are now spending quality time with together.                      Child has not been in trouble with the Police or been involved with disputes with her peers.                      Child has not been missing.</p>
<p><b>Feedback</b>                      Parent reported that she was appreciative of the support from Compass and how much better things have got for them. The feedback from a direct observation was that the Compass Keyworker was welcoming and flexible.</p>		



The Compass Keyworker “has built a relationship of trust, care and support with my child. She has had many professionals in her life and none of them have reached out to her like the Compass Keyworker. My child is sometimes more open with her than she is with me and you can see she is relaxed in her company. She listens with compassion and empathy and gives fantastic advice that she takes on board. The Compass Keyworker always comes with tools and resources to support my child if she is fidgety and she always follows up concerns and comes back to me if I need her to. She gives me valuable advice and guidance. If she doesn’t know or thinks another agency may have the answers, then she finds this out”

## Data

Compass - Between April 2023 and March 2024, 25 children were supported by Compass (21 male, 4 female with an average age range of 11-17 years; all 25 were White children. It is recognised that in order to address over-representation in the youth justice system, more children with Black, Asian and Ethnic minority heritages need to be offered support through Compass and other preventative services.

Turnaround - Between April 2023 and March 2024, 18 children started and were supported with an intervention on the Turnaround programme. All 18 children were male and 15 (83%) were White and 3 (17%) were from Black and Ethnic Minority backgrounds. All were aged between 11 and 16 years of age.

## 5.4 Diversion

Diversion is where children with a linked offence receive an alternative outcome that does not result in a criminal record, avoids escalation into the formal youth justice system and associated stigmatisation.

The types of diversion that are on offer in B&NES follow national guidance and includes:

- **Community Resolution (CR):** This is used when children have accepted responsibility for an offence. It is an outcome commonly delivered through, but not limited to, restorative approaches. The programme of support attached to a CR is voluntary.
- **No Further Action:** Used when Police decide not to pursue an offence because there is not enough evidence, or it is not in the public interest. Voluntary support can be offered to children to address identified needs.
- **Outcome 22 Deferred Caution:** Used when diversionary, educational or intervention activity has taken place or been offered, and it is not in the public interest to take any further action. An admission of guilt or acceptance of responsibility is not required for this outcome to be used.
- **Youth Alcohol and Drug Diversion (YADD):** This is also an Outcome 22, which can be issued specifically for offences of possession of a small quantity of drugs or drunk and disorderly. The diversion offered is a short assessment and tailored workshop intervention that focusses on drug and alcohol education and exploitation where appropriate. The Diversionary activity is delivered in partnership with DHI Project 28, and children accessing this service can be offered ongoing intervention and support after their initial session.

Children are identified for diversion when they have accepted an offence. The Police can make a single agency decision to issue a CR to children who have not had any previous outcomes.

For all other children, the Police refer children to the joint YJS and Police Out of Court Resolution Decision Making Panel. When a child is referred to this panel, they are allocated to a Youth Justice Officer and a Prevention and Diversion Assessment will be completed to inform the decision. The decision will make reference to the Child Gravity Matrix referenced above.

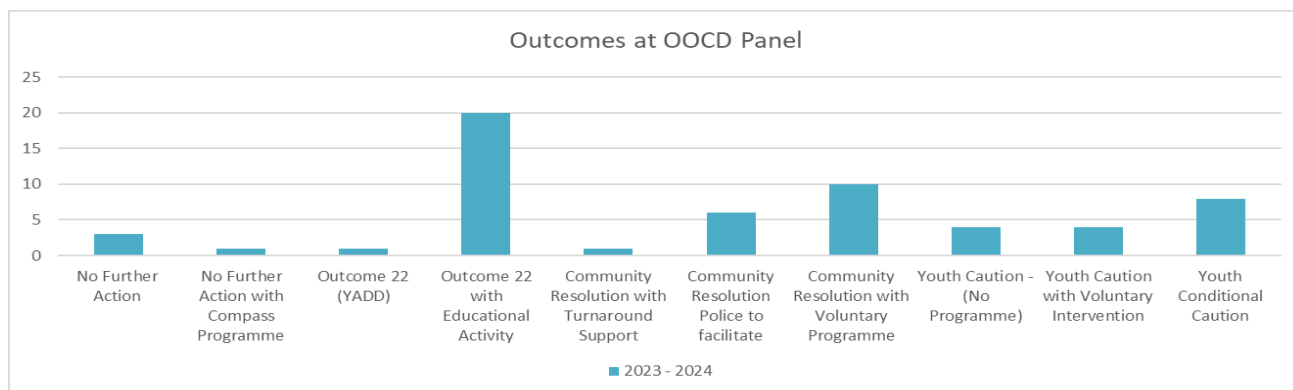
At the YJS, we see the importance of diverting children from the formal justice system where possible. This work has been prioritised in previous years, and continues to be so, and this is evident through the YJS caseloads being predominately made up of out of court work.

The Out of Court work is scrutinised by the YJS Partnership Board through an annual report. This report looks at a range of data including number and type of diversion, successful completions, gender and ethnicity and re-offending rates. OOCR work is also scrutinised through the Police and Crime Commissioner’s OOCR Scrutiny Panel and through the A&S Tactical OOCR group, mentioned above.

## Data

Between April 2023 and March 2024, 60 children received diversionary activity directly from the police. For this reporting period, there has been an increase in the number of children diverted to the Out of Court Resolution Panel. There were 58 outcomes from Panel in this reporting period, and a total of 50 individual children. In the previous reporting year, there were 47 outcomes.

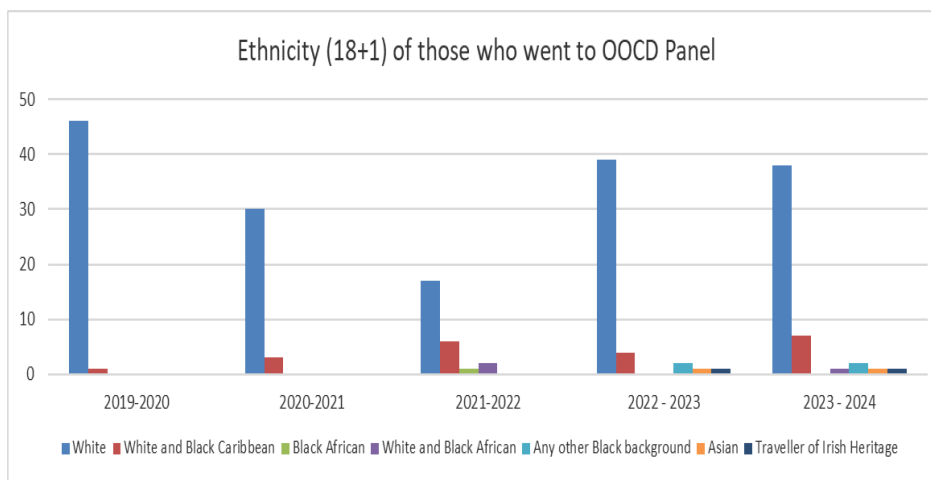
The most common outcome in 2023 to 2024 was for Outcome 22 - Deferred Caution with 20 in total (34% of outcomes). In the previous year, the most common outcome was a Community Resolution. In 2023 to 2024, 14% of children received a Youth Conditional Caution (YCC). This is an increase from the previous year where only 4% of children received a YCC. This increase is most likely explained by the implementation of the National Child Gravity Matrix, referred to earlier in the plan.



Of the 50 individual children, 66% were White and 34% were from Minority Ethnic backgrounds. Compared to the previous reporting period, the overall number of children referred to Out of Court Resolution Panel has increased and there has been an increase of 17% of children from Black and Ethnic Minority backgrounds referred to Out of Court Disposal Panel.

For the majority of these cases, children from Minority Ethnic backgrounds received the same outcome as children who are White where they had committed similar offences. Where this was not their first outcome at panel, they have received a Caution. Most received non-substantive outcomes and some had no programmes offered.





## 5.5 Education

Attendance and engagement with education, training and employment (ETE) is one of the most significant protective factors for all children in supporting them to live positive lives. B&NES YJS prioritises work with children to support them into suitable ETE. Many of the children that we work have difficulties with education that include Special Education Needs, lack of suitable provision to meet these needs, and suspension and exclusion from school.

The YJS employs an Education Officer who works closely with colleagues in the Education Inclusion Service, SEND team, Schools, Colleges, the Virtual School and the YJS. The Education Officer works directly with children and parents / carers to help them to consider their career goals, to navigate the complex world of education and advocate on their behalf in a range of forums. Each child who works with the YJS has a monthly ETE review with the Education Officer and their case manager to set, record and review related goals.

The Director for Education in B&NES sits on the YJS Partnership Board, and this year has presented reports to the Board on the work taking place to increase SEND provision in B&NES and the School's Race Equality Charter work. Both pieces of work link closely with the issues identified with this plan and are examples of activity to reduce disproportionality in B&NES.

The Education Officer prepares an annual report to the Partnership Board to ensure that Board members are aware of the issues relating to education inclusion for the children in the YJS. This year, the report is also being presented to the Schools Standards Board to ensure they are well-informed of the poor outcomes for some children in the YJS who experience school exclusion and late identification of SEN.

### School age children – information from 2022/23 academic year

- **More school age children.** In the 2022 - 2023 academic year, the YJS worked with **42** school age children. This is **twice as many** as the last academic year. As well as working with a much larger number and percentage of school age children, there have also been significant numbers of younger children (under 13 years of age) coming on to a YJS programme.
- **More children with SEN.** The majority of children that the YJS worked with in the past year have Special Educational Needs with 50% having an Education Health and Care Plan (EHCP) and 29% having an SEN support plan so **79%** in total. This is an increase from last year. We have also noticed many of the children we work with have had an EHCP issued very late in their secondary school careers, with increasing difficulties and delays in finding a special school placement in cases where a specialist placement has been agreed.

- **Low attendance is an ongoing issue.** The majority (**76%**) of school age children starting a YJS programme have low attendance in education – this is a similar figure to last academic year.
- **Marked increase in Permanent exclusions.** Over **70%** of students we have supported have had numerous suspensions and were at a high level on the school's behaviour policy and at risk of suspension or exclusion. This is a similar figure to last academic year. However, in contrast to last academic year when **3** of the children we supported had had a Permanent Exclusion, this year **12** had a Permanent Exclusion, with 3 having had two Permanent Exclusions.
- **High numbers in Alternative Learning Provision/Special schools.** High numbers of students we have supported in this period have attended special schools (**14%**) or been educated in an Alternative Learning Provision (ALP) setting (**67%**). This is a total of **81%** of the children we have supported. So only 8 (**19%**) of the children on YJS programmes were learning in a mainstream school. The quality of Alternative Education Provision is variable and some children are on very part time programmes for a long time due challenges and delays identifying a suitable special school place or a mainstream place that can meet need.

#### Post 16 young people (16 - 18 year-olds) – information from 2022/23 academic year

- **Fewer post 16s.** Although the total number of children doing a YJS programme has increased by a third in the academic year 2022 - 2023 there has been a decrease in those who are post 16. We have worked with **22** post 16 young people this academic year compared to **29** in the 2021 - 2022 academic year.
- **More children with SEN.** The trend of increasing numbers of children with an EHC Plan is also evident in our post 16 cohort, where **59%** had an EHC Plan (or a ceased EHC Plan) compared to **45%** last academic year.
- **Further Education.** **12** of our post 16 children were on a further education programme and **11** were still on their course by the end of their YJS programme. Over half (7) of the children were on the Learning4Work (L4W) programme provided by Bath College in partnership with Youth Connect South West. This programme is available for children with an EHCP and who are not ready for a mainstream course or setting. L4W is a bespoke and flexible programme with one to one key worker engagement support and a tailored part-time timetable designed around the young person's needs and situation. All the children on the programme would have been at high risk of being NEET (Not in Education Training or Employment) and 2 were able to start the programme mid-year after a period of not being in any education or training.

#### Examples of work in the YJS to improve ETE outcomes:

- Working in partnership with education providers and other support agencies to improve engagement and attendance – either via CIN or CORE groups or by convening a TAC group where no other multi-agency group is in place.

- Contributing to EHCP processes – supporting parents apply for a needs assessment, providing needs assessment reports, regular liaison and follow ups with SEND colleagues.
- Supporting children to understand their strengths and interests and make plans for the future.
- Supporting Year 11 students in making Post-16 choices and supporting them in making applications and plans for the future and providing transition support over the summer.
- High levels of face-to-face and practical support, for example, taking children to their provision, visiting new provision, supporting children apply for and enrol for post 16 courses.
- Supporting children in compiling CVs and applying for apprenticeships/jobs.
- Transitions support for young people changing schools or starting Post 16 programmes.
- Advocacy and support for children and parents in behaviour and re-integration meetings in schools.
- Improving education and training provision for young people through support and joint working with schools and SEND Team.
- Contributing to the development and extension of ALP programmes, ensuring the child and parents voice is heard.
- Supporting children and parent with understanding and navigating EHCP processes

## 5.6 Restorative Approaches and Victims

As part of the statutory duty to comply with the Code of Practice for Victims <sup>15</sup>, the Youth Justice Service has a dedicated Victim Worker (Police Officer) who is responsible for contacting victims of crime at both Out of Court Resolution stage and through the Court process. Victims are offered the opportunity to take part in a restorative justice process, either directly (face-to-face meetings) or indirectly (through 'shuttle mediation' where the Youth Justice Service acts as a go-between). In addition, they are consulted on their views of reparation for the harm caused and this may include community reparation or a letter of explanation or responsibility to the person harmed.

Indirect reparation, where children are able to give something back to the community, participate in development of services or design ways of sharing information with others, continues to be a strength in the Service. Children are not always clear what is being asked of them and a significant part of the work involves building confidence. One child helped develop a leaflet explaining reparation to others and this is now used in introductory work, and another developed a leaflet to help explain the Referral Order process. Children can build on strengths and develop new skills through undertaking reparation and that they are often proud of and affirmed by their work.

Below are some case examples of work completed in the past year for reparation and restorative approaches. All names have been altered for confidentiality.

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<sup>15</sup> <https://www.gov.uk/government/publications/the-code-of-practice-for-victims-of-crime/code-of-practice-for-victims-of-crime-in-england-and-wales-victims-code>

### Case Example from Reparation Work

- I worked with Jon for 7 months. He wasn't sure what he wanted to do at first so we agreed an appointment to paint a fence at a community centre. This activity was a great way to get to know each other and Jon talked throughout. He talked a lot about anger and how being angry gets people into trouble. We planned to make punch bags and make a leaflet to go with them about anger management. Jon made punch bags and created an information sheet about anger management to go with it and he gave these both to Youth Connect service based at Southside. Jon reflected on how managing anger in a focused positive way could have changed things for himself, it made a big difference that the leaflet he made was written from his own perspective.
- Jon talked a lot about the importance of cooking and how in his family cooking was really valued. We cooked hot food together for the food bank at Rose Cottage and Jon came to deliver the food which was received well, he had a lot of positive feedback about how much people valued having tasty hot food.
- Jon also made a power point about the process of going to court and his experience of the panel process. He presented that in his final panel, the panel members were really impressed and gave him good feedback.
- Part of Jon's feedback was that he felt really good about being able to do different things for reparation, things that meant something to him as well as others, and a chance to learn new things.

### Case Example from Restorative Justice Work

- Jake is on a Referral Order for an assault against a peer, Danny. Danny has told the YJS victim worker that the behaviour from Jake is continuing. The YJS worked with the Police, and they proposed issuing an Anti-Social Behaviour letter.
- Initially, Danny did not want to take part in any restorative justice due to the ongoing impact of the behaviour. The victim worker continued to communicate with both Danny and Jake's parent, and Jake's YJS worker and social worker to help reduce any ongoing risk. Some shuttle mediation took place between the two parents, and they have now agreed to meet up face to face.
- The benefits of this work have been there has been an olive branch extended and both parents are willing to meet face to face, to help reduce conflict between the boys.
- The shuttle mediation has so far helped both parties to think differently about each other.

## 5.7 Serious Violence, Exploitation and Contextual Safeguarding

Tackling child exploitation and reducing serious violence are priorities for strategic partnerships in B&NES.

Most of the violent offences committed by children do not reach the 'serious violence' threshold. However, there were three fatal stabbings of teenagers in 2022 and 2023 and the community have a heightened awareness of the dangers of carrying knives.

Since late 2019, B&NES has participated in the Avon and Somerset 'hub and spoke' Violence Reduction Partnership, utilising Home Office funding to undertake strategic needs assessments and agree partnership plans for addressing the issues identified and procuring some direct services.

From 31 January 2023, under the Police, Crime, Sentencing and Courts Act 2022, specified authorities including Youth Justice Services, have been required to work together to prevent and reduce serious violence. The duties include fully engaging with the relevant local partnership, sharing data, supporting the publication of a strategic needs assessment, advising in appropriate responses and assisting in the delivery of prevention and early intervention initiatives.

Locally, there is a Children's Exploitation Subgroup which reports into the Children's Safeguarding Strategic Assurance Group. There is also a Serious Violence Steering Group, chaired by the YJS Head of Service, which reports into the wider Avon and Somerset Violence Reduction Partnership and the Community Safety Delivery Group and the Exploitation Sub Group. The work adopts a public health approach to addressing serious violence, prioritising under-25s involved in public space violence with a particular focus on sharing information at a multi-agency level about individuals, networks and places of concern in order that issues can be addressed collaboratively. The Youth Justice Service has been closely involved in this work from the outset as both areas of work are led locally by the same Head of Service. The B&NES Partnership have published a strategic needs assessment<sup>16</sup>. The activity to reduce serious violence that the partnership has commissioned and co-ordinated has included detached youth work, lived experience mentors, Street Doctors Training, Night Time Economy Joint Briefings, Surrender Bins, Bleed Control Kits, Parent Knife Crime Awareness Sessions and staff training.

## 5.8 Detention in Police Custody

The youth justice partnership works to prevent children from being remanded or sentenced to custody or held overnight in Police custody wherever possible, and to challenge, understand, address and/or learn from the instances when children are detained.

The long established, multi-agency Custody Review Panel meets quarterly and reviews instances of B&NES children being detained. It undertakes multi-agency self-audits against national and local standards and guidance to ensure that legal and other agreed processes have been followed and that no opportunities to influence a different outcome have been missed. The Panel also promotes excellent standards of information sharing, assessment and planning by the Youth Justice Service and Children's Social Care so that Courts receive high quality information on which to base their remand and sentencing decisions.

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<sup>16</sup> <https://democracy.bathnes.gov.uk/documents/s80394/Serious%20Violence%20Plan%20v3.pdf>

Membership is drawn from:

- Youth Justice Service
- Police
- Children's Social Care
- Strategy and Commissioning
- Deputy Head of Safeguarding
- Emergency Duty Team

The Custody Review Panel reviews all episodes where a B&NES child was held overnight in Police custody in Avon and Somerset, whether charged or not. Police review their Custody Records to ensure that local guidance was followed and where a child was charged, they review practice against the national Concordat.<sup>17</sup> The Emergency Duty Team audit against their own guidance to ensure they were proactive in seeking placements where asked and Children's Social Care audit to ensure a detained child received a welfare visit. Identified learning is recorded and actions agreed, often including sharing the learning with colleagues to influence future practice.

## 5.9 Remands

The Custody Review Panel reviews secure remands to ensure opportunities to influence a community remand were not missed and to understand whether there are grounds for supporting a Bail application. There was one secure remands in the area during 2023-2024. The Custody Review Panel agreed that all other options for bail had been considered and extensively used prior to the court using the secure remand option.

In the coming year, the YJS Partnership and Custody Review Panel will review the HMIP Thematic Inspection with children subject to remand in youth detention<sup>18</sup> to ensure our local practices are meeting the recommendations.

## 5.10 Use of Custody and Constructive Re-settlement

Historically, and recently, B&NES has had a very small number of children who are sentenced to custody. It is positive that the custody rate is low, however, those children who are sentenced are among the most vulnerable in society and B&NES YJS and strategic partners work to avoid this as an outcome where possible.

The Custody Review Panel also reviews instances of children sentenced to custody and at high risk of a custodial sentence. Pro-active cross-agency identification of children considered to be at risk of custody in the foreseeable future leads to seeking assurance that they have a positive relationship with a professional who is supporting them:

- to keep them safe, and particularly to screen them to understand and help address any exploitation.
- to address their likelihood of offending and manage any risk they present to others.

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<sup>17</sup>

[https://assets.publishing.service.gov.uk/media/5a82211140f0b6230269afee/Concordat\\_on\\_Children\\_in\\_Custody\\_ISBN\\_Accessible.pdf](https://assets.publishing.service.gov.uk/media/5a82211140f0b6230269afee/Concordat_on_Children_in_Custody_ISBN_Accessible.pdf)

<sup>18</sup> <https://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2023/11/A-joint-thematic-inspection-of-work-with-children-subject-to-remand-in-youth-detention-v1.02.pdf>



- to retain or access suitable accommodation.
- to retain or access education, employment or training.
- where relevant, to support compliance with Court expectations.

There was one Detention and Training Order given in 2023 - 2024.

The service approach to resettlement is adapted to each child's unique situation, led by the allocated YJS Case Manager who prioritises maintaining positive relationships with the child in custody. Planning for resettlement starts at the very beginning of the sentence to ensure that any children leaving custody have access to suitable accommodation and ETE options.

B&NES YJS has an up-to-date Resettlement Policy which references YJB Case Management Guidance<sup>19</sup> and the YJB document 'How to Make Resettlement Constructive'<sup>20</sup>. It is essential that resettlement is planned at the outset of the sentence and adheres to the child first principles.

## 5.11 Working with Families

Youth Justice Service practitioners are experienced and practiced in working with the parents, carers and families of children open to the service and will provide levels of support and communication with care givers so that the child has the most chance of successfully completing their order or programme.

Support is offered through both individual work directly with parents and carers in their homes and through group work parenting programmes that are delivered by the Connecting Families team in the Local Authority.

There are 5 practitioners in Compass and the statutory YJS who are trained to deliver the accredited Family Links Parenting Programme and this knowledge is incorporated into the support we provide, as a service, to parents and carers. YJS support to parents can include mediation work, work to strengthen the relationship between care giver and child and education to parents and carers about exploitation and knife crime.

All aspects of the YJS have close links with Early Help as well as services for children open on Child in Need or Child Protection Plans and children who are Looked After. Practitioners work to ensure plans and interventions are coordinated to avoid duplication as well as not overwhelming parents and children with multiple professionals entering their lives at stressful and difficult times.

The YJS also provides a wealth of support to parents and carers in relation to education, including advocating to providers to identify and assess for educational needs, and supporting them to navigate the often-complex world of education. Please see the education section for more information on this area of work.

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<sup>19</sup> <https://www.gov.uk/government/publications/custody-and-resettlement/custody-and-resettlement-section-7-case-management-guidance>


<sup>20</sup> <https://yjresourcehub.uk/custody-and-resettlement/item/610-how-to-make-resettlement-constructive-yjb-document.html>

## 6. Sign off Submission and Approval

This Youth Justice Plan has been shared with the Youth Justice Partnership Board for review and endorsement. The Plan has been signed by the YJS Partnership Board Chair on their behalf and confirms that it covers all sections required by the Youth Justice Board.

In accordance with 'Regulation 4 of the Local Authorities (Functions and responsibilities) England Regulations 2000', Youth Justice Plans must be approved by the full council of the local authority. This Youth Justice Plan is subject to the scrutiny and approval processes of B&NES local authority.

It will be considered for approval by the Council's Cabinet on 11<sup>th</sup> July 2024 and full Council on 18<sup>th</sup> July 2024.

<b>Chair of Board</b>	Mary Kearney-Knowles, Director of Children and Education
<b>Signature</b>	
<b>Date</b>	18 <sup>th</sup> June 2024



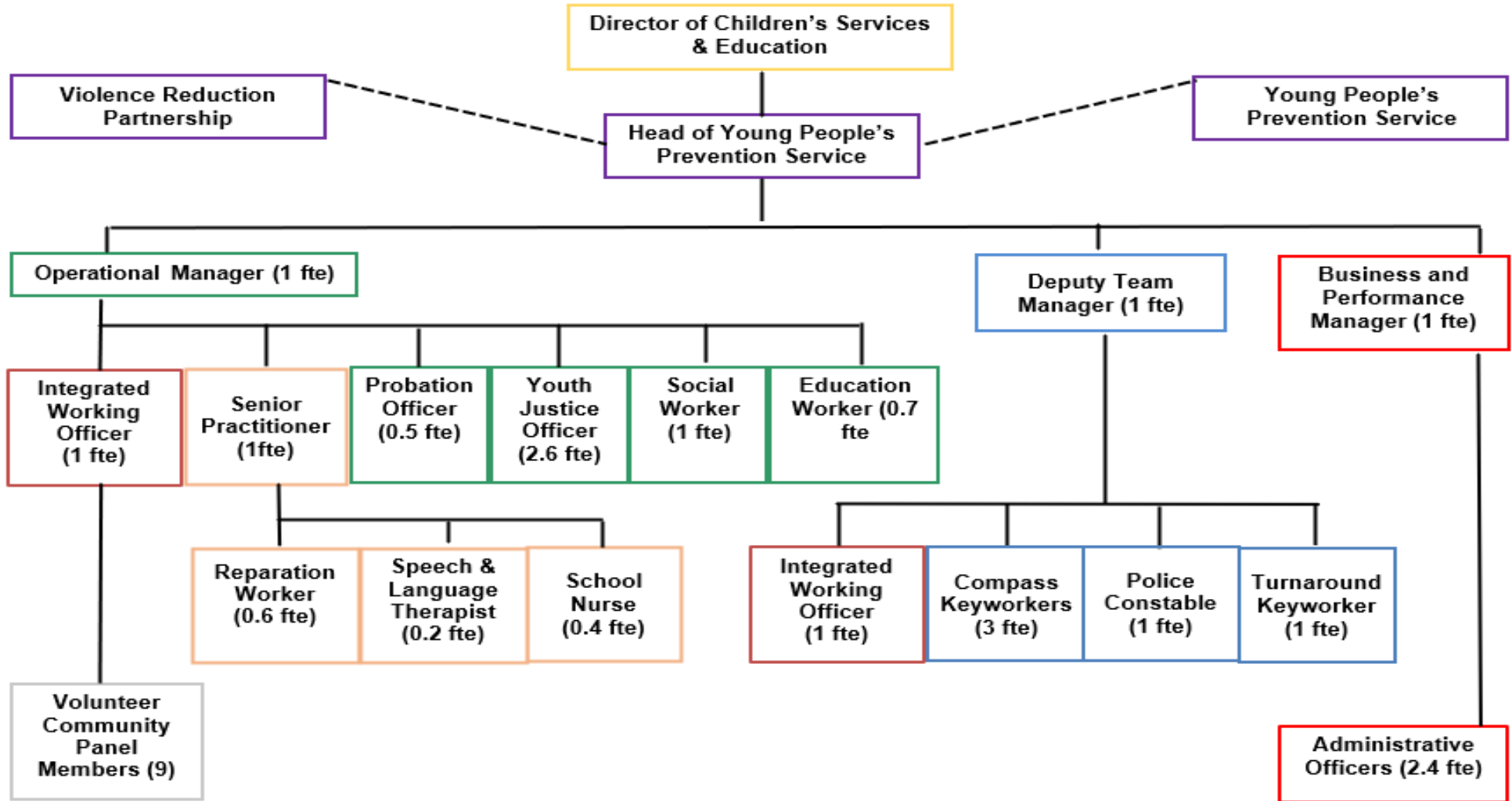
## Appendix 1: Budget Costs and Contributions for 2024 to 2025

Agency	Staffing costs	Payments in kind	Pooled budget	Total
Police	65,416	1 FTE Police Constable. Access to Police National Computer and Niche	5,000	<b>70,416</b>
Police and Crime Commissioner	10,217	Contributes to Compass preventative service. Another £7,902 goes towards commissioning substance misuse services (DHI Project 28)	N/A	<b>10,217</b>
Probation	27,016	0.5 FTE Probation Officer and 0.16 FTE Probation Service Officer	5,000	<b>32,016</b>
B&NES ICB (Health)	42,245	0.4 FTE Nurse and 0.2 FTE Speech and Language Therapist	14,885	<b>57,130</b>
B&NES Council (Education and Social Care) includes Compass	441,317	Keynsham office, HR and finance support	18,685	<b>460,002</b>
Youth Justice Board	230,904	Conformation of 2024/25 grant not yet received, so this figure is based on 2023/24.	N/A	<b>230,904</b>
Ministry of Justice (Turnaround)	55,684	Based on 50% income (27,841) already received for 24/25	N/A	<b>55,684</b>
<b>Total</b>				<b>916,369</b>

## Appendix 2: Staffing Structure

	Strategic Manager		Team Manager		Practitioner		Administrator		Sessional		Student		Volunteers		Total	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Asian or Asian British - Bangladeshi																
Asian or Asian British – Indian													1			1
Asian or Asian British - Other Asian																
Asian or Asian British - Pakistani																
Black or Black British – African					1										1	
Black or Black British – Caribbean													1		1	
Black or Black British - Other Black																
Chinese																
Mixed - Other Mixed																
Mixed - White and Asian																
Mixed - White and Black African																
Mixed - White and Black Caribbean																
Not stated																
Other Ethnic Group - Any Other																
Other Ethnic Group - Arab																
White – British		1	1	2		14		3					2	5	3	25
White - Gypsy or Irish Traveller																
White - Irish																
White - Other White						2										2
<b>Total</b>		<b>1</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>16</b>		<b>3</b>					<b>3</b>	<b>6</b>	<b>5</b>	<b>28</b>

### Youth Justice Service Organisational Chart



## Appendix 3: Progress on Priorities in Previous Plan

### Code:

Blue	Work ongoing. Some aspects are becoming business as usual and some will be carried forward into next year's work plan
Red	Needs partnership help to progress
Amber	On course for completion by 31 March or soon afterwards
Green	Completed

Strategic Priority 1: Strengthen participation			
Theme	Actions	Owner	Progress and impact
Victims' participation	Ensure victims' views about how they can participate more fully are incorporated into the updated Youth Justice Victim Policy and practice.	Deputy Team Manager	The Victim Policy has been reviewed and updated. The YJS Police Officer is offering a feedback survey to all victims who have had contact with our service. The surveys will be collated and reviewed in order to implement any initiatives as a result of the feedback received.
Parents' and carers' participation	Complete a Practice Guide for work with parents/carers across the whole Service and communicate a clear local offer to them, including the Family Links parenting course.	Senior Practitioner	Three YJS Practitioners have attended the Family Links Training course in January and February 2024. The Practice Guide for Work With Parents is to be included in a service wide Practice Guide that will be part of the Action Plan for 2024 / 26.
Children's participation	Ensure the whole Service seeks out the voices of children, including those from minority groups, and can demonstrate how it learns from them.	Senior Practitioner	The YJS routinely seeks feedback from service users, including children and parents. This feedback is collated into an annual report. The report was shared at the Partnership Board in January 2024. The next steps for this area of work are to review the questions we ask in the Feedback process to ensure they cover diversity issues and to consider setting up a particular focus group with children from minority

			<p>groups to hear their voices and support them to contribute to service improvement.</p> <p>Feedback from children and parents / carers about court is being considered by an Avon and Somerset wide group.</p>
Community participation	Recruit and train a new cohort of volunteer Referral Order Panel Members.	Operational Manager	We currently have a cohort of 9 Volunteer Panel Members, and this is sufficient for the current demand of Referral Orders. We have a new Referral Order Co-Ordinator in post who will be looking to plan a recruitment drive Summer 2024.
<b>Strategic Priority 2: Address disproportionality</b>			
<b>Action</b>	<b>Key Links</b>	<b>Owner</b>	<b>Progress</b>
Children with Black, Asian and other Minority Ethnic heritages	Progress actions in the Youth Justice Anti-Racism Plan 2023-24 (see below).	Head of Service	These actions are being progressed within the YJS, across the Local Authority and across the Avon and Somerset area and will be reported to the YJP separately.
Special Educational Needs and Disabilities	Work with Inclusion managers and the SEND Strategy Group to address disproportionality issues for children with SEND in the justice system as per the ETE Thematic HMIP report.	Heads of Youth Justice and SEN	Head of Service for Youth Justice is attending the Inclusion Board and the Suspensions and Exclusions Steering Group to address this area of disproportionality. As per the recommendations, work ongoing will include monitoring of suspensions and exclusions, attendance and levels of SEN in the YJS cohort alongside evaluating levels of engagement and attainment.

Re-Offending	Review level of support to children at the highest risk of offending in the first 3 months of their Court Order and hold quarterly reviews when a high risk of re-offending or a medium to high risk of seriousness is assessed.	Operational Manager	This work is being progressed through reviews in supervision, reviews of all cases and frequency of contact and level of support, including possible referrals to other services, are considered.
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**Strategic Priority 3: Embed Child first principles**

Action	Key Links	Owner	Progress
Early Help	Ensure the Child First principles are reflected in the values and practice of the whole Service including Compass and Turnaround.	Operational Manager	The overarching principle of B&NES YJS is Child First and this is underpinned by the YJS Values of Empower, Understand, Build Relationships and Collaborate. The values are reflected in all recruitment documents and are referenced at various points of service delivery including at Reflective Practice Meetings and through the Case Audits, ensuring that the Child First principle can be seen in all our work.
Youth Justice System	Work with the Partnership Board to promote a Child First approach throughout children's experience of the youth justice system.	Head of Service	This work is completed and becoming business as usual and includes ensuring there is a case study and Child First Theme at the start of each Board meeting. The Chair of the Youth Bench has also completed some work and a presentation to the Board demonstrating the Court's approach to Child First principle. An area to be improved is the timeliness with which children are processed through the justice system, including through Police and CPS systems, however, this work is being progressed at the Local Criminal Justice Board and is being prioritised by Police and CPS.

<b>Strategic Priority 4: Tackle Serious Violence</b>			
<b>Action</b>	<b>Key Links</b>	<b>Owner</b>	<b>Progress</b>
Serious Violence Duty	Work with the Violence Reduction Partnership to develop a strategic needs assessment and Strategy.	Head of Service	Avon and Somerset Violence Reduction Partnership have published the Strategic Needs Assessment for 2024. B&NES VRP has also published a local Plan and Strategy to Prevent and reduce Serious Violence.
Knife crime	Ensure all children in the justice system and their parents/carers have an appropriate intervention in relation to knife crime.	Operational Manager	Some practitioners in the team have been trained by the Street Doctors to deliver interventions on knife crime, first aid and safety. The YJS has held two small group workshops for children with the Street Doctors, funded by the VRP. We have 20 app licences from Street Doctors, to use one to one with children. A practitioner has completed a review of current interventions so these can be delivered to all children where appropriate. The VRP have also been delivering Knife Crime Awareness events for parents and carers across the authority.
Safeguarding reviews	Address actions identified through the (not yet published) safeguarding review following a fatal stabbing and participate in further reviews.	Operational Manager	The Review has not been published yet and is being progressed by the BCSSP.

## Anti Racism Plan Actions

### VISION

**Vision and strategy for improving outcomes for black and mixed heritage boys (HMIP 11)**

**Action plan to deliver objectives set out in YJB Business Plan (ID 21)**

Action	Intended Impact	Owner	Progress
Agree a vision statement and strapline.	Clear leadership aspirations and well understood purpose	Chair and Board	4 Board members met and created a vision statement and strapline. This was sent out to the YJS and Partnership Board for consultation and was signed off at the Board meeting on 24 <sup>th</sup> Jan 2024. B&NES Youth Justice Service Anti-Racism Vision is: To commit to being an anti-racist service. To uphold social justice and challenge inequality and racism in the actions of individuals, in services and in society. To value and celebrate diversity and promote equality of opportunity.
Add these to all relevant documents and webpage.	Ambition shared with children, families, communities and partners.	Business Manager	The vision has been added to the webpage.
Consult with children and staff and write an Anti-Racism Strategy.	Shared commitments, cross-referenced with national objectives.	Head of Service	The Plan and strategy has been completed and signed off through the Youth Justice Plan



<b>Understanding</b>			
<b>Ensure all YJS data collected, analysed and reported uses '18+1' ethnicity categories</b>			
<b>Analyse offence outcomes data by offence type and ethnicity groups (ID 20) and diversion schemes by ethnicity (ID 25)</b>			
<b>Action</b>	<b>Intended Impact</b>	<b>Owner</b>	<b>Progress</b>
Support staff to listen to children to understand how they identify and ensure records are accurate.	Children are supported to reflect on their identity and records are as accurate as possible.	Operational Manager	All children are asked how they identify, and this is recorded on the case management system.
Include 18+1 data in all reports to the Partnership Board.	Quantify disproportionality and make direct comparisons.	Business and Performance Manager	All YJS performance reports include the 18+1 categories.
<b>Workforce</b>			
<b>Make sure staff understand what is expected of them in their work with black and mixed heritage boys and that they are inducted, trained and supported to work effectively with this group of children (HMIP 15)</b>			
<b>Work with B&amp;NES and statutory partners to baseline the 'HR life-cycle' across ethnicity groups (ID 79)</b>			
<b>Action</b>	<b>Intended Impact</b>	<b>Owner</b>	<b>Progress</b>
Work with members of Partnership Board to apply learning from staff experience.	Ensure Youth Justice Service treats and develops staff fairly.	Head of Service	The Human Resources and Workforce Development Pillar of the Identifying Disproportionality Report are progressing these actions and work will continue into the coming year.
Continue to explore ways of attracting a more representative workforce, including volunteers.	A workforce that better represents children and reflects the community in which they live.	Operational Manager	The Human Resources and Workforce Development Pillar of the Identifying Disproportionality Report are progressing these actions. The wider local authority Equalities Strategy is also considering ways to attract a more representative workforce. Work will continue into the coming year.

Support staff participation in Council Equalities Groups.	Staff feel connected and know how to contribute to wider change.	Operational Manager	The Human Resources and Workforce Development Pillar of the Identifying Disproportionality Report are progressing these actions. All staff are undertaking equalities training as part of their induction and are made aware of equalities groups.
Procure and ensure delivery of cultural competency and unconscious bias training, ensuring this is relevant to all staff.	Staff understand and recognise disproportionality and have skills to discuss race and racism with children.  They acknowledge positions of power and privilege and utilise systemic tools such as social GRACES (link)	Operational Manager	2 day Cultural Competence Training commissioned and delivered in summer 2023 to all YJS staff from SARI.

**Representation**

**Ensure we work in buildings and with services where there are positive, representative images of children and adults on noticeboards and in any materials used, including videos and games.**

Action	Intended Impact	Owner	Progress
Review our office environment and resources to ensure inclusive imagery.	Children see themselves represented and included.	Operational Manager	Much work has been done this year to improve the environment of our Broad Street office to include positive imagery and create a child friendly environment. This has included posters from Black History month and posters created by young people themselves. This work is ongoing and the Reparation and Participation worker will continue to lead in this area.

**Participation**

**Establish effective processes for gaining feedback from black and mixed heritage boys on the services they receive and use this feedback to assess, review and improve the quality and suitability of service provision (HMI 14)**

Action	Intended Impact	Owner	Progress
Ensure we hear the voices of all children with Black, Asian and Minority Ethnic heritages and respond positively.	We understand and affirm lived experience and address specific needs and all children get the services they need to support positive outcomes.	Senior Practitioner	The YJS routinely seeks feedback from service users, including children and parents. This feedback is collated into an annual report. The report was shared at the Partnership Board in January 2024. The next steps for this area of work are to review the questions we ask in the Feedback process to ensure they cover diversity issues and to consider setting up a particular focus group with children from minority groups to hear their voices and support them to contribute to service improvement.

**Criminal Justice Process**

**Collaborate with all relevant partners to identify and tackle any disproportionality through each stage of the youth justice process (ID 24)**

**Agree with A&S Youth Justice Services and Education Inclusion colleagues about how best to scrutinise and tackle links between exclusion and entry into the youth justice system (ID 19)**

**Collect and scrutinise school exclusion data and develop a strategy and action plan to tackle any disproportionality. Include a focus on any links with entry into the youth justice system (ID 16, 17, 18 and 19)**

Action	Intended Impact	Owner	Progress
Actively support work led by Chief Constable and participate in specific work group(s) as advised.	Identify and address disproportionality.	Head of Service	The YJS is participating in the Avon and Somerset wide Youth Pillar and contributing to some aspects of the Policing Pillar. Other LA departments are participating in the Workforce Development and Data Insights Pillars.
Work with peers in the Avon and Somerset Youth Group and the Education Inclusion Co-ordinator to agree approach and methodology.	Understand best times and ways to intervene, in keeping with B&NES Early Help Strategy.	Operational Manager	The Head of the Virtual School has joined the Youth Pillar work to ensure the education related recommendations are progressed in BaNES. This work will continue in the coming year.
Support Education Inclusion colleagues in undertaking this work.	Address concern about links between exclusion and routes into offending, including through exploitation.	Business and Performance Manager & Education Worker	As above
<b>Service Delivery</b>			
Action	Intended Impact	Owner	Progress
<b>Management Oversight - improve the quality of management oversight to make sure it is sufficiently focused on diversity and what this means in practice and that there are clear escalation routes to address any barriers to black and mixed heritage boys accessing the services they need (HMIP 16)</b>			
a. Add a section in the local Out of Court Resolution assessment tool on personal and social identity.	A Child First focus on individual children.	Operational Manager	This is complete and is being well used. Diversity issues are now considered in every OOCR report.

b. Update the Pre Sentence Report Quality Assurance checklist to ensure a focus on individual characteristics and re-order this and the template itself to be Child First.	A Child First focus on individual children.	Operational Manager	The template and QA form have been updated accordingly.
c. Include a focus on race in pan-Authority audits.	A Child First focus on individual children.	Operational Manager	The pan authority audits did not take place as planned in 2023, and this will be carried forward into the next year plan.
d. Use revised Council Equalities Impact Assessment template for impact assessing significant reports and policies.	Ensure that the management oversight is focused on diversity.	Youth Justice Manager Group	The Equalities Impact Assessment will be used for any significant future policies and reports.
e. Revisit how we use diversity and equalities agenda items in staff Supervision.	Ensure that the management oversight is focused on diversity.	Youth Justice Manager Group	Social GRACES are included in supervision conversations relating to children and families and evidenced in supervision notes and on the child's case record. Equalities is also an agenda item on the Manager's meetings.

**Targets - Partnership Board to have a joint set of partnership targets, for example with schools and children's services, for improving service delivery to black and mixed heritage boys, and make sure mechanisms are in place to track, monitor and evaluate outcomes (HMIP 13)**

Action	Intended Impact	Owner	Progress
Consult with Partnership Board and ask for a member to lead this piece of work.	Strategic ownership of this issue; all children's education needs are met.	Chair of Board	BaNES has a School's Race Equalities Charter and many schools have signed up. There is a multi-agency group, chaired by the Education Representative of the Partnership Board that is set up to monitor and tackle Disproportionality and a Race Equality Task force that is designed to improve service delivery for minority ethnic groups. The YJS is represented at both groups.

**Gaps in Provision - address gaps in specialist provision for black and mixed heritage boys, either by delivering it in-house or by commissioning it from appropriate local community organisations and evaluate referral and uptake rates for the services provided (HMIP 17)**

Action	Intended Impact	Owner	Progress
Consult with staff, children and families to identify gaps and bring to attention of commissioners; Agree how the effectiveness of provision will be evaluated.	All children's needs are met, not necessarily by the Youth Justice Service, but we ensure there is provision in place.	Senior Practitioner	There are plans to set up a particular focus group with children from minority groups to hear their voices and support them to contribute to service improvement. This work will continue into the coming year and will also include Black Families Education Service.

**Parents and Carers - offer suitable and appropriate support and intervention to the parents and/or carers of black and mixed heritage boys and regularly review the uptake and suitability of this provision (HMIP 18)**

Action	Intended Impact	Owner	Progress
a. Ensure children and parents/carers receive written information about the justice system and resources available to support them at the outset of their contact.	Parents/carers are empowered with information and skills to support their children through complex systems.	Operational Manager	This action is being completed jointly with other Avon and Somerset YJS's as part of the OOCR Tactical group to ensure consistency across the area and aims to be completed later in the Spring 2024. The leaflet has been drafted and children and young people are being consulted on its contents.
b. Support access to Talking Teens parenting programmes.	Parents/carers are empowered with information and skills to support their children through complex systems.	Operational Manager	Three YJS Practitioners have attended the Family Links Training course in January and February 2024. These practitioners will contribute to the delivery of the programme across BaNES and support parents with access.

**Accommodation - Provide suitable and timely accommodation placements and support packages for black and mixed heritage boys who are facing remand or being released from custody (HMIP 8) and make sure that, where children and families are moved to a new location as a result of concerns about their safety, the accommodation and placements provided are suitable and sustainable to meet their needs (HMIP 9)**

Action	Intended Impact	Owner	Progress
<p>Work with the Placements Team and Housing Team to promote the needs of individual children and use our learning about how to make children more at home when they first arrive.</p>	<p>Placements provided are suitable and sustainable to meet their needs, when they need them.</p>	<p>Operational Manager</p>	<p>The Placements Team continue to participate in the Custody Review Panel. If a placement has been required to prevent a remand to custody, the placements team have been able to find a suitable alternative and are incredibly responsive in doing so. The YJS has supported Social Care to promote the individual needs of children where care placements have been sought.</p>

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<b>Bath &amp; North East Somerset Council</b>		
MEETING:	<b>Council</b>	
DATE:	<b>18<sup>th</sup> July</b>	
TITLE:	<b>Standards Committee Annual report 2023- 2024</b>	
WARD:	All	
<b>AN OPEN PUBLIC ITEM</b>		
<b>List of attachments to this report:</b>		
Appendix 1 Standards Committee Annual report 2022-2023		

**1 THE ISSUE**

1.1 To consider the Standards Committee Annual report.

**2 RECOMMENDATION**

**The Council is asked to;**

2.1 Note the work of the Standards Committee as set out in the Annual report (Appendix 1) since the last report was sent to the Standards Committee 17 October 2023.

**3 THE REPORT**

3.1 The Standards Committee is responsible for the promotion of ethical standards within the Authority, helping to secure adherence to the Members' Code of Conduct, monitoring the operation of the Code within Bath & North East Somerset Council, conducting hearings following investigation, and determining complaints made against Councillors in respect of alleged breaches of the Code of Conduct.

3.2 The Standards Committee agreed it would provide an annual report to the Council summarising the work of the Committee over the previous year.

#### **4 STATUTORY CONSIDERATIONS**

4.1 The Standards Committee is not required to produce an annual report; however, it is good practice to do so.

#### **5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

5.1 No direct implications.

#### **6 RISK MANAGEMENT**

6.1 Adherence to robust standards of conduct mitigates potential complaints about standards issues. A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

#### **7. EQUALITIES**

6.1 No direct impact.

#### **8 CLIMATE CHANGE**

8.1 No direct impact.

#### **9 OTHER OPTIONS CONSIDERED**

9.1 None.

#### **10. CONSULTATION**

10.1 The Monitoring Officer has been consulted.

<b>Contact person</b>	Michael Hewitt, Monitoring Officer (Acting) Michael_Hewitt@bathnes.gov.uk
<b>Background papers</b>	None
<b>Please contact the report author if you need to access this report in an alternative format</b>	

APPENDIX 1

# **Standards Committee**

## **Annual Report 2023-2024**

**Chair's Foreword**



The Standards Committee fulfils a most important role for Bath and North East Somerset Council and for the Parish and Town Councils within its area. The Committee members are all volunteers: some are Unitary Councillors; some are Parish or Town Councillors drawn from Parish or Town Councils in the Bath and North East Somerset Council area, whose nominations are facilitated by Avon Local Councils Association, and some are Independent Members, being independent members of the public. In addition, as legally required, the Authority appoints an 'Independent Person', to work alongside the Standards Committee and Monitoring Officer.

All committee members have given willingly and generously of their time and talents in approaching issues most thoughtfully and constructively.

The following detailed report shows the range of matters within the scope of the Standards Committee. In the past year, since July 2023 there have been:

- i. 10 matters raised: of which 8 initial assessments required 'no further action' to be undertaken.
- ii. The remaining matters are currently being investigated.

To put these figures in context, the Standards Committee has within its purview, the unitary authority and 45 Parish and Town Councils: in total over 500 councillors.

In Bath and North East Somerset, the Standards Committee has two Independent Persons: Tony Drew, Roger Morris and in this authority, the Committee is co-chaired by an Independent Member. Since elections in May 2023, a Bath and North East Somerset Councillor has been appointed as co-chair in order to present reports to the Council. I am most grateful to all my colleagues for their help and support and wish to highlight the exceptional commitment of the Independent Persons, Tony Drew and Roger Morris who both provide such valuable service to the standards regime.

Furthermore, I commend the Monitoring Officer Michael Hewitt and his officers for their most professional and successful operation of the Standards regime.

During the year, Shaine Lewis retired as Legal Services Manager and Deputy Monitoring Officer and I pay tribute to his commitment and professionalism in his role and advising the Committee as required. Donna Marks has now joined as Legal Services Manager & Deputy Monitoring Officer and has been in public services since 1998 and I welcome Donna to the Role. In October 2023, Dr Cyril Davies retired as an Independent Member and I wish to take this opportunity to thank him for his many years of service and support for the Standards Committee .

**Dr Axel Palmer**  
**Co-Chair of the Standards Committee**

## 1. Introduction

The Standards Committee has agreed that it will submit an annual report summarising the work the Committee has carried out during the previous year for the consideration of Council. This report comprises the Annual Review covering the period 1 April 2023 to 31 March 2024, together with background information regarding the standards regime established within Bath & North East Somerset Council. All references to 2023-24 in the report refer to this time period.

### The Standards Committee

The Standards Committee is responsible for the promotion of ethical standards within the Council, helping to secure adherence to the Code; monitoring the operation of the Code; conducting hearings following investigation and determining complaints made under the Code. The Standards Committee's terms of reference are set out in the Council's Constitution in Part 2, Responsibility for Functions. The Committee conducts proceedings using the Authority's Local Arrangements for dealing with complaints under the Code of Conduct for Members updated in 2022. The Committee is also responsible for granting dispensations to Members.

Where a Final Report from an Investigating Officer recommends a finding that there has been a breach of the Code, the Committee undertakes a hearing in accordance with the Council's Local Arrangements for dealing with complaints under the Code. The Committee will determine the facts, whether there has been a breach and if so any sanction. It can also make recommendations to Council.

### The Monitoring Officer

The Monitoring Officer is responsible for promoting and maintaining high standards of conduct and for reporting any actual or potential breaches of the law and maladministration to the full Council and/or to the Cabinet (as set out in s.5 (1) of the Local Government and Housing Act 1989).

The Monitoring Officer and their team administer the local arrangements for addressing complaints made under the Code of Conduct. This includes the assessment of every complaint received under the Code of Conduct. Following consideration and consultation with one of the Authority's Independent Persons and Chair of the Standards Committee, the Monitoring Officer decides whether the complaint will be investigated. The decision will be based on whether the allegation, if proved, would constitute a failure to observe the Code of Conduct and the application of the Council's adopted assessment criteria. The Monitoring Officer may also consider that a complaint can be reasonably resolved informally and will discuss this option with the complainant and subject member where appropriate. **Annex 1** attached to this Report sets out the process that is followed when investigating a complaint under the Code.

### Independent Persons

The Council has appointed two Independent Persons who are invited to attend all meetings of the Standards Committee. One of the Independent Persons must be consulted by the Council before it decides on a matter that has been referred to it for investigation; they can also be consulted by the Council in respect of a code of conduct complaint at any other stage; and the

other Independent Person can also be consulted by a member or co-opted member of the Council against whom a complaint has been made. It has been emphasised that the involvement and consultation of the Independent Person is important at all stages.

## **Standards Committee Membership**

In 2022/23 the Standards Committee comprised the following Members:

Councillors Paul Crossley, Sally Davis, Duncan Hounsell, Michelle O'Doherty, June Player.  
Parish Councillors Kathy Thomas (plus 2 vacancies).  
Independent Members Dr Axel Palmer (Chair), Dr Cyril Davies, Sophie Sidonio (appointed March 2022).

Following elections on 4 May 2023 the Standards Committee is comprised as follows:

Councillor Michelle O'Doherty  
Councillor June Player  
Councillor Alan Hale  
Councillor Toby Simon (appointed Co-Chair)  
[Vacancy]

Independent Members – Dr Axel Palmer [Co-Chair],  
Sophie Sidonio, [Vacancy]  
Parish Councillors – Councillor Kathy Thomas,  
Councillor Kate Skelton,  
Councillor Ronald Hopkins

## **2. The Authority's Independent Persons**

The Authority's Independent Persons are Tony Drew and Roger Morris who are non-voting observers of the Standards Committee. The Council also has access to a reserve Independent Person through informal arrangements with neighbouring local authorities.

## **3. Training for Standards Committee Members and Independent Persons**

Initial and refresher training on the duties and responsibilities of members serving on the Standards Committee of the Authority is important to ensure the probity and credibility of the Authority's decision-making processes. Members are required to undertake basic training through the Authority's member induction programme, on election or re-election, and this is refreshed annually, before they can serve on the Standards Committee. Training is also provided for the Independent Persons appointed by the Authority in order to ensure they are able to carry out their role.

Half day training sessions, were held jointly with the Avon Fire Authority, on the Local Government Association Model Code of Conduct for Members (adopted by BANES in 2021) provided on:

- 30 October 2023 between 10:00 -12:30 in person at Keynsham Civic Centre
- 15 November 2023 between 17:00 – 19:30 online via Zoom/Teams

A training session for Standards Committee Members on Holding Effective Hearings is to be arranged and delivered by the Monitoring Officer and the Legal Services Manager later this year.

## 5. Review of Standards Committee Work Programme and Action Plan for 2023/24

The Standards Committee’s Work Programme/Action Plan for 2023/24 is attached at **Annex 2**. The Committee met on 3 occasions this year [including the 24<sup>th</sup> April 2024] and at each meeting the Committee monitored its Work Plan and noted the current position with complaints using the Complaints Tracker.

## 6. Committee Meetings and foremost workstreams

At the start of each year the Standards Committee agrees its Work Programme/Action Plan for the year, which is then monitored at meetings throughout the year. Standard Committee sessions are scheduled every 2 months in advance. If not required, these are cancelled. The Standards Committee met on:

Tuesday 4 <sup>th</sup> July 2023 at 5pm - (Kaposvar Room)
Tuesday 17 <sup>th</sup> October 2023 at 5pm - (Kaposvar Room)
Tuesday 23 <sup>rd</sup> January 2024 at 5pm - (Kaposvar Room)
<b>CANCELLED</b>
Tuesday 23 <sup>rd</sup> April 2024 at 5pm – (Kaposvar Room)

The following dates are pre-arranged up until 2025

Date of Despatch	Date of Standards Committee
Monday 8 <sup>th</sup> July	Tuesday 16 <sup>th</sup> July 2024 at 5pm (Kaposvar Room)
Monday 7 <sup>th</sup> October	Tuesday 15 <sup>th</sup> October 2024 at 5pm (Kaposvar Room)
Monday 13 <sup>th</sup> January	Tuesday 21 <sup>st</sup> January 2025 at 5pm (Kaposvar Room)
Monday 14 <sup>th</sup> April	Tuesday 22 <sup>nd</sup> April 2025 at 5pm (Kaposvar Room)
Monday 7 <sup>th</sup> July	Tuesday 15 <sup>th</sup> July 2025 at 5pm (Kaposvar Room)
Monday 6 <sup>th</sup> October	Tuesday 14 <sup>th</sup> October 2025 at 5pm (Kaposvar Room)

## 7. Progress on the Work that the Committee has undertaken since July 2023

Since the election in May 2023 the new Committee has been trained on the code of conduct. There is a continued need to ensure proper training is in place and embedded. Training will be

delivered for Standards Committee Members on Holding Effective Hearings and this is to be arranged and delivered by the Monitoring Officer and the Legal Services Manager later this year.

There has been a consistent approach to how investigations are handled in accordance with the Code of Conduct which has enabled better management of complaints. To assist with the governance of dealing with Complaints an additional process for 'Conflict of Interest Checks' will be undertaken before the Independent Person is appointed in any complaint.

Continued 'horizon scanning' with neighbouring authorities is undertaken to seek to understand the types of complaint[s] being raised and to address this in further training with a focus on:

- Lessons-learned or good practice reports from other local authorities
- Monitoring impact on Councillors' that may be subject to threats and if necessary the ability to withdraw details from the register if councillor[s] are harassed by the public to protect their home address and placing safeguards for sensitive information

## 8. Complaints under the Code of Conduct for Members and Co-opted Members for the last 5 years

### i. Complaints by complainant

Type of complainant	2019/20	2020/21	2021/22	2022/23	2023/2024	Total
<b>BaNES Councillor</b>	0	1	4	4	1	<b>10</b>
<b>Parish / Town Councillor</b>	2	1	0	0	1	<b>4</b>
<b>Member of the public</b>	5	13	13	11	8	<b>50</b>
<b>Council Officer</b>	0	0	1	0	0	<b>1</b>
<b>Parish Clerk</b>	0	1	0	0	0	<b>1</b>
<b>Total</b>	<b>7</b>	<b>16</b>	<b>18</b>	<b>15</b>	<b>10</b>	<b>66</b>

### ii. Complaints by subject member

Subject of the complaint	2019/20	2020/21	2021/22	2022/23	2023/2024	Total



<b>BANES Councillor</b>	0	5	13	14	4	<b>36</b>
<b>Parish / Town Councillor</b>	7	11	5	1	6	<b>30</b>
<b>Total</b>	<b>7</b>	<b>16</b>	<b>18</b>	<b>15</b>	<b>10</b>	<b>66</b>

iii. **Complaints by type**

Type of complaint	2022/23	2023/2024	Total
1. Respect	6	1	7
2. Bullying Harassment, discrimination	6	0	6
3. Compromising Impartiality	0	0	0
4. Dealing with Information	0	1	1
5. Disrepute	5	2	7
6. Improper use of position	0	4	4
7. Improper use of resources	0	1	1
8. Co-operating with Code of Conduct	0	2	2
9. Registering/disclosing Interests	3	0	3
10. Gifts & Hospitality	0	0	0
<b>Total</b>	<b>20</b>	<b>11</b>	<b>31</b>

**Note:** A complainant may make several types of complaint about a councillor.

iv. Initial Assessments

Local Assessment Decisions	2019/20	2020/21	2021/22	2022/23	2023/24	Total
No Further Action/no breach	5	11	11	10	8	45
Informal Resolution	1	2	2	0	0	5
Referred for Investigation	0	0	1	0	0	1
Ongoing	0	0	1	0	2	3
Withdrawn/rejected	1	3	3	5	0	12
<b>Total</b>	<b>7</b>	<b>16</b>	<b>18</b>	<b>15</b>	<b>10</b>	<b>66</b>

v. Outcome of complaints

Outcomes	2019/20	2020/21	2021/22	2022/23	2023/2024	Total
Other Action	2	1	0	0	0	3
Ongoing	0	0	0	0	2	2
Apology	0	1	0	0	0	1
No Action Required	5	0	0	7	8	20
Withdrawn/rejected	0	3	0	5	0	8
Breach	0	0	0	1	0	1
No Breach	0	11	18	2	0	31
<b>Total</b>	<b>7</b>	<b>16</b>	<b>18</b>	<b>15</b>	<b>10</b>	<b>66</b>

A case tracker in spreadsheet format is attached to this Report and is referred to as **Annex 3**

## **9. Conclusion**

The Committee has dealt with a variety of matters in the past year and aims to continue to develop and maintain the Council's ethical governance framework for the benefit of the Authority and ultimately local people. The Committee is looking forward to the next year.

**ANNEX 1 – ATTACHED TO THIS REPORT**

**BATH AND NORTH EAST SOMERSET COUNCIL  
ARRANGEMENTS FOR DEALING WITH COMPLAINTS ABOUT THE CODE OF CONDUCT FOR  
MEMBERS –JULY 2022**

**ANNEX 2**

**STANDARDS COMMITTEE WORKPLAN**

Report title	Report author
<p><i>Tuesday 23<sup>rd</sup> January 2024 5pm</i></p> <p><b>CANCELLED</b></p>	
<p><i>Tuesday 23<sup>rd</sup> April 2024 5pm</i></p>	
<p>Review of Council Complaints</p> <p>Annual report of the Standards Committee</p>	<p>Michael Hewitt</p>
<p><i>Tuesday 16<sup>th</sup> July 2024 5pm</i></p>	
<p><i>Tuesday 15<sup>th</sup> October 2024 5pm</i></p>	
<p>Annual LGSCO report</p>	<p>David Langman</p>

**To be considered -**

**Every meeting -** Report on the assessment of complaints  
Workplan



**ANNEX 3**

**CASE TRACKER ATTACHED TO THIS REPORT**

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## **BATH AND NORTH EAST SOMERSET COUNCIL**

### **ARRANGEMENTS FOR DEALING WITH COMPLAINTS ABOUT THE CODE OF CONDUCT FOR MEMBERS –JULY 2022**

#### **1. Introduction**

- 1.1 Under the Localism Act 2011, the Bath, and North East Somerset Council (“the Council”) must have in place “Arrangements” under which allegations that a member or co-opted member of the Council, or of a committee or Sub-Committee of the Council, has failed to comply with the Code of Conduct for Members (“the Code”) can be investigated and decisions made on such allegations.
- 1.2 Principal councils such as Bath and North East Somerset Council are also required by law to have arrangements in place to investigate and determine code of conduct complaints against councillors of a town or parish council in the district in relation to any allegation of a breach of the code adopted by that body.
- 1.3 These “Arrangements” set out how you may make a complaint that an elected or co-opted member of the Council or a Town or Parish Council has failed to comply with the Code and sets out how the Council will deal with such allegations.
- 1.4 The person making the complaint will be referred to as the “Complainant” and the person against whom the complaint is made will be referred to as the “Subject Member”.
- 1.5 No Member or officer will participate in any stage of the Arrangements if they have, or may have, any personal conflict of interest in the matter.
- 1.6 These Arrangements provide for the Council to appoint at least one Independent Person, whose views must be sought before it takes a decision on an allegation which it has decided shall be investigated, and whose views can be sought by the Council at any other stage, or by a member or co-opted member against whom an allegation has been made.

#### **2. The Code**

- 2.1 The Code was adopted by the Council in May 2021 and is available on the Council's website. A paper copy of the Code is available on written request to the Standards Committee Clerk, Bath and North East Somerset Council, Lewis House, Manvers Street, Bath BA1 1JG.
- 2.2 Each Parish/Town Council is also required to adopt a Code of Conduct, which can be requested from the Parish/Town Council Clerk, or which may be available via their website if they have one.

#### **3. Making a complaint**

- 3.1 A complaint must be made in writing by post or email to: -

The Monitoring Officer  
Bath and North East Somerset Council  
Guildhall

High Street  
Bath  
BA1 5AW

OR

[Councillor-Complaints@bathnes.gov.uk](mailto:Councillor-Complaints@bathnes.gov.uk)

- 3.2 The standard complaint form should be used. This can be obtained from the Monitoring Officer or downloaded from the Council's website in order that all required information is included.
- 3.3 The Monitoring Officer is a senior officer of the Council who has statutory responsibility for maintaining the register of members' interests and who is responsible for administering these arrangements.
- 3.4 The Monitoring Officer will normally acknowledge receipt of the complaint within 5 working days of receiving it and, at the same time, write to the Subject Member with details of the allegations (subject to any representations from the Complainant on confidentiality, which are accepted as valid by the Monitoring Officer). The Subject Member will, where possible, have access to an Independent Person to offer an impartial view to assist them in responding to the complaint. That Independent Person will not be the same Independent Person assisting the Monitoring Officer.
- 3.5 The Subject Member may, within 10 working days of receipt, make written representations to the Monitoring Officer which must be considered when deciding how the complaint will be dealt with. Representations received after this time may be considered, at the discretion of the Monitoring Officer, but will in any event not be considered after the Monitoring Officer has issued the Complaint Initial Assessment.

#### **4. Confidentiality**

- 4.1 If a Complainant has asked for their identity to be withheld, this request will be considered by the Monitoring Officer at the Complaint Initial Assessment stage.
- 4.2 As a matter of fairness and natural justice, the Subject Member should usually be told who has complained about them and receive details of the complaint. In exceptional circumstances, however, the Monitoring Officer may, at the request of the Complainant and supported by evidence, withhold the Complainant's identity provided the Monitoring Officer is satisfied that the Complainant has reasonable grounds for believing that they (or any witness to the facts of the complaint) may be at real risk of physical harm. Further, that their employment may be at risk or medical evidence suggests there are medical risks associated should their identity be disclosed.
- 4.3 If the Monitoring Officer decides to refuse a request by a Complainant for confidentiality, the Complainant will be offered the option to withdraw the complaint rather than proceed with his or her identity being disclosed.

#### **5. Will the complaint be investigated?**

- 5.1 Whilst complainants must be confident that complaints are taken seriously and dealt with appropriately, investigating a complaint involves spending public money as well as the cost of officer and Member time. The Council, therefore, adopts a proportionate approach having regard to all the circumstances and bearing in mind the sanctions which can be imposed if a Subject Member is found to be in breach of the Code. Ultimately the performance of Members in terms of how they represent their Wards is a matter for the electorate to decide should a Subject Member seek re-election.
- 5.2 The Monitoring Officer will review the complaint and, after consultation with the Independent Person and Independent Chair, take one of three decisions:
  - 5.2.1 Take no action
  - 5.2.2 Seek to resolve the complaint informally
  - 5.2.3 Refer the complaint for investigation.
- 5.3 A decision will normally be taken within 20 working days of receipt of a complaint.
- 5.4 A complaint will normally be rejected if:
  - 5.4.1 It is not against one or more named Members or co-opted Members of Council or a Town/Parish Council within the Council's area.
  - 5.4.2 The Subject Member was not in office at the time of the alleged conduct/or a Code of Conduct was not in force at the time.
  - 5.4.3 The complaint, if proven, would not be a breach of the Code of Conduct under which the Subject Member was operating at the time of the alleged misconduct.
- 5.5 If appropriate, the Monitoring Officer will then go on to apply the following criteria in deciding whether a complaint should be investigated, dealt with informally, or take no action:
  - 5.5.1 Whether a substantially similar allegation has previously been made by the Complainant to the Standards Committee, or the complaint has been subject of an investigation by another regulatory authority.
  - 5.5.2 Whether the complaint is about something that happened over 6 months ago as those involved are unlikely to remember it clearly enough to provide credible evidence, or where the lapse of time means there would be little benefit or point in acting now.
  - 5.5.3 Whether the allegation is anonymous.
  - 5.5.4 Whether the allegation discloses a potential breach of the Code of Conduct, but the complaint is not serious enough to merit any action and: -
    - 5.5.4.1 The resources needed to investigate and determine the complaint are wholly disproportionate to the allegations.
    - 5.5.4.2 Whether, in all the circumstances, there is no overriding public benefit in carrying out an investigation.
  - 5.5.5 Whether the complaint appears to be malicious, vexatious, politically motivated, or tit-for-tat.

5.5.6 Whether the complaint suggests that there is a wider problem throughout the authority.

5.5.7 Whether it is apparent that the subject of the allegation has apologised for making an error and the matter would not warrant a more serious sanction.

5.5.8 Whether training or conciliation would be the appropriate response.

5.6 The Monitoring Officer may require additional information to assist them in reaching a decision and may request additional information from the Subject Member. Where the complaint relates to Town/Parish Councillor, the Monitoring Officer will inform and may also seek information from the Clerk of the Town/Parish Council.

5.7 In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for an investigation. Such informal resolution may involve the Subject Member accepting that their conduct was unacceptable and offering an apology or taking other steps. Where the Subject Member or the authority (in appropriate cases) make a reasonable offer of local resolution, but it is rejected by the Complainant, the Monitoring Officer will take account of this in deciding whether the complaint merits further investigation.

5.8 If the complaint identifies criminal conduct or breach of other regulation by any person, the Monitoring Officer will refer the matter to the police and other regulatory agencies.

5.9 Both the Complainant and Subject Member will be notified by way of an Initial Assessment Notice.

## **6. Further Investigation**

6.1 If the Monitoring Officer decides that a complaint merits further investigation they may conduct the investigation themselves although an investigating officer will normally be appointed who may be another senior officer of the Council, an officer of another Council or an external investigator (“the Investigating Officer”).

6.2 The Investigating Officer will write to the Subject Member and Complainant to provide them with a copy of the complaint and ask them to provide their explanation of events and details of any supporting documentation or witness they may wish to rely on. The Investigating Officer will decide whether they wish to interview the parties and what, if any, supporting information is taken in to account.

6.3 Where the Monitoring Officer has decided to keep an identity confidential the names and addresses will be redacted from the papers disclosed to the Subject Member.

6.4 Prior to concluding an investigation the Investigating Officer may discuss the matter in confidence with the Independent Person and Independent Chair before producing a draft report (“the Investigation Report”). Copies of the draft Investigation Report will be circulated to the Subject Member and Complainant in confidence giving them both the opportunity to correct any factual inaccuracies.

6.5 Having received and taken account of any comments on the draft Investigation Report the Investigating Officer will send the finalised report to the Monitoring Officer.

## **7. What happens if the Investigation Report concludes there is no evidence of a failure to comply with the Code?**

- 7.1 The Monitoring Officer will review the Investigation Report and following consultation with the Independent Person, if satisfied that the Investigation Report is satisfactory, will within 10 working days confirm by way of Decision Notice the finding of no failure to comply with the Code.
- 7.2 The Monitoring Officer will write to the Complainant and the Subject Member (and to the Clerk of the Town/Parish Council, where the complaint relates to a Town/Parish Councillor), with a copy of the Decision Notice including the Investigating Officer's final report (target timescale 10 working days).
- 7.3 If the Monitoring Officer is not satisfied that the investigation has been conducted satisfactorily, the Investigating Officer may be asked to reconsider their report and conclusion. (This should be done within 10 working days).

## **8. What happens if the Investigation Report concludes there is evidence of a failure to comply with the Code?**

- 8.1 The Monitoring Officer will review the Investigation Report and will then either send the matter for a hearing before the Standards Committee or after consulting the Independent Person seek a Local Resolution.
- 8.2 The decision as to how to proceed will be made by the Monitoring Officer following consultation with the Independent Person and Independent Chair and will be final.

## **9. Local Resolution**

- 9.1 If the Monitoring Officer considers that the matter can reasonably be resolved without the need for a hearing the Independent Person, Independent Chair and the Complainant will be consulted in order to seek agreement on what is considered to be a fair resolution which also helps to ensure higher standards of conduct in the future. Such resolution may include the Subject Member accepting that their conduct was unacceptable and offering an apology and/or other remedial action. If the Subject Member accepts the suggested resolution the Monitoring Officer will report the outcome to the next scheduled Standards Committee (and the Clerk to the Town/Parish Council if appropriate) for information. No further action will be taken. (Timescale: 10 working days of Complaint Initial Assessment).
- 9.2 If the Complainant or the Subject Member refuse Local Resolution in principle, refuse to engage with an agreed outcome or the Monitoring Officer concludes a Local Resolution cannot be reached the complaint will be referred for a Local Hearing to determine whether or not the Code was breached without further reference to the Complainant or Subject Member. (Target Timescale: 15 working days).
- 9.3 At the local resolution stage it is essential that the Monitoring Officer receives Independent, candid and uncensored advice from the Independent Person and Independent Chair to assist the Monitoring Officer in their decision making. It is necessary also to receive a Complainant's candid views on a suitable resolution. Accordingly, in reliance upon section 36 Freedom of Information Act 2000, all advice and views will be treated in confidence and therefore not subject to disclosure to avoid the risk of inhibition and to maintain the effectiveness of the Council's complaint

process and the prospect of early local resolution that might otherwise be undermined.

## **10. Local Hearing**

- 10.1 A Local Hearing is not a Court process but in order to be fair to everyone there is a procedure to be followed. Information about the Standards Committee can be found at Annex A and information on the Hearing Procedure for the Standards Committee can be found at Annex B
- 10.2 If after a Local Hearing the Standards Committee conclude the Subject Member did not fail to comply with the Code the complaint will be dismissed. That will be an end to the matter.
- 10.3 If after a Local Hearing the Standards Committee concludes the Subject Member failed to comply with the Code the Chair will inform the Subject Member of this finding and the Standards Committee will then consider what action, if any, should be taken as a result of the failure to comply with the Code. In doing this, the Subject Member will have an opportunity to make representations and the Independent Person(s) will be consulted.
- 10.4 The Council has delegated to the Standards Committee the power to act in respect of individual Members as may be necessary to promote and maintain high standards of conduct. Accordingly, the Standards Committee may –
  - 10.4.1. Publish its findings in respect of the Member's conduct.
  - 10.4.2. Report its findings to Council (or to the Town/Parish Council) for information.
  - 10.4.3. Recommend to Council that the Member be censured.
  - 10.4.4. Recommend to the Member's Group Leader (or in the case of un-grouped Members, recommend to Council) that he/she be removed from any or all Committees or Sub-Committees of the Council.
  - 10.4.5. Recommend to the Leader of the Council that the Member be removed from the Cabinet or removed from their Portfolio responsibilities.
  - 10.4.6. Instruct the Monitoring Officer to (or recommend that the Town/Parish Council) arrange training for the Member.
  - 10.4.7. Recommend to Council (or recommend to the Town/Parish Council) that the Member be removed from all outside body appointments to which they have been appointed or nominated by the Council (or by the Town/Parish Council).
  - 10.4.8. Withdraw (or recommend to the Town/Parish Council that it withdraws) facilities provided to the Member by the Council for a specified period, such as a computer, website and /or email and Internet access.
  - 10.4.9. Exclude (or recommend that the Town/Parish Council exclude) the Member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.

10.4.10. Require an apology in suitable terms to the Complainant/the Council.

- 10.5 The Standards Committee has no power to suspend or disqualify the Subject Member.
- 10.6 Within 10 working days the Monitoring Officer will prepare a formal Decision Notice and send a copy to the Complainant, to the Subject Member (and to the Parish/Town Council if appropriate).
- 10.7 The Decision Notice will be published as part of the minutes of the Standards Committee meeting and placed on the Council's website unless the Monitoring Officer determines that it should remain confidential, or it contains exempt information.

## **11. Appeals**

- 11.1 There is no right of appeal against a decision of the Monitoring Officer or of the Standards Committee.
- 11.2 If a Complainant feels that the Council has failed to deal with their complaint properly, they may make a complaint to the Local Government Ombudsman. The Local Government Ombudsman will not, however, consider complaints made by people in their capacity as councillors (against other councillors) and complaints about failures to disclose disclosable pecuniary interests as these may be criminal matters for the police to investigate.

## **12. Revision of these arrangements**

- 12.1 The Committee may by resolution agree to amend these arrangements and delegate to the Chair of the Standards Committee the right to depart from these arrangements where they consider that it is expedient to do so in order to secure the effective and fair consideration of any matter, following consultation by the Chair with the Monitoring Officer and the Independent Persons.

## INFORMATION ABOUT THE STANDARDS COMMITTEE

### 1. Membership of the Standards Committee

- 3 Independent Members (elected every 4 years) (Non-Voting Members)
- 5 B&NES Councillors (Appointments will be made having regard to rules on political proportionality) (Voting Members)
- 3 Parish/Town Councillors (nominated by the B&NES Local Councils group) (Non-Voting Members)

### 2. Constitution of the Standards Committee when considering a Local Hearing

When the Standards Committee is conducting a Local Hearing, the quorum for the Committee will comprise of 5 members. At least one member will be an independent member and where the Local Hearing relates to the conduct of a Town/Parish Council member, one member must be a town/parish council representative. The Standards Committee is chaired by an Independent Member until voting when the Chair will be taken by the B&NES Councillor allocated as Chair at Council (see Para 7.1 in annex b).

The Independent Person is invited to attend all meetings of the Standards Committee and their views must be sought and taken into consideration before the Committee takes any decision on whether the Member's conduct constitutes a failure to comply with the Code of Conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct.

### 3. The Independent Person

The Independent Person must be a person who has applied for the post following advertisement of a vacancy for the post and appointed by a positive vote from a majority of all the Members of Council at a meeting of the Full Council.

A person is not eligible for appointment if they:

3.1. Are, or have been within the past 5 years, a Member, co-opted Member or officer of the Council, with the exception that former Independent Members of Standards Committees can be appointed as Independent Persons.

3.2. Are or have been within the past 5 years, a member, co-opted Member or officer of a town/parish council within the Council's area, or

3.3. Are a relative or close friend, of a person within paragraph above. For this purpose, "relative" means –

3.4. Spouse or civil partner;

3.4.1. Living with the other person as husband and wife or as if they were civil partners.

3.4.2. Grandparent of the other person.



- 3.4.3. A lineal descendent of a grandparent of the other person.
- 3.4.4. A parent, sibling, or child of a person within paragraphs or.
- 3.4.5. A spouse or civil partner of a person within paragraphs
- 3.4.6. Living with a person within paragraphs as husband and wife or as if they were civil partners.

**LOCAL HEARING PROCEDURE OF THE STANDARDS' COMMITTEE****1. Interpretation**

The Code	The Code of Conduct for Members
Complainant(s)	The person/people making the complaint
Subject Member	The councillor, co-optee, parish or town councillor against whom an allegation has been made
Appointed Representative	The Subject Member may be represented or accompanied during the meeting by a Solicitor, Counsel or, with the permission of the Standards Committee, another person.
Independent Person	An Independent Person will be invited by the Monitoring Officer to attend the Standards Committee and their views are sought and taken into consideration before any decision on whether the Subject Member's conduct constitutes a failure to comply with the Code and any action to be taken following a finding of failure to comply with the Code. <b>The Independent Person remains independent of the standards process.</b>
Investigating Officer	The person appointed by the Monitoring Officer to undertake a formal investigation. The Investigating Officer may be another officer of the Council, an officer of another council or an external investigator.
Legal Advisor	The officer responsible for providing legal advice to the Standards Committee. This may be the Monitoring Officer, another legally qualified officer, or someone appointed for this purpose from outside the Council.
Committee	The Standards Committee.

**2. Pre-Local Hearing process**

- 2.1 The Monitoring Officer will invite the Subject Member to give their written response to the Investigation Report and identify any agreed or disputed facts. This will assist in narrowing the issues in dispute at the Local Hearing.
- 2.2 The Subject Member will be required to identify any witnesses they wish to call.
- 2.3 The Subject Member will be required to provide the dates upon which both they and their witnesses will be unable to attend a Local Hearing.
- 2.4 The Committee, taking account of the advice of the Monitoring Officer, may issue directions for the Local Hearing including timetabling and witness attendance. Directions may be finalised by way of correspondence and issued beforehand or at a Local Hearing.

- 2.5 Any Committee meeting dealing with pre-hearing processes will be held in private without the Complainant or Subject Member present.

### **3. Documentation**

- 3.1 Local Hearings of the Committee are subject to the normal rules for publication of Council agendas and access to information.
- 3.2 The agenda papers for the Local Hearing will include:
- Monitoring Officer report
  - Complaint form and documentation
  - Investigator's report
  - Subject Councillor's written response
  - For reference: Code of Conduct, Arrangements for Dealing with Complaints about the Code of Conduct, and the Local Hearing Procedure for the Standards Committee
- 3.3 The agenda and documents will be published under the Council's rules for exempt information. Prior to the Local Hearing, any documentation issued or exchanged during the process must be treated by all recipients as confidential unless and until the Committee agrees that the press and public should not be excluded from the meeting at which the allegations are going to be heard.
- 3.4 If the Committee agrees that the meeting should be held in public the Investigation Report will be made available to the press and public in attendance at the meeting.

### **4. At the Local Hearing**

#### **Representation**

- 4.1 The Subject Member may be represented or accompanied during the meeting by a Solicitor, Counsel or, with the permission of the Committee, another person. The Monitoring Officer should be given prior notification where a Subject Members is to be represented

#### **Legal Advice**

- 4.2 The Committee may take legal advice, in private, if necessary, from its legal adviser at any time during the hearing or while they are considering the outcome. The substance of any legal advice given to the committee should be shared with the Subject Member and the Investigating Officer if they are present.

#### **Procedural Issues**

- 4.3 After all members of the Committee and others present have been introduced the chair will explain how the Committee is to proceed.

- 4.4 A Local Hearing will ordinarily follow normal Council meeting procedures. For example, introductions, apologies, declaration of interests and a request that the Monitoring Officer/Investigating Officer introduce the matter to be determined.
- 4.5 If the Subject Member (or appointed representative) is not present the Committee will consider whether to hear the case in absence or defer to another time or date. If the Subject Member has indicated the hearing should continue in absence this will normally happen.
- 4.6 The Committee will resolve any outstanding issues or disagreements about the conduct of the Local Hearing that were not resolved during the pre-hearing process.

### **Findings of Fact**

- 4.7 If there is no disagreement about the facts the Committee will move on to establish whether or not the Subject Member failed to follow the Code
- 4.8 If the Subject Member disagrees with any fact in the Investigation Report without having given notice under the pre-Local Hearing process, they must give good reason why it has been raised at this late stage. After considering the Subject Member's representation the Committee may:
- Continue with the Local Hearing on the facts as presented in the Investigation Report.
  - Allow the Subject Member to make representations on the issue and invite the Investigation Officer to respond with or without witnesses.
  - Defer the Local Hearing in the public interest to enable witnesses and or the Investigation Officer to attend should they be absent.
- 4.9 If there is disagreement on the facts the Investigating Officer will be invited to make any representations and with the Committee's permission call witnesses. The Committee may give the Subject Member an opportunity to challenge any witness evidence put forward by the Investigating Officer.
- 4.10 The Subject Member will have the opportunity to make representations in support of their version of the facts and call witnesses with the Committee's permission. The Investigating Officer may challenge any witness evidence put forward by the Subject Member.
- 4.11 The Committee may at any time question those involved including witnesses and the Investigating Officer.
- 4.12 The Committee, together with the Legal Advisor, will usually move to a private room to consider the representations and evidence.
- 4.13 On their return, the chair will announce the Committee's findings of fact.

## **Deciding whether the Subject Member failed to follow the Code**

- 5.1 The Subject Member will be invited to give a statement as to why the Committee should conclude they have not failed to follow the code.
- 5.2 The Committee will ask the Investigating Officer for any verbal or written representations.
- 5.3 At any time the Committee may question those making representation.
- 5.4 The Subject Member will be invited to make any relevant closing remarks.
- 5.5 The Committee, together with the Legal Advisor, will usually move to a private room to consider the representations.
- 5.6 On their return, the chair will announce the Committee's decision as to whether the Subject Member failed to follow the Code.

## **If the subject member has not failed to follow the Code of Conduct**

- 6.1 If the Committee concludes that the Subject Member did not fail to comply with the Code it will dismiss the complaint and no further action will be taken. In that event, the Committee may still make general recommendations to the Council, Town or Parish Council on any remedial actions if considers necessary to address the issues raised in all the circumstances.

## **If the subject member has failed to follow the Code of Conduct**

- 6.2 If the Committee determines that the Subject Member has failed to comply with the Code the Chair will inform the Subject Member of this finding. The Independent Person will be invited to give their views on the matter and these views will be recorded in the minutes of the meeting. The Chair of the Committee will also explain the reasons why any advice from the Independent Person has or has not been followed in reaching its decision.
- 6.3 The Committee will then consider what action, if any, should be taken as a result of a finding of failure. The Committee will give the Subject Member an opportunity to make representations on any action and the Independent Person will also be consulted in deciding what action, if any, to take. The Independent Person will not act in the capacity of advocate for any party to the proceedings.
- 6.4 The Committee will then deliberate in private to consider what if any sanction to impose and if so, what that sanction should be.
- 6.5 On their return the Chair will announce the Committee's decision.

## **Voting**

- 7.1 When determining whether the Subject Member has failed to comply with the Code and what sanction should be imposed the standards committee will take an indicative vote of all the Non-Voting Members of the hearing panel. The indicative vote will inform the Voting Members decision which is subject to separate vote by Voting members only. The Voting Members of the panel are limited to the B&NES Councillors.

## **Recommendations**

- 8.1 The Committee will consider whether it should make any recommendations to the Council, Town, or Parish Council with a view to promoting high standards of conduct among Members.

## **The Written Decision**

- 9.1 The Committee will announce its decision on the day and a Decision Notice will be issued within 10 working days of the Committee.

## **Departure from this procedure**

- 10.1 The Chair of the Committee has the right to depart from this procedure, in consultation with the Monitoring Officer or Legal Advisor, at any hearing where it is considered appropriate to deal with the case fairly and effectively.

## STANDARDS COMMITTEE WORKPLAN

Report title	Report author
<i>Tuesday 23<sup>rd</sup> January 2024 5pm</i>	
<b>CANCELLED</b>	
<i>Tuesday 23<sup>rd</sup> April 2024 5pm</i>	
Review of Council Complaints Annual report of the Standards Committee	Michael Hewitt
<i>Tuesday 16<sup>th</sup> July 2024 5pm</i>	
<i>Tuesday 15<sup>th</sup> October 2024 5pm</i>	
Annual LGSCO report	David Langman

### To be considered -

- Every meeting** – Report on the assessment of complaints  
Workplan

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## Standards Committee - Annex 3 to Annual Report 2024

Complaint Number	Date Received	Complainant	Subject	Relevant provision of Code	Assessment	Date / Decision	Decision	Current Position
<b>2023</b>								
07-23 FPC	13.04.23	MoP	PCllr	6	Initial assessment by MO and IP		Take no action/rejected	Complete
08-23 BANES	24.04.23	MoP	Cllr	6	Initial assessment by MO and IP	08.06.23	Take no action/rejected	Complete
09-23 PwPPC	15.06.23	MoP	PCllr	6	Initial assessment by MO and IP	14.07.23	Take no action/rejected	Complete
10-23 BANES	11.08.23	MoP	Cllr	5	Initial assessment by MO and IP	05.09.23	Take no action	Complete
11-23 CPC	11.09.23	MoP	PCllr	8	Initial assessment by MO and IP	03.10.23	Take no action	Complete
<b>2024</b>								
01-24 BANES (a) & (b)	08.02.24	Cllr	Cllr	7	Initial assessment by MO and IP	22.02.24	No Further Action	Complete
02-24 PPC (a) & (b)	19.02.24	MoP	PCllrs & Other	2 & 6	Initial assessment by MO and IP	10.04.24	Take No Action	Complete
03-24 PPC	22.02.24	MoP	Other	1 & 4		14.03.24	Take No Action	Complete
04-24 BANES	04.03.24	MoP	Cllr	5	Initial assessment by MO and IP			Ongoing
05-24 TCPC	14.03.24	MoP	PCllr	4 & 8	Initial assessment by MO and IP			Ongoing

## KEY

P Cllr - Parish Councillor. MoP - Member of the Public. Cllr - BANES Councillor  
O - Officer

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<b>Bath &amp; North East Somerset Council</b>	
MEETING	<b>Council</b>
MEETING DATE:	<b>18<sup>th</sup> July 2024</b>
TITLE:	<b>Treasury Management Performance Report to 31<sup>st</sup> March 2024</b>
WARD:	All
<b>AN OPEN PUBLIC ITEM</b>	
<p><b>List of attachments to this report:</b></p> <p><b>Appendix 1</b> – Performance Against Prudential Indicators  <b>Appendix 2</b> – The Council’s Investment Position at 31<sup>st</sup> March 2024  <b>Appendix 3</b> – Average monthly rate of return for 2023/24  <b>Appendix 4</b> – The Council’s External Borrowing Position at 31<sup>st</sup> March 2024  <b>Appendix 5</b> – Arlingclose’s Economic &amp; Market Review Q4 of 2023/24  <b>Appendix 6</b> – Interest &amp; Capital Financing Budget Monitoring 2023/24  <b>Appendix 7</b> – Summary Guide to Credit Ratings  <b>Appendix 8</b> – Extract from Treasury Management Risk Register</p>	

## **1 THE ISSUE**

- 1.1 Treasury risk management at the Authority is conducted within the framework of the Chartered Institute of Public Finance and Accountancy’s Treasury Management in the Public Services: Code of Practice 2021 Edition (the CIPFA Code), which requires the Council to approve a Treasury Management Strategy before the start of each financial year, review performance during the year, and approve an annual report within six months after the end of each financial year.
- 1.2 This report gives details of performance against the Council’s Treasury Management Strategy for 2023/24.

## **2 RECOMMENDATION**

The Council agrees that.

- 2.1 The Treasury Management Report to 31<sup>st</sup> March 2024, prepared in accordance with the CIPFA Treasury Code of Practice, is noted.
- 2.2 The Treasury Management Indicators to 31<sup>st</sup> March 2024 are noted.

### 3 THE REPORT

#### Summary

- 3.1 The Council approved the 2023/24 Treasury Management Strategy at its meeting on 21<sup>st</sup> February 2023. The Council ended the year with total borrowing of £246m and total investments of £32.1m
- 3.2 The Council's Treasury Management Indicators for 2023/24 were agreed by Council in February 2023 and performance against the key indicators is shown in **Appendix 1**. All indicators are within target levels.
- 3.3 The estimated average total investment return for 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024 is 4.85%, which is in 0.10% below the benchmark rate of 4.95% for the period.
- 3.4 The Council's revenue budget outturn for interest & capital financing costs for 2023/24 was £3.4m under budget. This was due to higher than budgeted investment returns as a result of interest rate rises since budget setting, a delay to borrowing requirements and associated interest costs, early repayment of a LOBO loan and also a saving on Minimum Revenue Provision (MRP) due to capital spend reprofiling. The breakdown of the 2023/24 revenue budget for interest and capital financing, and the year-end position, is included in **Appendix 6**.

#### Economic Overview

- 3.5 The Council's Treasury Management Advisor's economic and market review for 2023/24 is included in **Appendix 5**. The main headlines are as follows:
  - Interest Rates have risen from 4.25% at 31<sup>st</sup> March 2023 to 5.25% at 31<sup>st</sup> March 2024.
  - UK Inflation declined from 8.7% in April 2023 to 3.2% February 2024.
  - The UK Economy entered a technical recession in the second half of 2023 and while indications are of a rebound in Q1 2024, indications are that prior increases in interest rates and higher price levels are depressing growth.
  - Gilt yields continued to be volatile during 2023/24 with the 10 year UK benchmark gilt rising from 3.44% to peak at 4.75% in August and ending the year at 3.92%.
  - The 7-day average SONIA (Sterling Overnight rate) for 2023/24 is 4.95%. This is the benchmark rate used by the council.

## Borrowing

3.6 The Council's external borrowing as at 31<sup>st</sup> March 2024 totalled £246m and is detailed in **Appendix 4**. The summary of the movement in borrowing during the quarter and for the full financial year is shown in the following table:

<b>Borrowing Portfolio Movements</b>	<b>Quarter 4 2023/24 £m</b>	<b>Financial Year 2023/24 £m</b>
<b>Balance as at 1<sup>st</sup> April 2023</b>		<b>210.254</b>
<b>Balance as at 31<sup>st</sup> December 2023</b>	<b>216.987</b>	
New Loans Taken	30.000	50.000
LOBO Repayments	-	(10.000)
PWLB Annuity Loan principal repayments	(0.977)	(4.244)
<b>Balance as at 31<sup>st</sup> March 2024</b>	<b>246.010</b>	<b>246.010</b>

3.7 In October 2023 the Council took the opportunity to repay £10m of its LOBO (Lender Option Borrower Option) borrowing when the lender gave notice it was going to increase the interest rate. Two PWLB annuity loans were taken out to replace this at a blended rate of 4.58%, just above the original LOBO rate but well below the revised rate. As a result of this repayment, the Council made a one-off in year benefit of £427,700 due to accounting requirements to smooth upfront benefits over the life of the 50-year LOBO loan, which was released upon early repayment.

3.8 In addition to the £10m new loans taken out to replace the £10m LOBO repayment, the Council also took out £40m in new debt at an average rate of 4.94%. This borrowing was undertaken to maintain the Council's liquidity, with £30m taken in February and March 2024. As a result of delaying borrowing, and only borrowing what we needed to for liquidity purposes, we have been able to make savings on interest payable. For every week delaying borrowing of £10m, a saving of £9,400 at the average borrowing rate of 4.94% was achieved.

3.9 The Council's Capital Financing Requirement (CFR) as at 31<sup>st</sup> March 2024 was £367.6m. This represents the Council's underlying need to borrow to finance capital expenditure and demonstrates that the borrowing taken to date relates to funding historical capital spend.

3.10 The difference between the CFR and the current borrowing of £246m represents re-investment of the internal balances including reserves, reducing the in-year borrowing costs in excess of the potential investment returns.

3.11 The Liability Benchmark in **Appendix 1** illustrates the current borrowing and current and projected CFR and liability benchmark. The benchmark is lower than the CFR as it recognises the Council's ability to internally borrow to fund capital and therefore shows the optimum level of borrowing for the council that minimises risks and costs of borrowing. At the 31<sup>st</sup> March 2024 borrowing is almost in line with the benchmark and as we look forward borrowing is projected to fall below the benchmark providing and this funding gap can be used as a guide to the optimal

amount and length of borrowing required in the future to minimise interest rate and credit risk.

3.12 Following Local Government Reorganisation in 1996, Avon County Council's residual debt is administered by Bristol City Council. All successor Unitary Authorities make an annual contribution to principal and interest repayment, for which there is a provision in the Council's revenue budget. The amount of residual debt outstanding as at 31<sup>st</sup> March 2024 apportioned to Bath & North East Somerset Council is £9.664m. Since this borrowing is managed by an external body and treated in the Council's Statement of Accounts as a deferred liability, it is not included in the borrowing figures referred to in paragraph 3.6.

### Investments

3.13 As demonstrated by the liability benchmark in **Appendix 1**, the Council expects to be a long-term borrower and new treasury investments are therefore primarily made to manage day to day cash flows using short-term low risk instruments. The existing portfolio of strategic pooled funds will be maintained to diversify risk into different asset classes and maintain stable investment income over the medium to long term.

3.14 At 31<sup>st</sup> March 2024, the Council had £32.1m in investments, with £22.1m in short term liquid investments and £10m in externally managed strategic funds. The balance of deposits is set out in the charts in this **Appendix 2**, along with the equivalent for the previous quarter and year for comparison.

3.15 **Appendix 3** details the investment performance, showing the average rate of interest earned over this period was 4.85%. The split between investment type is as follows:

Investment Type	Average Investment Return
<b>Short Term Investments Total</b>	<b>4.95%</b>
<b>Long Term Strategic Investments:</b>	
CCLA Local Authorities Property Fund	4.37%
FP Foresight UK Infrastructure Income Fund	4.47%
VT Gravis Clean Energy Income Fund	4.46%
<b>Long Term Strategic Investments Total (Est.)</b>	<b>4.43%</b>
<b>Overall Total</b>	<b>4.85%</b>

3.16 At 31<sup>st</sup> March 2024, the Council had short terms funds of £22.1m invested in Money Market Funds and Bank call accounts. Over the course of the year the Council earned 4.95% from these investments, which is equal to the 7-day SONIA benchmark Rate of 4.95%.

3.17 The Council also had £10m invested in externally managed strategic pooled funds, where the objectives are regular revenue income and long-term price stability. These investments were made with the knowledge that there is a risk that capital value could move both up and down on a frequent basis, and are intended to be held over a long period of time.

This investment includes £5m in Environmental Social and Governance (ESG) focused funds and £5m in a property fund, as listed below.

- £5m CCLA Local Authorities Property Fund.
- £3m FP Foresight UK Infrastructure Income Fund.
- £2m VT Gravis Clean Energy Income Fund.

In 2023/24 these funds generated an average income return of 4.43%, which is used to support services in year, and a 10.85% or £1.09m unrealised capital loss.

The total unrealised capital loss as at 31<sup>st</sup> March 2024 is 23.03% or £2.30m, a breakdown of which is below:

	<b>CCLA Local Authorities Property Fund</b>	<b>FP Foresight UK Infrastructure Income Fund</b>	<b>VT Gravis Clean Energy Income Fund</b>	<b>Total</b>
Historic Cost	5,000,000	3,000,000	2,000,000	<b>10,000,000</b>
<b>2023/24</b>				
Fair Value at 31/03/2024	4,177,465	2,173,120	1,346,161	<b>7,696,746</b>
In Year % Value Lost / (Gained)	3.31%	13.79%	25.30%	<b>10.85%</b>
Cumulative % Value Lost / (Gained)	16.45%	27.56%	32.69%	<b>23.03%</b>
<b>2022/23</b>				
Fair Value at 31/03/2023	4,342,727	2,586,831	1,852,212	<b>8,781,770</b>
In Year % Value Lost / (Gained)	17.14%	15.95%	9.68%	<b>15.29%</b>
Cumulative % Value Lost / (Gained)	13.15%	13.77%	7.39%	<b>12.18%</b>

This change in valuation does not currently have an impact on the revenue account or usable reserves due to a statutory override, and gains/losses will instead go to an unusable reserve. These will only be charged to revenue if/when the Council's holding in the pooled funds are sold, or if the Government removes the existing override. The next review of the statutory override will take place prior to the end of 2024/25. The Council has in place a Capital Financing Reserve which can be used to mitigate any future revenue impacts should the statutory override be removed.

3.18 Regarding the Council's Property Fund investment, the commercial property market improved marginally in 2023 and was more stable, in contrast to the very challenging backdrop of 2022. Low transactional volumes were a constraint on valuations and made prospective sellers and buyers more cautious. Although many sectors lacked momentum, there was growing confidence in the longer-term outlook as occupier demand and rental markets held up. Industrial and retail warehousing sectors remained strong, but retail and office sectors remained weak, the latter continuing to be hindered by low occupancy from hybrid working practices.

3.19 Regarding the Council's Infrastructure and Clean Energy Funds, macroeconomic factors of persistent inflation and consequent rising interest rates were the main drivers of volatility and share price weakness. Outflows from listed real assets and equities more broadly, towards higher-yielding fixed income investments and cash,

were also a further factor which contributed to depressed capital values. Values have however begun to stabilise as inflation decelerates and the risk of higher interest rates diminishes, together with a positive reassessment of infrastructure assets as energy price subsidy regimes also begin to fall away.

Despite the challenging macro environment, the funds' underlying portfolio companies have continued to deliver on dividend targets and the funds' dividend distributions per share have been relatively steady in the face of market turbulence. Many companies in the funds' portfolios, which focus on clean energy, decarbonisation and the building of digital and social infrastructure, continue to benefit from long-term contracted revenue streams, some with a high degree of inflation linkage.

### **Budget Implications**

- 3.20 The Council's revenue budget outturn for interest & capital financing costs for 2023/24 was £3.4m under budget. This was due to higher than budgeted investment returns as a result of interest rate rises since budget setting, a delay to borrowing requirements and associated interest costs, early repayment of a LOBO loan and also a saving on Minimum Revenue Provision (MRP) due to capital spend reprofiling. The breakdown of the 2023/24 revenue budget for interest and capital financing, and the year-end position, is included in **Appendix 6**.

## **4 STATUTORY CONSIDERATIONS**

- 4.1 This report is for information only.

## **5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

- 5.1 The financial implications are contained within the body of the report.

## **6 RISK MANAGEMENT**

- 6.1 The Council's lending & borrowing list is regularly reviewed during the financial year and credit ratings are monitored throughout the year. All lending/borrowing transactions are within approved limits and with approved institutions. Investment and borrowing advice is provided by our Treasury Management consultants, Arlingclose.
- 6.2 The CIPFA Treasury Management in the Public Services: Code of Practice requires the Council nominate a committee to be responsible for ensuring effective scrutiny of the Treasury Management Strategy and policies. The Corporate Audit Committee carries out this scrutiny.
- 6.3 In addition, the Council maintain a risk register for Treasury Management activities, which is regularly reviewed and updated where applicable during the year. An extract from the risk register, detailing how the top 5 risks are managed, is included as **Appendix 8**.

## **7 EQUALITIES**

- 7.1 As this report contains performance information for noting only, an Equality Impact Assessment is not considered necessary.



## 8 CLIMATE CHANGE

- 8.1 The Council will continue to avoid any direct treasury management investments in fossil fuel related companies and will engage with its advisors to explore and assess the potential for any future investment opportunities in funds with a Renewable Energy & Sustainability focus as these products continue to be developed by the market in response to the Climate & Nature Emergency agenda.
- 8.2 An ESG section has been included the Treasury Management Strategy document for 2023/24, with the treasury team monitoring investment options permitted under the new guidelines.
- 8.3 The Council holds £5m in longer term investments, split across two ESG focussed Strategic Funds, as detailed under 3.17.

## 9 OTHER OPTIONS CONSIDERED

- 9.1 None

## 10 CONSULTATION

- 10.1 Consultation has been carried out with the Cabinet Member for Resources, Executive Director - Resources and Monitoring Officer.

<b>Contact person</b>	<i>Claire Read - 01225 47 7109; Jamie Whittard - 01225 47 7213</i> <a href="mailto:Claire_Read@BATHNES.GOV.UK">Claire_Read@BATHNES.GOV.UK</a> ; <a href="mailto:Jamie_Whittard@BATHNES.GOV.UK">Jamie_Whittard@BATHNES.GOV.UK</a>
<b>Background papers</b>	<i>2023/24 Treasury Management &amp; Investment Strategy</i>
<b>Please contact the report author if you need to access this report in an alternative format</b>	

## APPENDIX 1

### Performance against Treasury Management Indicators agreed in Treasury Management Strategy Statement

#### 1. Treasury Borrowing limits

These limits include current commitments and proposals in the budget report for capital expenditure, plus additional headroom over & above the operational limit for unusual cash movements.

The Authorised limits for external debt include current commitments and proposals in the budget report for capital expenditure, plus additional headroom over and above the operational limit for unusual cash movements.

The Operational boundary for external debt is based on the same estimates as the authorised limit but without the additional headroom for unusual cash movements. This level also factors in the proposed approach to use internal cash-flow and future capital receipts as the preferred financing method for the capital programme.

	2023/24 Prudential Indicator	Actual as at 31 <sup>st</sup> March 2024
Operational boundary – borrowing.	£433m	£246.01m
Operational boundary – other long-term liabilities	£4m	£0m
<b>Operational boundary – TOTAL</b>	<b>£437m</b>	<b>£246.01m</b>
Authorised limit – borrowing.	£462m	£246.01m
Authorised limit – other long-term liabilities.	£4m	£0m
<b>Authorised limit – TOTAL</b>	<b>£466m</b>	<b>£246.01m</b>

#### 2. Security: Average Credit Rating\*

The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating of its investment portfolio. A summary guide to credit ratings is set out at **Appendix 7**.

	2023/24 Prudential Indicator	Actual as at 31 <sup>st</sup> March 2024
	Rating	Rating
Minimum Portfolio Average Credit Rating	A-	AA+

\* The calculation excludes the strategic investment in the CCLA Local Authority Property Fund and ESG focussed Investment Funds, which are unrated.

### 3. Liquidity

The Authority has adopted a voluntary measure of its exposure to liquidity risk by monitoring the amount of cash available to meet unexpected payments within a rolling three-month period, without additional borrowing.

Liquidity risk indicator	2023/24 Prudential Indicator	Minimum During year	Date of minimum
Minimum total Cash Available within 3 months	£15m	£15.6m	13-Mar-24

### 4. Interest rate exposures

This indicator is set to control the Council's exposure to interest rate risk. The upper limit represents the maximum one-year revenue impact of a 1% rise or fall in interest rates.

	2023/24 Prudential Indicator	Actual as at 31 <sup>st</sup> March 2024
Upper limit on one-year revenue impact of a 1% rise in interest rates	+/- £1m	-£0.096m
Upper limit on one-year revenue impact of a 1% fall in interest rates	+/- £1m	£0.096m

The impact of this limit is that the Council should never be holding a maturity adjusted net debt / investment position on variable rates of more than £100m.

The impact of a change in interest rates is calculated on the assumption that maturing loans and investments will be replaced at new market rates, which includes amounts which are maturing each year in PWLB annuity loans.

### 5. Maturity Structure of borrowing

This indicator is set to control the Council's exposure to refinancing risk.

	Upper Limit	Lower Limit	Actual as at 31 <sup>st</sup> March 2024
	%	%	%
Under 12 months	50	Nil	4.1
12 months and within 24 months	50	Nil	8.1
24 months and within 5 years	75	Nil	0.0
5 years and within 10 years	75	Nil	6.1
10 years and within 25 years	100	25	53.3
Over 25 years	100		28.4

Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date that the lender can demand repayment. For LOBO's, this is shown at the date of maturity as the council would only consider repaying these loans if the lenders exercised their option to alter the interest rate.

## 6. Upper limit for total principal sums invested for over 364 days

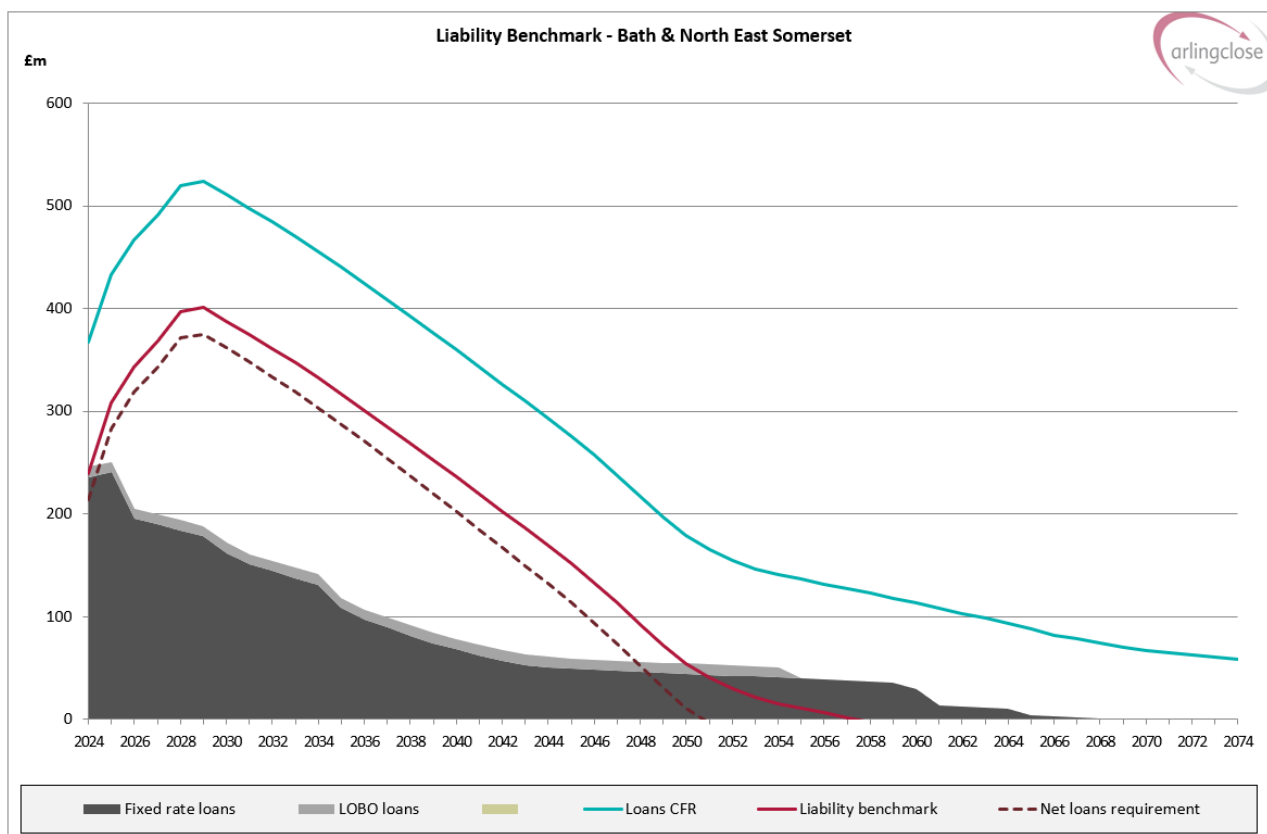
The purpose of this indicator is to control the Authority's exposure to the risk of incurring losses by seeking early repayment of its investments. The limits on the long-term principal sum invested to final maturities beyond the period end will be:

Price risk indicator	2023/24 Prudential Indicator	Actual as at 31 <sup>st</sup> March 2024
Limit on principal invested beyond 31 <sup>st</sup> March 2024	£50m	£10m*
Limit on principal invested beyond 31 <sup>st</sup> March 2025	£20m	£10m*
Limit on principal invested beyond 31 <sup>st</sup> March 2026	£10m	£10m*

\*The Council includes the CCLA LA Property Fund & two long term ESG focussed Investment Funds against this indicator as they are both held as Long-Term Strategic Investments.

## 7. Liability Benchmark

The liability benchmark is an important tool to help establish whether the Council is likely to be a long-term borrower or long-term investor in the future, and so shape its strategic focus and decision making. The liability benchmark itself represents an estimate of the cumulative amount of external borrowing the Council must hold to fund its current capital and revenue plans while keeping treasury investments at the minimum level required to manage day-to-day cash flow.



As at 31<sup>st</sup> March 2024, there is pretty much no difference between the actual borrowing (the grey slopes) and the Liability Benchmark (the solid red line) and both are well below the Capital Financing Requirement which is the absolute maximum we can borrow for capital purposes. Looking forward the actual borrowing will fall below the liability benchmark and this funding gap can be used as a guide to the optimal amount and length of borrowing required to minimise interest rate and credit risk.

## APPENDIX 2

### The Council's Investment position at 31<sup>st</sup> March 2024

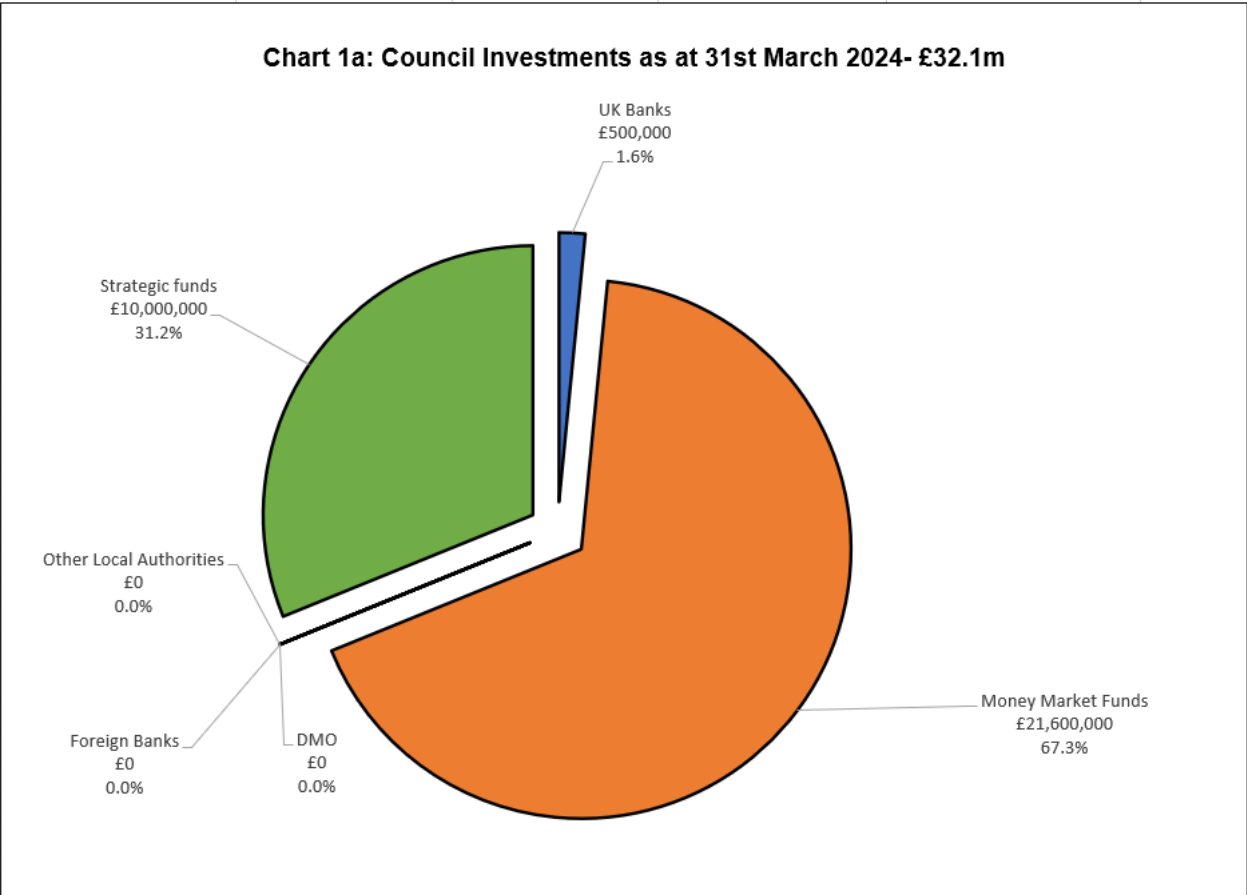
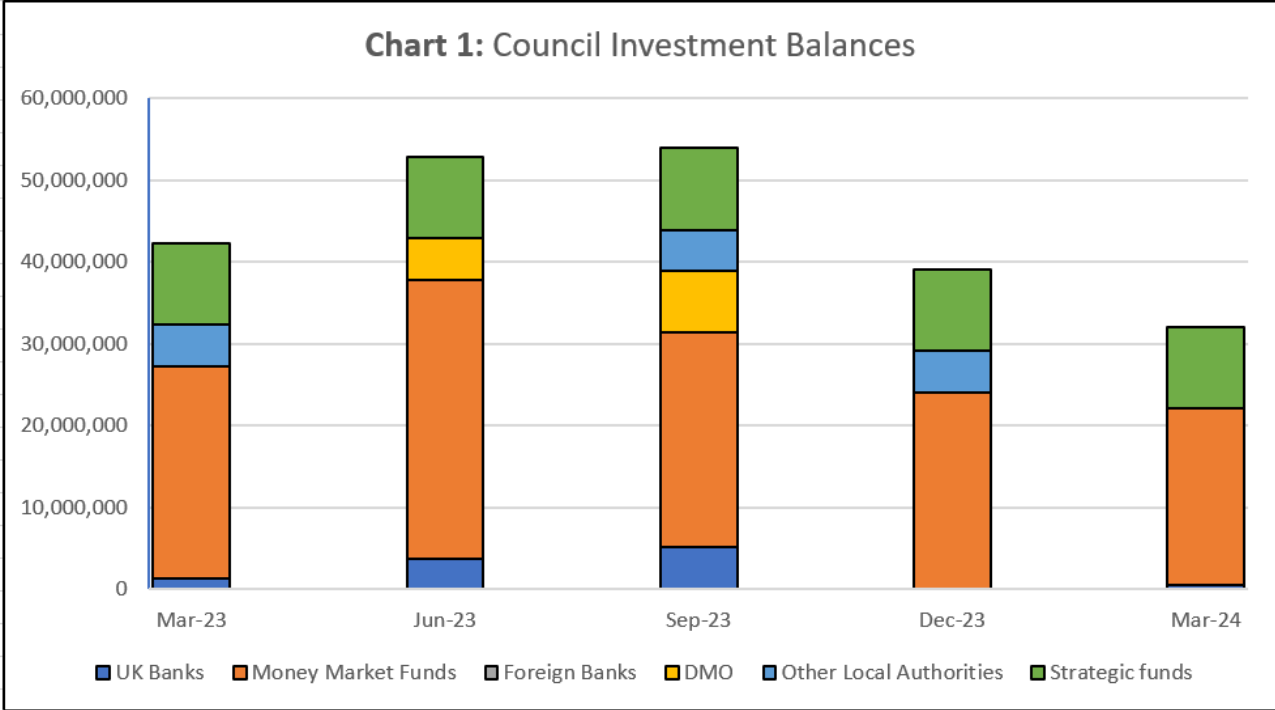
The term of investments is as follows:

Term Remaining	Balance at 31 <sup>st</sup> March 2024	Comparator	
		Balance at 31 <sup>st</sup> December 2023	Balance at 31 <sup>st</sup> March 2023
	£m	£m	£m
Notice (instant access funds)	22.10	24.10	27.30
Up to 1 month	0.00	5.00	5.00
1 month to 3 months	0.00	0.00	0.00
3 months to 6 months	0.00	0.00	0.00
6 months to 12 months	0.00	0.00	0.00
Strategic Funds	10.00	10.00	10.00
<b>Total</b>	<b>32.10</b>	<b>39.10</b>	<b>42.30</b>

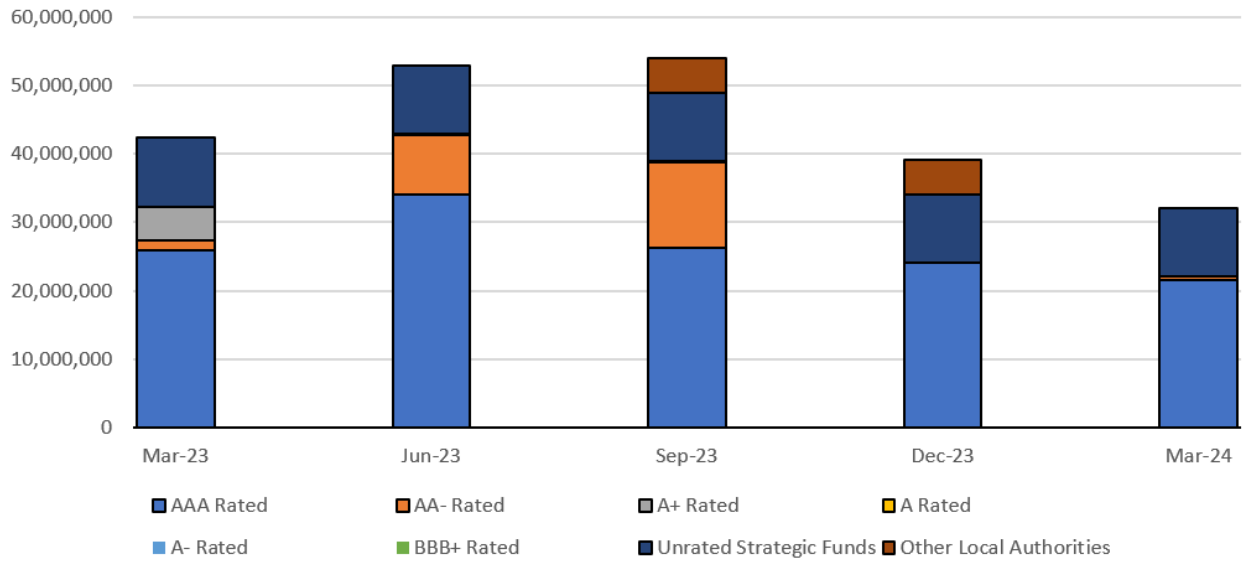
The investment figure is made up as follows:

	Balance at 31 <sup>st</sup> March 2024	Comparator	
		Balance at 31 <sup>st</sup> December 2023	Balance at 31 <sup>st</sup> March 2023
	£m	£m	£m
B&NES Council	29.95	35.63	40.45
Schools	2.15	3.47	1.86
<b>Total</b>	<b>32.10</b>	<b>39.10</b>	<b>42.30</b>

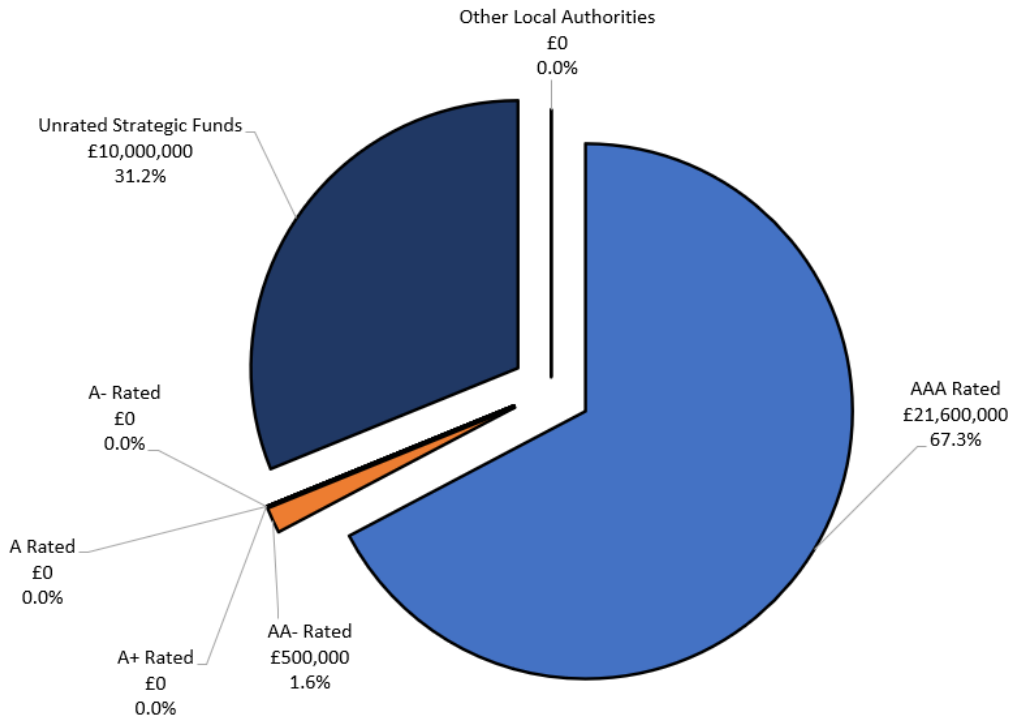
The Council had a total average net positive balance of £49.69m during the period April 2023 to March 2024.



**Chart 2: Council Investments Per Lowest Equivalent Long Term Credit Rating**



**Chart 2a: Council Investments Per Lowest Equivalent Long Term Credit Rating as at 31st March 2024 £32.1m**



## APPENDIX 3

### Average rate of return on investments for 2023/24

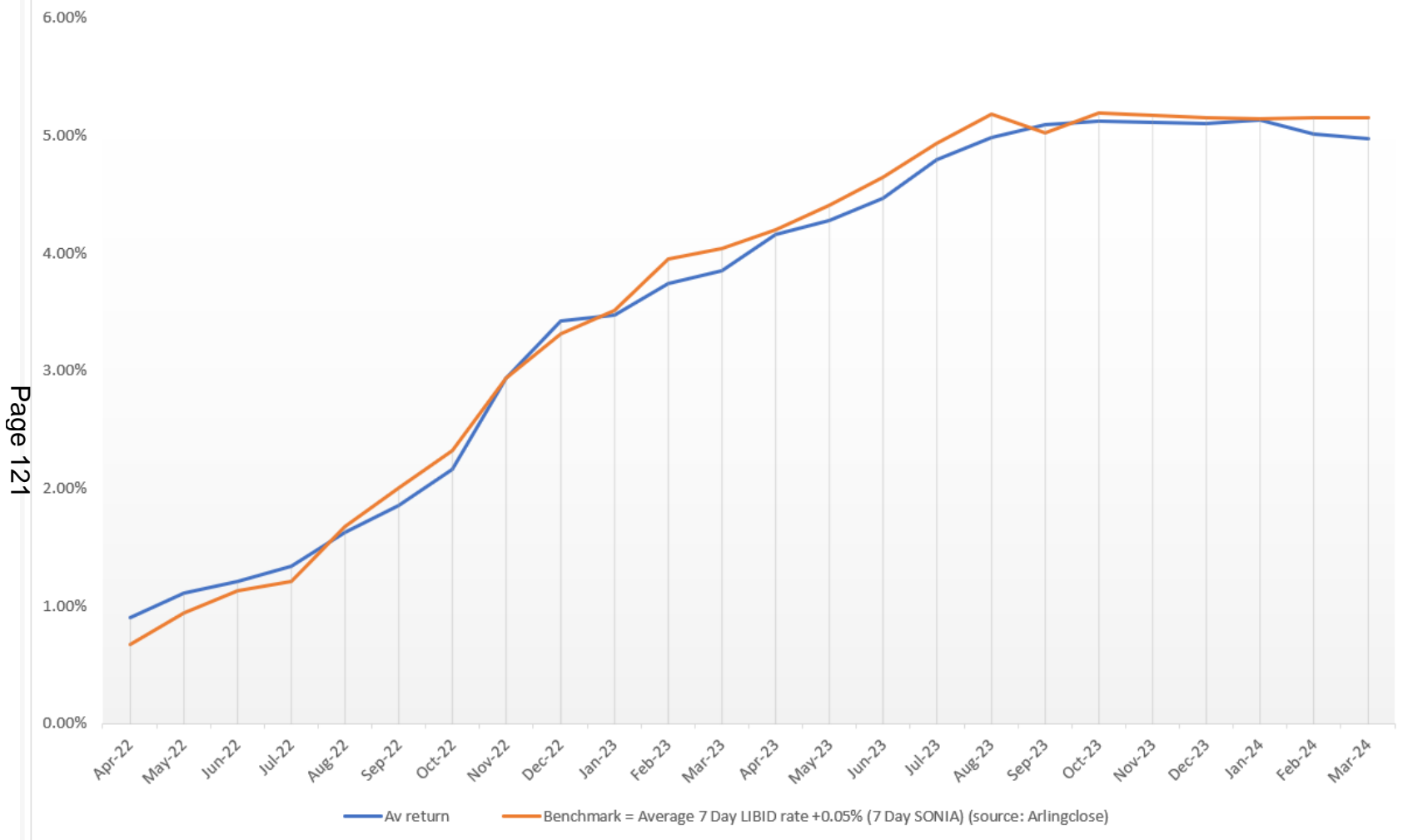
	Average rate of interest earned	Benchmark = Average 7 Day SONIA rate	Performance against Benchmark
April 2023	4.16%	4.20%	-0.04%
May 2023	4.28%	4.41%	-0.13%
June 2023	4.47%	4.64%	-0.17%
July 2023	4.79%	4.93%	-0.14%
August 2023	4.98%	5.18%	-0.20%
September 2023	5.09%	5.02%	0.07%
October 2023	5.11%	5.19%	-0.07%
November 2023	5.10%	5.17%	-0.07%
December 2023	5.09%	5.15%	-0.06%
January 2024	5.13%	5.14%	-0.01%
February 2024	5.01%	5.15%	-0.14%
March 2024	4.97%	5.15%	-0.18%
<b>Average</b>	<b>4.85%</b>	<b>4.95%</b>	<b>-0.10%</b>

For comparison, the average rate of return on investments in 2022/23 was as follows:

	Average rate of interest earned	Benchmark = Average 7 Day SONIA rate	Performance against Benchmark
April 2022	0.90%	0.67%	+0.23%
May 2022	1.11%	0.94%	+0.18%
June 2022	1.21%	1.13%	+0.08%
July 2022	1.34%	1.21%	+0.13%
August 2022	1.63%	1.67%	-0.04%
September 2022	1.85%	2.00%	-0.15%
October 2022	2.16%	2.32%	-0.16%
November 2022	2.94%	2.94%	0.00%
December 2022	3.42%	3.31%	+0.11%
January 2023	3.47%	3.51%	-0.04%
February 2023	3.74%	3.95%	-0.21%
March 2023	3.85%	4.04%	-0.19%
<b>Average</b>	<b>2.09%</b>	<b>2.30%</b>	<b>-0.21%</b>



### Average Return on Investments 2022/23 & 2023/24 compared to Benchmark



## APPENDIX 4

### Council's External Borrowing at 31<sup>st</sup> March 2024

Lender	Amount outstanding @ 31st December 2023 £	Change in Quarter £	Amount outstanding @ 31st March 2024 £	Start date	End date	Interest rate
<b>Long term</b>						
PWLB489142	10,000,000	-	<b>10,000,000</b>	15/10/2004	15/10/2034	4.75%
PWLB497233	5,000,000	-	<b>5,000,000</b>	12/05/2010	15/08/2035	4.55%
PWLB497234	5,000,000	-	<b>5,000,000</b>	12/05/2010	15/02/2060	4.53%
PWLB498834	5,000,000	-	<b>5,000,000</b>	05/08/2011	15/02/2031	4.86%
PWLB498835	10,000,000	-	<b>10,000,000</b>	05/08/2011	15/08/2029	4.80%
PWLB498836	15,000,000	-	<b>15,000,000</b>	05/08/2011	15/02/2061	4.96%
PWLB503684	5,300,000	-	<b>5,300,000</b>	29/01/2015	08/04/2034	2.62%
PWLB503685	5,000,000	-	<b>5,000,000</b>	29/01/2015	08/10/2064	2.92%
PWLB505122	15,176,672	-	<b>15,176,672</b>	20/06/2016	20/06/2041	2.36%
PWLB508126	8,277,206	-	<b>8,277,206</b>	06/12/2018	20/06/2043	2.38%
PWLB508202	9,419,860	-	<b>9,419,860</b>	12/12/2018	20/06/2068	2.59%
PWLB508224	4,126,469	-	<b>4,126,469</b>	13/12/2018	20/06/2043	2.25%
PWLB505744	7,614,067	(198,511)	<b>7,415,556</b>	24/02/2017	15/08/2039	2.28%
PWLB505966	7,913,674	(173,466)	<b>7,740,207</b>	04/04/2017	15/02/2042	2.26%
PWLB506052	6,724,810	(147,547)	<b>6,577,262</b>	08/05/2017	15/02/2042	2.25%
PWLB506255	6,520,109	-	<b>6,520,109</b>	10/08/2017	10/04/2067	2.64%
PWLB506729	8,103,207	-	<b>8,103,207</b>	13/12/2017	10/10/2042	2.35%
PWLB506995	8,136,929	-	<b>8,136,929</b>	06/03/2018	10/10/2042	2.52%
PWLB506996	8,571,644	-	<b>8,571,644</b>	06/03/2018	10/10/2047	2.62%
PWLB507749	8,450,118	(165,489)	<b>8,284,629</b>	10/09/2018	20/07/2043	2.42%
PWLB508485	19,027,920	(114,927)	<b>18,912,993</b>	11/02/2019	20/07/2068	2.52%
PWLB509840	8,624,824	(177,356)	<b>8,447,468</b>	04/09/2019	20/07/2044	1.40%
PW677322	5,000,000	-	<b>5,000,000</b>	22/11/2023	22/11/2038	4.88%
PW687799	5,000,000	-	<b>5,000,000</b>	29/12/2023	29/12/2038	4.28%
PW700594	-	10,000,000	<b>10,000,000</b>	09/02/2024	09/02/2039	4.54%

Lender	Amount outstanding @ 31st December 2023 £	Change in Quarter £	Amount outstanding @ 31st March 2024 £	Start date	End date	Interest rate
KBC Bank N.V *	5,000,000	-	<b>5,000,000</b>	08/10/2004	08/10/2054	4.50%
KBC Bank N.V *	5,000,000	-	<b>5,000,000</b>	08/10/2004	08/10/2054	4.50%
Commerzbank AG Frankfurt*	-	-	-	27/04/2005	27/04/2055	4.50%
<b>Medium term</b>						
West of England Combined Authority	5,000,000	-	<b>5,000,000</b>	28/04/2023	26/04/2024	4.45%
Portsmouth C.C.	5,000,000	-	<b>5,000,000</b>	28/04/2023	26/04/2024	4.45%
PW711937	-	10,000,000	<b>10,000,000</b>	15/03/2024	30/04/2025	5.42%
PW713077	-	5,000,000	<b>5,000,000</b>	20/03/2024	30/04/2025	5.37%
PW715777	-	5,000,000	<b>5,000,000</b>	28/03/2024	30/04/2025	5.34%
<b>Total Borrowing</b>	<b>216,987,507</b>	<b>29,022,704</b>	<b>246,010,210</b>			

\*All LOBO's (Lender Option / Borrower Option) have reached the end of their fixed interest period and have reverted to the variable rate of 4.50%. The lender has the option to change the interest rate at 6 monthly intervals. Should the lender use the option to change the rate, then at this point the borrower has the option to repay the loan without penalty.

The "Change in Quarter" movement on some of the PWLB loans reflects that these loans have an annuity repayment profile, so repayments of principal are made on a 6 monthly basis throughout the life of the loans.

## APPENDIX 5: Arlingclose Economic & Market Review

**Economic background:** UK inflation continued to decline from the 8.7% rate seen at the start of 2023/24. By the last quarter of the financial year headline consumer price inflation (CPI) had fallen to 3.4% in February, but was still above the Bank of England's 2% target at the end of the period. The core measure of CPI, i.e. excluding food and energy, also slowed in February to 4.5% from 5.1% in January, a rate that had stubbornly persisted for three consecutive months.

The UK economy entered a technical recession in the second half of 2023, as growth rates of -0.1% and -0.3% respectively were recorded for Q3 and Q4. Over the 2023 calendar year GDP growth only expanded by 0.1% compared to 2022. Of the recent monthly data, the Office for National Statistics reported a rebound in activity with economy expanding 0.2% in January 2024. While the economy may somewhat recover in Q1 2024, the data suggests that prior increases in interest rates and higher price levels are depressing growth, which will continue to bear down on inflation throughout 2024.

Labour market data provided a mixed message for policymakers. Employment and vacancies declined, and unemployment rose to 4.3% (3mth/year) in July 2023. The same month saw the highest annual growth rate of 8.5% for total pay (i.e. including bonuses) and 7.8% for regular pay growth (i.e. excluding bonuses). Thereafter, unemployment began to decline, falling to 3.9% (3mth/year) in January and pay growth also edged lower to 5.6% for total pay and 6.1% for regular pay, but remained above the Bank of England's forecast.

Having begun the financial year at 4.25%, the Bank of England's Monetary Policy Committee (MPC) increased Bank Rate to 5.25% in August 2023 with a 3-way split in the Committee's voting as the UK economy appeared resilient in the face of the dual headwinds of higher inflation and interest rates. Bank Rate was maintained at 5.25% through to March 2024. The vote at the March was 8-1 in favour of maintaining rates at this level, with the single dissenter preferring to cut rates immediately by 0.25%. Although financial markets shifted their interest rate expectations downwards with expectations of a cut in June, the MPC's focus remained on assessing how long interest rates would need to be restrictive in order to control inflation over the medium term.

In the Bank's quarterly Monetary Policy Report (MPR) released in August 2023 the near-term projection for services price inflation was revised upwards, goods price inflation widespread across products, indicating stronger domestic inflationary pressure with second-round effects in domestic prices and wages likely taking longer to unwind than they did to emerge. In the February 2024 MPR the Bank's expectations for the UK economy were positive for the first half of 2024, with a recovery from the mild recession in calendar H2 2023 being gradual. Headline CPI was forecast to dip below the 2% target quicker than previously thought due to declining energy prices, these effects would hold inflation slightly above target for much of the forecast horizon.

Following this MPC meeting, Arlingclose, the authority's treasury adviser, maintained its central view that 5.25% remains the peak in Bank Rate and that interest rates will most

likely start to be cut later in H2 2024. The risks in the short-term are deemed to be to the downside as a rate cut may come sooner than expected, but then more broadly balanced over the medium term.

The US Federal Reserve also pushed up rates over the period, reaching a peak range of between 5.25-5.50% in August 2023, where it has stayed since. US policymakers have maintained the relatively dovish stance from the December FOMC meeting and at the meeting in March, economic projections pointed to interest rates being cut by a total of 0.75% in 2024.

Following a similarly sharp upward trajectory, the European Central Bank hiked rates to historically high levels over period, pushing its main refinancing rate to 4.5% in September 2023, where it has remained. Economic growth in the region remains weak, with a potential recession on the cards, but inflation remains sticky and above the ECB's target, putting pressure on policymakers on how to balance these factors.

**Financial markets:** Sentiment in financial markets remained uncertain and bond yields continued to be volatile over the year. During the first half of the year, yields rose as interest rates continued to be pushed up in response to rising inflation. From October they started declining again before falling sharply in December as falling inflation and dovish central bank attitudes caused financial markets to expect cuts in interest rates in 2024. When it emerged in January that inflation was stickier than expected and the BoE and the Federal Reserve were data dependent and not inclined to cut rates soon, yields rose once again, ending the period some 50+ bps higher than when it started.

Over the financial year, the 10-year UK benchmark gilt yield rose from 3.44% to peak at 4.75% in August, before then dropping to 3.44% in late December 2023 and rising again to 3.92% (28<sup>th</sup> March 2024). The Sterling Overnight Rate (SONIA) averaged 4.96% over the period to 31<sup>st</sup> March.

**Credit review:** In response to an improving outlook for credit markets, in January 2024 Arlingclose moved away from its previous temporary stance of a 35-day maximum duration and increased its advised recommended maximum unsecured duration limit on all banks on its counterparty list to 100 days.

Earlier in the period, S&P revised the UK sovereign outlook to stable and upgraded Barclays Bank to A+. Moody's also revised the UK outlook to stable, Handelsbanken's outlook to negative, downgraded five local authorities, and affirmed HSBC's outlook at stable while upgrading its Baseline Credit Assessment. Fitch revised UOB's and BMO's outlooks to stable.

In the final quarter of the financial year, Fitch revised the outlook on the UK sovereign rating to stable from negative based on their assessment that the risks to the UK's public finances had decreased since its previous review in October 2022, the time of the mini-budget.

Moody's, meanwhile, upgraded the long-term ratings of German lenders Helaba, Bayern LB and LBBW on better solvency and capital positions, despite challenges from a slowing German economy and exposure to the commercial real estate sector. Moody's also upgraded or placed on review for an upgrade, Australian banks including ANZ, CBA NAB and Westpac on the back of the introduction of a new bank resolution regime.

Credit default swap prices began the financial year at elevated levels following the fallout from Silicon Valley Bank and collapse/takeover of other lenders. From then the general trend was one of falling prices and UK lenders' CDS ended the period at similar levels to those seen in early 2023. Earlier in the year some Canadian lenders saw their CDS prices rise due to concerns over a slowing domestic economy and housing market, while some German lenders were impacted by similar economic concerns and exposure to commercial real estate towards the end of the period, with LBBW remaining the most elevated.

Heightened market volatility is expected to remain a feature, at least in the near term and, credit default swap levels will be monitored for signs of ongoing credit stress. As ever, the institutions and durations on the Authority's counterparty list recommended by Arlingclose remain under constant review.

## APPENDIX 6

### Interest & Capital Financing Costs – Budget Monitoring 2023/24

April 2023 to March 2024	YEAR END POSITION			ADV/FAV
	Budgeted Spend or (Income) £'000	Actual Spend or (Income) £'000	Actual over or (under) spend £'000	
<b>Interest &amp; Capital Financing</b>				
- Debt Costs	8,872	7,026	(1,846)	FAV
- Internal Repayment of Loan Charges	(16,080)	(16,080)	0	-
- Ex Avon Debt Costs	910	900	(10)	FAV
- Minimum Revenue Provision (MRP)	11,164	10,184	(980)	FAV
- Interest on Balances*	(1,450)	(2,011)	(561)	FAV
<b>Total</b>	<b>3,416</b>	<b>19</b>	<b>(3,397)</b>	<b>FAV</b>

\*this is after the transfer of £10,000 to the Capital Financing Reserve to go towards smoothing any gains or losses on valuation of the strategic investment funds, should the statutory override not be extended when it currently runs out on 31/05/2025

## APPENDIX 7

### Summary Guide to Credit Ratings

Rating	Details
AAA	Highest credit quality – lowest expectation of default, which is unlikely to be adversely affected by foreseeable events.
AA	Very high credit quality - expectation of very low default risk, which is not likely to be significantly vulnerable to foreseeable events.
A	High credit quality - expectations of low default risk which may be more vulnerable to adverse business or economic conditions than is the case for higher ratings.
BBB	Good credit quality - expectations of default risk are currently low but adverse business or economic conditions are more likely to impair this capacity.
BB	Speculative - indicates an elevated vulnerability to default risk, particularly in the event of adverse changes in business or economic conditions over time.
B	Highly speculative - indicates that material default risk is present, but a limited margin of safety remains. Capacity for continued payment is vulnerable to deterioration in the business and economic environment.
CCC	Substantial credit risk - default is a real possibility.
CC	Very high levels of credit risk - default of some kind appears probable.
C	Exceptionally high levels of credit risk - default is imminent or inevitable.
RD	Restricted default - indicates an issuer that has experienced payment default on a bond, loan, or other material financial obligation but which has not entered into bankruptcy filings, administration, receivership, liquidation, or other formal winding-up procedure, and which has not otherwise ceased operating.
D	Default - indicates an issuer that has entered into bankruptcy filings, administration, receivership, liquidation, or other formal winding-up procedure, or which has otherwise ceased business.



## APPENDIX 8

### Extract from Treasury Management Risk Register – Top 5 Risks

Risk Nr	Description	Current Risk Score									Trend			Management Action			
		Likelihood					Impact				This Period	Periods Ago					
		1	2	3	4	5	1	2	3	4		5	1		2	3	
1	R06 Inflation Risk The risk that prevailing levels of inflation cause an unexpected or unbudgeted burden on the organisation's finances, against which the organisation has failed to protect itself adequately.			3									12	12	16	16	Liaise with Chief Finance Officer to ensure Inflation both current and projected forms part of the medium term financial planning framework.
2	R09 Legal & Regulatory Risk - Changes Risk that regulatory changes are not planned for and adversely impact the Council's budget and or ability to borrow				4					3			12	12			Read, respond and calculate the impact of Local Government accounting, investment and capital financing / borrowing consultations have on treasury management. Plan for the implementation of new regulations, conditions and accounting treatment
3	R04 Interest Rate Risk The risk that fluctuations in the levels of interest rates create an unexpected or unbudgeted burden on the organisation's finances, against which the organisation has failed to protect itself adequately			3							3		9	9	12	12	Monitor interest rates on a monthly basis and compare with budget to determine impact on Council finances and report through monthly Treasury Dashboard. Report implication of interest rate changes to Cabinet as part of quarterly Treasury Management Performance Report. Explore alternative potential investment products following new freedoms - including corporate bonds, gilts, Certificate of Deposits etc. Discussion with our treasury advisors on any new borrowing in terms of duration and timing given the current volatility in the gilt market and PWLB interest rates.
4	R01 Credit & Counterparty Risk - Default Risk The risk of failure by a third party to meet its contractual obligations to the organisation under an investment, borrowing, capital, project or partnership financing, particularly as a result of the third party's diminished creditworthiness, and the resulting detrimental effect on the organisation's capital or current (revenue) resources.		2										8	8			Complete annual review of Counterparty List with external advisors to feed into Treasury Management Strategy. Regular review of counterparty financial standing through use of credit ratings, credit default swap rates and national press coverage and liaison with Chief Finance Officer and external advisors to consider any issues / change in circumstances of counterparties.
5	R08 Legal & Regulatory Risk - Acting Outside Powers The risk that the organisation itself, or a third party with which it is dealing in its treasury management activities, fails to act in accordance with its legal powers or regulatory requirements, and that the organisation suffers losses accordingly.		2										8	8			Obtain independent review of the council's strategy and policies to ensure compliance with the CIPFA Code of Practice on Treasury Management Local Authorities (Capital Finance and Accounting) (England) Regulations, Local Government Act and any other regulation or guidance as specified by the Secretary of State.. Stay on top of Government and CIPFA consultations on Treasury and Capital Financing regulations

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<b>Bath &amp; North East Somerset Council</b>		
MEETING:	<b>Council</b>	
MEETING DATE:	<b>18<sup>th</sup> July 2024</b>	
TITLE:	<b>Proportionality Review</b>	
WARD:	All	
<b>AN OPEN PUBLIC ITEM</b>		
<b>List of attachments to this report:</b>		
Appendix 1 - Proposed revised proportionality table (showing tracked changes)		

## **1 THE ISSUE**

1.1 There has been a change in political balance in the Council so, in line with the requirements of the Local Government & Housing Act 1989, this needs review.

## **2 RECOMMENDATION**

Council is asked to;

2.1 Approve the revised political proportionality table or propose an alternative structure.

## **3 THE REPORT**

3.1 There has been a recent change to political group membership; - Councillor Hale resigned from the Conservative group on 26th May 2024 and is now an Independent councillor (and has joined the Independent group).

3.2 As a result of this, an adjustment to committee memberships is needed. The Conservative group need to lose one place from any of the bodies in the top table (of the attachment) so that their total number of committee places in the top table reduces from 3 to 2.

- 3.3 As we do not have an amount of committee places that matches the number of members, there is always some rounding up/rounding down to be done to the figures that the percentages produce. The Independent group have indicated that they do not wish to increase their number of committee places and neither does the Liberal Democrat group. What is proposed therefore, in the attached table, formalises the current informal arrangement of the Conservative group 'lending' their place on Children, Adults, Health & Wellbeing Policy Development and Scrutiny Panel to Labour, and it being allocated properly to Labour (and removed from the Conservative group).
- 3.4 The allocation of seats between the bodies listed in the top table (compulsory cumulative proportionality) is traditionally managed through discussion between Group Leaders. As long as the Total numbers in the bottom column of the top table are correct, there is discretion as to how these are allocated within these bodies.
- 3.5 It remains the position that, if a seat is allocated to a member/group, it is within their gift to offer their place to another group (or non-aligned member) and can withdraw that offer at any point. This is an informal arrangement and does not affect the formal proportionality numbers.

#### Proportionality rules

- 3.6 The law gives detailed guidance on the principles to be applied in calculating the allocation of seats on Committees and Sub Committees but the basic principles are:-
- a) not all the seats on the body shall be allocated to one particular party;
  - b) the majority of the seats on the body shall be allocated to a particular political group if the number of persons belonging to that group is a majority of the Authority's membership;
  - c) Subject to paragraphs (a) and (b) above, the number of seats on the ordinary Committees of the Authority which are allocated to a political group shall bear the same proportion to the total of all the seats on the ordinary Committees of that Authority as is borne by the number of members of that group to the membership of that Authority;
  - d) subject to paragraphs (a) to (c) above, the number of seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the Authority.
  - e) Notwithstanding (a) to (d) above the Act does not restrict the ability of the Council, or Committees where they are authorised by the Council, to decide on the size and number of seats on Committees and Sub Committees, and to make the actual appointments. A Committee or Sub Committee must, however comprise at least two voting members.
  - f) The law also deals with the allocation of committee places to members who do not belong to any political group formally recognised by the Council. It indicates that, where there are members of the Council who do not belong to a political group, a proportion of seats on each body to which appointments are

made, equal to the proportion of authority members who do not belong to a political group, will be allocated to the Member(s) concerned. There are no such members on this occasion.

#### **4 STATUTORY CONSIDERATIONS**

4.1 This report fulfils the necessary statutory requirements.

#### **5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

5.1 There are no direct financial implications of the proposals.

#### **6 RISK MANAGEMENT**

6.1 A risk assessment has not been undertaken.

#### **7 EQUALITIES**

7.1 There are no direct equalities implications of this issue.

#### **8 CLIMATE CHANGE**

8.1 There are no direct climate change implications of proposals.

#### **9 OTHER OPTIONS CONSIDERED**

9.1 None.

#### **10 CONSULTATION**

10.1 The Chief Executive, Monitoring Officer, Group Leaders and Political and Group Assistants were consulted in preparing this report.

<b>Contact person</b>	<i>Jo Morrison, Democratic Services Manager</i>
<b>Background papers</b>	Current table (re-approved at May AGM); <a href="https://democracy.bathnes.gov.uk/documents/s81753/Political%20proportionality%20table.pdf">https://democracy.bathnes.gov.uk/documents/s81753/Political%20proportionality%20table.pdf</a>
<b>Please contact the report author if you need to access this report in an alternative format</b>	

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## POLITICAL PROPORTIONALITY TABLE – JULY 2024 – 59 COUNCILLORS

Compulsory cumulative proportionality	Number on Committee	Liberal Democrat (41) 70%	Labour (7) 12%	Independent ( <del>6</del> ) <u>10</u> 8%	Green (3) 5%	Conservative ( <del>23</del> ) <u>23</u> %	Chair Allocation	Vice Chair Allocation	Co-opted members
Corporate PD&S	9	7	1	1			LAB	LD	
Climate Emergency & Sustainability PD&S	9	6	1	1	1		LD	LAB	
Children, Adults, Health & Wellbeing PD&S	9	6	<del>2</del> *2	(1)**	1**	( <del>1</del> )*	LD	LAB	4
Planning Committee	10	7	1	1		1	LD	LD	
Corporate Audit Committee	5	3	1		1		LAB		1
Avon Pension Fund Committee	5	3	1		1		LD	LD	12 voting, 3 non voting
Employment Committee	3	3					LD		
Standards Committee	5	3		1		1	LD	LD	6 non voting <i>*(current working practice is Chair is independent member unless Chair vote required)</i>
<b>TOTALS</b>	<b>55</b>	<b>38</b>	<b><u>7</u>6</b>	<b><u>5</u></b>	<b>3</b>	<b><u>23</u></b>			

\* Conservative Group offering one seat to the Labour Group Not needed if Labour round up to 7 and formalise the CAHW place

\*\* Independent Group offering their seat to the Green Group

<b>Compulsory individual proportionality</b>	<b>No. on Cttee</b>	<b>LD</b>	<b>Lab</b>	<b>Ind</b>	<b>Green</b>	<b>Con</b>			
Licensing Sub-Committee	3	2+1***	(1)***	(1)***		(1)***	LD		
<b>Optional proportionality</b>									
Licensing Committee	11	8	1	1		1	LD		
<b>Fixed memberships</b>									
WECA Overview & Scrutiny Committee	2	2							
WECA Audit Committee	2	2							
Health & Wellbeing Board	2	2 (appropriate Cabinet Members)	1 (observer)	1 (observer)		1 (observer)	<i>Shared between CM &amp; CCG Chair (or equivalent)</i>		
Pensions Investment panel	<b>3 (Chair &amp; Vice of APF)</b>	2	1						3
Restructuring Implementation Committee	5	Group Leader	Group Leader	Group Leader	Group Leader	Group Leader			
Charitable Trust Board *	5	1 Cab Mem + 3	1						
Alice Park Trust *	5	3			2 (Ward member)				2

- CTB - 5 councillors (to include Cabinet member responsible for Community Services) plus at least 1 Councillor who is not a member of controlling group but appointed by controlling group, plus 3 others).
- APT – 3 Councillors from the membership of the Charitable Trust Board (*excluding the Cab Member*) + the 2 Ward members for Lambridge as voting members + 2 co-opted non-voting members.
- \*\*\* No other group prepared to fill the Licensing Sub place hence 3 LDs



## Bath and North East Somerset Council

### Full Council meeting – 18<sup>th</sup> July 2024

#### Green Group Motion on Peace

#### To be proposed by Councillor Joanna Wright

##### Council Notes:

1. East Jerusalem, the West Bank, the Golan Heights, and Gaza are internationally recognised by the UN as being under illegal occupation by Israel<sup>1</sup>. Amnesty International states that Gaza has been subject to 16 years of blockade<sup>2</sup> and multiple NGOs recognise a system of apartheid within this region<sup>3</sup>.
2. On the 7<sup>th</sup> October 2023, Palestinian militant group, Hamas, launched an assault on Israel disputing their occupation– the European Parliament has ruled this the deadliest attack on a Jewish community since the end of the Holocaust<sup>4</sup>.
3. The UN states that all nations have a right to self-determination and self-defence, but these must be conducted within international law<sup>5</sup>. Nevertheless, a devastating and violent conflict between Israel and Hamas in Gaza has ensued since 7<sup>th</sup> October 2023:
  - a. Tens of thousands of civilians have lost their lives in this conflict<sup>6</sup>, including Israeli and British citizens<sup>7</sup>, but fatalities are predominantly Palestinian women and children<sup>8,9</sup>.
  - b. Approximately 75 percent of Gaza's total population, equating to millions of people, have been displaced<sup>10</sup>. The displacement exacerbates challenges in the asylum system, forcing individuals to seek refuge as asylum seekers and refugees.
  - c. The conflict has left Palestine without critical infrastructure, food, water, and resources: multiple hospitals have been targeted in IDF operations, contravening the Geneva Convention<sup>11</sup>; UN officials have deemed the supplies sent to Gaza via trucks as "grossly inadequate"<sup>12</sup>, many of which have been blocked by the IDF; the lack of access to clean water has led to the spread of disease due to inadequate sanitation facilities<sup>13</sup>; Palestinians suffer daily from malnutrition, famine, and starvation<sup>14</sup>.
  - d. Both Hamas and Israel detain hostages. The Geneva Convention defines 'the taking of hostages' as 'grave breaches' and are defined as War Crimes by Article 8 of the Rome Statute of the International Criminal Court<sup>15</sup>[10].

4. Israel's ongoing targeting of Gaza, most recently in Rafah - where many refugees have sought shelter, poses a grave threat to geopolitics. Deliberate attacks on non-combatant civilians or civilian infrastructure are deemed as war crimes under the Rome Statute. Amnesty International has warned that Israel's recurrent assaults on Rafah violate these international laws<sup>16</sup>;
5. The International Court of Justice (ICJ)<sup>17</sup>, the highest court of the United Nations, has heard a case of alleged genocide by Israel<sup>18</sup>. The ICJ issued an interim ruling instructing Israel to prevent genocidal acts and enable humanitarian assistance, despite which civilian casualties in Gaza have not decreased<sup>19</sup>.
6. Israel has proceeded to target Iran, including a consulate building, which is illegal under international law. The attack killed civilians, officers, and the Iranian ambassador.
7. The global consequence of this unrest is clear; for instance, the UK-US have launched airstrikes in Yemen in response to Houthi attacks on ships in the Red Sea in support of Palestine. The Red Sea serves as a critical maritime corridor for global trade, linking Europe, Asia, and Africa. Any disturbance in this region can significantly impact global trade flows. Consequently, international conflicts like these also affect residents and businesses in B&NES by driving up consumer prices, energy costs due to disruptions in oil transportation, and heightening investment and trade uncertainty<sup>20</sup>.
8. The international conflict has heightened security concerns, exacerbated social and political divisions, increased defence and military budgets, potentially distressed diaspora communities, led to protests, occupations, and demonstrations, and influenced media coverage, shaping public perceptions and attitudes within B&NES.<sup>21</sup>

Council:

1. Recognises that the UK has an historical responsibility in this conflict and should support innocent civilians affected by it while striving to secure long-term peace.
2. Reinforces that Hamas do not represent the Palestinian people – and the Palestinian people are not Hamas.
3. Reiterates the ICJ's insistence that Israel must take all measures within its power to prevent acts contravening the genocide convention, ensuring, with immediate effect, that its forces do not commit any act of genocide and immediately improve the humanitarian situation in Gaza.
4. Expresses deep sympathy for all those affected by the conflict in Israel and Palestine, offering support to those in the B&NES area impacted by this conflict.
5. Believes in the long term there can only be a political solution to this crisis. Discussions must restart immediately for a two-state solution, aiming for a safe

and viable Palestinian state alongside a safe and secure Israel, to achieve lasting peace.

6. Hopes for an immediate and unconditional release of all hostages.
7. Believes that Muslims, Jews, and people of all faiths and none should feel safe and supported worldwide and condemns the increase in Antisemitic and Islamophobic violence and abuse in the UK.
8. Affirms all political leaders have a responsibility to try to prevent genocide.

Council therefore:

1. Supports calls for ceasefire locally, nationally and internationally.
2. Asks the Council Leaders to write to the Government urging a ceasefire, the release of hostages, and advocate for lasting peace with a two-state solution on the global stage.
3. Repeats its dedication to combat racism and discrimination in our communities and condemns the use of all dehumanising language. We call on our communities to treat each other with respect and refrain from inflammatory terminology.
4. Through the Equalities Action Commission, resolve to explore how the Council can better support and facilitate events for people of all faiths and none, enabling them to come together and express solidarity and sadness in response to these events.
5. Promote and facilitate access to local services that offer the best support for residents.
6. Pledge to support these services and facilitate their needs, as they play a key role in assisting and nurturing our residents during these challenging times.
7. Supports the UK Resettlement Scheme to allow a route to safety for the most vulnerable in Gaza with emergency pathways for those seeking refuge from the conflict and emphasises our readiness to provide support and open our arms to innocent people displaced and affected by these events.
8. Fly the UN flag as a symbol of peace outside the town hall until a ceasefire is agreed.

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<sup>11</sup> <https://www.un.org/unispal/wp-content/uploads/2023/08/Study-on-the-Legality-of-the-Israeli-occupation-of-the-OPT-including-East-Jerusalem.pdf>

<sup>2</sup> <https://www.amnesty.org/en/latest/research/2022/02/qa-israels-apartheid-against-palestinians-cruel-system-of-domination-and-crime-against-humanity/>

<sup>3</sup> <https://www.amnesty.org/en/latest/research/2022/02/qa-israels-apartheid-against-palestinians-cruel-system-of-domination-and-crime-against-humanity/>

<sup>4</sup> [https://www.europarl.europa.eu/doceo/document/TA-9-2023-0373\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2023-0373_EN.html)

<sup>5</sup> <https://legal.un.org/repertory/art51.shtml>

<sup>6</sup> <https://www.aljazeera.com/news/longform/2023/10/9/israel-hamas-war-in-maps-and-charts-live-tracker>

<sup>7</sup> <https://lordslibrary.parliament.uk/humanitarian-situation-in-gaza/>

<sup>8</sup> <https://hansard.parliament.uk/lords/2023-10-24/debates/17465F6F-4705-40A0-9250-0939AA74444B/IsraelGaza>

<sup>9</sup> <https://www.bbc.co.uk/news/world-middle-east-68430925>

<sup>10</sup> <https://lordslibrary.parliament.uk/humanitarian-situation-in-gaza/>

<sup>11</sup> <https://www.courthousenews.com/wp-content/uploads/2023/12/South-Africa-v-Israel.pdf>

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<sup>12</sup> <https://lordslibrary.parliament.uk/humanitarian-situation-in-gaza/>

<sup>13</sup> <https://hansard.parliament.uk/commons/2024-03-19/debates/3C0812EC-E75C-4F39-873B-2EAC5CF71E51/IsraelAndGaza>

<sup>14</sup> <https://www.palestine-studies.org/en/node/1654922>

<sup>15</sup> <https://www.aljazeera.com/news/2023/11/29/jailed-without-charge-how-israel-holds-thousands-of-palestinian-prisoners>

<sup>16</sup> <https://www.aljazeera.com/news/2024/2/13/has-israel-committed-war-crimes-in-rafah#:~:text=At%20least%2095%20people%2C%20including,the%20human%20rights%20organisation%20said.>

<sup>17</sup> <https://www.un.org/en/genocideprevention/war-crimes.shtml>

<sup>18</sup> <https://www.un.org/en/genocideprevention/war-crimes.shtml>

<sup>19</sup> [https://www.icj-](https://www.icj-cij.org/home#:~:text=On%2029%20December%202023,Gaza%20Strip%20and%20requested%20the)

[cij.org/home#:~:text=On%2029%20December%202023,Gaza%20Strip%20and%20requested%20the](https://www.icj-cij.org/home#:~:text=On%2029%20December%202023,Gaza%20Strip%20and%20requested%20the)

<sup>20</sup> Example: The newly opened Keynsham Recycling Centre has stated that this conflict is directly affecting their operations (comment made to Cllrs on the sites opening tour).

<sup>21</sup> Other local examples include:

- Damage and graffiti related to the conflict found at the Bath Labour offices on November 14, 2023.
- Multiple public speakers have expressed their condemnation of the situation in Gaza, supporting a ceasefire, during Council minutes (Nicola James; Jibraan Kidwai 'The plausible ruling of genocide in the ICJ and how it affects the people of Bath'; Emma Owens 'The impact of the Israel/Gaza war on the people of the city of Bath'; Johyna Ballout 'The situation in Palestine and its impact on the residents of Bath'; Alice Georgiou 'The impact of the Israel/Gaza conflict on the people of BANES')  
<https://democracy.bathnes.gov.uk/ieListDocuments.aspx?CId=272&MId=6323>  
<https://democracy.bathnes.gov.uk/ieListDocuments.aspx?CId=272&MId=6327>  
<https://democracy.bathnes.gov.uk/ieListDocuments.aspx?CId=272&MId=6321>  
<https://democracy.bathnes.gov.uk/ieListDocuments.aspx?CId=272&MId=6221>
- Wael Arafat, whose family and friends have died in the conflict, has been admitted to the Royal United Hospital in Bath following a hunger strike calling for a ceasefire in Gaza.  
<https://www.bbc.co.uk/news/uk-england-bristol-67741956>
- Events held at The Guildhall, such as The Interfaith gathering on 5th February 2024, underscore the undeniable impact of this international conflict on B&NES resources.
- An open letter calling for ceasefire was sent to B&NES Councillors <https://bathcampaigns.org.uk/open-letter-to-banes-councillors/>

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  - *Councillors are reminded of their public sector equality duty which requires the Council to consider or think about how their policies or decisions may affect people who are protected under the Equality Act.*

## **Bath and North East Somerset Council**

### **Full Council meeting 18 July 2024**

#### **Liberal Democrat Motion on B&NES Age Friendly Community**

**To be proposed by Councillor Alison Born**

Council:

1. Welcomes the “Ageing Well | Bath and North East Somerset” programme, which is an initiative by Age UK B&NES and the St John’s Foundation.
2. Understands that the goals of the programme are to transform B&NES into an inclusive, supportive and accessible place where everyone can age well, in whichever way they see fit, and for B&NES to become an Age Friendly Community, as defined by the World Health Organisation.
3. Notes and applauds the role of the B&NES 3<sup>rd</sup> Sector Group in reviving and facilitating the Ageing Well Network. This brings together voluntary sector organisations supporting people to age well and encourage older people to speak out about the issues that are important to them and their communities.
4. Notes the Age Friendly Community framework, established by the WHO, which consists of eight “Domains” or areas of the built and social environment which, when acted upon, can help to address barriers to ageing well, and a “Four-Step Programme Cycle”, which is a development process that places go through to embed an age-friendly way of working.
5. Notes that the “Ageing Well | Bath and North East Somerset” programme has successfully applied for membership to the UK Age Friendly Communities Network. This brings together the approximately 80 age friendly and ageing well communities across the United Kingdom.
6. Endorses the eight goals of the Ageing Well | Bath and North East Somerset programme and welcomes the involvement of Cabinet lead and officer representatives, alongside other local stakeholders, on the Steering Group intended to ensure older people’s needs and views are listened to when decisions are made.
7. Notes that the Health and Wellbeing Board have agreed to receive reports on the progress of the Ageing Well | Bath & North East Somerset programme.

[cont.]

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Council therefore:

8. Supports the application to the WHO for B&NES to become an Age Friendly Community.
9. Encourages B&NES residents aged 55 and over to share their insights and experiences in the inaugural [Ageing Well Community Survey](#), which closes on 31 July 2024 and has already received over 1,000 responses.
10. Supports the relevant Cabinet member and Council service sharing relevant data, within information sharing protocols, with the “Ageing Well | Bath and North East Somerset” programme towards the 2024/2025 evidence-based “State of Ageing Report”, to ensure a comprehensive understanding of ageing in B&NES.
11. Invites the Children, Adults, Health and Wellbeing Scrutiny Panel, upon the publication of the evidence-based “Ageing Well | Bath and North East Somerset” programme’s “State of Ageing Report” at the end of 2024, to consider actions the Council might take, under the eight Domains of Age Friendly Community Framework, to address barriers to ageing well in B&NES.
12. Requests that the relevant Cabinet member and Council service investigate B&NES signing up to the Age Friendly Employer Pledge, taking into account that Age is a protected characteristic under the Equality Act 2010.

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