

# Cabinet



Walsall Council

**Wednesday 13 December at 6:00 p.m.**

Meeting venue: Conference Room 2, Council House, Lichfield Street, Walsall.

[Livestream Link](#)

## Portfolios

Councillor M.A. Bird,  
Leader of the Council



Councillor G. Perry,  
Deputy Leader  
Resilient  
Communities



Councillor A.  
Andrew, Deputy  
Leader and  
Regeneration



Councillor K.  
Ferguson,  
Internal Services



Councillor K.  
Pedley,  
Adult Social Care



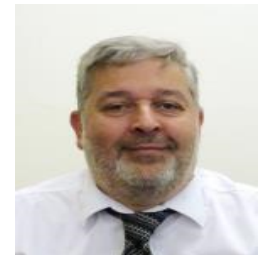
Councillor G. Flint,  
Wellbeing, Leisure  
and Public Spaces



Councillor S. Elson,  
Children's



Councillor M.  
Statham,  
Education and Skills



Councillor K.  
Murphy,  
Street Pride



Councillor G. Ali,  
Customer



Democratic Services, The Council House, Walsall, WS1 1TW  
Contact name: Craig Goodall Telephone: 01922 654765 Email: [craig.goodall@walsall.gov.uk](mailto:craig.goodall@walsall.gov.uk)  
[Walsall Council Website](#)

**If you are disabled and require help to and from the meeting room,  
please contact the person above**

**Quorum** 3 members

## **The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012**

### **Specified pecuniary interests**

The pecuniary interests which are specified for the purposes of Chapter 7 of Part 1 of the Localism Act 2011 are the interests specified in the second column of the following:

<b>Subject</b>	<b>Prescribed description</b>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by a member in carrying out duties as a member, or towards the election expenses of a member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Regulations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority:</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to a member's knowledge):</p> <p>(a) the landlord is the relevant authority;</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where:</p> <p>(a) that body (to a member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either:</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

## **Schedule 12A to the Local Government Act, 1972 (as amended)**

### **Access to information: Exempt information**

#### **Part 1**

#### **Descriptions of exempt information: England**

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes:
  - (a) to give any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
8. Information being disclosed during a meeting of a Scrutiny and Performance Panel when considering flood risk management functions which:
  - (a) Constitutes a trades secret;
  - (b) Its disclosure would, or would be likely to, prejudice the commercial interests of any person (including the risk management authority);
  - (c) It was obtained by a risk management authority from any other person and its disclosure to the public by the risk management authority would constitute a breach of confidence actionable by that other person.

## **Part 1 – Public session**

1. **Apologies**

2. **Minutes – 18 October 2023**

*(Enclosed: pp.7-17)*

3. **Declarations of interest**

4. **Local Government (Access to Information) Act, 1985 (as amended):**

To agree that the public be excluded from the private session during consideration of the agenda items indicated for the reasons shown on the agenda.

5. **Petitions**

(Note: For advice on how to submit petitions, contact Democratic Services. Contact details on the front page of the agenda).

6. **Questions**

(30 minutes will be allowed for pre-submitted questions from non-executive members and the public. All questions will have been submitted at least 7 clear days before the meeting. Answers will be provided at the meeting - no supplementary questions will be allowed.)

7. **Forward plan**

*(Enclosed: pp.18-26)*

### **Leader of the Council: Councillor Bird**

#### **Key Decision**

8. Internal Audit Service Contract Award

*(Enclosed: pp.27-34)*

#### **Non-Key Decision**

9. Draft Revenue Budget and Draft Capital Programme 2024/25 to 2027/28 - Update

*(Enclosed: pp.35-76)*

10. LGA Corporate Peer Challenge Revisit

*(Enclosed: pp.77-95)*

### **Deputy Leader & Regeneration: Councillor Andrew**

#### **Key Decision**

11. The Walsall Borough Local Plan - Call for Sites

*(Enclosed: pp.96-104)*

**Portfolio Holder for Children's: Councillor Elson**

**Key Decision**

12. Walsall Youth Justice Annual Strategic Plan

*(Enclosed: pp.105-159)*

**Portfolio Holder for Internal Services: Councillor Ferguson**

**Non-Key Decision**

13. Treasury Management Mid-Year Position Statement 2023/24

*(Enclosed: pp.160-174)*

**Portfolio Holder for Wellbeing, Leisure & Public Spaces: Councillor Flint**

**Key Decision**

14. Walsall Children and Families Healthy Eating Programme

*(Enclosed: pp.175-205)*

15. Tobacco Control Plan for Walsall 2023 to 2027

*(Enclosed: pp.206-249)*

**Portfolio Holder for Adult Social Care: Councillor Pedley**

**Key Decision**

16. Adult Social Care contributions policy for community and residential

*(Enclosed: pp.250-269)*

**Feedback from Overview and Scrutiny**

**Non-Key Decision**

17. Recommendations from Education Overview and Scrutiny Committee regarding school performance data

*(Enclosed: pp.270-271)*

18. Recommendations from Scrutiny Overview Committee regarding policing within Walsall

*(Enclosed: pp.272-273)*

## **Part 2 – Private Session**

**Leader of the Council: Councillor Bird**

### **Key Decision**

19. Internal Audit Service Contract Award

**Portfolio Holder for Leisure, Wellbeing and Healthy Spaces: Councillor Flint**

### **Key Decision**

20. Walsall Children and Families Healthy Eating Programme

# Cabinet

## Wednesday 18 October 2023

Minutes of the meeting held in Conference Room 2 at the Council House, Lichfield Street, Walsall at 6pm.

### Present

Councillor Bird (Chair)	Leader of the Council
Councillor Ali	Customer
Councillor Andrew	Deputy Leader and Regeneration
Councillor Elson	Children’s Services
Councillor Ferguson	Internal Services
Councillor Flint	Health and Wellbeing
Councillor Murphy	Clean and Green
Councillor Pedley	Adult Social Care
Councillor Perry	Deputy Leader and Resilient Communities
Councillor M. Statham	Education and Skills

### In attendance

E. Bennett	Chief Executive
K. Allward	Executive Director – Adult Social Care
D. Brown	Executive Director – Economy, Environment and Communities
C. Male	Executive Director – Children’s Services
A. Cox	Director of Governance
S. Darcy	Director of Finance, Corporate Performance Management and Corporate Landlord
N. Inglis	Director of Public Health
C. Goodall	Principal Democratic Services Officer
E. Cook	Democratic Services Officer

### Part 1 – Public Session

#### 4125 Welcome

Councillor Bird opened the meeting by welcoming everyone and explaining that the Cabinet was meeting that evening in person and that the agenda and reports for this meeting were available on the Council’s website. He explained that voting would be by way of a show of hands which would be witnessed and recorded by the Democratic Services officer in attendance.

#### 4126 Apologies

No apologies were received.

#### 4127 Minutes

The minutes of the meeting held on 19 July 2023 and the special meeting of 20 September 2023 were submitted.

**Resolved**

That the minutes of the meeting held on 19 July 2023 and the special meeting of 20 September 2023, a copy having been sent to each member of the Cabinet, be approved and signed as correct records.

**4128 Declarations of interest**

Councillor Perry declared an interest in Item 16 Integrated sexual and reproductive health services and the Healthy Child Programme 0-19 Section 75 Agreement Extensions, as an employee of Walsall Healthcare NHS Trust.

**4129 Local Government (Access to Information) Act, 1985**

**Resolved**

That the public be excluded from the meeting during consideration of the items set out in the private part of the agenda for the reasons set out therein and Section 100A of the Local Government Act, 1972

**4130 Petitions**

No petitions were submitted.

**4131 Questions**

No questions were received.

**4132 Forward plan**

The forward plan as of October 2023 was submitted:

(annexed)

**Resolved**

**That the forward plan be noted.**

**4133 The Armed Forces Act 2021 – New Statutory Duty: Walsall Armed Forces Covenant 2023**

Councillor Bird introduced a report setting out the new Walsall Armed Forces Covenant and invited Councillor Hicken to give an overview of the report and Covenant, as the Armed Forces Champion.

(annexed)



Councillor Bird thanked Councillor Hicken for his diligence and effort in embracing the Armed Forces Champion role.

It was **moved** by Councillor Bird and **seconded** by Councillor Flint and it was;

**Resolved** (unanimously)

1. **That Cabinet notes the Armed Forces Covenant statutory duty.**
2. **That the Walsall Council Armed Forces Covenant, appended to the report, be approved.**
3. **That authority be delegated to the Executive Director for Economy Environment and Communities in consultation with the Leader of the Council (or nominated Armed Forces Champion) to make amendments to the pledges contained in the local covenant to ensure that they remain current.**

#### 4134 **Corporate Financial Performance 2023/24 – Mid-year position**

Councillor Bird introduced a report providing the forecast corporate financial position for 2023/24, based on known and forecast pressures as at September 2023, as well as actions being taken to address these.

(annexed)

It was **moved** by Councillor Bird and **seconded** by Councillor Andrew and it was;

**Resolved** (unanimously)

**That Cabinet:**

1. **Note the forecast revenue spend above budget of £18.35m with services mitigating actions of £3.81m reducing this to £14.53m. A further £10.82m of central mitigating actions have been identified reducing the overspend down further to £3.72m. The forecast overspend has reduced by £10.07m since the June position (month 3) reported to Cabinet on 19 July 2023, mainly due to:**
  - a further underspend of £2.08m in relation to capital financing,
  - the use of central mitigating actions,
  - a one off windfall income from business rates of £2.62m.
  - This position also includes the use of the additional Market Sustainability and Improvement Fund grant allocation given in year of £2.18m as announced in July 2023.
2. **Note that there are additionally high risks of £15.64m to the revenue forecast identified within services as set out in Appendix 2. These risks are actively being monitored and action is being taken to reduce / eliminate them.**

3. **Note the progress on savings approved for 2023/24 and the amendments as detailed in section 4.11 to 4.13 and the proposed use of earmarked reserves to mitigate these in 2023/24. Ongoing into 2024/25 these are expected to be fully delivered or replaced with alternative savings to ensure no financial impact.**
4. **Approve amendments to the capital programme as set out in section 4.15, including the request to increase highways maintenance by £700k in 2023/24.**
5. **Note that the forecast for the capital programme is a predicted underspend of £710k, after the expected carry forward of £23.82m into 2024/25, as set out in sections 4.16 and 4.17 and Appendix 6.**
6. **Approve the release of £2.89m from the development pool for the continuation of the Enabling Technology Programme, as set out in sections 4.19 to 4.23.**
7. **Approve borrowing of up to £6.50m to fund part of the Phoenix 10 funding package on the basis this sum will be reimbursed via retained business rates as approved by the Black Country Joint Committee at its meeting on 24 June 2020, as set out in sections 4.24 to 4.26.**
8. **Note financial health indicator performance as set out in sections 4.27 to 4.32 and Appendix 8.**
9. **Note the prudential indicators as set out in section 4.33 and Appendix 9.**
10. **Note the performance and demand data at Appendices 10 and 11 in relation to Adult and Children's Social Care Services.**

#### 4135 **Draft Revenue Budget and Draft Capital Programme 2024/25 to 2027/28**

Councillor Bird introduced a report which provided an updated medium term financial outlook, first draft revenue budget (including savings proposals for consultation) and draft capital programme for 2024/25 to 2027/28 and set out the process and timescale for setting a balanced budget for 2024/25.

(annexed)

It was **moved** by Councillor Bird and **seconded** by Councillor Andrew and it was;

**Resolved** (unanimously)

**That Cabinet:**

1. **Note, as a basis for consultation, the revised financial assumptions and projections within the draft revenue budget, the uncertainty around core funding, and that a further update be provided to Cabinet on 13 December 2023 outlining further actions close the £18.06m gap and balance the 2024/25 budget.**

2. Note that the medium-term financial outlook position assumes an increase in council tax of 4.99% in 2024/25 (2.99% core increase plus 2% Adult Social Care precept) and 1.99% in the following 3 years, the assumed level of “reasonableness” in respect of the current referendum principles.
3. Note the draft policy savings proposals for 2024/25 as set out in Appendix 2A and agree that they proceed to formal consultation, reporting back to Cabinet for a decision once consultation and equality impact assessment is complete.
4. Note and endorse the operational savings proposals for 2024/25 to 2027/28 set out in Appendix 2B of this report, and instruct officers to implement these under officer delegations, subject to any required consultation, equality impact assessment, and any changes arising as a result of the latter two.
5. Approve as a basis for consultation the current draft capital programme for 2024/25 to 2027/28 in section 4.29 to 4.44, and Appendices 3 and 4 - £132.08m for 2024/25 with a further £202.21m over the 3-year period 2025/26 to 2027/28.
6. Note that the level of contingency funds and general reserves will be set in line with the levels contained within the council’s MTF, the final level to be based on a detailed risk assessment, which will be reported to Cabinet and Council in February 2024 for approval.
7. Refer this report to Scrutiny Overview Committee on 11 December 2023, to enable the Committee’s comments to be considered by Cabinet. All Scrutiny Committees will also receive proposals relating to the individual remit of each Committee.

4136 **Council Plan: Markers of Success Q1 23/24**

Councillor Bird introduced a report which provided an update on performance in Quarter 1 of 2023-24 against the Council Plan Markers of Success, highlighting achievements and support requirements to ensure the Markers were met.

(annexed)

It was **moved** by Councillor Bird and was;

**Resolved** (by assent)

1. That Cabinet note the performance in Q1 relating to the period April-June 2023.
2. That Cabinet note any key achievements, identified interdependencies and support required to achieve the Outcomes, set out in this report.

#### 4137 **Biodiversity Net Gain (BNG)**

Councillor Andrew introduced a report which set out Biodiversity Net Gain (BNG) guidance and the Black Country Local Nature Recovery Strategy to ensure compliance with BNG legislation being introduced.

(annexed)

It was **moved** by Councillor Andrew and **seconded** by Councillor Bird and seconded by it was;

**Resolved** (unanimously)

1. **That Cabinet note the legal requirement to deliver biodiversity net gain from January 2024 and the planning processes required for its effective implementation;**
2. **That Council be recommended to adopt and publish biodiversity net gain guidance for Walsall, as set out in Appendix 1.**
3. **That Council be recommended to adopt and publish the Black Country Local Nature Recovery Map and Strategy, as set out in Appendix 2, to be used as guidance and evidence in the planning process.**

#### 4138 **Willenhall Framework Plan: Phase 1 Developer Partner Procurement Outcome and Award**

Councillor Andrew introduced a report which sought approval to appoint the developer partner for Phase 1 of the Willenhall Framework Plan.

(annexed)

**Resolved**

*The decision was taken in the private session following consideration of exempt information.*

#### 4139 **Future provision of street lighting services**

Councillor Andrew introduced a report which sought to ensure appropriate service delivery arrangements for street lighting would be in place upon the conclusion of existing PFI arrangements in 2028.

(annexed)

It was **moved** by Councillor Andrew and **seconded** by Councillor Bird and seconded by it was;

**Resolved** (unanimously)

1. That Cabinet approve the commencement of preparations for a procurement exercise for a combined highway infrastructure services contract.
2. That Cabinet delegate authority to the to the Executive Director for Economy, Environment and Communities, in consultation with the Cabinet Member for Regeneration, to enter into negotiations with Walsall Public Lighting with a view to extending the Public Lighting PFI contract by 11 months [Option 3].

#### 4140 Food Law Enforcement Service Plan 2023/24

Councillor Perry introduced a report which set out how the authority would enforce statutory controls regarding food safety and monitor food, premises and personnel in a structured manner.

(annexed)

It was **moved** by Councillor Bird and **seconded** by Councillor Perry and seconded by it was;

**Resolved** (unanimously)

1. That Cabinet receive the plan for the year 2023/24 as evidence of the Council's compliance with its statutory duties in relation to food law and recommend it to Full Council for approval and adoption.
2. That the Chief Executive writes to the Food Standards Agency requesting that the display of food hygiene ratings in food premises becomes mandatory.

#### 4141 Integrated sexual and reproductive health services and the Healthy Child Programme 0-19 Section 75 Agreement Extensions

Councillor Statham introduced a report which sought authorisation to extend the existing Section 75 partnerships with Walsall Healthcare NHS Trust to provide the Healthy Child Programme 0-19 and the Integrated Sexual and Reproductive Health services.

(annexed)

It was **moved** by Councillor Flint and **seconded** by Councillor Bird and seconded by it was;

**Resolved** (unanimously)

1. That Cabinet approve extending the existing Section 75 partnership arrangement to provide Integrated Sexual and Reproductive Health

services in Walsall Healthcare NHS Trust commencing 1 April 2024 for two years until 31 March 2026 to the value of £1.80m.

2. That Cabinet approve extending the existing Section 75 partnership arrangement to provide the Healthy Child Programme 0-19 delivered by Walsall Healthcare NHS Trust commencing 1 April 2024 for two years until 31 March 2026 to the value of £5.14m (inclusive of 5% uplift for 2023/24).
3. That Cabinet approve the take up of a licence agreement for the use of consulting rooms in Hatherton Medical Centre for the delivery of sexual health services on the terms set out in paragraph 4.11 of this report, to the value of £101,550 per annum.

#### 4142 Winter Service Operational Plan 2023-28

Councillor Murphy introduced a report which detailed arrangements to ensure the Council met its statutory obligation to maintain highways in a safe condition and implement a winter service operational plan, including the provision of winter maintenance.

(annexed)

It was **moved** by Councillor Murphy and **seconded** by Councillor Bird and seconded by it was;

**Resolved** (unanimously)

1. That Cabinet approve the Winter Service Operational Plan 2023 – 2028 attached as Appendix A.
2. That the Executive Director, Economy, Environment & Communities in consultation with the Portfolio holder for Street Pride, be authorised to make minor amendments to the Winter Service Operational Plan, as necessary, to ensure the ongoing efficient and effective delivery of the winter service

#### 4143 Proposed Early Years Supplementary Grant (EYSG) for two, three & four years olds - 2023/24

Councillor Statham introduced a report which set out the proposed method of distribution of funding from the Early Years Supplementary Grant.

(annexed)

It was **moved** by Councillor Statham and it was;

**Resolved** (by assent)

1. That Cabinet note the work undertaken by officers and recommend that the Early Years Supplementary Grant (EYSG) allocation is passed on to

**childcare providers in full for 2023/24 at the end of the autumn 2023 and spring 2024 terms following a reconciliation.**

**4144 Proposed Schools Local Funding Formula 2024/25**

Councillor Statham introduced a report which sought to obtain approval to finish the transition to implement the National Funding Formula in full from the 2024-25 funding year.

(annexed)

It was **moved** by Councillor Statham and **seconded** by Councillor Flint and seconded by it was;

**Resolved** (unanimously)

- 1. That Cabinet note that the recommendation for the basis of the local mainstream schools funding formula for 2024/25 is to implement the National Funding Formula (NFF) rates in full from that year, which is in line with the full consultation exercise undertaken in 2022 and the endorsement of Schools Forum and approval of Cabinet following that in December 2022.**
- 2. Cabinet to note the provisional Schools Block allocation of Dedicated Schools Grant (DSG) funding that the modelling for 2024/25 has been based on.**
- 3. That Cabinet note that, once the final Dedicated Schools Grant (DSG) allocations for 2024/25 have been issued in December 2023, a further report will be presented to Schools Forum at their meeting in January 2024 confirming the final allocation and funding factor values.**
- 4. That authority be delegated to the Director of Children's Services in consultation with the Portfolio Holder for Education and Skills to amend the formula in line with Department for Education requirements and to comply with relevant funding regulations for the 2024/25 Schools Funding Formula.**

**4145 Recommendations from Education Scrutiny Committee regarding Children Not in School, exclusions and suspensions and support for children in Elective Home Education.**

Councillor Statham introduced a report which set out recommendations made by the Education Overview and Scrutiny Committee at their meeting of 5 September 2021 regarding children not in school; exclusions and suspensions; and support for children in Elective Home Education.

(annexed)

It was **moved** by Councillor Statham and **seconded** by Councillor Bird and seconded by it was;

**Resolved** (unanimously)

1. That the Portfolio Holder for Education and Skills writes to the Secretary of State for Education requesting the introduction of the Children Not in School Register as soon as possible;
2. That the Director for Access and Inclusion establish the potential cost of paying fees for all children in elective home education to sit standardised exams and report back to the Portfolio Holder for Education and Skills and the Education Overview and Scrutiny Committee;
3. That Cabinet note the concerns of the Education Overview and Scrutiny Committee regarding the disproportionately lower school attendance figures of boys, SEN pupils and those pupils receiving free school meals.

4146 **Exclusion of public**

**Resolved**

That during consideration of the remaining items on the agenda, the Cabinet considers that the items for consideration are exempt information by virtue of Paragraph 3 of Part I of Schedule 12A of the Local Government Act, 1972, and accordingly resolves to consider the items in private.

## **Part 2 - Private Session**

*The following provides a public summary of the decisions taken in the private session.*

4147 **Willenhall Framework Plan: Phase 1 Developer Partner Procurement Outcome and Award**

Councillor Andrew introduced a report which sought approval to appoint the developer partner for Phase 1 of the Willenhall Framework Plan and included exempt information which had not been considered during the public session.

It was **moved** by Councillor Andrew and **seconded** by Councillor Bird and seconded by it was;

**Resolved** (unanimously)

1. That Cabinet approve the appointment of Keepmoat Homes Ltd as the Willenhall developer partner for the delivery of the Willenhall Framework Plan Phase 1 scheme (Moat Street and Villiers Street).
2. That Cabinet note that public sector funding is secured to fund the Phase 1 scheme enabling works (demolition and remediation costs).



3. That authority be delegated to the Executive Director for Resources in consultation with the Portfolio Holder for Regeneration to finalise the Agreement for Lease, including agreeing a value for the enabling works within the agreed budget, with the preferred developer Keepmoat Homes Ltd and to subsequently authorise execution and exchange of the Agreement for Lease and entry into, or variation of, any additional documents (including the building lease and transfers) pursuant to that Agreement.
4. That Cabinet note that due to the procurement approach taken, the Council has the option to utilise the services of the preferred developer to deliver the remaining phases of the Willenhall Framework Plan which would be subject to future Cabinet decisions.

*(Exempt Information under paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended)*

#### 4148 **Sale of the Former Allens Centre, Hilton Road, Willenhall**

Councillor Andrew introduced a report which sought approval for the sale of Council land, formerly the site of the Allens Centre.

It was **moved** by Councillor Andrew and **seconded** by Councillor Bird and seconded by it was;

**Resolved** (unanimously)

**That Cabinet approve the sale of the land shown edged in black on plan reference EPMS4104/11, and that authority be delegated to the Executive Director for Resources in consultation with the Portfolio Holder for Regeneration, for the approval of the final terms of the sale on the proviso that the transaction represents a sale at best consideration.**

*(Exempt Information under paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended)*

There being no further business, the meeting terminated at 6:56 p.m.

Chair:

Date:



**Walsall Council**

## **FORWARD PLAN OF KEY DECISIONS**

**Council House,  
Lichfield Street,  
Walsall, WS1 1TW**  
[www.walsall.gov.uk](http://www.walsall.gov.uk)

**4 DECEMBER 2023**

## FORWARD PLAN

The forward plan sets out decisions that are termed as “key decisions” at least 28 calendar days before they are due to be taken by the Executive (Cabinet). Also included on the plan are other decisions to be taken by the Cabinet (“non-key decisions”). Preparation of the forward plan helps the Council to programme its work. The purpose of the forward plan is to give plenty of notice and an opportunity for consultation on the issues to be discussed. The plan is updated each month with the period of the plan being rolled forward by one month and republished. Copies of the plan can be obtained from Democratic Services, Walsall MBC, Council House, Walsall, WS1 1TW [craig.goodall@walsall.gov.uk](mailto:craig.goodall@walsall.gov.uk) and can also be accessed from the Council’s website at [www.walsall.gov.uk](http://www.walsall.gov.uk). The Cabinet is allowed to make urgent decisions which do not appear in the forward plan, however, a notice will be included on the agenda for the relevant Cabinet meeting which explains the reasons why.

Please note that the decision dates are indicative and are subject to change. Please contact the above addressee if you wish to check the date for a particular item.

The Cabinet agenda and reports are available for inspection by the public 7 days prior to the meeting of the Cabinet on the Council’s website. Background papers are listed on each report submitted to the Cabinet and members of the public are entitled to see these documents unless they are confidential. The report also contains the name and telephone number of a contact officer. These details can also be found in the forward plan.

Meetings of the Cabinet are open to the public. Occasionally there are items included on the agenda which are confidential and for those items the public will be asked to leave the meeting. The forward plan will show where this is intended and the reason why the reports are confidential. Enquiries regarding these reasons should be directed to Democratic Services ([craig.goodall@walsall.gov.uk](mailto:craig.goodall@walsall.gov.uk)).

“Key decisions” are those decisions which have a significant effect within the community or which involve considerable expenditure or savings. With regard to key decisions the Council’s Constitution states:

- (1) A key decision is:
  - (i) any decision in relation to an executive function which results in the Council incurring expenditure which is, or the making of savings which are, significant, having regard to the Council’s budget for the service or function to which the decision relates or
  - (ii) any decision that is likely to have significant impact on two or more wards within the borough.
- (2) The threshold for “significant” expenditure/savings is £500,000.
- (3) A decision taker may only make a key decision in accordance with the requirements of the Executive Procedure Rules set out in Part 4 of this Constitution.

**FORWARD PLAN OF KEY DECISIONS  
JANUARY 2024 TO APRIL 2024 (04.12.2023)**

1	2	3	4	5	6	7
Reference No./ Date first entered in Plan	Decision to be considered (to provide adequate details for those both in and outside the Council)	Decision maker	Background papers (if any) and Contact Officer	Main consultees	Contact Member (All Members can be written to at Civic Centre, Walsall)	Date item to be considered
37/23 (7.8.23)	<p><b>Draft Revenue Budget and Draft Capital Programme 2024/25 to 2027/28 – Update:</b></p> <p>To provide an updated medium term financial outlook, draft revenue budget and capital programme for 2024/25 to 2027/28, including update to savings proposals, impact of Autumn Statement, and progress on budget consultation to date including feedback from Overview and Scrutiny Committees on the draft revenue and capital budget.</p>	Cabinet  Non-key Decision	Vicky Buckley  <a href="mailto:Vicky.Buckley@walsall.gov.uk">Vicky.Buckley@walsall.gov.uk</a>	Council tax payers, business rate payers, voluntary and community organisations.  Internal services	Cllr Bird	13 December 2023
64/23 (4.12.23)	<p><b>Internal Audit Contract Award:</b></p> <p>To award a contract for the provision of an Internal Audit Service</p> <p><i>This will be a private session report containing exempt information.</i></p>	Cabinet  Key Decision	Vicky Buckley  <a href="mailto:Vicky.Buckley@walsall.gov.uk">Vicky.Buckley@walsall.gov.uk</a>	Internal services	Cllr Bird	13 December 2023
63/23 (04.12.23)	<p><b>LGA Corporate Peer Challenge – Progress Review:</b></p>	Cabinet	Elizabeth Connolly	Internal Services	Cllr Bird	13 December 2023

	To note the Local Government Association's final Progress Review Report and their observations following the Corporate Peer Challenge revisit in October 2023	Non-key decision	<a href="mailto:Elizabeth.Connolly@walsall.gov.uk">Elizabeth.Connolly@walsall.gov.uk</a>			
55/23 (6.11.23)	<b>Walsall Borough Local Plan - Call for Sites:</b>  To agree authorisation for the Council to publicise and implement a Call for Sites exercise for the Walsall Borough Local Plan.	Cabinet  Key Decision	David Holloway  <a href="mailto:David.Holloway@walsall.gov.uk">David.Holloway@walsall.gov.uk</a>	Internal Services	Cllr Andrew	13 December 2023
56/23 (6.11.23)	<b>Walsall Youth Justice Service Strategic Plan 2022-2025:</b>  To note and forward to Council for approval the Walsall Youth Justice Service Strategic Plan 2022-2025.	Cabinet  Key Decision	Phil Rutherford  <a href="mailto:Philip.Rutherford@walsall.gov.uk">Philip.Rutherford@walsall.gov.uk</a>	Internal services  YJS Partnership Board	Cllr Elson	13 December 2023
38/23 (7.8.23)	<b>Treasury Management Mid Year Position Statement 2023/24:</b>  To note and forward to Council, for consideration and noting (and in line with the requirements of the Treasury Management Code of Practice (2017), the mid year report for treasury management activities 2023/24 including prudential and local indicators.	Council  Non-key Decision	Treasury Management Code of Practice.  Richard Walley  <a href="mailto:Richard.Walley@walsall.gov.uk">Richard.Walley@walsall.gov.uk</a>	Internal services	Cllr Ferguson	13 December 2023
36/23 (7.8.23)	<b>Healthy Eating for Children and Young People Programme:</b>  To seek approval to procure a new healthy eating and weight	Cabinet  Key Decision	Esther Higdon  <a href="mailto:Esther.Higdon@walsall.gov.uk">Esther.Higdon@walsall.gov.uk</a>	Internal Services  Walsall Healthcare Trust	Cllr Flint	13 December 2023

	management programme for children and young people in Walsall.  <i>This will include a private session report containing exempt information.</i>					
61/23 (6.11.23)	<b>Walsall Tobacco Control Plan 2023-2027:</b>  To approve the Tobacco Control Plan.	Cabinet  Key Decision	Joe Holding  <a href="mailto:Joe.Holding@walsall.gov.uk">Joe.Holding@walsall.gov.uk</a>	Internal services  SWPB	Cllr Flint	13 December 2023
62/23 (06.11.23)	<b>Adult Social Care Contributions Policy:</b>  To approve the continuation of an Adult Social Care Contributions Policy rather than a Charging Policy which encompasses a number of charging areas under the Care Act. The Contributions Policy will detail the framework as to how customers will be assessed for their adult social care contributions. The policy will however cover both residential and community assessments. The current policy is community assessments only.	Cabinet  Key Decision	Kerrie Allward  <a href="mailto:Kerrie.Allward@walsall.gov.uk">Kerrie.Allward@walsall.gov.uk</a>	Internal Services	Cllr Pedley	13 December 2023
50/23 (2.10.23)	<b>Corporate Financial Performance 2023/24:</b>  To report the financial position based on 9 months to December 2023.	Cabinet  Non-key Decision	Vicky Buckley  <a href="mailto:Vicky.Buckley@walsall.gov.uk">Vicky.Buckley@walsall.gov.uk</a>	Corporate Management Team and Internal Services	Cllr Bird	7 February 2024
51/23 (2.10.23)	<b>Corporate Budget Plan 2024/25 – 2027/28, incorporating the Capital Strategy and the Treasury Management and investment Strategy 2024/25:</b>	Cabinet  Council  Key Decision	Vicky Buckley  <a href="mailto:Vicky.Buckley@walsall.gov.uk">Vicky.Buckley@walsall.gov.uk</a>	Council tax payers, business rate payers, voluntary and community organisations,	Cllr Bird	7 February 2024  (Council: 22 February 2024)

	To recommend the final budget and council tax for approval by Council.			Corporate Management Team and Internal Services		
52/23 (2.10.23)	<b>Council Plan 2022/25 – Q2 23/24:</b> To note the Quarter 2 2023/24 (outturn) performance against the Markers of Success in the Council Plan 2022/25.	Cabinet Non-key Decision	Elizabeth Connolly <a href="mailto:Elizabeth.Connolly@walsall.gov.uk">Elizabeth.Connolly@walsall.gov.uk</a>	Internal Services	Cllr Bird	7 February 2024
57/23 (6.11.23)	<b>Walsall Net-Zero 2041 Climate Strategy:</b> To approve the Walsall Net-Zero 2041 Strategy.	Cabinet Key Decision	Katie Moreton <a href="mailto:Kathryn.Moreton@walsall.gov.uk">Kathryn.Moreton@walsall.gov.uk</a>	Internal Services	Cllr Flint	7 February 2024
39/23 (7.8.23)	<b>Strategic Leisure Review:</b> To update on the performance and impact of the four leisure facilities. To approve recommendations around the current and future facility stock.	Cabinet Key Decision	Stuart Webb <a href="mailto:Stuart.Webb@walsall.gov.uk">Stuart.Webb@walsall.gov.uk</a>	Internal services	Cllr Flint	7 February 2024
65/23 (4.12.23)	<b>Materials Contract Awards:</b> To award off-take and processing contracts for multiple recyclable materials.	Cabinet Key Decision	Katie Moreton <a href="mailto:Kathryn.Moreton@walsall.gov.uk">Kathryn.Moreton@walsall.gov.uk</a> Alan Bowley <a href="mailto:Alan.Bowley@walsall.gov.uk">Alan.Bowley@walsall.gov.uk</a>	Internal Services	Cllr Murphy	7 February 2024
54/23 (2.10.23)	<b>Adult Social Care Commissioning Strategy 2023 – 2026:</b>	Cabinet Key Decision	Nigel Imber – <a href="mailto:Nigel.Imber@Walsall.Gov.uk">Nigel.Imber@Walsall.Gov.uk</a>	Internal consultees Local and regional partners	Cllr Pedley	7 February 2024

	To approve an interim commissioning strategy.					
60/23 (6.11.23)	<p><b>Community Grant – Bloxwich Community Partnership:</b></p> <p>To agree funding and leasing arrangements in relation to Palace Play, Shop and Eat Blakenall Row, Walsall WS3 1LW</p>	Cabinet Key Decision	<p>Sarah Oakley</p> <p><a href="mailto:Sarah.Oakley@walsall.gov.uk">Sarah.Oakley@walsall.gov.uk</a></p>	Bloxwich Community Partnership	Cllr Perry	7 February 2024
53/23 (2.10.23)	<p><b>Determination of the Scheme for coordinated admissions, and the Admission Arrangements for Community and Voluntary Controlled Primary Schools for the 2025/26 academic year:</b></p> <p>To determine the scheme of admissions and admission arrangements for community and voluntary-controlled primary schools for 2025-26.</p>	Cabinet Key Decision	<p>Alex Groom</p> <p><a href="mailto:Alex.Groom@walsall.gov.uk">Alex.Groom@walsall.gov.uk</a></p>	<p>Internal consultees</p> <p>Public</p> <p>Local Authorities</p> <p>Schools</p> <p>Faith Groups</p>	Cllr M. Statham	7 February 2024
14/23 (6.2.23)	<p><b>Growth Funding for Schools:</b></p> <p>To enable the Local Authority to fulfil its duty to secure sufficient primary and secondary school places, through the adoption of a policy for the application of revenue funding for school growth.</p>	Cabinet Key Decision	<p>Alex Groom</p> <p><a href="mailto:Alex.Groom@walsall.gov.uk">Alex.Groom@walsall.gov.uk</a></p>	<p>Internal services,</p> <p>Schools Forum</p>	Cllr M. Statham	7 February 2024



46/23 (4.9.23)	<b>SEN Place Requirement:</b>  To approve finance for additional special educational needs school places.	Cabinet  Key Decision	Alex Groom  <a href="mailto:Alex.Groom@walsall.gov.uk">Alex.Groom@walsall.gov.uk</a>	Internal services	Cllr M. Statham	7 February 2024
58/23 (6.11.23)	<b>High Needs Funding Formula 2024/25:</b>  To approve changes to the High Needs Funding Formula, as agreed by Schools Forum, to be used for the allocation of Dedicated Schools Grant – High Needs Block to schools in Walsall for the 2024/25 financial year.	Cabinet  Key Decision	Richard Walley  <a href="mailto:Richard.Walley@walsall.gov.uk">Richard.Walley@walsall.gov.uk</a>	Schools Forum  Internal Services	Cllr M. Statham	20 March 2024
59/23 (6.11.23)	<b>Early Years Funding Formula 2024/25:</b>  To Cabinet approve the Early Years Funding Formula, as agreed by Schools Forum, to be used as the allocation of funding to early years providers in Walsall.	Cabinet  Key Decision	Richard Walley  <a href="mailto:Richard.Walley@walsall.gov.uk">Richard.Walley@walsall.gov.uk</a>	Schools Forum  Internal Services	Cllr M. Statham	20 March 2024
66/23 (4.12.23)	<b>Waste Management Strategy Update - Fryers Road Household Waste Recycling Centre redevelopment (HWRC):</b>  That Cabinet approve the pre-tender budget for the redevelopment of a larger Fryers Road HWRC and agree to use the Pagabo framework (design and build stages) for the procurement of Fryers Road HWRC.	Cabinet  Key Decision	Katie Moreton  <a href="mailto:Kathryn.Moreton@walsall.gov.uk">Kathryn.Moreton@walsall.gov.uk</a>  Stephen Johnson  <a href="mailto:Stephen.Johnson@walsall.gov.uk">Stephen.Johnson@walsall.gov.uk</a>	Internal Services	Cllr Andrew  Cllr Murphy	17 April 2024

67/23 (4.12.23)	<b>Council Plan 2022/25 – Q3 23/24:</b> To note the Quarter 3 2023/24 (outturn) performance against the Markers of Success in the Council Plan 2022/25	Cabinet Non-key Decision	Elizabeth Connolly <a href="mailto:elizabeth.connolly@walsall.gov.uk">elizabeth.connolly@walsall.gov.uk</a>	Internal Services	Cllr Bird	17 April 2024
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## Cabinet – 13 December 2023

### Internal Audit Service Contract Award

<b>Portfolio:</b>	Councillor Bird - Leader of the Council
<b>Related portfolios:</b>	All
<b>Service:</b>	Finance – Council Wide
<b>Wards:</b>	All
<b>Key decision:</b>	Yes
<b>Forward plan:</b>	Yes

#### 1. Aim

- 1.1 Provision of an Internal Audit service that supports the statutory requirements of the council's Section 151 Officer and acts as an independent, objective assurance designed to add value and improve the council's operations by providing a systematic, disciplined approach to evaluate and improve the effectiveness of control and governance and risk management processes.

#### 2. Summary

- 2.1 Section 151 of the Local Government Act 1972 specifies that 'every local authority will make arrangements for the proper administration of their financial affairs' with the Accounts and Audit (England) Regulations 2015 requiring councils to 'undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes.'
- 2.2 Whilst these regulations do not stipulate how the council should provide these services, effective Internal Audit functions require a diversity of skills that local authorities can find difficult to source and retain. As such the council previously agreed to procure these services from an external partner.
- 2.3 With the current contract for these services due to expire on 31 March 2024 a retendering exercise has been carried out to ensure the council is able to continue to meet its statutory duties going forward.
- 2.4 As the award of the contract incurs expenditure in excess of £500,000 it is a key decision.
- 2.5 Cabinet Members should refer to the private session report for confidential details and commercially sensitive matters relating to the evaluation of the tenders.

### **3. Recommendations**

Subject to consideration of the information in the private session of the meeting, Cabinet are recommended to:

- 3.1 Award the contract for the provision of an Internal Audit Service to Mazars LLP from 1 April 2024 until 31 March 2026 (with the option to extend for 2 further 12 month periods).
- 3.2 Delegate authority to the Executive Director of Resources and Transformation to enter into a new contract to deliver the Internal Audit Service by using the most appropriate procedures and to subsequently authorise the sealing of any deeds, contracts or other related documents for the provision of such services.
- 3.3 Delegate authority to the Executive Director of Resources and Transformation to vary the contract during the contractual period to ensure the Council continues to achieve value for money and the services continue to meet corporate priorities.

### **4. Report detail - know**

#### **Context**

- 4.1 Section 151 of the Local Government Act 1972 specifies that 'every local authority will make arrangements for the proper administration of their financial affairs and will secure that one of their officers has responsibility for the administration of those affairs'. The Director of Finance, Corporate Landlord and Assurance (S151 Officer) is the responsible officer for the council.
- 4.2 In addition, the Accounts & Audit Regulations 2015 refer specifically to matters pertinent to Internal Audit within local authorities and state that 'a relevant authority must undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes, taking into account public sector internal auditing standards or guidance'.
- 4.3 Historically within Walsall these required functions were provided via an internal service, however, in 2015 following the departure of the Head of Internal Audit and with a number of vacancies within the team, the council chose to undertake a review of the service.
- 4.4 This review identified that:
  - Effective Internal Audit functions require a diversity of skills that local authorities find difficult to source and retain.
  - Difficulties had been experienced in trying to employ suitably qualified and experienced staff from agencies to provide additional audit coverage when required.
  - In house teams were not as able to keep abreast of / afford, continuing professional development and training.
  - Specialist expertise and in-depth knowledge could not as easily be sourced by an in-house team and would need to be bought in on an annual basis.
  - In house teams do not always have the awareness of current and emerging issues, both sector specific and general, that third party specialist providers may be privy to.

- In cross organisational working, knowledge of best practice from other organisations / sectors can be shared and capitalised upon.
- 4.5 The review therefore identified a number of available options to the council for the future service delivery of Internal Audit:
- Retain an in-house function.
  - Outsource the delivery of Internal Audit to a third party provider.
  - Co-sourcing, adopting a similar approach as the outsourcing model, but with service delivery shared between the contracted third party provider and an in house team, with the third party provider delivering specialised areas or those that are more cost effective to outsource, such as IT audit and forensic investigations.
  - Shared Services, seeking to share service delivery with other local authorities / public sector organisations.
- 4.6 Having fully considered all options, an outsourced model was recommended and approved by Cabinet at their meeting on 16 December 2015, with a contract for the external service beginning in January 2016.
- 4.7 The provision of the outsourced service since that point has been effective, with the move to risk-based auditing allowing an improved focus on evaluating and improving the effectiveness of control and governance, and with access to the wider resources of the company (to support in specialist audit areas and in instances of absence / sickness) supporting the service provider to consistently meet required performance targets across the contract period.
- 4.8 A further procurement exercise took place in 2019, leading to Cabinet awarding a contract for the provision of an Internal Audit service to Mazars LLP from 1 July 2020 until 31 March 2022. The options to extend for 2 further 12 month periods were also enacted.
- 4.9 In preparation for the end of the current contract period, a retendering exercise has now been carried out using a mini competition process under the Crown Commercial Services Consultancy Framework (RM6188) Audit and Assurance Services (A&AS) Lot 1. The benefits of using this framework are that pre-qualifications of finance, experience, and training have already been undertaken and all the companies on the framework are nationally known and reputable, thereby reducing the potential risk to the council.
- 4.10 10 suppliers were attached to the project on the council's e-Tendering Portal and downloaded the Invitation to Tender (ITT) with a return date of 30 October 2023, with tender returns being received from two of these suppliers.
- 4.11 These submissions were then evaluated in accordance with the criteria published in the ITT, on the basis of cost and quality, with the recommended supplier identified based on the overall combined score for both these elements.

## **5. Council Plan priorities**

- 5.1 The provision of an effective Internal Audit service contributes to the Council Plan priorities of Internal Focus and ensuring all council services are efficient and

effective, by seeking to improve the effectiveness of the council's risk management, control and governance processes.

## **6. Risk management**

- 6.1 The proposal to continue with an outsourced provision provides a number of opportunities and mitigates against the risks of either moving the service in house or seeking to identify either a co-sourcing or a shared service model.
- 6.2 Effective Internal Audit functions require a diversity of skills that local authorities can find difficult to source and retain. Difficulties have previously been experienced in trying to provide this service internally and employ suitably qualified and experienced staff or procure staff from an agency when required to provide additional audit coverage.
- 6.3 In house teams are not as able to keep abreast of / afford, continuing professional development and training. Specialist expertise and in-depth knowledge cannot be as easily sourced by an in-house team and would need to be bought in on an annual basis.
- 6.4 The provider will be required to comply with all conditions, warranties and representations expressed or implied by statute or common law, council policies, strategies, rules and procedures in delivering the Internal Audit and Risk service to the standards required. This would ensure that the service to customers continues to be of a high standard.

## **7. Financial implications**

- 7.1 The tendered costs for the recommended supplier were £540,613 for the period 1 April 2024 to 31 March 2026. This cost is in line with the existing budget for the service.
- 7.2 The contract sum includes a contingency sum of up to £40k across the total contract period which is included to allow for unplanned work in relation to additional audits or irregularity audits, however this will only be allocated on a call off basis subject to a proposal of the work being agreed prior to commencement.

## **8. Legal implications**

- 8.1 Under the Accounts and Audit Regulations 2015, the council is required to 'undertake an effective Internal Audit to evaluate the effectiveness of its risk management, control and governance processes, taking into account public sector internal auditing standards or guidance'. There are no restrictions placed on how this is delivered.

## **9. Procurement Implications / Social Value**

- 9.1 The procurement and awards process are in accordance with the council's contract rules.
- 9.2 The contract value is above the current European Union procurement thresholds and therefore the service was tendered using the Crown Commercial Services Consultancy Framework (RM6188) Audit and Assurance Services (A&AS) Lot 1.

The benefits of using this framework are that pre-qualifications of finance, experience, and training have already been undertaken and all the companies on the framework are nationally known and reputable thereby reducing the potential risk to the council.

- 9.3 10 suppliers were attached to the project on the council's e-Tendering Portal and downloaded the Invitation to Tender (ITT) with a return date of 30 October 2023, with tender returns being received from two of these suppliers.
- 9.4 Tenders were opened on 30 October by Stephanie Westley – Procurement Officer and Ross Hutchinson – Head of Finance – Business Partnering using a formal opening ceremony on the In-tend e-tendering portal. The council received two tenders as set out below:

Bidder No.	Bidder Name
1.	BDO LLP
2.	Mazars LLP

**Tender Evaluation Process**

- 9.5 The tenders were evaluated in accordance with the criteria published in the ITT as shown in the tables below:

**Weighted Price Criteria:**

- 9.6 The evaluation of this section is against information included in the pricing schedule.

<b>Criteria</b>	<b>Percentage</b>
Price	40%
<b>Total</b>	<b>40%</b>

**Weighted Non-Price Criteria:**

- 9.7 The evaluation of this section is against information included in the Tender Quality Questionnaire

<b>Criteria</b>	<b>Percentage</b>
Social Value	5%
Quality Reviews	PASS/FAIL
Preparation of 3 year Audit Strategy & Audit Charter	8%
Preparation of annual internal audit plan	8%
Managing and Resourcing the Work	9%
Implementation Plan	10%
Audit Methodology and Software	5%
Computer Auditing	5%
Cost Saving initiatives	5%
Innovation & Effectiveness	5%
<b>Total</b>	<b>60%</b>

- 9.8 Tender price evaluation, due diligence checks and the evaluation summary were completed by Procurement. The tender non-price criteria evaluations were completed by senior council officers from the Finance service.

## ***Tender Outcome***

- 9.9 The tender attracted 10 expressions of interest which materialised into 2 bids. Both bids were from companies who provide accountancy and audit services nationally. The tenders were individually evaluated by each member of the evaluation panel.
- 9.10 Following this a moderation meeting was held on 20 November 2023, at which the evaluation panel members reviewed the non-price criteria questions along with the tender responses and individual evaluator's scores, discussed the findings and agreed a moderated final score for each of the non-price criteria questions requiring moderation.
- 9.11 Given the commercially sensitive nature of the tender evaluation information, a report detailing the outcome of the evaluation appears in the Private Session Agenda Cabinet Report.
- 9.12 The successful bidder has made commitments to contribute to Social Value by granting their public sector audit staff an additional day to get involved in charitable and other projects that contribute to their local areas. Additionally, Mazars donates a proportion of profits each year to a range of charities through a Charitable Trust. These are charities which are nominated by employees; they are usually small and established with the purpose of affecting local change. Through their work with the Council, Mazars employees may become aware of a suitable charity in Walsall which they could nominate to receive such a donation.
- 9.13 Steps have been taken to minimise procurement related risk. However, there will always remain an inherent risk of legal challenge associated with any procurement undertaken by the council.
- 9.14 Following approval by Cabinet, the timeline is as follows:
- End of Scrutiny Period - 20<sup>th</sup> December 2023;
  - Recommendation to Award Report - 21<sup>st</sup> December 2023;
  - Intention to Award Letters - 4<sup>th</sup> January 2024;
  - Standstill period end - 15<sup>th</sup> January 2024;
  - Award letter - 16<sup>th</sup> January 2024;
  - Contract Start - 1<sup>st</sup> April 2024.

## **10. Property implications**

- 10.1 None relating directly to this report.

## **11. Health and wellbeing implications**

- 11.1 None relating directly to this report.

## **12. Health and Wellbeing**

- 12.1 None relating directly to this report.

## **13. Staffing implications**



13.1 None relating directly to this report.

#### **14. Reducing Inequalities**

14.1 There is no direct impact on protected groups from this proposal as it is not withdrawing, changing or reducing any service, it is simply seeking to continue a contract for the provision of an Internal Audit service for the council.

#### **15. Climate Change**

15.1 None relating directly to this report.

#### **16. Consultation**

16.1 The public will not be impacted by this decision and therefore no public consultation has been required. However the provider will undertake consultation with all council directorates as part of the process of agreeing, finalising and implementing the annual audit plan.

#### **17. Decide**

17.1 The ending of the existing contract gives the council the opportunity to review the options for provision of the service going forward. However as the same risks identified in 2015 and 2019 to seeking to provide the service internally still exist, and the provision of the outsourced service has been effective in managing these risks and has consistently met the required performance targets across the contract period, the recommended option is to continue with an outsourced service.

#### **18. Respond**

18.1 Subject to approval of the recommendations, the Director of Finance, Corporate Landlord and Assurance (S151 Officer), in consultation with the portfolio holder, will finalise and enter into a contract with the recommended supplier.

#### **19. Review**

19.1 Performance of the contract will be monitored through performance reports provided to council officers managing the contract and will also be reported quarterly to the council's Audit Committee.

#### **Author**

Vicky Buckley, Head of Finance and Assurance (Deputy S151 Officer)

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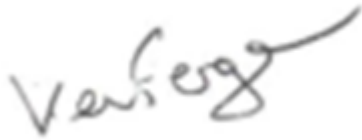
✉ [vicky.buckley@walsall.gov.uk](mailto:vicky.buckley@walsall.gov.uk)



**Judith Greenhalgh**  
**Executive Director – Resources**



**Shaun Darcy**  
**S151 Officer, and Director of Finance,**  
**Corporate Landlord and Assurance**



**Councillor K Ferguson**  
**Portfolio holder**

**13 December 2023**

## **Cabinet – 13 December 2023**

### **Draft Revenue Budget and Draft Capital Programme 2024/25 to 2027/28 - Update**

**Portfolio:** Councillor Bird – Leader of the Council (Lead Portfolio)

**Related Portfolios:** All

**Service:** Finance – Council wide

**Wards:** All

**Key decision:** No

**Forward plan:** Yes

#### **1. Aim**

- 1.1 To provide an updated medium term financial outlook including the current in-year position for 2023/24 and in relation to the draft revenue budget and capital programme for 2024/25 to 2027/28.
- 1.2 To provide an initial analysis of the Autumn Statement insofar as it may impact the council's financial outlook.
- 1.3 To provide feedback on budget consultation to date including feedback from Overview and Scrutiny Committees, to inform the final budget to be presented to Council in February 2024.

#### **2. Summary**

- 2.1 Cabinet on 18 October 2023 agreed the process and timeline for the setting of a four-year revenue budget and capital programme; an updated medium term financial outlook; and Cabinet's first draft revenue budget and capital programme proposals, referring these proposals to Overview Scrutiny Committees for consultation and feedback, to allow Cabinet to then consider this feedback in setting their final budget recommendations in February 2024.
- 2.2 This report includes:
  - An update on corporate financial position for 2023/24 as at October 2023.
  - An update on the medium-term financial outlook (MTFO), based on known pressures and estimated assumptions for 2024/25 to 2027/28 and the draft revenue budget and capital programme since reported to Cabinet on 18 October 2023.

- The impact of the Autumn Statement announced on 22 November 2023 based on information released to date, insofar as it impacts the council's overall financial position and budget assumptions.
- Feedback from Overview Scrutiny Committees on the draft revenue budget and capital programme proposals.

2.3 The final budget will be presented to Cabinet on 7 February 2024 for recommendation to Council, and will be considered by full Council on 22 February 2024, including:

- any changes arising from consultation and equality impact assessments of saving proposals.
- referendum principles and the approved tax base.
- the S151 Officers S25 Statement on the Robustness of the Budget Estimates and the Adequacy of Reserves.
- recommended levels of reserves and contingencies; and
- the final allocation of direct Government funding and other specific grants.

### 3. Recommendations

Cabinet are recommended to:

#### *Corporate Financial Performance 2023/24*

- 3.1 Note the update to the current Corporate Financial Performance for 2023/24 – a forecast revenue spend above budget of £19.75m with services mitigating actions of £4.05m and central mitigating action of £10.82m, reducing this to £4.88m.
- 3.2 Approve the passporting of two unringfenced Section 31 grants to Childrens Services – one to support the delivery of the expanded Early Years entitlements, and the other for wrap around care, along with the passporting of Commonwealth Games Legacy Enhancement funding to Economy, Environment and Communities for localised targeted job support, as detailed at section 4.13 to 4.15.
- 3.3 Approve amendments to the capital programme as set out in section 4.16 and note that the forecast on the approved capital programme is an underspend of £710k, after the forecast carry forward of £32.37m into 2024/25. Any in year underspend will be transferred to capital contingency to cover any emerging pressures within other approved schemes due to cost of living rises and any new unforeseen capital expenditure.
- 3.4 Approve the release of £6.42m from the development pool for the Homelessness Temporary Accommodation Expansion and Redesign Programme, £170k for Bereavement Services Maintenance Programme, and £854k for the new Internal Residential Home Programme, as set out in sections 4.19, 4.20 and 4.21 respectively.
- 3.5 Approve the capitalisation of the Library Book Fund of £145k to be funded from the forecast capital underspend in 2023/24, as set out in section 4.22.

#### *Draft Revenue Budget and Capital Programme 2024/25 to 2027/28*

- 3.6 Note the feedback from Overview Scrutiny Committees at Appendix 3 and consider this feedback in preparation for final budget recommendations in February 2024.
- 3.7 Note the changes to the Medium-Term Financial Outlook, and subsequent plans to address the remaining c£12m revenue gap in 2024/25 as detailed at section 4.24 to 4.29 and 4.37 to 4.38.
- 3.8 Note the high risk to the MTFO predictions from April 2024 as outlined in section 4.27.
- 3.9 Note the extension of the ringfencing of Dedicated School Grant deficits to 31 March 2026 as detailed in sections 4.30 and 4.31 and that a further update will be provided when more details are known.
- 3.10 Note the changes to the Draft Capital Programme 2024/25 to 2027/28 as detailed at section 4.32 to 4.34.
- 3.11 Note the main implications from the Chancellors Autumn Statement announcement on 22 November 2023 as detailed at section 4.35 and 4.36, and that the council at the time of despatch of this report, is still awaiting details of the Provisional Settlement.
- 3.12 Note that further reports may be referred to Scrutiny Overview Committee should there be any significant changes to proposals relating to the individual remit of each Committee, as appropriate.

#### **4. Know - Context**

- 4.1 The council is legally required to operate within a balanced budget and to deliver best value in its service delivery. The cost-of-living impact and increases in demand are causing significant pressures, particularly in relation to the council's costs in relation to energy and supplies and contract uplifts and demand within Adult Social Care and Children's Services. Whilst the position is considered manageable for 2023/24, setting a balanced budget for 2024/25 will be challenging without a fairer Settlement from Government in relation to core funding.

#### **Corporate Financial Performance 2023/24**

- 4.2 Walsall Council has a good track record of managing financial pressures and action is being taken to continue to mitigate the current pressures in relation to the cost-of-living impact, on contracts / third party spend in particular, alongside extra ordinary increases in demand costs within Adult Social Care and Childrens Services. Where known and quantifiable, the financial impact of this is included within the forecast position. As a result of the pressures, mitigating actions continued to be instigated including services taking action to address them, use of appropriate earmarked reserves, etc.
- 4.3 The current council-wide forecast at October 2023 shows a number of pressures which would lead to a potential revenue overspend of c£19.75m against budget as summarised by directorate in Table 1. Total mitigating actions have been identified of £14.87m, reducing the forecast overspend to £4.88m. The overall position has increased by £1.15m on the September position of £3.73m reported to Cabinet on 18 October 2023.



**Table 1: Forecast revenue analysis 2023/24 by Directorate - October 2023**

Directorate	Net Budget	Year-end forecast prior to transfer to / (from) earmarked reserves	Year-end variance to budget prior to transfer / (From) earmarked reserves	Use of earmarked reserves	Transfer to earmarked reserves	Year-end forecast prior to mitigating actions	Mitigating Actions	Year-end forecast including all mitigating actions	Movement since reported to Cabinet 18.10.2023
	£m	£m	£m	£m	£m	£m	£m	£m	£m
Adult Social Care, Public Health & Hub	72.78	90.73	17.95	(6.53)	3.20	14.62	(1.87)	12.75	0.35
Children's Services									
- Children's and Education	75.48	83.78	8.30	(4.11)	0.24	4.43	(0.52)	3.91	0.63
- Customer Engagement	3.17	5.14	1.97	(1.46)	0.68	1.19	0.00	1.19	0.00
Economy, Environment & Communities	36.29	43.27	6.98	(5.79)	0.65	1.84	(1.66)	0.18	(0.02)
Resources & Transformation	37.41	42.79	5.38	(7.79)	2.30	(0.11)	0.00	(0.11)	0.35
<b>Services Position</b>	<b>225.13</b>	<b>265.71</b>	<b>40.58</b>	<b>(25.68)</b>	<b>7.07</b>	<b>21.97</b>	<b>(4.05)</b>	<b>17.92</b>	<b>1.31</b>
Capital Financing	25.94	18.48	(7.46)	(0.68)	6.06	(2.08)	0.00	(2.08)	0.00
Central budgets	(106.91)	(100.31)	6.60	(12.63)	5.88	(0.14)	(10.82)	(10.96)	(0.16)
<b>Total council tax requirement</b>	<b>144.16</b>	<b>183.88</b>	<b>39.72</b>	<b>(38.99)</b>	<b>19.01</b>	<b>19.75</b>	<b>(14.87)</b>	<b>4.88</b>	<b>1.15</b>

The following sections detail movements since the position last reported to Cabinet in October 2023 (September - month 6 position).

4.4 Adults Social Care, Public Health and Hub (£350k increase in overspend from £12.40m to £12.75 after use of and transfers to reserves and mitigating actions).

The main reasons for the increase in overspend are:

- (£210k) – Reviews – September’s position included a projection of £540k in relation to reviews expected to be undertaken within the current month. Net increases of £330k have materialised, resulting in a decrease in the financial position of £210k.
- £300k – Inflow/ Attrition – September’s position included a projection of £500k in relation to the net inflow of service users over and above budgeted levels for the current month. An actual net inflow of new service users with a cost totalling £800k has occurred, resulting in an increase in the financial position of £300k.
- £270k – Decrease in client contribution income and health income including Section 117 and continuing healthcare, partially offset by a reduction in the bad debt provision relating to current outstanding client debt.
- £100k – Delay in achieving the saving relating to ‘Increasing the number of shared lives placements.
- (£120k) – Decrease on Intermediate care service pathways. This predominantly relates to a decrease in average spot purchase rates for discharge to assess beds.

4.5 Children’s and Education - £630k increased overspend from £3.28m to £3.91m after use of and transfers to reserves and mitigating actions)

The main reason for the increase in the position relates to –

- £230k for new costs in relation to a one-off specific complex case.
- £170k increase in overspend on short breaks services primarily due to an increase in the level of support provided to existing children to support them to remain living at home with their family.
- £230k increase in demand position mainly due to increased placement costs following the failure of a key provider to become Ofsted registered therefore meaning children in these placements were then moved to registered placements at an increased cost. Plans are in place to reduce these costs over the next 3 months, and this is included within the current projections and forecast.

4.6 Customer Engagement (overspend of £1.19m after use of and transfers to reserves – no change to position previously reported)

The position in relation to Customer Engagement has not changed overall since September but there are movements within the service: the main changes as detailed below:

- (£100k) decreased demand for bed and breakfast.
- £160k additional CAM savings not being achieved.
- (£80k) holding of vacant posts and utilisation of grants towards existing expenditure.
- £20k increase in bank charges.



4.7 *Economy, Environment and Communities - (£40k) reduction in overspend from £215k to £175k after use of and transfers to reserves and mitigating actions*

The main reasons for the reduction in overspend are:

- Environment (£46k) – reduced HAF expenditure, non-essential spend and additional concession income from parks.
- Operations £7k - £31k one-off due to delay in the update on bulky waste price increases, part offset by reduced computer equipment due to non-essential spend and additional fly tipping income from Walsall Housing Group (WHG);
- Commercial £49k - Increase cost in staffing/agency to cover long term sickness.
- Libraires (£54k) - posts would be recruited to in January 2024, it has now been agreed with managers that posts will not be recruited until 1st April 2024.

4.8 *Resources and Transformation (£354k reduction in underspend from £462k to £108k after use of and transfers to reserves)*

The main reasons for the reduction in the underspend are:

- Building Services £333k – increase in maintenance costs due to ongoing pressure for corrective maintenance on health and safety issues and remedial works on vandalism and theft.
- Energy – forecast cost of £1.86m over budget, fully funded from the cost-of-living reserve.
- Procurement £174k - £150k increased agency costs due to the appointment of 2 interim commercial transformation consultants for the remainder of the year and £22k Oxygen Insights subscription.
- Human Resources (£89k) - reduction in salaries following redesign of the service and posts moving within the service (£124k) partly offset by a reduction in traded income and an increase in professional fees relating to Care Knowledge.
- Various other small movements within the Directorate (£64k).

4.9 *Central (£165k increase in underspend from £10.80m to £10.97m after use of and transfer to reserves)*

The underspend has increased due to the review of the insurance fund which is now showing an in-year underspend of £165k.

- 4.10 The year-end forecast includes the use of earmarked reserves of £38.99m and transfers to earmarked reserves of £19.01m. Earmarked reserves are created for specified purposes. These are all planned to be used, although the period over which they are to be used and the profiling of that use may vary. This results in projected closing earmarked reserves of £168.77m as shown in Table 2.

Table 2: Earmarked Reserves				
Category	Opening Balance 01/04/23	Transfers from Reserves	Transfers to Reserves	Closing Balance 31/03/24
	£m	£m	£m	£m
Treasury Reserves	23.63	(1.07)	6.06	28.62
Grant / Contributions received in advance	22.16	(7.85)	1.56	15.86
Improvement projects	33.52	(10.32)	2.69	25.89
Cost Pressures	21.66	(8.89)	0.60	13.37
Council Liabilities	51.18	(0.31)	8.11	58.98
Covid-19 grants	0.83	(0.32)	0.00	0.51
Public Finance Initiatives	18.01	(2.54)	0.00	15.47
Risk	10.65	(6.82)	0.00	3.83
Other	7.11	(0.86)	0.00	6.24
<b>Total</b>	<b>188.75</b>	<b>(38.99)</b>	<b>19.01</b>	<b>168.77</b>

Reserves are categorised for the purposes of reporting as follows:

- **Treasury reserves.** These reserves are to minimise the impact of interest rate changes and finance early redemption of loans to reduce the council's future interest exposure;
- **Grants / contributions received in advance.** This is where the council has received money in advance of the next accounting period or covers more than one accounting period. These amounts will be spent in line with the grant conditions;
- **Improvement projects.** These reserves are to finance service modernisation; specific projects such as pilot street cleansing initiatives, Cloud services, Oracle development, economic growth programme; and costs in relation to the council's transformation programme;
- **Cost pressures.** To include review of working practices including blended working, fluctuations in service demand such as in adult social care, crisis support and children in care;
- **Council liabilities.** These reserves cover expenditure where the council has a legal obligation to pay costs, such as equal pay claims and redundancies. In addition to these there are reserves for business rate appeals, pensions and insurance claims;
- **Covid-19 grants.** The carry forward of specific government grants to cover Covid pressures, including expanded retail relief for businesses;
- **Public Finance Initiatives.** Liabilities for our PFI's with Street Lighting and St Thomas More;
- **Risk.** To cover unforeseen risks in 2023/24 at the time the budget was set;
- **Other.** These reserves are to support a wide range of future costs such as partnership working with other external bodies.

#### *Approved savings in 2023/24*

- 4.11 The 2023/24 budget approved by Council on 23 February 2023 includes £15.71m of benefits realisation (savings) against Proud activity plus a further £7.55m of 2022/23 benefits approved to be carried forward for delivery in 2023/24, giving a total benefit figure of £23.26m to be achieved. Directors are required to ensure that service delivery plans are robustly implemented to fully deliver these in year.

- 4.12 There are currently £9.79m of benefits assessed as Red for delivery (at high risk of non-delivery), as shown in Appendix 1 along with the reason and identified service mitigating actions to date totalling £9.68m. Of the £9.79m, £3.95m have been removed from the budget and the remaining £5.82m are planned to be fully delivered within 2024/25.

*Passporting of specific grants*

- 4.13 Children's Services have been allocated a new section 31 grant from the Department for Education (DfE) of £60,534.27 in 2023/24 to be used to meet programme and delivery costs associated with rolling out the expanded Early Years (EY) entitlements, which was announced as part of the Spring Budget 2023.

The funding is part of the expansion of the EY entitlements and is to be used to support local authorities in meeting programme and delivery costs associated with rolling out the expanded EY entitlements. The grant is expected to be received in full in November 2023.

Cabinet are asked to approve the passporting of this grant to Children's Services to cover the costs of the Programme going forward.

- 4.14 A further section 31 grant has been allocated from the DfE to support local authorities in England to increase the supply of wraparound places, to ensure or guarantee provision for all parents who may need it to access wraparound childcare in their local area from 8am-6pm, meeting current demand and building further demand as announced by the government in March 2023.

Local authorities should work with and fund primary schools and private, voluntary, and independent (PVI) providers, including childminders, to introduce or expand before and after school childcare provisions in their area where there is a gap in availability. As part of this programme the government wants local authorities, schools and providers to test flexible approaches and gather evidence of what works.

The exact plan of spend is yet to be finalised within the service however, Walsall's allocation for 2023/24 is £17,663 and the first instalment of the grant is expected to be received in December 2023 following from the acceptance of the MoU.

The allocation for 2024/25 is £1,146,837 and the provisional allocation for 2025/26 is £534,816. Further detail will be provided to the DfE over the next 6-12 months explaining the plan of spend and future strategies to support the development of wraparound support in Walsall which will enable payment of future allocations.

Cabinet are asked to approve the passporting of this grant to Children's Services.

- 4.15 Following the announcement of the £70m Commonwealth Games Legacy Enhancement Fund (CWGLEF), Walsall Council's Employment & Skills Team have been allocated £801,000 under the Jobs and Skills element which sits within the Economy, Trade & Tourism pillar. The funding must be spent across financial years 2023/24 and 2024/25 and has been double devolved by West Midlands Combined Authority. The focus of this funding is to help increase employment, reduce unemployment and economic activity by engaging disadvantaged residents in job searching, supporting them to progress into education, training, or employment

including apprenticeships. The funding will be allocated for localised targeted jobs support for unemployed younger and older residents, NEETs (Not in Education, Employment or Training) prevention activity with a focus on good quality careers advice and guidance, resourcing for a town centre job shop hub managed through a multi-agency partnership and provision for 60 paid work placements for adults within the private sector. Cabinet are asked to approve the passporting of this grant to Economy, Environment and Communities.

#### *Capital Programme 2023/24*

- 4.16 The revised capital programme for 2023/24, reported to Cabinet on 18 October 2023 was £138.38m. Table 3 summarises amendments made to date, resulting in a revised programme of £142.89m.

<b>Table 3: Amendments to Capital Programme 2023/24</b>	
<b>Project</b>	<b>£m</b>
<b>Capital Programme 2023/24 per Cabinet 18 October 2023</b>	<b>138.38</b>
<b>Council Funded Resources</b>	
Digital And Transformation – staffing capitalisation	0.42
Enabling Technology – further allocation approved by Cabinet 18 October 2023 – funded from Pipeline Development	2.89
Feasibility studies for Regeneration projects – funded from Pipeline Development	0.25
Homeless temporary accommodation expansion and redesign programme – funded from Pipeline Development - see 4.19 below	0.75
Bereavement pathway maintenance – funded from Pipeline Development – see 4.20 below.	0.17
Pipeline Development	(4.06)
Pipeline Development – realignment of budget from 2024/25	3.00
<b>External Funded Resources</b>	
Local Authority Housing Fund 1 – increased allocation	0.28
Local Authority Housing Fund 2 – increased allocation	0.44
Devolved Formula Capital – increased allocation	0.37
<b>Revised capital programme 2023/24</b>	<b>142.89</b>

- 4.17 Table 4 summarises the 2023/24 capital programme and forecast outturn after the re-phasing of £32.37m into 2024/25, with the forecast summary of the net underspend of £710k underspend shown in Table 5.

<b>Table 4: Forecast capital analysis 2023/24</b>					
<b>Funding Source</b>	<b>Budget £m</b>	<b>Predicted year end forecast £m</b>	<b>Variance before Carry forward £m</b>	<b>Carry Forward £m</b>	<b>Variance Over / (Under) £m</b>
Council funded	61.36	38.91	(22.45)	21.74	(0.71)
Externally funded	81.53	70.90	(10.63)	10.63	0.00
<b>Total</b>	<b>142.89</b>	<b>109.81</b>	<b>(33.08)</b>	<b>32.37</b>	<b>(0.71)</b>

<b>Table 5: Summary of Forecast Underspend 2023/24</b>	
<b>Project</b>	<b>£m</b>
Workshop breakdown vehicle – project completed	(0.01)
Walsall Town Centre Public Realm Improvements – allocation not required	(0.36)
Social Housing Decarbonisation – allocation not required	(0.28)
Nottingham Drive Car Park – project completed	(0.06)
<b>Total</b>	<b>(0.71)</b>

The underspend will be transferred to create a capital contingency to cover any emerging pressures within other approved schemes due to cost of living rises and any new unforeseen capital expenditure.

- 4.18 The capital programme currently shows predicted re-phasing of £32.37m from 2023/24 to 2024/25 as shown in Appendix 2. Re-phasing occurs for a number of reasons such as late confirmation of grant approvals, timing of projects that may fall over more than one financial year, contract delays out of our control due to waiting for funding confirmation or Government approval.

#### *Temporary Accommodation*

- 4.19 Cabinet are asked to approve the release of £6,424,000 over 4 years to 2026/27 for the Homelessness Temporary Accommodation Expansion and Redesign Programme from the Development Pool (£750k of which is 2023/24 as shown in table 3 above).

The Project is seeking to increase the council's homelessness temporary accommodation (TA) portfolio with an additional supply of primarily self-contained dispersed homes, but also a block of emergency rooms for immediate placement. This funding, to increase our TA portfolio by a total of 32 units over the next 4 years, is required to arrest the significant unplanned pressure on revenue budgets due to subsidy loss that is experienced by the council when placing into Bed & Breakfast (B&B) rather than using its own TA, estimated at up to £1m in 2023/24. For a year now the council has seen increased demand, with our existing TA at capacity, and thus forcing an increased use of B&B placements, with typically an average of 28 placements at any one time. This is resulting in a poor experience and outcomes for vulnerable households, a number of which are with children, who are having to be placed in non-self-contained B&B rather than self-contained TA.

The implications of not approving are (a) a greater risk of failing in our statutory duty to provide temporary accommodation for homeless households in priority need and (b) a greater reliance on expensive B&Bs which are not only unlawful to use to house families (for longer than 6 weeks) but are very expensive compared to other forms of accommodation.

#### *Bereavement Services Maintenance Programme*

- 4.20 Cabinet is asked to approve the release of £170,000 for the Bereavement Services Maintenance Programme from the Development Pool.

The Bereavement Services Maintenance project is in respect of the resurfacing of roads and pathways at Streetly Crematorium, Willenhall Lawn Cemetery, and Bloxwich Cemetery. The project will ensure that our cemeteries and crematorium are maintained and presented to the standard required for the service area to compete in the commercial funeral market and deliver income targets.

### *New Internal Residential Home*

- 4.21 Cabinet is asked to approve the release of £853,600 in 2024/25 for the New Internal Residential Home Programme from the Development Pool.

The project will provide a modern 4/5 bedroomed property that would be registered with Ofsted to provide accommodation for 3 children deemed to require complex care. The objectives of the project are to provide a safe and secure building that is fit for purpose, increasing sufficiency for children with more complex needs, to address current shortfalls in provision and to reduce dependence on high-cost provision. Since 2019/20 the total number of children in care has reduced from 671 to 650, however, due to the ongoing sufficiency pressures and the increasing number of complex cases, the number of children residing in an external residential home has risen from 37 to 73 in August 23. In addition, the average weekly cost of these placements has risen from £4.2k to £6.1k over the same period. By opening a new home, the service will have the ability to support the needs of our more complex children, who are currently residing in external residential or unregistered placements, at a lower cost than currently budgeted.

### *Capitalisation of the Library Book Fund*

- 4.22 Cabinet is asked to approve the capitalisation of the Library Book Fund of £145,000 in 2023/24 funded from underspends identified in the capital programme.

An exercise has been done recently to determine that the Library Book Fund is eligible to be treated as capital expenditure. From 2024-25 onwards, the council proposes to capitalise the Library Book Fund with a budget of £145k per annum. It is proposed to capitalise the book fund in 2023-24 and to fund this from underspends identified within the capital programme.

### **Draft Revenue Budget and Draft Capital Programme 2024/25 to 2027/28 – Consultation**

- 4.23 The draft revenue budget and draft capital programme for the period 2024/25 to 2027/28 was reported to Cabinet on 18 October 2023 and proposals were referred on to the respective Overview Scrutiny Committees for consultation, and the feedback and recommendations from each Committee summarised at Appendix 3. Cabinet are requested to note these and any recommendations made and consider any changes that Cabinet may wish to make, arising from these, in making their final budget recommendations to Council in February 2024.

### *Draft Revenue Budget 2024/25 to 2027/28*

- 4.24 The report to Cabinet on 18 October 2023 outlined a number of investments and savings proposals, resulting in a financial gap of £18.06m in 2024/25 (£50.23m over the four years to 2027/28). The MTFO has been reviewed and updated, resulting in the gap reducing from £18.06m to £12.35m, requiring further savings to be identified between now and February 2024 to ensure a balanced revenue budget for 2024/25, as set out in 4.38 below. A further financial gap is forecast of £34.67m over the next three years to 2027/28. This is based on known assumptions and cost pressures forecast as part of the council's MTFO and summarised in Table 6 below.

<b>Table 6: Council Tax requirement</b>				
	<b>2024/25 £m</b>	<b>2025/26 £m</b>	<b>2026/27 £m</b>	<b>2027/28 £m</b>
<b>Council tax Requirement</b>	<b>144.16</b>	<b>152.40</b>	<b>158.03</b>	<b>163.86</b>
<b>Cost Pressures:</b>				
Growth / Investment	57.61	29.37	23.14	21.87
Savings / efficiencies identified	(13.32)	(9.30)	(8.02)	(6.72)
Investment linked to savings	2.78	1.43	0.24	0.08
Other savings to be identified	(12.35)	(17.56)	(8.41)	(8.70)
<b>Other movements / funding changes:</b>				
Other changes including base budget adjustments, grants, income	(9.72)	(0.85)	(0.42)	0.85
Core Funding changes	(6.70)	(4.47)	(1.85)	(1.85)
Collection fund (surplus) / deficit	0.57	0.65	0.00	0.00
Transfer to / (from) reserves	(10.62)	6.36	1.15	0.50
<b>Revised Council Tax Requirement</b>	<b>152.40</b>	<b>158.03</b>	<b>163.86</b>	<b>169.90</b>
<b>Council Tax Increase – General</b>	<b>2.99%</b>	<b>2.99%</b>	<b>2.99%</b>	<b>2.99%</b>
<b>Council Tax Increase – Adult Social Care precept</b>	<b>2.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>

4.25 Table 7 summarises the changes made to the MTFO previously reported to Cabinet on 18 October 2023.

**Table 7: Movement in MTFO since report to Cabinet on 18 October 2023**

	2024/25 £m	2025/26 £m	2026/27 £m	2027/28 £m	Total £m
<b>Gap as per report to Cabinet 18 October 2023</b>	<b>18.06</b>	<b>14.23</b>	<b>8.57</b>	<b>9.36</b>	<b>50.23</b>
<b>Changes to investments</b>					
Inv 24,36,47,66,70,73,74,79 - all linked investment moved to offset savings	(2.32)	(1.47)	(0.24)	(0.08)	(4.12)
Inv 30A,B,E - Public Health allocations amended	0.06	0.07	0.05	0.05	0.23
Inv 31 - Public Health grant allocated	0.00	(0.07)	(0.05)	(0.05)	(0.17)
Inv 37,56,83 - fall out of investment removed	0.88	0.08	0.00	0.00	0.95
Inv 65 - additional children in care demand / cost pressures	2.60	1.02	0.46	0.34	4.43
Inv 68 - Early Help removed as offsets saving	(0.89)	0.00	0.00	0.00	(0.89)
Inv 76 - Placement costs - Inflationary increases for external framework placements	(1.18)	(0.06)	(0.06)	(0.06)	(1.37)
Inv 79 - Childrens residential homes revenue costs reviewed	0.00	(0.04)	0.05	0.00	0.01
Inv 98 - External audit contract increase – NEW	0.18	0.00	0.00	0.00	0.18
Inv 99 - Legal - two Senior Democratic Services posts – NEW	0.11	0.00	0.00	0.00	0.11
Inv 100 - Development of a service which takes responsibility for the following: ASC Continuous Improvement; CQC management; Data quality; Social Care Systems; Social Care policy and strategy – social care reforms; digital innovation; annual cyclical activity across Directorate such part of business planning; Project management and governance - one off funded from reserves	0.48	(0.24)	(0.24)	0.00	0.00
<b>Total changes to investments</b>	<b>(0.08)</b>	<b>(0.71)</b>	<b>(0.04)</b>	<b>0.19</b>	<b>(0.64)</b>
<b>Changes to savings proposals</b>					
OP6 - Capitalisation of highways works removed (duplicated)	0.20	0.00	0.00	0.00	0.20
OP16,21,39,57,60,62,63,64 - all linked investment moved to offset savings as above	2.32	1.47	0.24	0.08	4.12
OP39 - Finance business partner review and restructure amended	(0.12)	0.00	0.00	0.00	(0.12)
OP48 - Early payment supplier programme removed	0.06	0.00	0.00	0.00	0.06
OP59 - Early Help restructure removed as offset by investment above	0.89	0.00	0.00	0.00	0.89
OP63 - Placement sufficiency - opening of further homes - revised following business case	0.00	0.04	(0.11)	0.00	(0.07)
OP65 - Adolescent service linked investment rephased as now to commence January 2024	0.01	(0.01)	0.00	0.00	0.00
OP73 - Removal of revenue DaTS budget - now to be funded from capital – NEW	(0.33)	0.00	0.00	0.00	(0.33)
<b>Total changes to savings proposals</b>	<b>3.03</b>	<b>1.50</b>	<b>0.13</b>	<b>0.08</b>	<b>4.74</b>



	2024/25 £m	2025/26 £m	2026/27 £m	2027/28 £m	Total £m
<b>Central adjustments</b>					
Use of reserves - borrowing rescheduling	(1.97)	1.97	0.00	0.00	0.00
Use of reserves - Childrens sibling group investment	(0.32)	0.00	0.32	0.00	0.00
Use of reserves - Childrens remand investment	(0.10)	0.00	0.10	0.00	0.00
Use of reserves - remove centre of excellence funded from proud	0.00	0.29	0.00	0.00	0.29
Base budget adjustment for funding of fall out of investment (Inv 37,56,83 above)	(0.88)	(0.08)	0.00	0.00	(0.95)
Central - Council tax additional 1% income subject to referendum limits	0.00	(1.53)	(1.63)	(1.73)	(4.90)
Central - reduction in Business rates income as per September forecast	2.35	(1.43)	0.83	0.88	2.63
Central - Increase in section 31 grant for business rates retention scheme - as per September forecast	(3.20)	0.08	0.00	(0.00)	(3.12)
Central - Collection fund surplus - as per September forecast	(0.65)	0.65	0.00	0.00	0.00
Central - New Homes Bonus	(0.60)	0.00	0.00	0.00	(0.60)
Use of reserves - Business rates reserve to fund New Art Gallery effect on deficit	(2.66)	2.66	0.00	0.00	0.00
Use of reserves - ASC continuous improvement	(0.48)	0.24	0.24	0.00	0.00
Other base budget adjustments	(0.16)	(0.32)	(0.10)	(0.09)	(0.66)
<b>Total central adjustments</b>	<b>(8.66)</b>	<b>2.55</b>	<b>(0.25)</b>	<b>(0.95)</b>	<b>(7.31)</b>
<b>Revised savings to be identified (Current gap)</b>	<b>12.35</b>	<b>17.56</b>	<b>8.41</b>	<b>8.70</b>	<b>47.02</b>

4.26 Children's demand services investment request has increased by £1.4m in 2024/25 since the previously reported MTFO. This is due to an unexpected increase in the number of children entering care between period 4 (July) and period 7 (October) compared to previous years. In this period, 49 children have entered care of which 10 children were following a new referral into Children's services, 7 were part of 2 larger sibling groups and 13 were separate migrant children. Children's services have undertaken remedial action to understand and analyse the increases seen and to embed new ways of working across early help and children's social care seeking to strengthen support provided at an earlier opportunity. There will be continued focus on understanding and pre-empting the needs of children requiring our support, so we can attempt to target these children and meet need at the earliest opportunity. In addition to these immediate actions, there is continued focus and reflection on how a revised commissioning strategy could support these challenges in the medium term.

To note the increase in the investment request relates to the ongoing cost of the increased number of children in care currently. It does not assume that the increased number of children entering care will continue going forward based on the assumption that the mitigating actions will prevent this from continuing.

4.27 Since the fair cost of care exercise which showed that uplifts to providers in Walsall were below regional and national comparators, the council allocated £7.9m in 2023/24 to fund uplifts to providers who provide services for Adults with Social Care needs. This was a combination of both one-off and ongoing funding, and the one-off funding has been included in the draft MTFO for 2024/25, together with an additional £4.45m for the 2024/25 uplifts. Due to recent announcements on the National Living Wage increase due from April 2024, a further high risk has been identified within Adult Social Care of c£3.9m that may impact this position. A separate report will be produced for Cabinet in February on this and options for consideration.

4.28 Table 8 summarises the revised net investment / (savings) by Directorate for 2024/25.

<b>Table 8 : Net investment / savings by Directorate 2024/25</b>				
<b>Directorate</b>	<b>Investment £m</b>	<b>Savings £m</b>	<b>Investment linked to savings £m</b>	<b>Net investment / savings £m</b>
Adult Social Care, Public Health and Hub	28.41	(4.59)	0.75	24.56
Children's Services	13.33	(3.66)	1.71	11.38
Children's - Customer Engagement	1.30	(0.43)	0.00	0.87
Economy, Environment and Communities	4.01	(2.91)	0.04	1.14
Resources and Transformation	0.70	(1.73)	0.28	(0.76)
Central / Capital Financing*	9.87	0.00	0.00	9.87
<b>Total Net Investments by Directorate</b>	<b>57.61</b>	<b>(13.32)</b>	<b>2.78</b>	<b>47.06</b>

Note: Central investment includes £8.09m of pay and pension costs which will be allocated to services following a detailed review of salary budget requirements. Therefore, when central investments are taken into account, all Directorates will see a net increase in budgets.

4.29 Whilst it is recognised that full Council will only set the council tax bands for 2024/25 in February 2024, the budget will continue to take a four-year view, allowing for a

more strategic focus to service re-design and savings aligning the finances more directly to the objectives, outcomes and markers of success of the council and maintaining/improving performance against these.

#### *Dedicated Schools Grant*

- 4.30 Current finance regulations allow Dedicated School Grant (DSG) deficits to be ring-fenced from the council's wider financial position in the statutory accounts. That ring-fence was due to end from this financial year but has been extended for a further three years until 31 March 2026, with the intention that Local Authorities should be in a position to manage high needs costs within budget by the end of the three-year period.
- 4.31 As the High Needs block continues to forecast a deficit position, the Local Authority is required to develop, maintain, and present a DSG Management Plan to the Education and Skills Funding Agency (ESFA) which identifies mitigating actions that can be put in place to manage current and future years pressures. An initial plan was presented to Schools Forum and Cabinet in March 2023, and now that further information relating to 2023/24 is available a further review and update of the plan is currently taking place. A meeting with the ESFA to review the draft update took place in September 2023 and a further update will be presented to the ESFA again in February 2024, following which the final updated position will be reported to Schools Forum and Cabinet in March 2024. This plan includes a number of mitigating actions and progress against these. Should growth in pupil numbers be as forecast and these mitigating actions be sufficient it is forecasted there will not be a deficit against the High Needs block at the end of the ring-fenced period, however a level of risk does remain and further updates and reports will be presented where required.

#### *Draft Capital Programme 2024/25 to 2027/28*

- 4.32 The draft capital programme was reported to Cabinet on 18 October 2023 of £132.08m in 2024/25, with a further £202.21m over the following three years to 2027/28. Table 9 below summarises the changes made to the draft programme, resulting in a revised draft capital programme of £121.99m in 2024/25, and a further £217.46m over the three years to 2027/28. This represents a reduction of £10.09m in 2024/25 (£7.34m council funded thus a reduction in borrowing requirement, and £2.75m in externally funded schemes).

<b>Table 9: Movement in Draft Capital Programme 2024/25 to 2027/28 since report to Cabinet on 18 October 2023</b>				
	<b>2024/25 £m</b>	<b>2025/26 £m</b>	<b>2026/27 £m</b>	<b>2027/28 £m</b>
<b>Council Funded Schemes - Cabinet 18 October 2023</b>	<b>75.23</b>	<b>54.91</b>	<b>21.71</b>	<b>8.16</b>
Replacement of PC's in libraries removed. Scheme to be considered for funding from Pipeline Development subject to business case	(0.21)	0.00	0.00	0.00
Mosaic Case Management Solution - Access Community Gateway - scheme removed	(0.07)	0.00	0.00	0.00
Future High Streets Funding - rephased	(4.86)	0.00	4.86	0.00
Streetly Crematorium - Cremator reline - removed as potential to fund in 2023/24 from underspends pending approval	(0.05)	0.00	0.00	0.00
Capitalisation of Library Book Fund - removed as potential to fund in 2023/24 from underspends pending approval	(0.15)	0.00	0.00	0.00
Pipeline Development - realignment of approved funding to 2023/24	(3.00)	0.00	0.00	0.00
Pipeline Development – additional requirement	1.00	1.27	5.88	0.49
<b>Revised Council Funded Schemes</b>	<b>67.89</b>	<b>56.18</b>	<b>32.45</b>	<b>8.65</b>
<b>External Funded Schemes - Cabinet 18 October 2023</b>	<b>56.85</b>	<b>43.37</b>	<b>55.96</b>	<b>18.10</b>
Walsall Masterplan - rephased	(2.75)	2.75	0.00	0.00
<b>Revised External Funded Schemes</b>	<b>54.10</b>	<b>46.12</b>	<b>55.96</b>	<b>18.10</b>
<b>Revised Programme</b>	<b>121.99</b>	<b>102.30</b>	<b>88.41</b>	<b>26.75</b>

#### *Pipeline Development Investment*

- 4.33 A sum of £40m was approved by full Council in February 2021, with a further £30m in February 2022, and £30m in February 2023; a total of £100m set aside over the 6-year period 2021/22 to 2026/27.
- 4.34 Of the £100.4m total provision, approximately £56.6m has been allocated, with the remaining £43.8m. This provision has been increased by a further £8.6m over the period as above, resulting in a revised total allocation of £109.0m. This funding is to support those schemes in development stages as outlined at Appendix 4. This includes schemes where funding or match funding is required (subject to external funding bidding processes) in order for some of these projects to progress as there is insufficient headroom within the existing capital programme to fund all of these development opportunities. This provision is held centrally. To access these funds, an outline business case is required to be endorsed by the council's Strategic Investment Board, followed by a full business case for Cabinet approval.

#### **Autumn Statement and MTFO Impact**

- 4.35 The Chancellor's Autumn Statement announced on 22 November 2023 confirmed a focus on five areas: reducing debt, cutting tax and rewarding hard work, backing British business, building domestic and sustainable energy, and delivering world class education. It is important to point out that the announcement was limited in respect of local government and there was no mention of Children's or Adult Social Care challenges or funding.

4.36 The financial impact for 2024/25 will not be known until receipt of the draft Settlement which is expected sometime mid to late December. Estimates of potential impact are included where available, but these are limited, and are subject to release of detailed allocations and terms and conditions which may be prescriptive. Key announcements made that may impact on Walsall are as follows -

#### *Core Funding and Core Spending Power*

- The government confirmed the assumption for the future path of departmental spending with total departmental spending (DEL) growing in real terms at 2.6% a year on average over this Spending Review period. After this Spending Review period, planned departmental resource spending will continue to grow at 1% a year on average in real terms, excluding the funding provided to local authorities in 2024/25 as part of the one-year Retail, Hospitality, and Leisure relief scheme. However, this growth, it appears, is likely to be from local council tax rises.

*Business Rates* - Local authorities will be fully compensated for all business rates measures announced in the review.

- Freezing of the small business rates multiplier initially for 12 months from April 2023, now extended for another year. The standard multiplier will be updated in line with September CPI.
- 75% business rates discount to businesses occupying eligible retail, hospitality and leisure properties in England up to a cash cap of £110,000 per business. This discount initially applied for 12 months from 1 April 2023; but will now be frozen for a further year. The above will be compensated for in council budgets.

#### *Education*

- The government is funding a down payment of over £600m over the next two years. This will give teachers in key shortage academic and technical subjects – who are in the first five years of their career – a payment of up to £6,000 per year tax free, including further education colleges for the first time; support students to achieve their maths and English GCSEs where they did not pass first time; improve the quality of maths teaching; and build a deeper understanding of what works in 16-19 teaching and training with a £40m capital investment into the Education Endowment Fund.

#### *Pay / Pensions / Welfare Support / Energy*

- National living wage to rise by 9.8% from £10.42 to £11.44 per hour from 1 April 2024 for over 21's (was from age 23 previously). The rise for ages 21-22 will be from £10.18 to £11.44 per hour. Walsall currently pays the living wage that is set by the living wage foundation (Real Living Wage), which was recently announced as £12.00 per hour in November 2023, which will need to be endorsed by Council in the pay policy for 2024/25. It is expected that subject to the pay award being in line with our pay budget assumptions, it would take all council employees over the £12.00 living wage.
- £50m announced to increase the number of apprentices in engineering and other key growth sectors over 2 years.
- Pension reforms to consult on giving pension savers a legal right to require a new employer to pay pension contributions into their existing pension.'
- Over 2023/24, the government is providing targeted support to the most vulnerable, through Cost-of-Living Payments, to 8 million UK households on eligible means-tested-benefits, 8 million pensioner households and 6 million

people across the UK on eligible disability benefits. 41 Local Authorities will also be able to continue supporting households with the cost of essentials through the £1 billion provided for the Household Support Fund this year.

- National Insurance – employee contributions to be cut from 12% to 10% from 6 January 2024.
- Cut in taxes for self-employed from April 2024.
- Benefits will increase in 2024/25 by 6.7% - based on inflation rate for September 2023.
- Pensions triple lock ensures state pension rises by 8.5%.
- Benefits to stop for those refusing to seek work. After 18 months seeking a job, claimants will need to take part in a mandatory work placement to increase their skills and improve their employability.
- Local Housing allowance rate increased to support people on benefits to pay their rent to a private landlord.
- Money off electricity bills for those living near power infrastructure - these measures will cut grid access delays by 90% and offer up to £10,000 off electricity bills over 10 years for those living closest to new transmission infrastructure.
- State pension to increase by 8.5% to £220.20/week from April 2024.

#### *Infrastructure Initiatives*

A number of new infrastructure initiatives were announced that may impact on local councils, for which we await formal confirmation:

- £450m third round of the Local Authority Housing Fund to provide additional funding for new Temporary Accommodation as well as homes for Afghan refugees.
- Reform of planning system to allow for faster planning applications, by allowing local authorities to recover the full costs of major business planning applications in return for being required to meet guaranteed faster timelines. If they fail, then these fees will be refunded automatically with the application being processed free of charge.
- £5m to incentivise greater use of Local Development Orders in England, to end delays for businesses so that key commercial projects secure planning permission faster.
- Confirming the next set of investment zones in Greater Manchester, the West Midlands, and the East Midlands; and doubling the flexible funding envelope for each investment zone from £80 million to £160 million by extending the programme and associated tax reliefs from five to ten years. The West Midlands Investment Zone will focus on advanced manufacturing and local partners expect it to help to leverage £2 billion in private investment and help to create 30,000 jobs in the region over the next 10 years. The government has committed to provide flexible, single funding settlements for WMCA and GMCA at the next Spending Review. The government has published a Memorandum of Understanding (MoU) for these single settlements. The MoU sets out how the government will operationalise these single funding settlements for the GMCA and WMCA.
- £32m across housing and planning to unlock thousands of homes across the country. This includes additional funding to tackle planning backlogs in Local Planning Authorities (LPA), alongside further reforms to streamline the system through a new Permitted Development Right to enable one house to be converted into two homes.
- £4.5bn of support for private investment in strategic manufacturing sectors between 2025 and 2030. This includes £975m for aerospace firms, £520m for life

sciences like medical research companies, and 960m for the new green industry firms.

- £150m Investment Opportunity Fund to extend financial incentives for Investment Zones and tax reliefs for Freeports from five to 10 years.

#### *Other*

- A commitment to digitise all local council property data.
- People living near new pylons and electricity substations will receive up to £10,000 off energy bills over a decade.
- £7m announced to tackle antisemitism. This funding will ensure support is in place for schools and universities to understand, recognise, and deal with antisemitism effectively.

4.37 The budget is an evolving process, with recognition that funding assumptions may change as the budget develops.

4.38 Whilst the council awaits the outcome of the Settlement, it continues to explore opportunities within Proud workstreams and budget themes agreed as part of the budget setting process. The key ones that are still to be validated and included within the MTFO position (by the end of December) are as follows. Saving ranges are indicated, totalling between £4.5m and £9m.

- Business Plans to be taken forward from externally supported budget workshops in October (Adult Social Care) and December (Rest of the council) - saving range of £1m - £3m.
- Third Party Spend – Consolidation of supplier and contract spend - saving range of £2m - £3m.
- Enabling Technology / Customer Access Management – Quick wins £1m.
- Impower Review – Quick wins saving range of £500k - £2m.

#### **Council Plan Priorities**

4.39 The budget is the financial plan supporting delivery of the organisation's key objectives and priorities. The budget process is a four yearly cycle, updated annually, aiming to support delivery of council priorities and outcomes within available resources. It aims to achieve this through the delivery of efficiencies, income reviews and service reviews and redesign to redirect existing and reducing resources to areas of high council priority in order to deliver the council outcomes. This budget has been prepared using the council's high-level purpose and priorities as outlined in the approved Council Plan.

#### **Risk Management**

4.40 The budget process is governed by the overarching Medium Term Financial Framework and Council Plan. Risk management is an integral part of this activity and is embedded in budget preparation, monitoring, and forecasting to enable potential budget variances and risks to be identified early and addressed.

4.41 There is still uncertainty around Government funding for 2024/25 and beyond due to the lack of Government allocations beyond the short term and the uncertainty around potential changes arising from the Review of Relative Needs and Resources (formerly the Fair Funding Review) and Business Rates Revaluation. The

MTFO continues to be regularly reviewed to ensure all significant changes are reflected.

- 4.42 There is a risk that funding will reduce more than anticipated or that further pressures will emerge, whether cost of living related or otherwise, which will require the council to address them prior to setting the budget in February 2024. As the need for savings increases, the council's ability to protect services from being reduced or ceasing diminishes.
- 4.43 The budget is risk assessed and this will be used to formulate the recommended level of contingencies and reserves. The outcome of this will be reported to Cabinet and Council in the final budget report.

### **Financial Implications**

- 4.44 The Council must set a balanced revenue budget and capital programme to meet its legal requirements. A four-year plan provides for sounder financial planning and management of financial risk.

### **Legal Implications**

- 4.45 Under the Local Government Act, an authority must set a council tax and balanced budget, giving 14 days' notice of the council tax level prior to the date of billing. The Council must set a budget before 11 March of each year. This will include the S151 Officer's S25 Statement on the Robustness of the Budget and the Adequacy of the Reserves for which the budget provides, together with an assessment of risk.
- 4.46 The collection fund and council tax base are governed by Statutory Instrument 2012 No.2914 of the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012. The council is legally obliged to set the council tax base and notify the precepting authorities by 31 January each year.

### **Procurement Implications / Social Value**

- 4.47 There are no direct implications arising from this report. Any procurement implications as a result of the development of the budget or savings and investment proposals will be set out within the relevant proposals as they are developed.

### **Property Implications**

- 4.48 Cabinet on 20 April 2022 approved the council's Strategic Asset Plan 2022-27. The Strategic Asset Plan is the key document which sets out the council's vision and approach for the management of its property portfolio under the Corporate Landlord model. The Corporate Landlord model approach takes a more strategic approach to property and asset management across the council, bringing together property, facilities management and commissioning responsibilities into a key enabling service under the council's new functional model. This will ultimately enable the development and implementation of an estate that supports Proud and the wider corporate objectives of the council. Any direct property implications as a result of the budget or capital programme will be set out as they are developed.



## **Health and Wellbeing Implications**

- 4.49 This report is prepared with consideration of any impacts that any decisions would have on health and wellbeing. Any implications arising from the budget will be reported to members during budget setting along with any actions which are required to be addressed prior to implementation of budget proposals.

## **Staffing Implications**

- 4.50 There will be some staffing implications arising from proposals within this report. The contribution of the trade unions will be important in the council achieving its key aims and objectives particularly in these challenging times. Officers and members will consult widely with them on the employee implications of service redesign and delivery.
- 4.51 Staff affected by proposals arising from the review of Proud activity will be supported as appropriate throughout the process and the number of redundancies will be minimised wherever possible.

## **Reducing Inequalities**

- 4.52 Reducing inequalities is the council's vision as set out in the Council Plan. Assessing the impact of proposed organisational changes and changes to policies, procedures and services is a positive opportunity for the council to ensure good decisions are made, based on robust evidence. It is clear that the decisions taken by individual services do not operate in isolation. Thus, when making policy, it is important not just to look at the potential impact of individual measures, but also to ensure that their interaction is properly understood and that the cumulative impact is taken into account. Understanding the cumulative impact on protected groups should be a pre-requisite of any policy making process.
- 4.53 Under the Public Sector Equality Duty an analysis of impact on equality must contain sufficient and suitable information to enable the council to;
- Demonstrate it has given 'due regard' to the aims of the equality duty in decision making.
  - Consider ways of mitigating or avoiding any adverse impacts.
- 4.54 The council uses an Equality Impact Assessment (EqIA) to check the lawfulness of council decisions in relation to the impact on people with certain characteristics protected by the Equality Act 2010. An EqIA must contain relevant data and sufficient analysis to enable Members to understand the equality implications of a proposal and any alternative options before any decisions are arrived at.
- 4.55 Completing an EqIA provides a positive opportunity to ensure that the council makes better decisions, based on robust evidence, and will identify any anticipated impact on residents, service users and staff that fall within the protected characteristics as defined in the Equality Act. Equality impact assessments are undertaken on service and organisational change proposals as they develop and any implications reported as they arise, to allow Cabinet to consider and make any revisions required.
- 4.56 Initial screening EqIAs have been carried out on options to indicate whether full EqIAs will be required. All 6 policy proposals within the draft revenue budget will have a full EqIA, and a further 6 operational items will require one. These will be undertaken and

reported to Cabinet as Cabinet formulates its final budget recommendations to Council in February 2024.

## **Climate Change**

- 4.57 The budget and capital programme will need to be prepared with consideration of the council's Climate Change Action Plan (CCAP) and the six key areas of the plan: strategy, energy, waste, transport, nature, resilience, and adaptation as appropriate. Proposals within this budget includes investment in the service to support the CCAP.

## **Consultation**

- 4.58 Section 138 of the Local Government and Public involvement in Health Act 2007 places a general duty on every local authority in England to take such steps as it considers appropriate to secure that representatives of local persons (or of local persons of a particular description) are involved in the exercise of any of its functions, among other things by being consulted about the exercise of the function. The 2010 Equality Act, whilst not imposing a specific duty to consult, lays a requirement to have due regard to the equality impact when exercising its function.
- 4.59 Consultation is an integral part of the budget process and arrangements are in place to consult with a range of communities and stakeholders as appropriate (the public, councillors, business rate payers, voluntary and community organisations, etc.). Consultation has been publicised and communicated widely via a range of methods and channels.
- 4.60 Consultation focussed on policy related draft budget options as they develop from Proud activity and findings presented to Cabinet. Consultation was primarily conducted online. However, in order to ensure that everyone who wants to have their say is able to, in line with our Public Sector Equality Duty (PSED), alternative formats and support to respond will be provided to those who request it. Findings along with equality impact assessments will be reported to Cabinet for their consideration and to inform Cabinet's final budget recommendations to Council in February 2024.
- 4.61 All Overview and Scrutiny Committees have received the draft revenue and capital budget proposals for consultation in respect of the portfolio of services falling within their remit, and their recommendations are reported at Appendix 3. Consultation period was from 19 October to 10 December 2023. Findings along with equality impact assessments will be reported to Cabinet for their consideration and to inform Cabinet's final budget recommendations to Council in February 2024.

## **5. Decide**

- 5.1 This report is the second stage in the process for setting a 2024/25 balanced budget. Cabinet are asked to approve the recommendations as set out, and to consider the feedback from Overview and Scrutiny Committees as appropriate.

## **6. Respond**

- 6.1 Cabinet will report their final revenue budget and capital programme recommendations on 7 February 2024, along with any feedback from the final settlement, stakeholder consultation and equality impact assessment.

## 7. Review

- 7.1 The final budget report to Cabinet on 7 February 2024 will be recommended to Full Council on 22 February 2024, where the 2024/25 budget and council tax levels will be approved.

### Background papers:

Various financial working papers.

Corporate Financial Performance 2023/24 as approved by Cabinet on 18 October 2023.

Draft Revenue Budget and Draft Capital Programme 2024/25 – 2027/28 as approved by Cabinet on 18 October 2023.

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Leader of the Council

**13 December 2023**

### Appendices: -

- 1 Benefits 2023/24 currently identified as 'Red' due to risk of delayed delivery.
- 2 Predicted re-phasing of capital funded schemes 2023/24 to 2024/25.
- 3 Feedback from Overview Scrutiny Committees –
  - a. Children's Services Overview and Scrutiny Committee (2 November 2023)
  - b. Education Overview and Scrutiny Committee (21 November 2023)
  - c. Economy and Environment Overview and Scrutiny Committee (23 November 2023)
  - d. Social Care and Health Overview and Scrutiny Committee (7 December 2023)
  - e. Scrutiny Overview Committee (11 December 2023)
- 4 Capital Development Schemes – subject to business case approval.

**Appendix 1 - Benefits 2023/24 currently identified as 'Red' due to risk of delayed delivery**

<b>Directorate</b>	<b>Benefit</b>	<b>Original Full Benefit £</b>	<b>Value of benefit identified as at high risk of non-delivery £</b>	<b>Value to be Mitigated In Year £</b>	<b>Reason</b>	<b>Mitigating Actions</b>
Adult Social Care, Public Health & Hub	OP11 – (Shared Lives) – foster care provision	116,277	105,473	0	Delay in transferring clients from current care setting to shared lives.	No mitigating actions identified.
Adult Social Care, Public Health & Hub	OP13 - Learning disability joint funding tool – cohort 3	954,000	455,000	455,000	Awaiting detailed delivery plans - ICB discussions on JF tool.	Mitigated from risk reserve for 2023/24.
Adult Social Care, Public Health & Hub	OP15 – Section 75 Grant – Income Generation Review of Grants	59,780	59,780	59,780	Further discussions to be held with ICB to understand how saving can be delivered.	Mitigated by underspends within service in 2023/24.
Adult Social Care, Public Health & Hub	2022/23 – Improved charging policy and processes	864,984	814,984	814,984	Delay due to futureproofing and integration with other systems.	Mitigated from overachievement of 2022/23 savings.
Adult Social Care, Public Health & Hub	2022/23 - Review for Learning Disabilities joint funding tool	1,757,270	1,757,270	1,757,270	Awaiting detailed delivery plans - ongoing ICB discussions on JF tool.	Partly mitigated from overachievement of 2022/23 savings £85k. Remainder mitigated by use of risk reserve for 2023/24.
Adult Social Care, Public Health & Hub	2022/23 - Review of the usage of the Public Health transformation fund	300,000	255,000	255,000	Review of current transformation funding in process of being finalised	Corporately funded one-off for 2023/24.
Adult Social Care, Public Health & Hub	2022/23 - Increased income from Print & Design service to external bodies	30,000	30,000	30,000	Awaiting detailed delivery plans.	Mitigated through staffing vacancies & underspends in supplies and services.
<b>Total Adult Social Care, Public Health &amp; Hub</b>		<b>4,082,311</b>	<b>3,477,507</b>	<b>3,372,034</b>		

Directorate	Benefit	Original Full Benefit £	Value of benefit identified as at high risk of non-delivery £	Value to be Mitigated In Year £	Reason	Mitigating Actions
Children's Services	OP2 – Home to school transport review of contracts and route optimisation	300,000	131,958	131,958	Increase in expected demand for 2023/24.	Mitigated from risk reserve for 2023/24.
Children's Services	OP6 – Review of current establishment and reduction in the use of agency staff, following recruitment of permanent staff	634,406	118,000	118,000	Recruitment and retention benefit will not be achievable based on current forecast.	Mitigated from risk reserve for 2023/24.
<b>Total Children's Services</b>		<b>934,406</b>	<b>249,958</b>	<b>249,958</b>		
Customer Engagement	Part OP26 - Council wide efficiencies relating to Customer Access Management	1,540,000	1,540,000	1,540,000	Delay in implementation of Customer Experience Centre changes.	Mitigated from risk reserve for 2023/24.
<b>Total Customer Engagement</b>		<b>1,540,000</b>	<b>1,540,000</b>	<b>1,540,000</b>		
Resources & Transformation	OP34 - Platinum Secure Storage	13,000	13,000	13,000	Contract currently under retendering.	Mitigated by overall Directorate underspend.
Resources & Transformation	OP36 - Promotion of One Source system to Schools for sickness absence data entry	30,000	30,000	30,000	Currently unable to roll out OneSource system to schools.	Mitigated by overall Directorate underspend.
<b>Total Resources &amp; Transformation</b>		<b>43,000</b>	<b>43,000</b>	<b>43,000</b>		
Central	Part OP26 - Council wide efficiencies relating to Customer Access Management	2,930,000	2,930,000	2,930,000	Actions on how this will be achieved are still being finalised.	Mitigated from risk reserve for 2023/24.
<b>Total Central</b>		<b>2,930,000</b>	<b>2,930,000</b>	<b>2,930,000</b>		
Economy, Environment & Communities	P3a – Outsource outdoor pursuits service to a community group	12,878	12,878	12,878	Implementation delayed.	Currently mitigated by underspends in service.

Directorate	Benefit	Original Full Benefit £	Value of benefit identified as at high risk of non-delivery £	Value to be Mitigated In Year £	Reason	Mitigating Actions
Economy, Environment & Communities	P4 - Increase in bulky waste charges	136,000	136,000	136,000	Delay in new price on the web page due to Core Technology Platform work	Currently being mitigated by general underspends within Clean and Green.
Economy, Environment & Communities	P6 - Rewilding of all urban grassed areas	352,348	352,348	352,348	Plans being reviewed and alternative saving proposals considered.	Currently being mitigated by general underspends within Clean and Green.
Economy, Environment & Communities	P12 – Parking dispensation charging of £15 per vehicle per day	19,500	14,625	14,625	Delay on technology to allow payments to be taken.	Mitigated by use of Parking Reserve.
Economy, Environment & Communities	P13 - Reintroduce staff parking charges	18,000	18,000	18,000	Delayed due to equality impact.	Currently mitigated by underspends in service.
Economy, Environment & Communities	OP4 - Regeneration & Economy team review	260,193	260,193	260,193	Restructure plans still not confirmed due to sickness absence.	Currently mitigated by underspends in service.
Economy, Environment & Communities	OP16 - Enhancement of Darlaston Pool	15,000	11,250	11,250	Delay due to release of capital funds.	Currently mitigated by underspends in service.
Economy, Environment & Communities	OP17 - Development of Oak Park office space	50,000	37,500	37,500	Delay due to release of capital funds.	Currently mitigated by underspends in service.
Economy, Environment & Communities	OP18 - Improvement to direct debit collection process	10,000	5,000	5,000	Completion of project has been delayed.	Currently mitigated by underspends in service.
Economy, Environment & Communities	OP21 – Increase rental income from Park Lodges.	5,000	4,034	4,034	Charges increase has not led to increased income as expected.	Mitigated by other venue hire income.
Economy, Environment & Communities	OP1 – Income generation review of fees and charges – increase planning development charges by 5%	1,385	1,385	1,385	Fee increase has resulted in under-recovery.	Mitigated by use of reserve.

Directorate	Benefit	Original Full Benefit £	Value of benefit identified as at high risk of non-delivery £	Value to be Mitigated In Year £	Reason	Mitigating Actions
Economy, Environment & Communities	OP23a – Income generation review of fees and charges – increase bereavement charges by 5% registrars and interment fees by 3%.	187,292	177,292	177,292	Charges increased but saving not achieved due to reduced demand.	Mitigated by additional income in other areas of Environment, Leisure and Commercial.
Economy, Environment & Communities	OP54 - Charge developers for travel plans	30,000	30,000	30,000	Recruitment - no suitably skilled staff available to implement.	Mitigated by commuted sums reserve.
Economy, Environment & Communities	OP56 - Increase recycling rates and reduce contamination	382,523	382,523	382,523	Service currently has no plan on how to achieve this saving.	Currently being part mitigated by general underspends within Clean and Green. Remainder mitigated by use of risk reserve for 2023/24.
Economy, Environment & Communities	2022/23 - Offer residential gardening service	30,000	30,000	30,000	Business case has highlighted this benefit cannot be achieved. No delivery plan in place.	Mitigation by general underspends within Clean and Green.
Economy, Environment & Communities	2022/23 - Review of Libraries Management	60,679	60,679	60,679	Head of Community Building role will move this forward when in post.	Underspends from salaries in service will be used to mitigate Red position.
Economy, Environment & Communities	2022/23 - Premium bulky waste collection service	15,000	15,000	15,000	Currently no demand for a premium service. No delivery plan in place.	Currently being mitigated by general underspends within Clean and Green.
<b>Total Economy, Environment &amp; Communities</b>		<b>1,585,798</b>	<b>1,548,707</b>	<b>1,548,707</b>		
<b>Total</b>		<b>11,115,515</b>	<b>9,789,172</b>	<b>9,683,699</b>		

## Appendix 2 – Predicted re-phasing of capital funded schemes 2023/24 to 2024/25

Project	£m
<b>Council Funded</b>	
Capital Investment Earmarked Reserve	4.47
Capital Contingency	0.32
Looked After Children Out of Borough Placements	0.15
Council House Smoke & Heat Detection Fire Alarm	0.30
Operation Repair & Maintenance of Council Buildings	0.21
Walsall Council House - Modern Secure Reception	0.02
Council House Internal Decoration	0.03
Civic Centre Plumbing	0.07
Council House Windows	1.23
Council House Roof Repairs	1.12
Computer Aided Facilities Management System	0.15
Saddlers Centre Shopping Centre	0.23
New Homes Bonus	0.08
Regenerating Walsall	0.22
Enterprise Zones	0.73
Willenhall Masterplan	2.55
Middlemore Lane Household Waste Recycling Centre	2.65
Play Areas and Outdoor Gym Improvements	0.47
Promotion of Community Health & Safety	0.12
Walsall Town Centre Public Realm Improvements	0.10
MyCMIS – Asset Management tracking system	0.02
ICT – Safe and Secure Environment	1.43
Enabling Technology	2.56
Maintaining a Safe and Secure Environment	0.30
Telephony Cloud Based System	0.46
Proud Card Payments Digital Website	0.82
Ways of Working	0.25
Konica Multi-functional device re-tender	0.05
Archiving systems moving to customer access management retired	0.06
Digital & Technology Service (Dats) Staffing Capitalisation	0.07
Changing Places toilets	0.12
Development Team capitalisation of posts	0.33
Walsall Gateway	0.02
Brown Jug Compulsory Purchase Order	0.03
<b>External Funded</b>	
Bloxwich Town Deal	1.55
Walsall Town Deal	0.80
Land and Property Investment Fund	1.01
Growing Places Fund	0.66
Future High Street Fund	3.63
West Midlands Strategic Transport Plan (STP) 'Movement for Growth'	0.43



<b>Project</b>	<b>£m</b>
Limestone Surveys	0.11
Family Hub Life Programme	0.02
Local Authority Housing Fund	0.44
Willenhall Masterplan	1.70
Local Authority Housing Fund 2	0.28
<b>Total</b>	<b>32.37</b>

## **Draft Revenue Budget and Draft Capital Programme 2024/25 – 2027/28**

### **Recommendations of the Children’s Services Overview and Scrutiny Committee following Budget Consultation**

#### **Summary of report**

This report presents the comments and recommendations from the Children’s Services Overview and Scrutiny Committee following consideration of the draft revenue and capital budget proposals for consultation for 2024/25 to 2027/28 to date at the Committee’s meeting on 2 November 2023.

All overview and scrutiny committees have received the draft revenue and capital budget proposals for consultation following Cabinet on 18 October 2023, in respect of the portfolio of services falling within their remit. The revenue proposals set out in the report to Cabinet on 18 October 2023 do not yet balance the budget for 2024/25, so further reports will be presented to close the remaining c£18m gap. The next meeting of Cabinet is on 13 December 2023, and there will be subsequent reports to this panel on any further options relating to services within the remit of this committee.

These recommendations will be reported back to Cabinet on 13 December 2023, for them to consider the feedback contained within this report in formulating their draft budget proposals at Cabinet on 7 February 2024 for recommendation in the final financial plan to Council on 22 February 2024.

#### **Response to the draft budget options**

Members considered the budget proposals presented and sought further information and assurances on a number of the proposals contained within the draft revenue budget and draft capital programme 2024/25 – 2027/28.

During a period of questioning, detail was provided to the Committee on the reasons for an increased demand for services, which had led to increasing cost pressures. The Committee was informed that this included a serious incident resulting in the arrest of several children within the Borough. It was noted that there has been an increase in large sibling groups and teenagers accessing services – although Walsall was comparable to neighbouring authorities. It was noted that there had been an increase in serious youth violence in Walsall and adolescents presenting with complex needs. This alongside the cost-of-living crisis, the covid-19 pandemic and a change in legislation had impacted on demand and cost to Council services. A discussion ensued on the rise in more complex cases, with societal issues as a driving factor in this, it was stressed that as such issues emerged social work adapted to respond to the need presenting.

Challenge was provided by the Committee in relation to the mitigation of risks and levels of inflation, it was acknowledged that the increase in foster carers fees and allowances set by the Department of Education had been significant, finance officers were only able to make an assumption however it was expected that this would not continue to rise at the elevated rate. Members challenged the savings outlined in appendix 2, and the level of confidence in the Council’s ability to deliver them.

The capital investment and development of residential children's homes was welcomed as an investment which would produce savings, and most importantly, better outcomes for children and young people..

**The Committee Resolved:**

- 1. The Children's Services Overview and Scrutiny Committee request that the investments in children's services continue to receive Cabinet support, as they are considered essential to delivering future savings within this service area.**
- 2. The work to recruit foster carers in the Borough was noted as positive and the Children's Services Overview Scrutiny Committee hopes to see continued success in this area.**

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Signed:

*Councillor Hicken*

Councillor A. Hicken  
Chair, Children's Services Overview  
and Scrutiny Committee

Signed:



Colleen Male  
Executive Director  
Children's and Customer

## **Draft Revenue Budget and Draft Capital Programme 2024/25 – 2027/28**

### **Recommendations of the Education Overview and Scrutiny Committee following Budget Consultation**

#### **Summary of report**

This report presents the comments and recommendations from the Education Overview and Scrutiny Committee following consideration of the draft revenue and capital budget proposals for consultation for 2024/25 to 2027/28 to date at the Committee's meeting on 21 November 2023.

All overview and scrutiny committees have received the draft revenue and capital budget proposals for consultation following Cabinet on 18 October 2023, in respect of the portfolio of services falling within their remit. The revenue proposals set out in the report to Cabinet on 18 October 2023 do not yet balance the budget for 2024/25, so further reports will be presented to close the remaining c£18m gap. The next meeting of Cabinet is on 13 December 2023, and there will be subsequent reports to this Committee on any further options relating to services within the remit of this committee.

These recommendations will be reported back to Cabinet on 13 December 2023, for them to consider the feedback contained within this report in formulating their draft budget proposals at Cabinet on 7 February 2024 for recommendation in the final financial plan to Council on 22 February 2024.

#### **Response to the draft budget options**

The Portfolio Holder (Education and Skills) introduced the report to the Committee, and the Finance Planning Manager presented further detail of the proposals. Members considered the budget proposals presented and sought further information and assurances on a number of the proposals contained within the draft revenue budget and draft capital programme 2024/25 – 2027/28.

In response to a question, the Portfolio Holder clarified that any further savings proposals would not be divided equally amongst service areas but would be based on the demand to and needs of the service. Further challenge was provided in relation to staffing costs, and the reasons why this figure was different for each year. The Director (Access and Inclusion) stated that the figures were set according to demand which were profiled and modelled for each year accordingly.

Clarification was provided by Officers in relation to the capital investment in school buildings, the Committee was informed that this investment was aimed at maintaining the school estate and was based on the school estate survey.

#### **The Committee Resolved:**

1. The Committee considered and noted the draft revenue budget proposals 2024/25 – 2027/28 to date that related to the remit of the Education Overview and Scrutiny Committee.

2. The Committee considered and noted the draft capital schemes 2024/25 – 2027/28 included in the draft capital programme that relate to the remit of the Education Overview and Scrutiny Committee.
3. The Committee noted that the revenue budget for 2024/25 is currently not balanced, with a gap of c£18m, and requested that a further report be considered by the Education Overview and Scrutiny Committee if there any significant changes to draft proposals outlined relating to services within the committee’s remit.

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Signed:

*Councillor S. Ditta*

Councillor S. Ditta  
Chair, Education Overview and Scrutiny  
Committee

Signed:



Colleen Male  
Executive Director  
Children’s and Customer

## **Draft Revenue Budget and Draft Capital Programme 2024/25 – 2027/28**

### **Recommendations of the Economy and Environment Overview and Scrutiny Committee following Budget Consultation**

#### **Summary of report**

This report presents the comments and recommendations from the Economy and Environment Overview and Scrutiny Committee following consideration of the draft revenue and capital budget proposals for consultation for 2024/25 to 2027/28 to date at the Committee's meeting on 23 November 2023.

All overview and scrutiny committees have received the draft revenue and capital budget proposals for consultation following Cabinet on 18 October 2023, in respect of the portfolio of services falling within their remit. The revenue proposals set out in the report to Cabinet on 18 October 2023 do not yet balance the budget for 2024/25, so further reports will be presented to close the remaining £18m gap. The next meeting of Cabinet is on 13 December 2023, and there will be subsequent reports to this Committee on any further options relating to services within the remit of this committee.

These recommendations will be reported back to Cabinet on 13 December 2023, for them to consider the feedback contained within this report in formulating their draft budget proposals at Cabinet on 7 February 2024 for recommendation in the final financial plan to Council on 22 February 2024.

#### **Response to the draft budget options**

The Leader of the Council introduced the report and underlined that it was still a time of budgetary pressures. He highlighted that many Councils across the country were facing financial pressures and Walsall was not unique in this respect. The Council was committed to balance the budget for 2024/25 and the Cabinet were due to consider revised proposals and provisional statement on 13 December 2023.

#### **The people of Walsall feel safe in a cleaner, greener borough**

A lengthy discussion occurred in relation to the breakdown of statutory and non-statutory services in respect of the budget. A Member sought clarification on whether the Council would have to cut back on free garden waste collection like many Councils across the country. The Leader of the Council responded that the Council was committed to free garden waste collections and was investigating proposals to turn garden waste into energy.

*Ref:93 – Removal of 2023/24 saving – increase recycling rates and reduce contamination*

A Member sought clarification on recycling rates and how to improve rates in the Borough. In response, the Portfolio Holder for Street Pride confirmed that the Council was committed to educating residents and businesses about the placement of refuse to avoid cross contamination of recycling objects. It was noted that only 7% of rubbish in Walsall proceeds to landfill sites with the remainder being recycled (including energy from waste).

*Ref: P4 – Street lighting dimming and trimming during the evening*

A Member sought clarification on whether street light dimming would make Walsall safer. In response, the Portfolio Holder for Street Pride confirmed that the Council was working with the contractor Amey on a pilot scheme. It was suggested that dimming street lighting by 50% would save the Council £160k during 2024/25 and would not result in a direct noticeable impact by the public. The Director of Place and Environment highlighted the Council was investigating the use of phased dimming which involved a gradual reduction of lighting as peak traffic reduces. She concluded that further investigation was required prior to finalisation of the scheme, and the saving proposed was based on a specific proportion of street lighting and not the entire Borough.

*Ref: P5 – Crease provision of Christmas lights*

There were concerns about proposed cessation of Christmas lights in the Borough. The Portfolio Holder for Street Pride confirmed the Council's contractor Amey had agreed to provide a social value contribution to the Borough's Christmas lights. Therefore, the Committee were assured that Christmas lighting would still go ahead as planned.

*Ref: OP69 – Other waste disposal – (e.g., grey bin, plasterboard, textiles)*

A Member queried whether the Council collected medical waste as the NHS provided a similar medical waste collection service. In response, the Portfolio for Street Pride confirmed the Council collected medical waste, which was paramount for individuals requiring long term medical intervention and treatment. In this respect, it was confirmed that Council's medical collections were a non-chargeable service.

*Ref: 89 – Enforcement of fly tipping, litter dropping, cigarette dropping etc*

There was a discussion about preventative measures and enforcement of fly tipping and littering. The Portfolio for Street Pride confirmed that penalties associated with fly tipping and littering were fixed and could only be adjusted by a Magistrates' Court.

In respect of CCTV enforcement, the Council utilised covert cameras and were consistently rotated around the Borough on a regular basis. In addition, there were several preventative signage to deter criminality. A Member commented on whether there had been a cost benefit to the Council due to the implementation of preventative measure compared to 2022. It was confirmed that this information would be made available to the Committee at a future meeting.

A Member sought clarification on whether the Council could recover costs associated with fly tipping from a Magistrates' or Small Claims Court. In response, the Leader of the Council confirmed that this would be a responsibility for the Magistrates' Court. However, in respect of recovery from Small Claims' Court, he confirmed that officers would investigate, and a response would be provided.

**Education, training, and skills enable people to contribute to their community and our economy**

*Ref: OP10 – Libraries partnership with voluntary sector*

A Member queried whether the Council was looking to make redundancies in library services or increase number of volunteers in the service. The Leader of the Council confirmed that

whilst the Council could not guarantee there would not be any compulsory redundancies, there would be a commitment to ensure redeployment or early retirement opportunities were considered before any redundancy decisions.

**Supporting a dynamic, resilient, and diverse economy where businesses invest, and everyone has the right jobs and the right housing in the right place**

*Ref: Capital Scheme – Other schemes carried forward from previous years – car park resurfacing works*

A Member requested that the Council examine the option for parent and child bays for Council owned car parks. In response, the Director for Place and Environment confirmed that parent and child spaces had an adverse impact on car parking capacity and were possibly unenforceable. There was a discussion about abuses of car parking spaces in particular, disabled bays. In this respect, it was confirmed that the Council enforces disabled bays and was looking to increase awareness of these types of spaces in communities.

**The Committee Resolved:**

That the Committee noted the draft revenue budget proposals and draft revenue capital scheme.

**Matt Powis**

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Signed:

Signed:

**Councillor M Follows**

Councillor Follows  
Chair, Economy and Environment Overview and  
Scrutiny Committee

Dave Brown  
Executive Director  
Economy, Environment and Communities



**Draft Revenue Budget and Draft Capital Programme 2024/25 – 2027/28**

**Recommendations of the Social Care and Health Overview and Scrutiny Committee following Budget Consultation**

***The meeting is not scheduled until 7 December 2023, so the feedback on draft budget proposals will be tabled at Cabinet.***

**Draft Revenue Budget and Draft Capital Programme 2024/25 – 2027/28**

**Recommendations of the Scrutiny Overview Committee following Budget Consultation**

*The meeting is not scheduled until 11 December 2023, so the feedback on draft budget proposals will be tabled at Cabinet.*

### Capital Development Schemes – subject to business case approval.

#### Adult Social Care, Public Health and Hub

- **Assistive Technologies** - Adults and Children's use a number of social care systems which are currently hosted in the council's on-premise data centre. Should the data centre fail, these critical systems will not be accessible.

#### Children's, Education & Customer Engagement

- **Free School** - Funding towards providing a free school in the borough to supplement DfE bid to contribute significant funds to the creation of the school on a council site.
- **High Needs Capital Provision SEND (Special Education Needs) Places** - Funding to support the current Special Education Needs within the Borough, where the grant received falls short of the places needed.

#### Economy, Environment and Communities

- **Gasholders** - This council owned site is located in the Black Country Enterprise Zone and forms a key part of Walsall's employment land supply. Work is being undertaken to provide an up-to-date site appraisal but previous work has indicated a viability gap.
- **Saddlers Quay** - Public sector intervention likely to be required to bring forward the site for development and address the ongoing issues. "Total Homes" to build 222 flats. Council to balance the viability gap.
- **Station Street Town Centre Living** - The site is in multiple private ownerships and has been identified as an opportunity to bring forward new residential development in a sustainable location. Due diligence work has been undertaken and a proposed delivery approach identified focused on land acquisition, addressing abnormal costs and procuring a developer.
- **Walsall Gateway** - The sites are in multiple private ownerships and has been identified as an opportunity to bring forward new residential development in a sustainable location. A Strategic Delivery Plan is due to be prepared to inform future stages which are likely to focus on land acquisition, addressing abnormal costs and procuring a developer.
- **Willenhall Framework Plan future phases** - identifies three potential further phases where council intervention may be required to support delivery of new housing given ownership and viability issues.
- **Challenge Block** - A new medical centre is currently being delivered on part of the Challenge Block site and work has commenced to identify the most suitable use for the balance. The council has a significant landholding but funding will be required to undertake land assembly to enable a comprehensive approach to future development.
- **Anson Road** - The site is owned by Severn Trent and is not a priority for delivery due to viability and delivery issues. Severn Trent have indicated they are willing to consider disposal. The site forms a key part of Walsall's employment land supply and funding would support acquisition and delivery costs.
- **Highways Maintenance** - additional request on top of rolling budget due to current inflationary pressures and increased labour and material costs - the existing rolling budget is for Highway maintenance as the council has a legal responsibility to maintain the highway network.
- **Traffic Signals Infrastructure** - additional funding to replace obsolete traffic signals infrastructure. Existing rolling budget of £200k.
- **York Bridge** - review of scheme being undertaken and potential requirements to deliver the scheme.
- **Additional cameras** - Additional coverage for crime and anti-social behaviour.

- **In house operation of HWRC's** - The operating model for HWRCs is being reviewed in parallel with the construction of the new Middlemore Lane site. There may be revenue savings from bringing this contract in house. The council would need to purchase equipment for the site.
- **Household Waste Recycling Centre (HWRC)** - Fryers Road - to provide a new Household Waste Recycling Centre at Fryers Road.
- **Brown Jug Compulsory Purchase Order (CPO)** - This is a derelict site, with the potential to CPO to facilitate housing (c up to 10-15 units maximum). There is currently no scheme currently to quantify, hence only the land CPO costs have been included plus legal/tax and contingency.
- **Feasibility costs** – to develop business cases for Regeneration projects.
- **Walsall Arena and Arts Centre Bar and front of house remodelling** - to allow for better access, better facilities and increased bar income from the centre's growing programme of entertainment and private hire business stream. It will also prevent loss of income from customers choosing alternative venues because of poor current provision.
- **Road Safety** – promotion of community health and safety.
- **New memorial garden at North Walsall Cemetery** – to provide an additional income source.
- **Garden Waste Treatment** - proposal to supply and install a disposal and electricity generation. The process burns dried garden waste using a thermal treatment process called pyrolysis. The heat is used to vaporise a liquid that drives a generator and produces electricity. The electricity produced provides power to operate the facility and additional energy that can be sold to the national grid, creating an income stream.
- **Replacement of PC's in libraries.**
- **Swimming Pool Support Fund match funding** – potential council contribution for energy monitoring systems. A bid has been submitted for Sports England grants towards the costs of installing solar PV panels on the roofs of Bloxwich Active Living Centre and Oak Park Active Living Centre. A £40k council contribution for energy monitoring systems for the two sites will be required if the bid is successful. Decision expected in December 2023

## Resources and Transformation

- **Commercial Shopping parade roof replacement** - 4 roof replacements across the commercial shopping parades to enable alternative delivery model of operation moving forward to reduce annual revenue and capital maintenance from the council's perspective. Options also being reviewed regarding disposal options to avoid capital expenditure being required.
- **Relocation of Catering Hub** - Relocation of school meals catering facility from former Sneyd School to enable the demolition and disposal of the surplus former Sneyd School site for development. Options appraisal underway to identify the most appropriate solution. Capital cost dependent upon identified solution.
- **Demolition of former Sneyd School** - Demolition of former school complex to enable disposal for redevelopment. Demolition to follow grant of outline planning consent for redevelopment and relocation of the Catering Hub and Sneyd Community Association from the building.
- **Continuation of Enabling Technology** - established to provide a core technology platform which would support the council's transformation.
- **Carbon Net Zero Projects** – to be identified from carbon audits.
- **Adult Learning Campus Projects** – supported costs subject to review.
- **Temporary Accommodation Maintenance** - supported costs subject to review.

## Cabinet – 13 December 2023

### LGA Corporate Peer Challenge Revisit

<b>Portfolio:</b>	Councillor Bird – Leader of the Council
<b>Related portfolios:</b>	All
<b>Service:</b>	Council Wide
<b>Wards:</b>	All
<b>Key decision:</b>	No
<b>Forward plan:</b>	Yes

#### 1. Aim

- 1.1 The report presents the findings of the recent Local Government Association (LGA) Corporate Peer Challenge (CPC) revisit undertaken by the Council in October 2023 and presents the final report from the LGA in this peer review process as well as information on how any remaining actions are being taken forward in business as usual/existing governance mechanisms in the Council.

#### 2. Summary

- 2.1 The report outlines the key headlines and findings from the 6 months on revisit in October and some final thoughts and considerations from the peer review LGA team as we complete the Corporate Peer Challenge process.
- 2.2 The final report is structured across three key themes distilled from the original 5 core elements and local focus, with findings and comments on positive Council practice against each of those themes. These include HR, OD and Culture, Change, transformation and ways of working, and Internal controls and processes.
- 2.3 The report noted progress against all 11 recommendations received from the initial LGA CPC report back in March 2023. Mention was given to:
  - acknowledging the significant progress in the Council’s approach to EDI and the importance the Council is placing in ensuring psychologically safety for staff in the workplace,
  - appreciation for the continued partnership working and co-delivery ethos evident through We are Walsall 2040,
  - the visible step change in collaboration across the Council with staff coming together in a variety of ways to work, and
  - the positive internal appointment to senior roles and the flexibility this affords the Council as it moves forward under a new Chief Executive tenure.

### 3. Recommendations

- 3.1. That Cabinet note and celebrate the successes highlighted by the final Corporate Peer Challenge report.
- 3.2. That Cabinet note how any remaining actions are now being taken forward under existing internal programmes and governance.

### 4. Report detail - know

- 4.1 It is recommended that Councils undertake a Corporate Peer Challenge every 5 years to ensure a reflection, stocktake and consideration of the organisation. It gives Councils an opportunity to engage with peers with current or previous experience on specific areas or issues and enable consideration of direction of travel for the future.
- 4.2 During the week of 16-19 January 2023, we welcomed a team of peers and one Member from leading Councils across the country. The assessment consists of 5 core elements:
  - **Local priorities and outcomes:** Are the council's priorities clear and informed by the local context? Is the council delivering effectively on its priorities and achieving improved outcomes for all its communities?
  - **Organisational and place leadership:** Does the council provide effective local leadership? Are there good relationships with partner organisations and local communities?
  - **Governance and culture:** Are there clear and robust governance arrangements? Is there a culture of respect, challenge, and scrutiny?
  - **Financial planning and management:** Does the council have a clear understanding of its current financial position? Does the council have a strategy and a clear plan to address its financial challenges?
  - **Capacity for improvement:** Is the organisation able to support delivery of local priorities? Does the council have the capacity to improve?
- 4.3 In addition to the 5 core elements, we asked for the assessment to focus on the delivery of our Proud Promises:
  - Improve outcomes and customer experience.
  - Improve employee satisfaction and engagement.
  - Improve service efficiency and performance.
- 4.4 The peer team spoke to 120 staff, Members, volunteers, and partners during their 4 days on site through group workshops and focus groups, 1-1 conversations and further examined Council strategies and plans.
- 4.5 The findings from the January review were taken to Cabinet in March outlining the findings. This included 11 LGA recommendations to further support the Council's improvement journey. Alongside this Cabinet noted and approved the Council response -in the form of a delivery plan with clear actions and statements against each of the specific 11 recommendations.

- 4.6 Since March 2023 the Council has made significant progress on all actions within the CPC Delivery plan and provided a comprehensive update against each action both to Council management through regular updates at CMT (Corporate Management Team) and to Cabinet through informal briefings. Furthermore, a clear update of progress against each action and recommendation was provided to the LGA in advance of the revisit in October 2023.
- 4.7 The revisit on 09 October 2023 was a short and sharp look at three key themes sublimated from the 11 recommendations: HR, OD and Culture, Change, transformation and ways of working, and Internal controls and processes. The process involved thematic discussions with senior officers, Leader of the Council and Leader of the Labour Group, as well as focus groups with key staff. The revisit aimed to understand progress and remaining areas of focus rather than identify new lines of enquiry.
- 4.8 The final report has now been received from the LGA and they are pleased with the Council's progress against all 11 recommendations within the initial March CPC report and against the actions in the Council's CPC Delivery plan.
- 4.9 Specific comments received include:

**HR, OD, and Culture:**

- We Are Walsall 2040: recognised the progress with approval of the Borough vision at Cabinet in June 2023, continued engagement with partners and delivery mapping and planning underway.
- **Equality, Diversity & Inclusion (EDI):** The peer team were encouraged by progress made across all elements of EDI and the organisational commitment to an overarching EDI strategy.
- **Flexible Working:** The LGA team noted the physical changes within the Council buildings to facilitate effective onsite working and the work around continuous culture change.
- **HR/OD Restructure:** The LGA acknowledged the good progress in a short time frame citing publication of Workforce and OD Strategies.
- **Senior Officer Structures:** The thoughtful use of interim/acting-up arrangements were praised and the opportunity for flexibility that provides for the next stage of council's journey.

**Change, Transformation and Ways of working:**

- **Proud:** The peer team noted the good progress against Proud delivery and encouraged continued clarity on next steps through the recognition of achievements to date and capturing learning for the future.
- **Partnership Working:** The LGA highlighted the engagement with partners for We Are Walsall 2040 and the significant work underway already to embed the priorities across the borough.
- **Walsall Pound:** The report acknowledged our first steps towards embedding social value across Council processes and activities.
- **Council Plan:** The LGA noted our plans to align related themes (including transformation, partnership working and social value) in a refreshed Council Plan – that encapsulates how the Council is delivering outcomes against the 2040 vision.

### **Internal controls and processes**

- **Financial Controls:** The peer team were confident of the Council's ability to continue maintaining effective financial controls, leaving it in a better financial position than many other local authorities. But like other areas they advised the Council should continue to be alert to ongoing demand-led pressures.
- **Internal Processes:** The report recognised the efforts of the Council to simplify processes in recruitment and introducing governance training and encouraged continuance in reviewing officer governance and consideration of sector norms and interplay with elected member arrangements.
- **Member Enquiries:** The LGA highlighted that the new system has potential to support timely responses and performance and should continue to be prioritised.

4.10 The LGA final report also encouraged further consideration and continuance in our improvement journey as follows:

- **Council Plan:** Develop a new Council Plan to provide clarity on the Council's role in delivering our We Are Walsall 2040 ambitions.
- **Culture and Values:** Consider the opportunity to revisit Council values and align with new Council Plan development.
- **Process Improvements:** Continue with reviewing and simplifying process to enable further efficiency and effectiveness.
- **Transformation Programme:** Consider formal closure of the current 'wave' of transformation, capturing progress and achievements and focus on the next stages of Council transformation and innovation.
- **Co-Production with Communities:** Build on strong foundations of We Are Walsall 2040 engagement at a community level to work 'closer to the problem' moving towards more preventative and outcome-based approaches across the borough.

4.11 All remaining actions and activities from the CPC delivery plan from the final report will be monitored through existing processes and governance e.g. Proud Board, Third Party Spend Board, CMT/Cabinet. Plans are underway to develop a new Council Plan in 2024 and details will be shared with Cabinet and Members in the near future.

### ***Risk management***

4.12 There are no significant risks. Effective risk management practice is incorporated as standard into the planning of Council projects and initiatives that will support the delivery of the actions that are ongoing and now business as usual.

### ***Financial implications***

4.13 There are no direct financial implications related to the action plan itself but there may be financial implications regarding the ongoing delivery of actions because of the Corporate Peer Challenge.

### ***Legal implications***



- 4.14 There are no direct legal implications from this report. There is no legal requirement to act following a LGA Corporate Peer Challenge however to do so does promote good governance and transparency.

***Procurement Implications/Social Value***

- 4.15 There are no direct procurement implications from this report, however there is a specific recommendation related to increasing social value across the Council that is being addressed and considered.

***Property implications***

- 4.16 There are no direct property implications from this report.

***Health and wellbeing implications***

- 4.17 There are no direct implications in this report.

***Staffing implications***

- 4.18 There are no direct staffing implications from this report, however there is a potential impact on staffing resources from the delivery of some of the ongoing actions that have been considered within business-as-usual staff planning procedures.

***Reducing Inequalities***

- 4.19 The remaining action plan activities will strengthen the delivery of Our Council Plan and We are Walsall 2040 borough plan. Both strategies ensure we can reduce inequalities across the borough.

***Climate Change***

- 4.20 There are no direct implications.

***Consultation***

- 4.21 The report has been informed by evidence gathered and submitted during the LGA CPC process and via consultation with Cabinet members and senior managers.

**5. Decide**

The Cabinet paper presents the final report from the LGA Corporate Peer review for consideration and closure of the Corporate Peer Challenge process. It further includes the governance arrangements to provide assurance to Cabinet that ongoing activities from the CPC delivery plan continue with monitoring and accountability.

## 6. Respond

The Council is already undertaking programmes and activities that directly address the recommendations identified by the March 2023 LGA CPC report and the recent final LGA report. This work will continue through specific governance mechanisms to ensure the Council remains on its improvement trajectory.

## 7. Review

The outlined governance mechanisms in section 4.11 will ensure continued review and monitoring of any remaining activities related to the Corporate Peer Challenge process and action plan.

**Background papers** – March 2023 Cabinet report '[Corporate Peer Challenge Findings and Action Plan](#)'

### Annexes:

Appendix 1 LGA final report

### Author

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**Judith Greenhalgh**  
Executive Director – Resources



**Councillor M. Bird**  
Leader of the Council

**13 December 2023**

# **Corporate Peer Challenge – Progress Review**

**Walsall Metropolitan Borough Council**

**9 October 2023**



## 1.0 Executive summary:

Walsall Metropolitan Borough Council undertook a full Corporate Peer Challenge (CPC) in January 2023. The Council's response and Action Plan regarding the findings and recommendations from this review were led by their interim Chief Executive who served in this role from January to October 2023. In October 2023, Members of the Peer Team returned to the Council to discuss progress against these recommendations on the first day for the Council's new permanent Chief Executive. This context is important when considering the response of the organisation in this time, as well as the new opportunities that exist going forward.

The Peer Team recognise that Walsall Council has engaged positively and constructively with the findings of the original Peer Challenge. This is illustrated by the clear Action Plan which was developed in response to the Team's recommendations and presented to Cabinet in March 2023, as well as the update provided to the Team on progress against this Plan. This illustrates that responding to these issues (and wider improvement) is seen as a corporate priority within the Council. The Peer Team recognise that the previous findings of the CPC helped to provide a structure for improvement for the Interim Chief Executive and hope that the considerations of this report support the new Chief Executive to further embed and build on this work.

The Peer Team heard that the Council has made good progress against several of the key recommendations presented to them, this includes a renewed commitment to issues of Equality, Diversity, and Inclusion. It is also apparent that the Council has deliberately phased their work in responding to some of these recommendations, including those on flexible mobile working, and the responsibilities of senior officers across the Council to enable the incoming Chief Executive to shape these decisions as part of the next phase of the Council's Transformation. Going forward, the Team recognise that there is potential for the Council to corral some of these recommendations together through the development of a new Council Plan, setting out more clarity on the next stage of transformation, communicating the deliverables of the Proud Programme, and defining the role and contribution of the Council to We are Walsall 2040.

The Local Elections in May 2023 did not impact on the political control of Walsall Council, with the distribution of seats across parties remaining similar to those pre-election, with the Conservatives holding 37, Labour 20, and there being one Independent Councillor and one belonging to no-political party. Whilst there is continuity in the political leadership of the Council, there have been some changes made at a Cabinet level, and the Council should consider the ongoing support and training needs which could support those with new remits. There has also been the creation of new non-Executive roles as "Cabinet Support Assistants". The Council will need to consider the support required for these roles and be

aware of the need for potential changes or amendments to maximise the benefit from these new positions alongside the wider ten members of Cabinet.

Previous recommendations that have been presented to the Council still remain relevant to the organisation. This includes clarity on issues of flexible-mobile-working, as whilst the Council continues to promote a 'customer first' approach, there remains a need to consider the relationship of remote working, community engagement, member/officer relationships, as well as customer experience. Furthermore, the Council recognises that they have a number of vacancies at a senior level, and the opportunity this presents to the new Chief Executive to consider the senior structures and skills which are required for the organisation moving forward.

The Peer Team made a number of recommendations to the Council on issues of internal controls. Through our Progress Review, it is clear that Walsall Council has maintained their previous effective approaches to financial planning and reporting, as illustrated in the preparation and publication of their external audit accounts for 2022-2023. As issues of inflation and increasing pressures on demand led budgets in Adults and Children's Services continue to affect the wider sector, these approaches will need to be maintained over the coming years.

Finally, the Peer Team heard about the progress that the Council has made on issues of Equality, Diversity, and Inclusion since our time onsite in January. It is clear that the organisation has responded well to these findings and has put effort and resources into making improvements. Achieving the benefits and positive impact of these efforts will require ongoing support and sponsorship from senior political and managerial leaders to take this forward and demonstrate support for this important theme of work.

## 2.0 Background:

Central to the LGA Corporate Peer Challenge Process is ongoing engagement with Councils regarding issues and recommendations presented through Peer Team's time onsite, and through Corporate Peer Challenge Reports. Therefore, Progress Reviews are designed to take place approximately six months on from the Council's publication of their original CPC report and supporting Action Plan. In Walsall, these Reports were presented to Cabinet in March 2023, and therefore, this Review took place seven months following publication, and nine months following the Team's time onsite.

This timing presents the opportunity for the Peer Team to re-engage with Walsall Council, discuss progress, reflect any changes in context, as well as areas for further consideration. Importantly, this Progress Review was designed to build on previous findings rather than repeating previous work or incorporating additional lines of enquiry. To support this

Progress Review, a Scope was agreed with Walsall Council that clustered findings into a number of themes and considered the necessary stakeholders for the Peer Team to meet during a physical revisit to the Council on 9 October 2023.

### 3.0 Peer team, Scope, and Context:

The original CPC in January 2023 was supported by eight Officers and Councillors from across the Local Government sector in England. The full report from the Peer Team is available on the LGA website [here](#) and was also published by Walsall Council alongside their Action Plan for improvement.

- **Lead Peer: Alison McKenzie-Folan:** Chief Executive (Wigan Council).
- **Lead Political Peer:** Cllr Rob Waltham: Leader (Lincolnshire Council).
- **Officer Peer:** Ellen Vernon: (Local Government Association).
- **Peer Challenge Manager:** Matt Dodd (Local Government Association).

The Progress Review included the Council developing a self-assessment of their progress to- date against their Action Plan which was shared with the wider Peer Team in advance to support the development of appropriate questions. This document was clear and concise, and the Peer Team would encourage it to be published alongside this report to support cross-referencing. The Peer Team also considered the Council's published financial reporting ahead of the Progress Review, considering publicly available reports including the Council's Budget, Medium Term Financial Strategy and Quarterly Monitoring Reports.

The timetable for the Peer Team's time onsite included a scene setting meeting to consider changes in context, several 1-2-1 interviews, as well as focus groups across key themes from the CPC Report. The key findings and feedback of the Progress Review were shared with Senior Political and Managerial Leaders of the Council through a facilitated conversation at the end of the day.

The original Corporate Peer Challenge made a series of 11 recommendations to support the Council's ongoing improvement journey (these are contained in full in Appendix 1.0 to this report). For the purposes and structure of this report, these have been clustered under the following themes and headings:

- **Theme One:** Organisational Development, Human Resources, and Culture.
- **Theme Two:** Change, Transformation, and New Ways of Working.
- **Theme Three:** Internal Controls and Processes.

Whilst this six-month review focuses on the progress made against the Council's Action

Plan, it also allows consideration of changes in the Council's operating environment over this time. This can often mean new opportunities or challenges, or wider changes in context since the team were last onsite. As part of this review the Council provided further information on this context, this included the outcomes of the one-third Borough elections in May 2023, as well as the appointment of a new permanent Chief Executive. Finally, it is recognised that many of the recommendations originally presented by the Team spoke to long-term issues, therefore, Team Members recognise the realities of what can be achieved in seven months and were pleased to hear about Walsall's plans for the future.

## 4.0 Organisational Development, Human Resources, & Culture:

Under this theme, consideration was given to the activity and progress of the Council against the following five recommendations. These recommendations are listed in full in Appendix 1.0, but are summarised below at a headline level:

- There is a framework of Plans and priorities that exist across the council; however, consideration should be given to their alignment and support staff understanding.
- Provide a coordinated approach to issues of EDI to support the workforce to better represent local communities.
- Review the council's approach to flexible working in the round and communicate this clearly to staff.
- Articulate and consider the contribution of Organisational Development to the next stage of the council's transformation.
- Consider the Management Responsibilities of Senior Officers at the council.

The Peer Team recognises that since the original review in January 2023, further progress has been made with regards to the We are Walsall 2040 strategy, this includes further engagement with partners and residents, as well as refining content – with an updated version of the Strategy shared with the Peer Team before arriving onsite. Importantly this Plan was approved by the Council in the summer. The Council have used this Plan to complete a policy and strategy audit to set out a clear 'pipeline' of activity for coming years and to support alignment. The Council is aware that the opportunity now exists to revise and refresh the Council Plan to provide further clarity regarding the role, approach and contribution of Walsall Council as an organisation in delivering these wider strategic goals at a borough wide level.

The original review of the Peer Team contained a number of specific recommendations and challenges for improvement on issues of Equality, Diversity, and Inclusion, this included the recommendation to provide a more coordinated approach towards these issues in order for the workforce of the Council to better reflect and represent local communities. It was

encouraging to see that progress has been made in this area. This includes embedding responsibility for these issues corporately with the Policy and Strategy Unit of the Council, and the commitment to develop an overarching Strategy built around issues of Equality, Diversity, and Inclusion to build on the content of the Council's Workforce Strategy. This strategy will act as an important first step for making progress and achieving improved outcomes in this area.

A copy of this Workforce Strategy was shared with the Peer Team, and it was appreciated that the first objective in this document is to welcome, develop and advance a diverse mix of individuals, built around the outcome of the workforce better representing the borough. It is clear that further work is planned by the Council on these issues, including consideration of the Equality Framework for Local Government as part of their new Strategy, revised protocols, and increased staff training. The Team was pleased to hear about these actions but continue to challenge the Council for improvements in these areas. Central to these process improvements bringing a tangible impact, will be the demonstrable actions of senior political and managerial leaders visibly demonstrating their commitment and support to these issues. Therefore, the Peer Team would encourage ongoing communication and promotion of this work on a regular basis. Furthermore, the Council may want to consider the potential for further practice of leadership development programmes for staff from underrepresented backgrounds, as well as the potential use of more inclusive recruitment processes.

The Peer Team still heard different perspectives regarding the Council's approach to flexible mobile working. Whilst the team appreciate that these are included in the Council's 'Customer First' approach. The improvements that have been made to the Civic Centre present new opportunities for colleagues to come together in-person, and it is recognised that occupancy in the building is higher than during the Team's original visit. The Team would recommend that the Council continues to be live to this issue including the ongoing inter-dependencies of engagement with Councillors, communities, and colleagues.

The Peer Team appreciates that there have been changes within the structures of the Council's Human Resources since June 2023, and there is ongoing work to improve and bolster the Council's Organisational Development. Given the relatively short-time period since the Peer Team were onsite, this is good progress and has the potential to support the organisation going forward. The Team would encourage the consideration of Organisational Development issues in the development of any new Council Plan in 2024, including the consideration of PLATE Values. A key finding of the Team's previous work was that only 49% of staff had undergone their 'annual conversation' – the Team reiterates the importance of this process in supporting values, behaviours, and priorities to be embedded across the workforce. These conversations are required as a 'first-step' to more reciprocal models of communication with staff.



The Peer Team previously encouraged the Council to ‘consider the management responsibilities of Senior Officers of the Council’. The team appreciate that these structures have served the Council well historically but contained a mixture of service and ‘cross-cutting’ responsibilities. The appointment of a new Chief Executive, as well as key posts at a senior level (Executive Director and Director level) which are currently vacant or filled on an interim basis provide the opportunity to revisit these senior structures holistically. The Team recognise that the Council’s interim Chief Executive has taken the thoughtful decision to use vacancies and interims to provide the incoming permanent Chief Executive with the opportunity to consider what is needed for the next stage of their improvement journey. The Peer Team would encourage the Council to look at these structures in the round, and maximise this opportunity, the Council should not rush to make these decisions, but instead consider the structures and approaches that will be needed for the medium-term over the coming years.

## 5.0 Change, Transformation, and New Ways of Working:

Under this theme, consideration was given to the activity and progress of the Council against the following four recommendations. These recommendations are listed in full in Appendix 1.0, but are summarised below at a headline level:

- Define the content and deliverables that will be included in the ‘Proud’ initiative going forward.
- Consider the knowledge transfer required from the council’s strategic partner to support the newly established Corporate Hub.
- Consider the council’s approach to inclusive growth in delivering the 2022 Economic Strategy and maximising the impact of the ‘Walsall Pound’.
- Maximise the opportunities that are presented to the council through partnership and convening arrangements.

The original review of the Peer Team recognised the progress that has been made by the Council through the Proud Programme. However, the Peer Team heard mixed positions regarding the future of the initiative, with some stating that the programme was closed, others saying that it was now embedded as a ‘way of working’, and some presenting ideas for the next stage and iteration of this work. The Peer Team appreciates that the existing workstreams and governance from this programme are well established and embedded within the Council but would encourage more clarity regarding next steps. This could be supported through an analysis of the programme’s achievements to-date and communicating the closed deliverables and benefits.

Furthermore, there is an exciting opportunity for the Council in designing and delivering their next stage of transformation after the Proud Programme. Given the end of the Council’s

relationship with their Strategic Partner for this work, there is the potential for this to be locally led, developed, and owned, particularly across the workforce, more than the previous programme. It is pleasing to hear that the Council's Human Resources and Organisational Development Teams are working to develop recruitment and training plans to support these areas of the organisation, and this has the potential to be a more rewarding and sustainable approach to transformation going forward.

Walsall Council have engaged well with partners on the development of the We are Walsall 2040 vision and recognise that the next phase of this work will require communicating, sharing, and embedding these priorities across partner organisations. This is a natural stage for the programme given that it was only formally approved by the Council in June. The Council has made progress to date by engaging with partnership forums including Children's Alliance, Safer Walsall and the Health and Wellbeing Board, and has plans for further engagement and promotion in to 2024, including a review of the Walsall Proud Partnership.

Finally, given the inter-relationships that exist across these issues of transformation, social value, and partnership working, the Council may benefit from the development of a new Council Plan. This would enable the organisation to consider the specific role and contribution that it will make towards these borough wide outcomes, provide clarity on the next stage of transformation, and provide clarity on achievements to-date. Importantly, this could provide an opportunity to embed the Council's existing Social Value Policy from 2020 at the heart of the organisation and extend the impact of this approach into wider service areas.

## 6.0 Internal Controls and Processes:

Under this theme, consideration was given to the activity and progress of the Council against the following two recommendations. These recommendations are listed in full in Appendix 1.0, but are summarised below at a headline level:

- Maintain effective financial control and establish a sustainable and resilient financial future post-COVID.
- Ensure that internal processes are proportionate and consistently applied.

The recommendation to 'maintain effective financial controls' spoke to the Team's confidence in the Council's approach and rigour to financial planning and management and was encouraging a continuation of the practice which they have benefited from to date. Therefore, the Team were pleased to hear that the financial accounts for Walsall Council for 2022-2023 have been prepared and published. The Team recognise that the Council reported a relatively minor overspend of £486,000 last year, but did draw significantly on reserves of £30 million, but appreciate that is largely as a result of COVID grants and

rescheduled borrowing, therefore leaving the Council in a better financial position than many other authorities.

We recognise that the Council has maintained their approach to budget setting and is working to continue the move towards a more outcome-based approach over coming years. However, the Council will need to remain alert to these issues due to the projected overspend and demand issues which, as with other Councils, are creating pressure on demand-led budgets in Adult and Children's services. These challenges are facing other Councils across the sector, and it will be important that the Council remains focused on these issues over the coming years, giving due capacity, time and space to resolving them.

Finally, the Team recognise that there have been efforts from the Council to simplify internal processes, including the approval process for recruiting staff and governance training which has been completed with officers. It is encouraging that the Council has committed to reviewing officer governance arrangements, and the Team would encourage the organisation to consider sector norms on issues of delegation, approval, and reporting to inform this programme. This work should also include consideration of the interplay between officer governance arrangements and elected members, including forums such as Personnel Committee, and the involvement of Councillors in human resource issues.

The Council also informed the Team regarding progress that has been made in developing and implementing a new Members' Enquiry System which was launched in July 2023. Whilst there is ongoing training and refining regarding the system, the Peer Team recognise that this has the potential to support more timely responses to Councillors, as well as the use of improved performance reporting to better understand needs and issues across the Borough. The Team encourages the Council to continue to prioritise this work, support Officers and Members with the new system, and consider the ongoing training needs and further support that may be required as the system is kept under review.

## **7.0 Summary, Considerations and Next Steps:**

This Progress Review has been completed at an important juncture for Walsall Council and illustrates the organisation's commitment to Sector Led Improvement and engagement with the LGA by prioritising this review in this context. The Council communicated to the Peer Team that the findings and recommendations of the original review have been helpful in structuring the work and approach on key issues over the past six-months and provided a helpful structure and framework for the interim Chief Executive. With the appointment of a new permanent Chief Executive, the Peer Team would encourage the Council to consider the following issues as they continue to move forwards:

- **Council Plan:** Given the strength of the We are Walsall 2040 Borough Plan; it is important for the Council to set out the organisation’s role and contribution in delivering these goals. The development of a new Council Plan could support this work, and the development of a clearer narrative on the approach of the organisation, whilst also defining the contribution and expectations of wider partners.
- **Culture and Values:** The Peer Team recognise that the development of a new Council Plan presents the opportunity to revisit the PLATE (Professionalism, Leadership, Accountability, Transparency and Ethical) values which the Council has used since 2017. As part of this work, there Team would encourage the Council to consider how these values are demonstrated and communicated on an ongoing basis.
- **Process Improvements:** The Peer Team heard that there had been uneven progress regarding improvements to processes and systems (e.g. the approval of reports). The Team would encourage the Council to continue to consider the use of ‘co-creation’ approaches to move beyond the current system of approvals. There is potential for this to be supported by a discrete piece of work to support officers in better understanding decision making across the Council.
- **Transformation Programme:** The Council’s “Proud Programme” is well embedded and understood as a way of working and a lens for improvement across Walsall. In this context, the Council should consider the formal closure of this Programme, officially capturing progress and achievements, and providing a ‘blank page’ for their next wave of transformation. This next wave will be locally driven following the end of the organisations’ strategic partnership and is an exciting opportunity to be locally defined and driven.
- **Co-Production with Communities:** There is potential to build on the engagement through the We are Walsall 2040 programme to enable more input into issues of community delivery, and ongoing conversations. This would build on the answers and solutions to social challenges which are ‘known’ and ‘owned’ at a neighbourhood and community level. This would enable the Council to work ‘closer to the problem’ and move towards more preventative and outcome based approaches which are built around an investment methodology, and linked to the Council’s financial context.

It is recognised that senior political and managerial leadership will want to consider, discuss, and reflect on these findings. To support transparency, the council is advised to publish this note. Helen Murray is the LGA’s Principal Adviser for the West Midlands and can be contacted on [Helen.Murray@local.gov.uk](mailto:Helen.Murray@local.gov.uk)


## Appendix 1.0. Full list of previous recommendations from Corporate Peer Challenge:

Replicated below is a complete list of the Recommendations which were presented to Walsall Council through their Corporate Peer Challenge in January 2023.

- **Recommendation One: Maximise the opportunities that are presented to the council through partnership and convening arrangements:** The council's improvements through the Proud Programme have been largely internal to date. The next phase of WAW2040 will require these priorities being shared and embedded across partner organisations. There is more work to be done to socialise this vision and support its recognition and understanding of partners contributions towards it. This will require regular and active engagement, investment in relationships, and clear communications.
- **Recommendation Two: Consider the council's approach to inclusive growth in delivering the 2022 Economic Strategy and maximizing the impact of the 'Walsall Pound':** There is strong political appetite to support inclusive growth in Walsall. The peer team would encourage the council to be ambitious in this space, this should include ambitions for better paid jobs in the borough, as well as an increase in the number of roles, and could do more to benefit from the council's role as a major employer and procurer of goods and services. There is learning available from within the sector on social value frameworks and good employment charters, and this will build on the good foundations that are already in place from the council's approach through Walsall Works.
- **Recommendation Three: Define the content and deliverables that will be included in the 'Proud' initiative going forward:** The council's 'Proud Programme' ran from 2018 to 2022 and identified significant savings within a specific business case. It is appreciated that the council has now moved towards these principles as an ongoing way of working rather than an individual programme with specific milestones or end dates. However, there is still a need to set out what this includes (and does not include) in order to support resourcing, reporting, and tracking benefits.
- **Recommendation Four: There is a framework of Plans and priorities that exist across the council; however, consideration should be given to their alignment and support staff understanding:** The relationship between 'Proud' transformation, 'EPICC' priorities, 'PLATE' values, and 'WAW2040' vision is a language which is spoken fluently among senior council officers. There is a need to make sure that these programmes are appropriately aligned, and that this understanding exists at all tiers of the organisation.
- **Recommendation Five: Provide a coordinated approach to issues of EDI to support the workforce to better represent local communities:** The council has recognised that further work is needed to strengthen work on equality, diversity, and inclusion, this has included good progress to date on your gender pay gap, and the introduction of staff network groups to support staff voices. This should be built on with reporting, publishing, and monitoring progress against other 'pay gaps' (such as ethnicity and disability) as well

as wider public sector duties. This will support the workforce to better represent the communities of borough.

- **Recommendation Six: Review the council’s approach to flexible working in the round and communicate this clearly to staff:** Through COVID-19 Walsall Council has transitioned from a largely onsite corporate workforce to a largely remote corporate workforce and is now working to strike an appropriate middle ground built around “customer focused ways of working”. This needs to be considered in the round alongside the workforce implications for teams, engagement with elected members, council assets, as well as the strategic approaches to supporting the local economy and being connected to local communities. This work will require engagement and communications to talk through these issues and their relationship to each other. The peer team would recommend that this includes officers attending formal meetings in-person as far as possible and appropriate, particularly scrutiny committees and joint consultation committee meetings with trade unions.
- **Recommendation Seven: Articulate and consider the contribution of Organisational Development to the next stage of the council’s transformation:** The importance of OD to the next stage of the council’s journey cannot be understated, and the council should consider the investment of time, capacity, and resource required to support this, as they move to embed proud ways of working. This should include how PLATE values are embedded beyond annual conversations, and how these principles are demonstrated at all tiers of the organisation. This will require regular two-way communication with staff.
- **Recommendation Eight: Maintain effective financial control and establish a sustainable and resilient financial future post-COVID.** In common with most councils, Walsall has experienced additional funding pressures and disruption to its financial strategy during the pandemic which, despite government funding, have had to be managed. The council now needs to ensure that it re-establishes a sustainable budget and maintain reserves to assure its future resilience.
- **Recommendation Nine: Consider the Management Responsibilities of Senior Officers at the council:** The council’s approach to giving executive directors additional responsibility for cross-cutting initiatives such as ‘customer experience’ is not a model which is used commonly elsewhere in the sector. It is appreciated that this supports senior accountability for corporate priorities and helps work across directorate silos. However, this model will require the council to be live to implications such as capacity challenges and succession planning in the medium-term.
- **Recommendation 10: Consider the knowledge transfer required from the council’s strategic partner to support the newly established Corporate Hub:** The council has worked through a strategic partner model to deliver the Proud Programme. Going forward, the council should consider the benefits that can be gained across the organisation through the knowledge transfer from the council’s strategic partners over coming years to make sure that it maximises the value from this investment. Similarly,



there is potential for the council's community hubs to consider the whole council offer beyond the current functions and improve the customer journey.

- **Recommendation 11: Ensure that internal processes are proportionate and consistently applied:** There is potential for the council to free up capacity within the organisation by simplifying some processes, including report approvals and recruitment processes. This would support capacity to be best aligned to priorities. This should also consider the channels and processes used for sharing information with and resolving issues raised by elected members. This would be welcomed by both officers and members and would free up capacity that is currently being spent resolving these matters elsewhere.

## **Cabinet – 13 December 2023**

### **The Walsall Borough Local Plan - Call for Sites**

**Portfolio:** Councillor Andrew - Deputy Leader and Regeneration

**Related portfolios:** Councillor Bird - Leader of the Council

**Service:** Planning and Building Control

**Wards:** All

**Key decision:** Yes

**Forward plan:** Yes

#### **1. Aim**

1.1. The Walsall Borough Local Plan (WBLP) will deliver the site allocations and strategic and local planning policies to ensure that development is sustainable and locally distinctive and is in the right place and of the right type, nature and design. The local plan will carry forward the objectives and aims of We are Walsall 2040 and those of the Council Plan 2022 – 25, and any subsequent plans, to provide a framework to guide investment and growth into the borough to align with Walsall's regeneration objectives, while also promoting and enhancing the health and well-being of communities, addressing the need to tackle climate change, and delivering a cleaner, greener borough.

#### **Summary**

1.2. A call for sites is recommended prior to, and running into, the formal commencement of the Walsall Borough Local Plan which, under the proposed new plan-making regime, is likely to be autumn 2024 at the earliest.

1.3. This consultation will enable early engagement with landowners, developers and local communities, with the results from this exercise helping to influence and inform plan preparation, particularly as part of the evidence gathering on potential land use allocations.

1.4. In addition, in identifying land for homes, national planning policy states that planning authorities should have a clear understanding of the land in their area through the preparation of strategic housing land availability assessments. One of the main ways through which the council can identify and assess these sites is by initiating a call for sites.



- 1.5. Furthermore, it is recommended that the call for sites will be wide-ranging, and rather than just focusing on potential sites for housing and employment uses, will also be more locally specific and have more of a community focus. This would enable relatively small pieces of vacant land to be identified, including as potential land for local greenspaces and other community uses, as well as for nature conservation enhancement. Such an approach is important in enabling meaningful public engagement and participation. It will also raise the profile of the Walsall Borough Local Plan and its alignment with corporate strategy, particularly as set out within We Are Walsall 2040.

## **2. Recommendations**

- 2.1. That authorisation be given to the publicising and implementation of a call for sites to commence from January 2024 onwards.
- 2.2. That delegated authority be granted to the Executive Director for Economy, Environment and Communities to agree the detail, scope and timing of the issuing of the call for sites in consultation with the Portfolio Holder for Regeneration.

## **3. Report detail – know**

- 3.1. At a meeting on 2 November 2022, Cabinet agreed to begin work on a new Walsall Borough local plan with the progression of this local plan replacing the work undertaken on the Black Country Plan (BCP). The BCP was being progressed jointly by the Black Country Authorities (BCAs) until 19 October 2022 when a formal statement was issued by the BCAs to confirm that work had ceased on that plan, primarily on account of Dudley Council withdrawing from the plan-making process.
- 3.2. A timetable for the progression of the Walsall Borough local plan was also agreed at that Cabinet meeting - the Local Development Scheme (LDS) - with delegated authority granted to the Executive Director for Economy, Environment and Communities to make factual changes to the LDS.
- 3.3. The LDS stated that the council would be progressing the Walsall Borough local plan within the existing plan-making framework, with a programmed consultation on an issues and options report in September – October 2023 and with the plan submitted for examination in March 2026. The timeframe for consultation on the issues and options report has had to adapt to events set out below.
- 3.4. The government consulted on national planning reforms, to be set out in the Levelling Up and Regeneration Bill (LURB) and a revised National Planning Policy Framework (NPPF) on 22 December 2022. There was then a further associated government consultation which commenced on 25 July 2023 on the implementation of plan-making reforms. The LURB received royal assent on 26 October 2023 and now becomes an Act of Parliament.

- 3.5. It became apparent from these emerging planning reforms, particularly on the plan-making process, that the programmed submission date for the Walsall Borough local plan (March 2026) would be later than the submission date set out in the reforms (June 2025) by which a local plan could have proceeded under the existing planning regime.
- 3.6. The Walsall Borough local plan will therefore need to proceed under the new planning regime. Within this new regime, the earliest date by which work on a new local plan can commence is autumn 2024 when all regulations, policy and guidance for the new plan system are expected to be in place. An autumn 2024 start date would also be dependent on Walsall being selected as one of around 10 frontrunner authorities, which the council will seek to pursue. The LDS is currently being updated under delegated authority to reflect this potential timetable, with a view to the LDS, which under the proposed new regulations is termed the local plan timetable, being updated on a regular basis.
- 3.7. The council sought the advice of the Planning Advisory Service (PAS), who recommended that a Local Plan Advisory Board (LPAB) be established, as well as providing general advice on how the council should proceed with, resource and project manage the plan-making process.
- 3.8. The LPAB, comprising officers, and elected members from both of the main political parties, has met on a number of occasions and provides effective advice and steer on the local plan. Through the LPAB it was agreed that the progression of the Walsall Borough local plan should be paused until the detail on the extent and nature of the plan-making reforms became more apparent. A similar position has been adopted by numerous other local authorities throughout England and Wales (100 plus). However, it was also agreed, through the LPAB and endorsed by PAS, that preparatory work on the local plan should continue to be undertaken, including a call for sites.
- 3.9. The emerging planning regulations on plan-making, as shown in **Appendix A**, set out a scoping and early participation stage and then leading into a formal 30-month plan preparation period which includes 2 mandatory public consultations, 3 gateway checks, as well as an examination in public and the adoption of the plan.
- 3.10. It is proposed that this early scoping stage should be used to define what will be included in the local plan and that planning authorities will be required to invite a range of relevant persons and bodies, including communities and neighbouring authorities to participate. A project initiation document (PID) will be produced which will set out the results and findings from this stage and details on the intent and project planning going forward. There is no time limit placed on this stage, however it is proposed that planning authorities will be required to provide a 4-month notification period prior to the formal commencement of the 30-month plan-making period. A call for sites can therefore be seen as part of the evidence necessary to inform plan preparation, leading into the formal timeframe for the plan-making process.
- 3.11. In addition, in identifying land for homes, the NPPF states that strategic policy-making authorities should have a clear understanding of the land in their area

through the preparation of a strategic housing land availability assessment (SHLAA). From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability, with small and medium sized sites recognised as making an important contribution to meeting the housing requirements of an area. One of the main ways through which the council can identify and assess these sites is by initiating a call for sites.

- 3.12. Furthermore, it is recommended that the call for sites will be wide-ranging, and rather than just focusing on potential sites for medium-large scale housing and employment uses, it should be more locally specific and have more of a community focus. This would give an opportunity for local communities to identify relatively small pieces of vacant land within their neighbourhoods, as well as including potential land for local greenspaces and other community uses, as well as nature conservation enhancement.
- 3.13. Such an approach would enable meaningful public engagement and participation and raise the profile of the local plan and its alignment with corporate strategy and planning, particularly We Are Walsall 2040. The local plan would, as appropriate, use the platforms and networks successfully utilised in We Are Walsall 2040 seeking to align with its vision and strategic aims through spatial planning to meet evidenced needs and sustainable planning objectives.
- 3.14. The second recommendation on this report is to delegate the decision on the detail of the call for sites exercise to the Executive Director for Economy, Environment and Communities in consultation with the Portfolio Holder for Regeneration. Notwithstanding this recommendation, it is expected that the call for sites will be:
  - open-ended in terms of its duration when initiated and run into the commencement of the formal plan-making process, but eventually have a prescribed end-date, and contain a protocol for the running of the exercise through any pre—election periods
  - make it clear that the identification of a site does not guarantee its allocation within the development plan and/or receiving planning permission for the proposed use

be wide-ranging, and include:

- contact with owners and developers who previously made a call for sites submission within the borough as part of the Black Country Plan
- an opportunity for new call for sites for housing, employment, retail and other uses to be submitted
- contact with owners on existing sites within the strategic housing land availability assessment
- an opportunity for the local community to identify sites for appropriate uses within their local environment
- an opportunity to identify local green space sites, as well as land which could potentially be suitable as biodiversity net gain offset sites

### ***Council Plan priorities***

3.15. The Council Plan 2022 – 25 sets out the council's aims of reducing inequalities and maximising potential. The outcomes of the local plan, which in part will evolve from evidence gathering as part of the plan preparation, will align with the council plan objectives in:

- supporting a dynamic, resilient, and diverse economy where businesses invest, and everyone has the right jobs and the right housing
- people are supported to maintain or improve their health, wellbeing and quality of life
- children and young people have access to high quality education and training
- the people of Walsall feel safe in a cleaner, greener borough

The consultation process behind plan-making, including the call for sites, also provides real opportunities for communities to engage in the future of the borough.

### ***Risk management***

3.16. Government requires all councils to have an up-to-date local plan. If plans are not progressing or severely delayed, the government has powers to intervene by directly appointing government officials, at a cost to the council, to prepare a plan for its area.

3.17. Under the current plan-making regime, failure to have a local plan that is based on sound evidence could result in the borough having insufficient land to meet the need for housing, employment and other land uses that are necessary to support the economic and environmental well-being of the area.

3.18. Lack of sound evidence could also make it difficult to oppose development in inappropriate locations, especially housing proposals, and place the council at risk of planning by appeal, resulting in development being placed in the wrong locations, leading to an inefficient use of resources, traffic congestion and other harm. While emerging national policies and guidance may alter this position, it is unlikely to be radically departed from and therefore these risks are likely to remain apparent.

### ***Financial implications***

3.19. The call for sites exercise will be implemented using existing internal resources, including the likely use of the Commonplace engagement platform which the council already subscribes to.

3.20. There may be a need for additional, external support in the assessment of sites which come forward as a result of the call for sites, however it is envisaged that any associated costs would be covered through existing budgets.

### **Legal implications**

- 3.21. The process for the preparation of development plans is set out in the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) Regulations 2012.

### ***Procurement Implications/Social Value***

- 3.22. Any external support through consultants to help facilitate the call for sites exercise, specifically in the assessment of sites which are put forward through this process, will need to be commissioned through the council's procurement process.

### ***Property implications***

- 3.23. It is envisaged that an opportunity will be given for appropriate and eligible council owned land and sites to be put forward for assessment under the call for sites process.

### ***Health and wellbeing implications***

- 3.24. While there are no direct health and wellbeing implications associated with a call for sites, plan-making objectives include the need to ensure that new developments are sited within sustainable locations and contribute towards the health and wellbeing of residents. These criteria are likely to be factored into the assessment of any sites put forward through this process.
- 3.25. In addition, the call for sites could result in sites being identified for potential community uses which would contribute positively to health and wellbeing. There are also potential links to projects such as Walsall in Bloom and Feeding our Future small grants, as the call for sites exercise could potentially move on from identifying sites to empowering communities to take ownership of land, even if it is on a temporary or leasehold basis.

### ***Reducing Inequalities***

- 3.26. It is envisaged that the call for sites exercise will reach out more to local communities than previous such engagements, which were primarily aimed at landowners and developers, using the experience and contacts gained through the We are Walsall 2040 consultation.
- 3.27. Proposals under the emerging new plan-making regime will remove the requirement to prepare a statement of community involvement (SCI), however local planning authorities (LPAs) will be required to outline their overall ambitions and approach to engagement through project initiation documents (PIDs). The council's approach to consultation is expected to be ambitious and subject to independent oversight. For instance, planning authorities will need to demonstrate through the PID how they intend to connect with groups who have

had traditionally low levels of engagement, and how the use of hybrid approaches to engagement might contribute to overcoming this.

- 3.28. This approach aligns with the council's commitment to engage effectively with all communities, including minority ethnic communities, disabled groups and individuals, young people, people on low incomes and the business community.

### ***Staffing implications***

- 3.29. Work on the issuing of the call for sites, as part of the plan-making process, will be primarily led by the planning policy team, with strong support from the communications team. The call for sites' assessment is likely to require support from other service areas, such as highways, environmental protection, public health and healthy spaces.

### ***Climate Impact***

- 3.30. The call for sites exercise could be undertaken in a manner which not only reduces the need for additional council resources but lessens the impact on climate change: for instance, an emphasis on using digital means of engagement and exploring the potential for publicity to be sent out with council tax bills.
- 3.31. Ultimately, the local plan will need to address the impact of, and minimising the effect of, climate change through appropriate policies and planning strategies.

### ***Consultation***

- 3.32. Consultation is the main theme of the call for sites exercise. It is recognised that this needs to be undertaken appropriately and effectively in line with both planning regulations and guidance, and also to meet council corporate objectives and commitments. A detailed consultation and communications plan will be prepared and updated throughout the process.

## **4. Decide**

- 4.1. Consultation on the Walsall Borough Local Plan along with the evidence gathering involved, including the call for sites, will allow the local community and other stakeholders to influence the final version of the plan. This will inform future decisions by the Cabinet about the version to be submitted for examination by the secretary of state and ultimately adopted by the council.

## **5. Respond**

- 5.1. Progression of the local plan will require the preparation and commissioning of a range of evidence to support future consultation.

## 6. Review

- 6.1. Versions of the local plan will be presented to Cabinet for agreement prior to them being published for consultations, as required under the proposed new plan-making process.

## Appendices

**Appendix A:** the proposed new 30-month plan timeframe

## Background papers

- plan-making reforms: consultation on implementation - [Plan-making reforms: consultation on implementation - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/plan-making-reforms-consultation-on-implementation)

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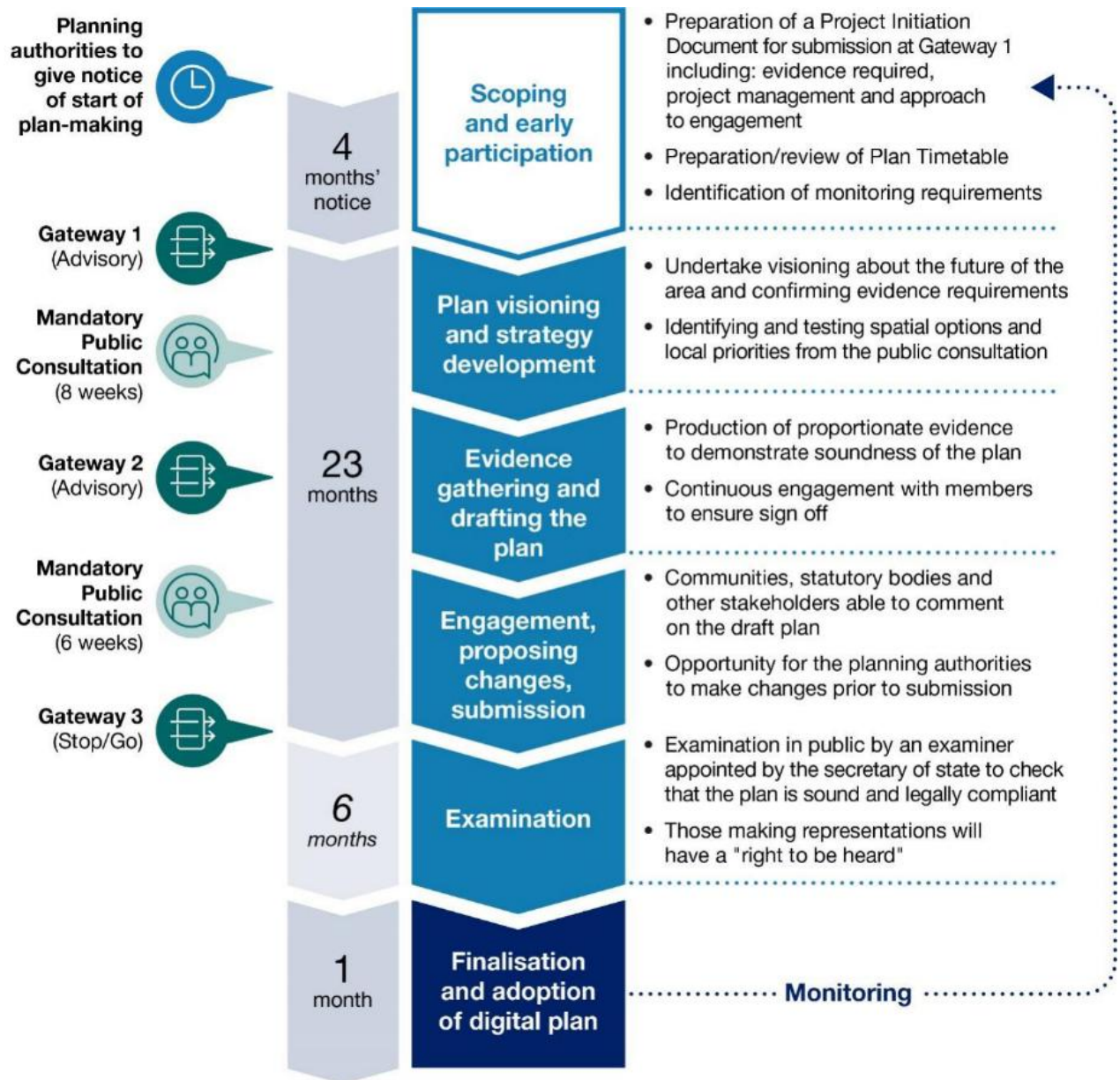


Dave Brown  
Executive Director  
1 December 2023



Councillor Andrew  
Portfolio holder  
1 December 2023

## Appendix A: the proposed new 30-month plan timeframe for plan-making





## **Cabinet – 13 December 2023**

### **Walsall Youth Justice Annual Strategic Plan**

**Portfolio:** Councillor Elson – Children’s Services.

**Related portfolios:** Councillor Perry – Deputy Leader & Resilient Communities  
Councillor M. Statham – Education and Skills

**Service:** Walsall Youth Justice Service – Children’s Services

**Wards:** All

**Key decision:** No

**Forward plan:** Yes

#### **1. Aim**

1.1 Youth Justice partnerships have a statutory duty to produce an annual youth justice plan for submission to the Youth Justice Board for England and Wales showing how youth justice services will be provided and funded.

#### **2. Summary**

2.1 The Youth Justice Plan is prepared on an annual basis in accordance with the guidance “Youth Justice Plans: YJB Practice Note for Youth Offending Partnerships” and specific conditions as set within the Youth Justice Board Effective Practice Grant. The youth justice plan sets out key achievements over the past 12 months, how Walsall Youth Justice Service is structured and funded and also identifies risks to service delivery and improvement.

2.2 The plan outlines the partnerships priorities for 2022 to 2025 and provides commentary on the three national performance indicators for youth justice services;

- Rate of first-time entrants to the youth justice system
- The number and rate of custodial sentences
- The proportion of young people re-offending

#### **3. Recommendations**

3.1 That Walsall’s Youth Justice annual strategic plan is recommended to Council for approval.

3.2 That Cabinet delegate authority to make any future minor amendments to the plan, if and when required, to the Executive Director of Children’s Services in consultation with the Portfolio Holder for Children’s services

## 4. Report detail - know

### **Context**

4.1 Under section 40 of the Crime and Disorder Act 1998 each Local Authority has a duty to produce a Youth Justice Plan setting out how Youth Justice Services in their area are provided, funded and composed. The plan is submitted to the Youth Justice Board for England and Wales.

4.2 The plan identifies 5 main priorities as stated below:

- Improving the transition experience of children in the justice system.

Strategic Lead: Head of Probation

This priority is aligned to the Safer Walsall Partnership reducing re-offending priority and the regional Transition 2 Adulthood policy framework.

- Reducing disproportionality and improving outcomes for overrepresented children.

Strategic Lead: Head of Service – Children’s Social Care.

This priority is linked to the Council’s Corporate Equality Group and objectives within the Council Plan 2022-25.

- Reducing serious youth violence.

Strategic Lead: Superintendent Walsall Police.

This priority is aligned to the Safer Walsall Partnership and recognises the Serious Violence Duty (2021) and the delegated responsibilities on agencies and partnership.

- Ensuring the voice of our children is clearly heard and impacts upon delivery.

Strategic Lead: YJS Strategic Lead

Following the findings of the HMIP assurance review in 2021, the partnership are committed to better evidencing that we hear and are responsive to the voices of our children both strategically and operationally.

- Identifying and responding to unmet needs of children in the justice system.

Strategic Lead: Head of CAMHS commissioning

Our partnership recognises that there is a clear need to ‘level up’ health provision for Walsall children in line with the Black country and regional developments.

4.3 Walsall YJS Performance and Partnership Board are determined to improve its governance of the partnership in line with His Majesties Inspectorate of Probation (HMIP) inspections standards and reviewed governance from the Youth Justice Board. As such we have reviewed the terms of reference for the Board and its members, and we have created a new infrastructure where full board meetings are focussed upon individual themed priorities. Underneath this model, the strategic leads identified above will chair sub-groups based upon the priorities to drive forward progress.

4.4 Summary of Key Achievements from the past 12 months, taken from the plan:

- *HMIP Thematic Inspection- Remand*; The YJS and its partners received a thematic inspection of remanded children. The partnership approached the inspection positively, was keen to learn and to promote effective practice. Practitioners used the time to reflect on their own practice and helped partners understand their part in supporting children in custody. The inspectors found effective practice here in Walsall and have helped us make improvements across the system.
- *Ministry of Justice- Turnaround*: Turnaround went live in December 2022 and provided funding to youth justice services to work with children on the periphery of the justice system. In Walsall we have used our funding to second an Early Help working into the YJS and to commission a local organisation to deliver sport coaching, positive activities and one to one mentoring.
- *Work to address Disproportionality*; building upon our progress the YJS established its Equality and Disproportionality Forum. In 2021 the Forum has provided practitioners with a safe space to discuss equality and the overrepresentation in the justice system. The Forum oversees progress and has set up a practice improvement sub-group. In 2022 we have worked closely with:
  - *Open Lens Media*- a local organisation who have worked with our boys with black and mixed ethnicity to deliver a coaching programme and to create a documentary based on their lived experiences they have faced growing up. We are working with Open Lens to develop a partnership strategy to address overrepresentation across Walsall.
  - *Resettlement Mentor*- through Safer Walsall Partnership funding we have commissioned a local mentor to work directly with black boys within the secure estate to help them navigate their time in custody and to help them plan and effectively resettle back in the community.

### ***Council Plan priorities***

- 4.5 Reducing the number of young people entering the youth justice system is a corporate measure and a key performance indicator for the Youth Justice Board.
- 4.6 The YJS plan will contribute to the Council's priorities as follows:
- People- the YJS Plan supports our families to integrate and make a positive contribution to their community whilst improving health and wellbeing.
  - Children- improving outcomes for the children in the justice system is at the heart of the work undertaken by the Youth Justice Service and intrinsic to each of the priorities within the plan.
  - Communities- working closely with the Safer Walsall Partnership, the YJS shares a priority to manage and reduce violence and to make our communities safer.

The strategic plan focusses on how partners in Walsall will ensure that Youth Justice Services are effectively delivered to reduce youth crime and re-offending, protect the public from harm and promote safeguarding.

### ***Risk management***

- 4.7 The strategic plan recognises a number of risk to future delivery, including the improvements needed surround the health pathways for children in the justice

system. The Youth Justice Performance and Partnership Board maintains oversight of risks to delivery and mitigating action on a quarterly basis through detailed performance and quality assurance reports. Partners, including West Midlands Police, National Probation Service, Community Safety, Public Health, Child and Adolescent Mental Health (CAMHS), Education, Employment and Skills, are required at each quarterly board meeting to confirm their resource allocation and are held accountable for the performance of their own organisation.

### ***Financial implications***

- 4.8 The strategic plan outlines the resource and funding arrangements for YJS including those from statutory partners, the Youth Justice Board for England and Wales, and the Office of the Police and Crime Commissioner.
- 4.9 Adopting the strategy is not expected to incur any additional costs over and above the above budgeted costs detailed within the plan.

### ***Legal implications***

- 4.10 Under Section 40 of the Crime and Disorder Act 1998 it is the duty of each local authority, after consultation with the relevant persons and bodies, to formulate and implement a youth justice plan for each year setting out how youth justice services are to be provided and funded in their area; and how the youth offending team (Youth Justice Service) established by them are to be composed and funded, how they are to operate, and what functions they are to carry out. The youth justice plan is required to be submitted to the Youth Justice Board and be published in such manner and by such date as the Secretary of State may direct.

### ***Procurement Implications/Social Value***

- 4.11 None

### ***Property implications***

- 4.12 None

### ***Health and wellbeing implications***

- 4.13 The health and wellbeing of Walsall young people is a key within the content of the strategic plan. Improving outcomes for young people in the justice system increases the health and wellbeing of those who commit offences and associated victims.

### ***Staffing implications***

- 4.14 There are no staffing implications in the creation of the Strategic Plan 2022-25. The current establishment is fully funded and financial contributions have been confirmed.

## ***Reducing Inequalities***

- 4.15 Inequality is inherent within the Criminal Justice System. The plan does not represent an adverse impact to young people at risk of offending and re-offending. Indeed, it identifies that addressing disproportionality (the overrepresentation of young people from black, Asian and minority ethnic groups) is a priority leading into 2022-25. Significant work has been undertaken over the past year and the youth justice partnership is in a stronger place to better understand this inequality through data and consultation with families and partners.

## ***Consultation***

- 4.16 Consultation has been carried out with young people involved in the criminal justice system and with Youth Justice Service Performance and Partnership Board members.

## **5. Decide**

- 5.1 A 'do nothing' option is not seen as viable as it is a statutory requirement for the council to have a Youth Justice Plan
- 5.2 To recommend to Council:
1. That Walsall's Youth Justice Annual Strategic plan be approved.
  2. That the Executive Director Children's Services, in consultation with the portfolio holder be authorised to make any future minor amendments to the plan if and when required.

## **6. Respond**

- 6.1 The Youth Justice Service will continue to fulfil its statutory functions and deliver services to young people in Walsall to work towards those key performance indicators. The plan details some of the actions that the YJS will take to reduce offending behaviour, manage risk of harm to the public and safeguard. The strategic plan set the vision and strategic direction of the service over the coming 12 months.

## **7. Review**

- 7.1 There is an annual requirement to complete a YJS Strategic Plan and as such progress against priorities and a review of achievements will be completed in the planning schedule for 2024-2025.
- 7.2 The YJS Performance and Partnership Board meets on a quarterly basis and will monitor and review progress made against the priorities and the delivery plan.

## **Background papers**

None

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Colleen Male  
Executive Director Childrens and Customer



Councillor Elson  
Portfolio Holder  
Childrens Social Work

# Walsall Youth Justice Service Strategic Plan

## 2022 - 2025

Updated June 2023



***Child First***

<b>Service</b>	Walsall Youth Justice Service
<b>Service Manager/ Lead</b>	Phil Rutherford
<b>Chair of YJS Board</b>	Colleen Male
<b>Date</b>	Update June 2023

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### Foreword from Chair of the Youth Justice Partnership:



As we move into the 2<sup>nd</sup> year of the Youth Justice Partnership's three-year plan it gives me great pleasure to look back over the past twelve months to recognise the progress the service and its partners are making to support some of the most vulnerable children in Walsall. We still have work to do, but we are in a good position to further improve practice and ensure that the Service has the necessary strategic partnerships and resources it needs.

The YJS Performance and Partnership Board has grown and matured since 2022 and we are able to influence and support wider systems through the Safer Walsall Partnership and Safeguarding Partnership. We are pleased to welcome partners from our closest secure estate, Werrington HMYOI, along with colleagues from Public Health and the Integrated Care Board. Our strategic governance model is developing as key leaders from the partnership take the lead delivering upon our priorities. We are a learning partnership and know from our data and thematic reviews how we can improve outcomes for children. But perhaps more importantly our strategic thinking and operational delivery is now better informed by the voice and lived experience of our children. The YJS Partnership have commissioned a strategic needs assessment of children in the justice system to ensure that our direction continues to be informed by data and evidence based effective practice.

The YJS partnership maintains its 'Child First' vision and we are committed to sharing this vision with all partners that work with children in the justice system and beyond. These principles align with our Walsall Right 4 Children vision aimed at ensuring the right children are in the right place with the right support for as long as it is needed so they are safe from harm, happy and learning well.

At the start of June 2023, Walsall Youth Justice Partnership welcomed an HMIP joint thematic inspection of remanded children. A team of inspectors arrived in Walsall to evaluate practice for these children and considered their journey from the Police Station to Court and ultimately into the secure estate. We have seen an increase in the number of Walsall children sent to YOIs over the past 12 months and therefore the inspection presented us with an opportunity to learn and consider our practice for these children. The YJS partnership were pleased with the findings of the inspection.

The partners have worked together to identify the youth justice strategic priorities for 2022 – 2025 by listening to our children, our practitioners and managers, and aligning our strategy with the Safer Walsall Partnership, the office of the Police and Crime Commissioner and the West Midlands Violence Reduction Partnership. In 2023 we have reviewed these priorities and they are still relevant, although our recent experience tells us where we need to focus. As strategic partners and Board members, we are asking more of each other to take ownership of youth

justice priorities, to drive forward progress and provide oversight, and to better represent children in the justice system throughout wider strategic networks.

Colleen Male  
Chair of the Youth Justice Partnership

### Introduction:

On behalf of the Youth Justice Service Performance and Partnership Board we are proud to introduce Walsall Youth Justice Service's (YJS) Strategic Plan for 2022 to 2025. A review of this plan has been approved by the YJS Performance and Partnership Board in June 2023.

Our Youth Justice partnership is committed to continual learning and development to improve life outcomes for the children and families, to have fewer victims of youth crime and a safer Walsall.

We share the Youth Justice Board's vision for a 'Child First' youth justice system:

*"A youth justice system that sees children as children, treats them fairly and helps them to build on their strengths so they can make a constructive contribution to society."*



Behind our partnership's vision for children in the youth justice system, and for those at risk of entering it, is a desire to ensure that they are seen as children first, that their uniqueness is understood and responded to and that their voices are clear and strong within our delivery. We believe in understanding the adversity and trauma a child goes through and having a strength-based approach to build resilience for a sustainable crime free life.

### Executive Summary:

Walsall Youth Justice Service (YJS) is a statutory multi-agency service under Section 37 of the 1998 Crime and Disorder Act in partnership with the Local Authority, Walsall Children's Services, West Midlands Police, National Probation Service and Health. The YJS is also supported by numerous other partners who contribute to the YJS' agenda. The principle aim of the YJS partnership is to prevent and reduce offending and re-offending behaviour in children and young people and have three main national key performance indicators (KPI):

- a) Reducing the number of young people entering the system for the first time
- b) Reducing re-offending
- c) Reducing the use of custodial disposals.

In addition to the above, from April 2023, 10 new KPIs will be reported to the YJB:

- Accommodation:
- Education, training and employment (ETE):
- Special Educational Needs/Additional Learning Needs:
- Mental and emotional wellbeing:
- Substance misuse:
- Out of court disposals (OOCs):
- Management Board attendance:
- Wider Services:
- Serious youth violence (SYV):
- Victims:

Reducing the number of young people entering the Youth Justice System also remains a key Council objective. Between January 2022 and December 2022, the number of first-time entrants in Walsall reduced when compared to the previous 12-month period. The total number at the end of March had accumulated to 47, compared to 58 for the same period the year before. Our local tracking of the data suggests an increasing trajectory since 2019 and the impact of the pandemic was first felt, although this includes additional children who were normally resident out of borough.

Published re-offending data for Walsall YJS has demonstrated a further 3% improvement in the binary rate when compared to the previous 12-month period. The latest proportion of young people re-offending is measured at 26.6% which is better than the national average. Positively, alongside an improving binary rate, the number of re-offences that are committed has reduced significantly on the previous year and is now measured at 2.48 per child. This is a 43% improvement.

In Walsall we are worried about the number of our children on remand and sentenced to custody, and particularly concerned about the serious violence that underpins those custodial outcomes. Our current published performance is 0.29 per 1000 of the 10-17 population which is higher than our regional and national comparators. This is equating to 9 custodial sentences between April 2022 to March 2023. This number will likely rise over the next 12 months due to 16 children being remanded over the same period.

### Key achievements from the past 12 months:

The practitioners and managers within the YJS should feel incredibly proud of what they have achieved during the past 12 months:

- *HMIP Thematic Inspection- Remand*; The YJS and its partners received a thematic inspection of children who had been remanded. The partnership approached the inspection positively, were keen to learn and to promote the effective practice occurring within the team. Practitioners enjoyed the experience and used the time to reflect on their own practice and helped partners understand their part in supporting children in custody. The inspectors found effective practice here in Walsall and have helped us make improvements across the system.
- *Practice Week*: the YJS held its first practice week in January 2022 where YJS Board members and senior leaders from across children's services spent time with the

managers and practitioners within the service, observing our practice and models of delivery. But more importantly they got to meet some of our children, both in the community and in custody. Practice week aims to close the gap between the strategic and operational and for the lived experience of our children to influence decision makers.

- *Ministry of Justice- Turnaround*: Turnaround went live in December 2022 and provided funding to youth justice services to work with children on the periphery of the justice system who can be diverted. In Walsall we have used our funding to second an Early Help working into the YJS and to commission a local organisation to deliver sport coaching, positive activities and one to one mentoring.
- *Development of the YJS partnership panel and our diversion offer*; our joint decision-making partnership panel has established a clear pathway with the Police to identify diversion opportunities for children at risk of violence. We are joined by health partners, Early Help and the Violence Reduction Partnership to make sure we have the right partners meeting the needs of our children.
- *Walsall's Exploitation and Missing Hub*; the YJS is working closely with our partners in Social Care and the Police to develop Walsall's Exploitation Hub. YJS managers chair and support the daily multi-agency exploitation and missing triage discussions. YJS practitioners' complete exploitation assessments and National Referral Mechanism (NRM) notifications where appropriate with support of the Exploitation Hub. Our co-location in 2022 has strengthened this partnership.
- *Lived Experienced Mentors*; the YJS was successful in securing funding from the Police and Crime Commissioner (PCC), through the Safer Walsall Partnership (SWP), to work with St-Giles and provide a mentor for our young people involved in serious violence and criminal exploitation. We have had positive outcomes for young people and as such we have committed to providing lived experienced mentors for the next 2 years.
- *Work to address Disproportionality*; building upon our progress from 2020 and in the wake of George Floyd's death, the YJS established its Equality and Disproportionality Forum. In 2021 the Forum has provided practitioners with a safe space to discuss equality and the overrepresentation of boys with black and mixed ethnicity in the justice system. The Forum oversees progress and has set up a practice improvement sub-group. In 2022 we have worked closely with:
  - *Open Lens Media*- a local media and training organisation who have worked with our boys with black and mixed ethnicity to deliver a coaching programme and to create a documentary based on their lived experiences they have faced growing up. We are working with Open Lens to develop a partnership strategy to address overrepresentation across Walsall.
  - *Resettlement Mentor*- through Safer Walsall Partnership funding we have commissioned a local mentor to work directly with black boys within the secure estate to help them navigate their time in custody and to help them plan and effectively resettle back in the community.
- *Virtual School & Inclusion Hub*: our work with the Virtual School for children in care and the Inclusion Hub has continued over 2022. We have developed our links with the

Inclusion team and have improved our performance monitoring in relation to attendance, exclusions and special educational needs. The Virtual School has also improved our support for children who are remanded in custody, especially for those who have an education and health care plan.

- *Improving the skills and expertise of the team:* our partners in Public Health have secured funding for the Youth Justice partnership to employ a nurse, situated within the YJS, to assess and support the health needs of children open to the YJS. Similarly, our pathways to access speech and language therapy for children has improved through the Virtual School.
- *Youth Justice Apprenticeship:* responding our aims of improving the employment outcomes of young people in the justice system, the YJS established an apprenticeship post. The main functions of the role are to bridge the gap between practitioners and children and seek their views on service delivery and issues affecting them in their communities. Our apprentice led our annual safer lives surveys with children to understand their experiences of community safety. We are exploring recruiting further apprenticeships with the Probation Service to improve our transitions offer and with Unitas to develop our practitioner workforce.
- *Loughborough University- Child First Research:* we are working with researchers from Loughborough University and have established a project reference group with Walsall children who are helping them design research methods to better collaborate with children across the justice system.
- *Effective response to increased numbers of children in the secure estate:* the YJS has improved its partnership with Werrington YOI, has regular oversight meetings and works with the local safeguarding partnership to monitor incidents of restraint. The increased levels of serious youth violence and resulting children in the secure estate, has led the YJS partnership to instigate a coalition with the Safer Walsall Partnership and Safeguarding Partnership to consider how to prevent the next generation of children becoming involved in violence.
- *Our Youth Offer:* as we have move away from the pandemic it is important to ensure that our positive activity offer for our children has remained strong and focusses on strength-based approaches and building resilience. Mostly through external funding and strong partnership our offer has included;
  - Sport: our partnership continues with the Inspire Group to deliver multi-sports diversion activities and mentoring across Walsall and provides children with links to local sport clubs and coaching qualifications.
  - Co-Lab YTH; our music studio mentoring programme has continued throughout 2022. Co-Lab YTH consists of a local music artist, producer and Walsall youth worker who provide our young people with a safe space to express themselves through music who also receive support to avoid exploitation, issues around gangs and knife crime.

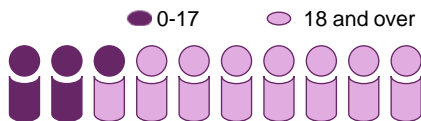
## 2. Local context

# Children living in Walsall

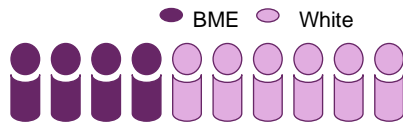
Population of 284,130  
68,274 (24.0%) of whom are children aged 0-17  
2021 census

Children and young people have more health challenges than their peers

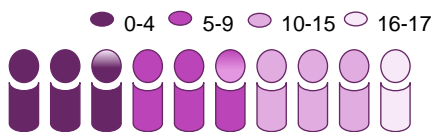
*\*number of children and young people aged 0-17 is projected to rise to 71,822 by 2030*



**24.0% of the population are children and young people** 2021 census



**40.3% of Children are from BME backgrounds.**  
2021 Census



**27% of children are aged 0-4,**  
**29% are aged 5-9, 34% are aged 10-15 and**  
**11% are aged 16-17** 2021 Census



**38% of children live in poverty after housing costs** Campaign to end child poverty – July 2022

**3.7% of babies are born with a low birth weight**  
*compared with 3.0% the West Midlands and 2.8% nationally (2021 data)*

**5.6 per 1,000 children die before their first birthday**  
*compared with 5.6 in the West Midlands and 3.9 nationally (2019-2021 data)*

**1.8% of young girls get pregnant at 15, 16 or 17**  
*Compared with 1.5% in the West Midlands and 1.3% nationally (2021 data)*

**95 per 100,000 are admitted to hospital inpatient for mental health issues**  
*compared with 91 in the West Midlands and 100 nationally (2021-22 data)*

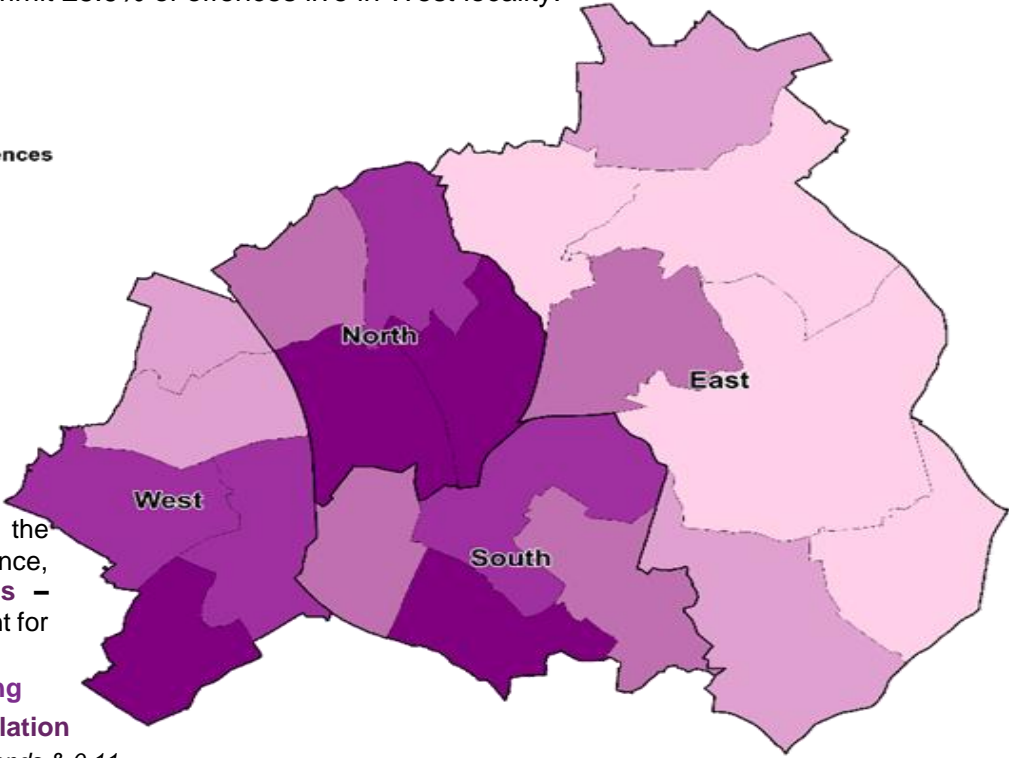
**4.5 per 100,000 admitted to hospital alcohol related issues**  
*Compared with 24.9 in the West Midlands and 29.3 nationally (2018-19 – 2020-21 data)*

### Deprivation levels are high

In the Indices of Deprivation Affecting Children (IDACI), Walsall is the **19th most deprived Local Authority** in the country with 29% of neighbourhoods in the top 10% of most deprived neighbourhoods nationally which is the 15 highest. **Two of Walsall's three parliamentary constituencies are in the top 50 constituencies with the highest levels of child poverty.**

**Crime in Walsall is broadly in line with the deprivation profile of each locality.**

35.3% of children who commit 34.7% of offences live in North locality.  
 15.1% of children who commit 20.5% of offences live in East locality.  
 25.9% of children who commit 19.0% of offences live in South locality.  
 23.7% of children who commit 25.9% of offences live in West locality.



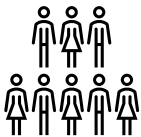
**First Time Entrants**  
**154 per 100,000 population**  
**aged 10-17**  
*compared with 104 West Midlands & 149 nationally.*

**Violence against a person** is the most common type of offence, followed by **Motoring Offences** – these two types of offence account for around half of all offences.

**Children in custody is increasing**  
**0.29 per 1000 of the 10-17 population**  
*compared with 0.21 in the West Midlands & 0.11 nationally*

**9 young people received a custodial sentence**

**There is ethnic and gender disproportionality within the youth justice system in Walsall**



- 85% of children who enter the youth justice system are male.
- 43% of children in the justice system are from ethnic minorities.

**Education-June 2023**

**CME- 3%**  
**SEN and SEN Support- 59%**  
**EHCP- 27%**  
**Fixed term exclusions- 33%**  
**Attendance below 75%- 39%**  
**SLC- 10%** had difficulty understanding, 30% had difficulty with social skills.

**Health- June 2023**

**56%** report drug or alcohol use  
**46%** report cannabis misuse  
**50%** report feelings of sadness, anxiety or stress

### 3. Child First

Walsall YJS are a trauma aware organisation. We understand that our children have experienced significant childhood adversity during their short lives which includes a range of trauma and abuse. Involvement within the justice system can at times re-traumatise them. Child First practice is about working in a way that reduces the stigmatisation that contact with the justice system brings. Our youth justice partnership shares the YJB's Child First vision, and our delivery is based upon the YJB's approach:

*1. Prioritise the best interests of children and recognising their particular needs, capacities, rights and potential. All work is child-focused, developmentally informed, acknowledges structural barriers and meets responsibilities towards children.*

*2. Promote 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.*

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

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

The YJS is committed to enabling practitioners to undertake the Child First Effective Practice Award and this year more of the practitioners are completing the award. This course explores four tenets of Child First practice, focussed on supporting practitioners to build constructive relationships with their children and families. Our training offer for staff is good and we expect all our managers and practitioners to complete the wider Youth Justice Effective Practice Certificate as an additional vocational qualification.

We know that sustainable desistance is achieved by building pro-social identities through the identification of strengths and to do this practitioners need time and space to develop relationships with children. The YJS are committed to improving our collaborative approaches. We are partnering with Loughborough University to support their current research project determining the extent of Child First principles and collaborative approaches in youth justice. Our children and practitioners are working with researchers to help develop a methodology and approach to the study and have established a Project Reference Group. Our Youth Justice Partnership is looking forward to working with Loughborough to learn from a best practice toolkit.

*Our children have found the activity empowering and fun and their feedback is making a good contribution.*

Collaborating with children is an important part of the work we do help positively change their lives, but we also want the views of our children to be central to our strategic direction and to influence our partners. A practice example could be how we use a MyPlan approach to working



with children to identify the things in their lives that will make a positive change. An example of how these principles make a strategic difference is how our local Community Safety Manager leads an anti-social behaviour forum and challenges partners who don't sign up to the 'Child First' approach. The focus of the meeting is to divert children to avoid criminalisation and its stigmas.

Learning from the HMIP thematic review of working with young people during the Covid pandemic, Walsall YJS routinely assess our children's technical ability and access to technology. More and more, interventions and contacts can be delivered with technology, and it is important to ensure our children have the same opportunities as others.

Our disproportionality champion has developed a tool to support practitioners to have complicated conversations with children to better understand their views, experiences and perceptions of ethnicity and identity. To further improve practitioner confidence, they have also delivered workshops with the team to promote these conversations and to share best practice and case studies of what has worked well for specific children.

As part of our Turnaround offer for children on the periphery of the justice system, we have worked with a local media organisation to create a short video for children and parents who are eligible for the programme. The video is created specifically to let children know what the offer entails and how support plans will be designed by collaboration. The video aims to distance itself from the stigma of the criminal justice system and focusses on strengths, interests and positive diversion. We are exploring using a voiceover with a local accent to make it more accessible.

The 'Child First' approach is not limited to the practice examples given above. Strategically our partnership is determined to ensure that the Child First tenets are visible within our Performance and Partnership Board, that our children are central to discussions and that we hear their voice.

#### **4. Voice of the child**

The YJS seeks to hear the views of our children in the time we spend with them every day and have implemented a recording tool that helps capture what they have to say. Practitioners use this information to help tailor their work and the interventions that work best for that child. We also seek the views of children to consider models of delivery, changes in practice and reviews of policy. They also help us recruit new staff. We have embedded a restorative 'MyPlan' for our children and families to ensure that the support they receive is owned by them and inclusive.

#### **Enabling children in the YJS to shape the wider strategic partnership discussions:**

Since 2022, the YJS Partnership adopted a strategic priority to ensure that the voice of children in the justice system impacts upon our strategic direction and helps Board members understand the lived experience of the children we support. Each of our meetings is based upon a thematic priority and children's voice underpins the discussions and decision making. Below are examples of how the Board have done this:

- M spoke to the Board about his experiences of being a black boy growing up in Walsall and his involvement with the Police and Youth Justice. He powerfully talked about the trauma he still revisits when he hears a police siren, his emotions when remembering police and professionals coming into his house and how practitioners could have made more of a difference. M passionately implored the YJS and its partners to do more!
- The Board reviewed a serious incident within Walsall where a young boy seriously stabbed another boy with a knife who tragically had life changing injuries. The Board heard about how the experiences of the boy who committed the offence had led to him to that fateful night and how partners missed opportunities to divert him along the way. To complete the story, the Board heard from the YJS Victim Officer who had spent many hours with the victim and his mother and was able to show strategic partners how youth violence can destroy lives and how the justice system can be traumatic for all children.

- Our Disproportionality Resettlement Mentor talked to the Board, alongside safeguarding leads from Werrington YOI, to help partners understand the experiences of boys within custody. He articulated how the thoughts and feelings of the boys as they navigated their way through the custody regime and their conflicting emotions attached to toxic masculinity, survival, guilty and remorse. Board members were determined to practice 'child first' principles in their approach to caring for these boys.

The YJS facilitated a 'practice week' where our strategic and senior leaders from across the partnership could engage with the operational service, spend some time with practitioners and directly engage with the children we support. Board members got first-hand experience of models of delivery and gave our children the opportunity for them to tell them the positives and negatives of the experiences in the justice system. Board members found it eye opening and productive!

The voices of children in the justice system are beginning to impact upon wider partnership thinking, M's story is being heard within the Children's Alliance and is shaping strategies to address over and underrepresentation across the partnership. Similarly, the experiences of boys in the secure estate have influenced strategic partnership boards to collaborate and consider wider system thinking about addressing serious youth violence.

We have continued our work this year with Open Lens, a local media and training organisation, to develop our response to addressing disproportionality in the justice system. Open Lens have worked with boys with black and mixed ethnicity to understand their experience of growing up in Walsall. These boys, in collaboration with Open Lens and strategic leaders, have developed a documentary detailing how structural barriers, trauma, discrimination and individual experience have impacted their lives. Clips of the film have been used to influence the wider children's services and the findings will contribute to a partnership strategy to address overrepresentation.

### Enabling children in the justice system to shape youth justice services:

Our partnership with Loughborough University has continued in 2023 and our children are helping create a research project designed to influence 'child first' principles in the justice system. The voice of our children is instrumental in improving services locally in Walsall and further afield.

In 2022, Walsall YJS employed our second Youth Justice Apprentice. The role was created as our young people told us that earning money is a priority for them, they struggle to find training and employment opportunities that interest them and that having a criminal record can destroy their chances. We are proud to offer the opportunity to someone who has experienced the youth justice system, who has made positive changes to their life and is keen to help others do the same. The purpose of the apprenticeship is to bridge the gap between staff and children and collaborate with them to seek their views. In early 2023 our apprentice led our safer lives survey (see appendix 3) to better understand issues around violence, knife crime and community safety.

This year we are looking to further expand our apprenticeship offer. Firstly, we are working closely with the Probation Service to improve the transition of teenagers between the youth and adult justice systems. To support this activity, we are working with Brinsford YOI and an organisation called Invested Man to identify apprentices to join our newly developed Transitions Hub. Secondly, we are working with Unitas to access the full Youth Justice practitioner level 5 apprenticeship for dedicated values driven people from across Children's Services.

As part of our consultation with our families, we understood that sometimes they received mixed messages at different stages of the system and these messages were difficult to understand. As a result, we developed literature detailing what was happening and what to expect. Our children suggested wording and we consulted with CAMHs to understand if the leaflets were accessible for those with SEN. We also worked closely with our Education Psychology colleagues to develop videos for our children and parents helping them to understand their diagnosis of Attention Deficit and Hyperactivity Disorder and autistic spectrum disorder, accessible through a QR code.

## 5. Governance, leadership and partnership arrangements

Walsall YJS sits within the Children's Services directorate and the Strategic Lead for the YJS reports into the Director for Early Help and Partnerships with close alignment to Social Care and Education. A disproportionate number of children are open to Social Care Services and there are clear links between children in the youth justice system and those involved in exploitation, going missing or who are excluded from education. The YJS Strategic Lead is part of the senior leadership team within Children's Services.

Walsall Youth Justice Service Performance and Partnership Board meet quarterly and is chaired by the Executive Director of Children's Services. Partners from the Local Authority, Children's Services, Health, Police and National Probation Service regularly attend. Board membership and attendance can be found in Appendix 1. The agenda is set by the Chair of the Performance and Partnership Board and contains regular reports on issues that impact upon YJS delivery, factors that are impacting on the daily lives of children in Walsall and seeks to hear to voice of our children at each meeting.

- **Safer Walsall Community Safety Partnership (SWP)**

*The YJS Strategic Lead sits on the Safer Walsall Partnership Board and ensures alignment with the YJS Performance and Partnership Board with shared strategic priorities. The YJS Strategic Lead also leads the criminal justice strand of Walsall's Violence Reduction Strategy.*

*a) Strategic Violence Reduction sub-group*

*b) Violence Against Women and Girls sub-group*

*The YJS Performance and Partnership Board has strengthened the ties with the Safer Walsall Partnership in 2022 and ensures connectivity through Walsall's Police Superintendent -the strategic lead for the Serious Violence Duty for both partnerships.*

- **West Midlands Local Criminal Justice Board**

*The YJS participates in the regional LCJB Youth Improvement Subgroup to ensure that the desistance needs of children are given the appropriate focus. Within this forum, the YJS are also able to engage with regional criminal justice partners, including West Midlands Police and the office of the police and crime commissioner, to horizon scan.*

- **West Midlands Violence Reduction Partnership (VRP).**

The YJS is a key partner to the VRP and the Strategic Lead sits on the West Midlands VRP Strategic Board and Programme Delivery Board. To support strategic delivery, the YJS Strategic lead also supports the;

*a) VRP Sports Strategic Partnership Board.*

*b) School Exclusion sub-group*

*c) Commissioning sub-group*

- **Contest (the UK's strategy for counter terrorism: Pursue, Prevent, Protect and Prepare)**

*The Strategic Lead for Walsall YJS is the Chair of the Local Authority's Channel Panel and as sits on Walsall's Contest Board which is responsible for driving forward the delivery and implementation of the government's Contest Strategy.*

- **Walsall Safeguarding Partnership**

*The YJS Strategic Lead sits on the WSCB and contributes to the following:*

*a) Performance and Quality Assurance (PQA) subcommittee*

*b) Exploitation subcommittee*

*c) Strategic Exploitation Panel*

- **Children's Services Performance Board**

*The YJS Strategic Lead sits on the Children's Services Performance Board and presents YJS data against key performance indicators and locally agreed priorities- including the Social Care/YJS interface and first time entrants.*

## 6. Board Development

For 2022 onwards, the YJS Board aligned its structure with the Safer Walsall Partnership, reviewed its terms of reference and adopted a model of quarterly themed learning meetings based upon our strategic priorities. Below this structure, leaders from the partnership will drive progress within sub-groups dedicated to the strategic priorities. The YJS Board are committed to engaging with the youth justice agenda and responding to what our children have to say, advocating for them within their strategic networks. This was evident in the successful YJS Practice Week in January 2023. Board members spent the week with YJS to better understand models of delivery, our practice and challenges. Practice Week closes the strategic and operational gap and gives leaders an opportunity to meet our children to understand their experience. Board members with lead for the YJS partnership priorities engaged with a Board development day in January 2023 to explore how to drive forward improvements in the governance structure of the Board and to confirm commitment to the YJS strategic priorities.

Our Board has grown and matured over the past twelve months, and we have welcomed new members. We have responded to our growing population in the secure estate, and we are pleased to have colleagues from Werrington YOI join our membership to provide better oversight of this group of children. Our Board induction document was introduced to help new members be clear as to their roles and responsibilities towards the partnership, so they can effectively represent the partnership at each meeting and within their wider strategic networks.

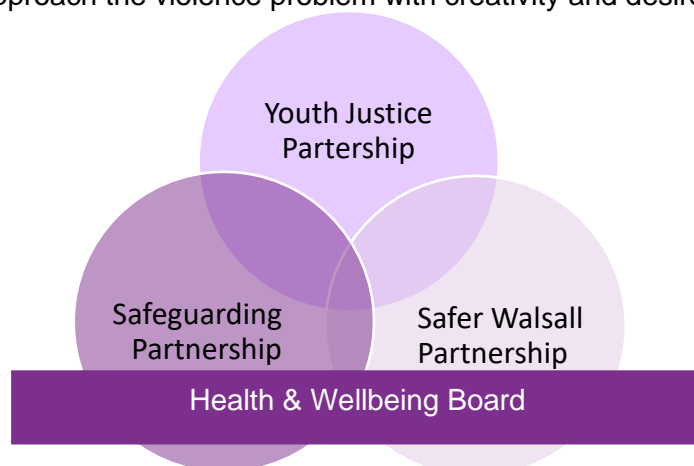
The national Youth Justice Board launched its new oversight framework in April 2023 to increase their understanding of performance across the system. In Walsall we have been placed into quadrant 2 and will engage with the local YJB oversight manager for support on a regular basis. Our YJS Partnership is keen to work with the YJB to consider national best practice. We also continue to work with an independent youth justice specialist to help shape the strategic governance model we have in place and to provide ongoing support for leaders. This support builds on the review of progress against HMIP recommendations completed in 2021.

### Strategic Youth Violence Collaborative:

Walsall has seen a series of serious youth violence incidents over the last 12 months leading to 16 young people being remanded and 9 children given a custodial sentence within the secure estate. Following the scale of a recent serious incident, the Youth Justice partnership instigated a coalition with the Safeguarding and Safer Walsall Partnership to seek assurance that:

- We are effectively supporting the young people remanded into custody.
- There is an effective plan to respond and safeguard children and the wider community.
- Effective structures are in place to identify learning for the medium and long term.

The coalition, which meets monthly, sits outside of normal governance procedures and indicates a shared vision to approach the violence problem with creativity and desire to change.



## 7. Resources and services

Walsall YJS is resourced through a range of partnership funding, deployed staff and dedicated pathways which are overseen by the YJS Performance and Partnership Board. The YJB grant is a mainstream of funding which the partnership uses to finance staffing and resources to deliver functions across the youth justice partnership and within the YJS (see appendix 4). The local authority's financial contribution, through Children's Services, supports the YJB grant and ensures that YJS staff are equipped to meet the needs of the children we support. Our connectivity improved in 2022 as the YJS became co-located space with the Exploitation and Missing Team and Walsall Partnership Police. This exciting development strengthened our partnership, improving information sharing and collaboration for our shared cohort of children at risk.

The Police also make a significant contribution to the partnership. Walsall Police provide a financial contribution, deploy a Youth Crime Officer and have nominated Youth Officers aligned to the YJS. This is in addition to a financial contribution from the office of the Police and Crime Commissioner (PCC) which is used to fund practitioners who deliver crime prevention and diversion interventions. PCC funding, through the Safer Walsall Partnership, is also used to focus on our strategic priorities in improving outcomes for those children involved in serious youth violence and criminal exploitation through lived experienced mentors, and providing a dedicated offer for boys with black and mixed ethnicities who are overrepresented in the justice system.

The National Probation Service provide a 0.6 full time equivalent (fte) Probation Officer who oversees transition to adulthood work, the role currently filled through long term agency provision, and a 0.25 (fte) Probation Service Officer based in the Multi-Agency Safeguarding Hub (MASH) who contributes to daily referral screenings. These posts are crucial in driving forward improvements within our strategic priority to strengthen transitions. Through the clinical commissioning group, health provides funding for a 0.5 (fte) CAMHS practitioner to support our children with mental health needs. We are incredibly pleased that Public Health are committing funding to the YJS partnership to employ a 0.6 (fte) school nurse for 2023/24 dedicated to assessing and supporting the physical health needs of our children. The education needs of children open to the YJS are supported and monitored by Walsall's Vulnerable Learners Hub and a named specialist lead for this cohort of children. Over 2022, the Council's Employment Team have deployed an Impact Worker to work with children aged over 16, however Impact funding will end in July and the partnership need to consider a mainstream offer for vulnerable children.

Walsall YJS confirms that it is compliant with the minimum staffing requirements as set out in the Crime and Disorder Act 1998. Partners have confirmed that their contributions to the Service have been maintained for 2023-24 and the establishment is fully funded.

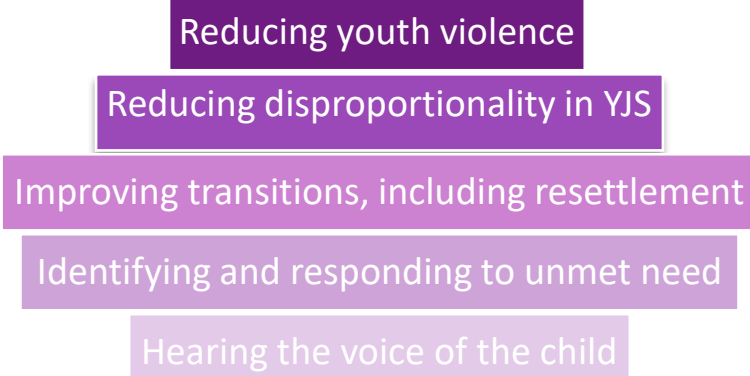
### Workforce demographics:

As of 1<sup>st</sup> April 2023, the YJS has 18.5 permanent posts paid by the local authority who are supported by 2 business support officers. A service structure can be found in appendix 2. The management team is stable and has been in place for over 12 months, although we have seen changes within the practitioner group during 2022 and are holding 2.5 vacancies currently covered by agency staff. Our current workforce demographics 35% male and 65% female with 15% Asian and 30% black ethnicity.



## 8. Progress on previous plan

The YJS Performance and Partnership Board reviewed its progress against last year's priorities in June 2023. This activity was informed by an independent review of progress against HMIP recommendations from Walsall YJS' inspection in 2019 and our learning from the HMIP thematic inspection of children on remand in June 2023. Walsall YJS' strategic plan for 2022-2025 identified the following priorities:



### Reducing youth violence:

Reducing youth violence is shared priority across several different partnerships and systems in Walsall as the impact of serious incidents weighs so heavily upon individuals, their families and the wider community. Over the past 12 month, we witnessed a number of tragic incidents where lives have been lost which have left communities and Walsall as a whole shaken. These incidents deepen the resolve of the partnership to address the root causes of violence.

The Serious Violence Duty (SVD) was introduced by government through the Police, Crime, Sentencing and Courts Act 2022, to commence in January 2023. For Walsall, it was agreed that the lead is the Safer Walsall Partnership (SWP). There are key requirements for the duty holder authorities to fulfil together:

- Undertake an evidence-based analysis of the causes of serious violence in their area.
- Develop a strategic needs assessment (SNA) based on the analysis.
- Develop and implement a strategy with solutions to prevent and reduce serious violence in their area, which will need to be reviewed every year.

Walsall's SNA is important for all of us to identify our needs and assets in our communities and understand local trends. We can then intervene appropriately, using both a universal and targeted approach to prevent violence. We combined national, regional, and local intelligence, using both data to develop this assessment. The voice of YJS children is strong within the SNA:



Our local Police Superintendent is the youth justice partnership's strategic lead for our reducing youth violence priority. Our priority is combined with the preventing violence priority of the Safer Walsall Partnership. Underneath the YJS Partnership Board and the Safer Walsall Partnership Board, there is a Violence and Harm Prevention Subgroup and an Operational Delivery Group.

The YJS are developing our individual response, within the above structures, to preventing and reducing youth violence. Our work is always in partnership. We have delivered interventions and programmes such as the Street Doctors knife crime programme and we have commissioned a Virtual Reality Knife Crime Decision Making Programme. The YJS commissioned an intensive youth work offer during the summer of 2022 as a result of increasing evidence of weapons

carrying in the town centre. We also supported the VRP Step Together Programme which have 'chaperone' routes from schools in Walsall and Walsall College. The Violence Reduction Partnership has a strong and growing presence in Walsall and the YJS are a key partner.

During 2023/24, the YJS Partnership will continue to learn from the serious violence incidents within 2022 and early 2023 and will develop action plans for the partnership to own. Our YJS Strategic Needs Assessment will further inform our learning and activities for the next 3 years.

### **Reducing disproportionality in the youth justice system.**

When HMIP visited Walsall in June 2023, they commented that our work to address disproportionality was meaningful and that we responded well to the learning and recommendations within the HMIP thematic report that explored the experience of boys with black and mixed ethnicity. We responded well to that important report, and we continued to make progress during 2022. Our YJS partnership lead from children's social care, led on a themed partnership board in September 2022 where we explored data, our response and considered next steps. This strategic leader has also taken this priority into the Safeguarding Partnership's exploitation subgroup and within the Children's Learning Alliance. Our disproportionality work has also influenced the Safer Walsall Partnership who have now adopted an equality priority.

Within the Service, our Disproportionality Forum meets regularly to provide a safe space for youth justice staff and our partners to come together to discuss factors impacting upon under and overrepresentation in Walsall. In support, we have a practice improvement group that makes changes to our practice as a result of best practice and our discussions in the forum. A good recent example is how we have reviewed our compliance and engagement policy as our data told us that boys with black and mixed ethnicity were disproportionately involved in bail offences.

We have continued our partnership with Open Lens, a local media and training organisation who have delivered an Identity Programme for our boys with black and mixed ethnicity. Through this work we commissioned Open Lens to create a documentary exploring what it's like for black boys to grow up in Walsall and a partnership strategy to reduce the number of boys with black and mixed ethnicity entering the justice system. We have also established a training and employment pathway for black boys through Open Lens. Using Safer Walsall Partnership funding, we have commissioned a local mentor, a former professional footballer with lived experience of the justice system, to support our boys in custody and to help them resettle back in their communities. We delivered stop and search workshops for our children in partnership with the police and crime commissioner and will be expanding this work to other vulnerable children across Walsall.

### **Improving transitions, including resettlement.**

HMIP commented during their thematic inspection of remand that although they were pleased that we had transitions as a strategic priority, they suggested it should be our focus for the coming year. Our cohort in custody is changing as children transition to adulthood whilst serving lengthy sentences and therefore our partnership with Probation becomes more important. Our Head of Probation is the YJS Partnership's strategic lead for this priority and for governance we have established a transitions and re-offending subgroup for both the YJS and Safer Walsall Partnership. We are developing a Transitions Hub with dedicated probation officers who will work complete transition and maturity interventions to manage a smooth transition into Probation. Through our growing partnership with HMYOI Brinsford we are exploring a transitions apprentice to support our young people from the age of 17. In support of both our disproportionality and transitions work, our resettlement mentor is a strong addition to the transition's hub.

Our preparation for the HMIP thematic was a good experience for the partnership and brought the needs of the children on remand into focus. The partnership completed a multi-agency audit of remanded children and their journey from early years to this point and we have in place an action plan. Our partnership response to children in the secure estate is good and practitioners are knowledgeable and work well together. Our partnership with Werrington YOI is strong and monthly planning meetings occur where issues are resolved. We need to do more to robustly explore alternatives to remand at Court with our partners in Social Care and we need to better improve transitions within the secure estate, with adult services and back into the community. HMIP recognised the impact the Vulnerable Learners Hub (now Inclusion Hub) was beginning to have on children in the secure estate to help the transition of children from the community, especially for those with identified education and health care plans or special education needs.

### **Identifying and responding to unmet need.**

Due to significantly high number of children in the secure estate we will prioritise improving the unmet needs of that cohort along with overrepresented groups over the next twelve months. There is clear overlap between our strategic priorities. We know that children in the justice system disproportionately have a high number of adverse childhood experiences, but alongside this they have a range of needs that are yet to be recognised. Often, our children have had a poor experience of education and in some cases have missed a lot of school through behaviour and exclusion. It is not uncommon for our children to not have a registered doctor. Their limited access to services means that when they enter the justice system, they do so with a host of unmet need. We recognise that our health offer needs to improve to bring it closer in line with our neighbours.

Our strategic lead for this priority is the head of CAMHS commissioning for the Black Country. In February 2023 we held a themed Board dedicated to improving our response to unmet need. We are working with CAMHS to review the youth justice mental health worker role to ensure that it is fit for purpose, especially following an increase in mental health concerns during the pandemic. To further support children's health needs, our partners in Public Health have agreed to fund a nurse, deployed into the YJS, to assess all children for unmet needs, provide interventions and signpost. This is an excellent development for the partnership. As per findings from HMIP, we are also keen to better understand the trauma needs of children who have travelled to the UK.

Our partnership with the Virtual School & Inclusion Hub has improved. We have a Vulnerability Matrix which helps target support for children who are struggling with education attendance and attainment. Staff within the Inclusion Hub complete education assessments for children identified within the matrix, monitor education and health care plans and support those classed as missing education (CME). We can now access speech and language therapists through the Virtual School. We know communication difficulties can be linked to behaviour and exclusions in school. We are continuing to work with commissioners to increase our speech and language resource.

### **Hearing the voice of our children.**

Improving how the YJS and the strategic partnership board hears and responds to the voice of our children was rightly identified as a strategic and operational priority. We have improved and diversified how Board members can better understand the lived experience of our children and have had opportunities to hear first-hand and through other means what our children have to say. Sections 3 and 4 of this plan details our work to ensure that we remain 'Child First', we collaborate with our young people and ensure their voice can influence models of delivery and wider systems.



## 9. Performance, Priorities and National Key Performance Indicators

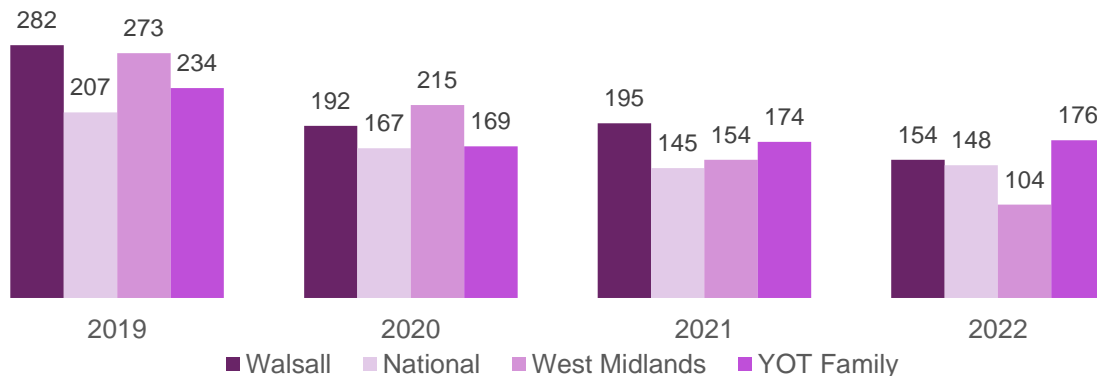
Over the past twelve months the YJS Performance and Partnership Board have continued to work with performance analysts to improve the partnership's ability to monitor and respond to data, KPIs and local information. This resulted in an improving monthly performance scorecard which steers our audit process and our ability to learn and change practice. Board members and YJS managers and practitioners have an improved and more detailed understanding of the cohort we are working with from diversion interventions to custodial sentences. In depth analysis such as the YJS Ethnicity Report and audit reports have furthered the partnership's knowledge of some of the challenges we face and enable us to make evidence-based practice decisions. Our main key performance indicators are detailed in this section.

### First Time Entrants:

What we have done to reduce first time entrants during 2022/23:

- Launched the MOJ Turnaround Programme for those on the periphery of the YJS.
- Operation Checkpoint- diversion for children involved in non-aggravated knife crime.
- Use of Outcome 22 deferred prosecution for children involved in low level offending.
- Held an established Youth Justice Partnership Panel which identifies and supports children at risk of engaging in offending and violent behaviour.
- The YJS is a key partner in Exploitation Hub and chairs the daily multi-agency exploitation triage with Social Care and the Police.
- Close relationship with the VRP and developing a Reducing Exclusion Pathway.

**FTE - PNC Rate per 100,000 0-17 Population**



The above FTE chart is the latest published information from the Youth Justice Board and details a rolling 12-month period. It relates to 47 children entering the system for the first time between January 2022 and December 2022, 11 children less than the previous period. Our local monitoring of FTE tells us that 81% are boys, which represents an increase in the number of girls receiving a formal disposal for the first time. We also know that currently 55% of FTE are from a minority ethnic background. Children from Black ethnicity groups enter the system at a younger age, compared to other ethnicity groups. Due to the increase in young people charged for serious violence offences, we are currently seeing 60% of the FTE cohort receiving a conviction in Court.

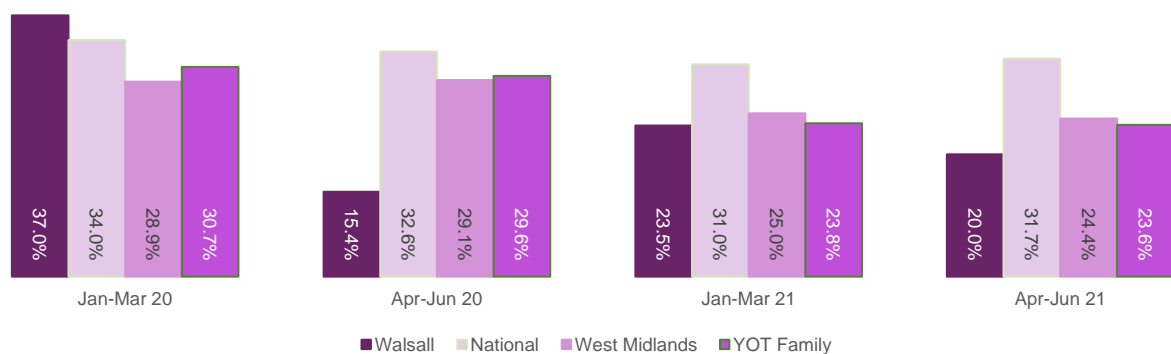
### Re-offending:

What we have done during 2022/23 to reduce re-offending:

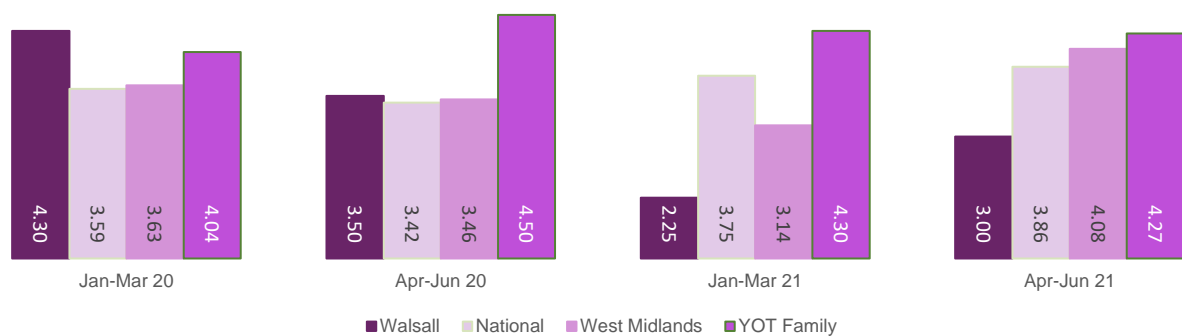
- The YJS has focussed on improving the assessment practice of youth justice officers, including a focus on reviewing and safely reducing risk in the right circumstances.
- Walsall have continued to embed the use of a restorative 'MyPlan' with our children subject to both out of court disposals and court orders. The MyPlan helps children and families take ownership of some of the problems impacting upon their lives.

- reviewed and implemented QA processes to provide better focus on issues impacting desistance, such as culture, identity, victims and important external controls.
- We have a good partnership in place with pro-active and supportive Police colleagues within the Offender Management Unit.
- The YJS have created a Programmes Officer to co-ordinate and deliver group activities and programmes for children, alongside responding to emerging risks and issues.
- There is a strong positive activity offer for our children with multiple projects available such as the Co-LAB YTH music programme and our sport programmes. Positive activities are further strengthened by a growing community reparation offer.
- We have worked with the Fire Service to deliver virtual reality interventions to those children involved in vehicle and driving related offending.
- Our partnership with St-Giles is set to continue over the next 2 years to provide lived experienced mentors to some of our most vulnerable and risky children.

### % Reoffending - Binary Rate



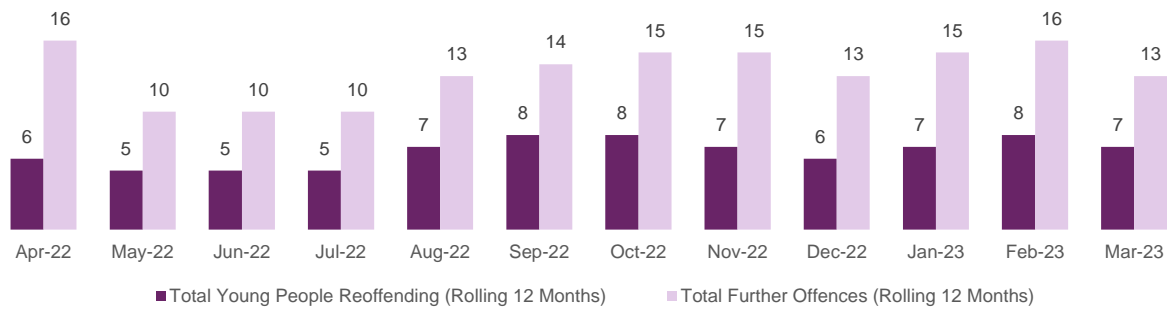
### Reoffending Rates After 12 Months - Reoffences per child



The above charts represent the latest quarterly published re-offending data for Walsall in comparison to its regional, national and statistical comparators. If we consider the full 12-month period our binary rate rises to 26.6% (a 0.34% improvement on the same period, the previous year). This relates to 21 children re-offending committing a further 52 offences. This gives us a frequency rate of 2.48 re-offences per child which is better than our statistical neighbours. Our assessments of desistance remain good and our offer to children involved in offending is strong.

The YJS is working closely with our colleagues in the local authority performance hub to develop our local ability to monitor and track when children open to the YJS re-offend. This will give us the ability responder quickly to emerging patters and trends and support individual children who may need rapid wrap around car.

## Number of Reoffenders & Further Offences



### Children from overrepresented groups

What we have done during 2022/23 to reduce disproportionality and improve outcomes for children with black and mixed ethnicities:

- HMIP were clear that our partnerships work to address disproportionality was meaningful and well embedded across the service.
- Reviewed the partnership full Ethnicity Analysis for 2020-2022 with a focus on the overrepresentation of children with mixed ethnicity.
- Our YJS Equality and Disproportionality Forum provides oversight of an action plan and enables youth justice professionals a safe space to discuss equality and diversity issues.
- The Disproportionality Practice Improvement Sub-Group meets regularly to consider practice developments needed as identified by the overarching Disproportionality Forum.
- The YJS have used funding through the Safer Walsall Partnership to set up a partnership with Open Lens Media to develop a Development Programme for boys with black and mixed ethnicities, using film, media and personal coaching to improve outcomes.
- The YJS have also used funding to commission a mentor to support black children within the secure estate and help prepare them to resettle back in the community.
- We have identified practitioner Disproportionality Champions to help lead on issues impacting our children.
- We have identified a lead for working with fathers to improve our practice.
- In 2022 and again in 2023, the YJS have supported Palfrey One Big Local in the schools Lionheart Challenge to help local children develop ideas to reduce the levels of violence.
- Although the number we work with is small, the YJS have supported a regional working group to improve outcomes for girls in the justice system.
- In partnership with the police and crime commissioner we deliver Stop and Search Programmes for children to improve their understanding of the law and their rights.

Ethnicity by Population 1.4.20 – 31.3.22			
Ethnicity	Percentage 10-17 Population	Percentage	Difference
Asian or Asian British	19% (5,473)	7% (10)	-12%
Black or Black British	3% (723)	12% (17) 1 less	9%
Chinese or other ethnic group	1% (423)	1% (2) 1 more	0%
Mixed	5% (1,396)	25% (37) 8 less	20%
White	72% (20,253)	55% (81) 26 less	-17%

Ethnicity by Offence Type						
Offence Type	Asian or Asian British	Black or Black British	Chinese or other ethnic group	Mixed	White	Total
Acquisitive Crime	1 (5%)	13 (17%)	1 (33%)	8 (11%)	57 (34%)	80 (24%)
Breach	0 (0%)	7 (9%)	0 (0%)	0 (0%)	7 (4%)	14 (4%)
Drugs Offences	6 (30%)	14 (19%)	0 (0%)	10 (14%)	9 (5%)	39 (12%)
Violent Offences	13 (65%)	41 (55%)	2 (67%)	52 (74%)	95 (57%)	203 (60%)
<b>Grand Total</b>	<b>20</b>	<b>75</b>	<b>3</b>	<b>70</b>	<b>168</b>	<b>336</b>

The youth justice partnership has reviewed its full ethnicity analysis to help us understand local disproportionality in the justice system, in addition to monthly monitoring. This year we were keen for this analysis to help us better understand children with mixed ethnicity. The charts above tell us that similarly to the national picture we continue to see the overrepresentation of black boys and boys with mixed ethnicity within the local justice system. The latest YJB data suggests 100% of custodial sentences between April 2022 - March 2023 were children with non-white ethnicity.

We have seen a slight increase in the number of Asian young people entering the system again this year, however overall, this group remains underrepresented in the formal justice system when considering the wider population in Walsall. We know that most recorded violent offences are committed by white children, however a disproportionate amount of violence is committed by children with black and mixed ethnicity. Our data also tells us that black children are disproportionately represented in the numbers of children involved with breach of bail offences, and they are more likely to enter the system on average at a younger age of 14 or below. Our audits based upon the recommendations from the HMIP Thematic also highlighted that our service needs to improve how we engage with fathers and understand the impact of a missing father. This was further supported in our thematic multi-agency audits of children involved in the commission of serious violence and our audits of remanded children. Although absent fathers remain an ongoing issue for our boys, our audits told us that we also need to better understand the impact of anti-social fathers upon our children.

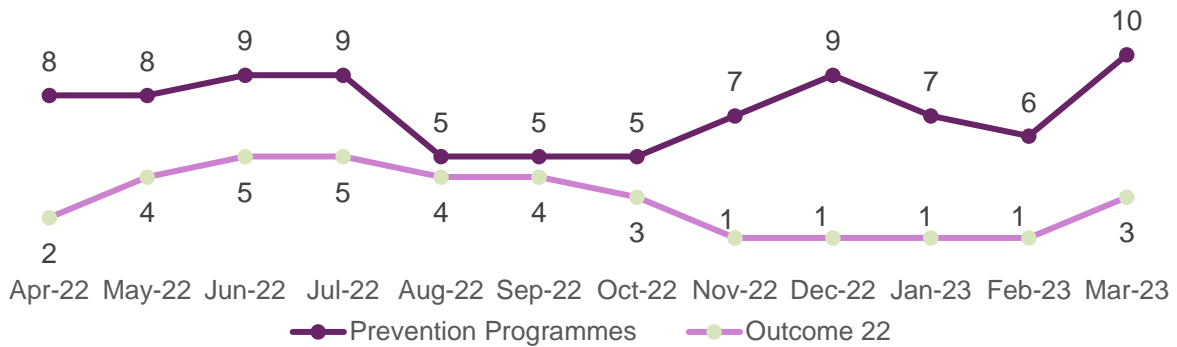
Reducing disproportionality has been a priority for the YJS during 2022-23 and will continue to be a priority over the next 2-year period.

### Prevention, Diversion and Out of Court Disposals

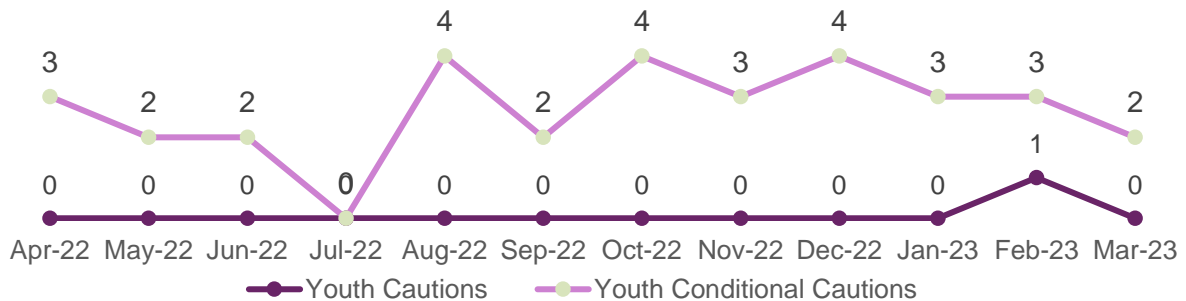
What we have done to improve prevention and diversion interventions and out of court disposals during 2022/23:

- Established a well-resourced Youth Justice Partnership Panel to provide oversight of diversion referrals and joint out of court disposal decisions.
- Early Help are a valued partner to the panel and the relationship with the Violence Reduction Partnership provides additional capacity and resource.
- The YJS have increased its practitioner capacity to work with children through the diversion pathway or who receive out of court disposals.
- Children are now assessed using the YJB's pre-court assessment tool after volunteering to pilot the tool.
- YJS practitioners deliver a range of creative and bespoke interventions for our children and have access to a strong youth offer.
- Quickly implemented the Ministry of Justice Turnaround Programme for children who meet the eligibility criteria.
- Continue to support children who have been referred from schools and children's services who have clear desistance concerns.

## Prevention and Diversion



## Out of Court Disposals



During the period between April 2022 and March 2023, Walsall YJS supported 33 children who received a type of caution. The vast majority of these disposals were Cautions with mandatory conditions. This number is directly comparable to previous years, although the number of children receiving an Outcome 22 decision or a diversion referral has increased. Over that period 14 children were given an Outcome 22 through the YJS Partnership Panel. Up until March 2023 we had supported 6 children through the Turnaround Programme and were working with a further 7.

The MOJ Turnaround Programme went live in December 2022 following a short preparation period. The MOJ are providing multi-year grant to YJS' across England and Wales over three years, funding them to intervene earlier and improve outcomes for children on the cusp of entering the youth justice system. The overall aims of the Turnaround programme are to:

- achieve positive outcomes for children with the aim of preventing them from offending.
- Ensure children are consistently offered a needs assessment and opportunity for support.
- improve the socio-emotional, mental health and wellbeing of children.

In Walsall we have used Turnaround funding to second an Early Help worker who will be the lead professional for these children, who will assess, plan and co-ordinate interventions. We have also used funding to commission a local sports organisation to deliver positive activities and 121 mentoring sessions. Learning from Youth Endowment Fund research, we know that sport and mentoring are evidence based to reduce levels of violence within communities. We can track offending performance of the Turnaround cohort and will report more in next year's plan.

The Centre for Justice Innovation argue that for the majority of young people involved in crime, formal criminal justice processing makes them more likely to commit crime again. There is a strong evidence base that clearly shows that youth diversion is a better way of addressing low level criminal behaviour— multiple studies show that youth diversion can reduce crime, cut costs, and create better outcomes for young people.

## Core principles of youth diversion *(The Centre for Justice Innovation Toolkit)*

Minimise labelling: Youth diversion schemes should take all reasonable steps to avoid stigmatising the young people they work with, and to prevent them from forming deviant or delinquent identities that may interfere with their development.

Avoid net-widening: Ensure that the scheme operates as an alternative to the formal justice system, rather than as a supplement to it. Diversion should only be for young people who would otherwise be dealt with formally in the criminal justice system.

- Do not overdose young people: Programming offered through diversion should be therapeutic and targeted. For most diverted young people, this will generally be light touch and informal

Research in Northamptonshire Youth Offending Service found that prosecuting children increased the likelihood of them re-offending even when considering different offence types and personal characteristics (*Kemp V, Sorsby A, Liddle M, Merrington S (2002). Assessing responses to youth offending in Northamptonshire. Nacro Research briefing 2.*)

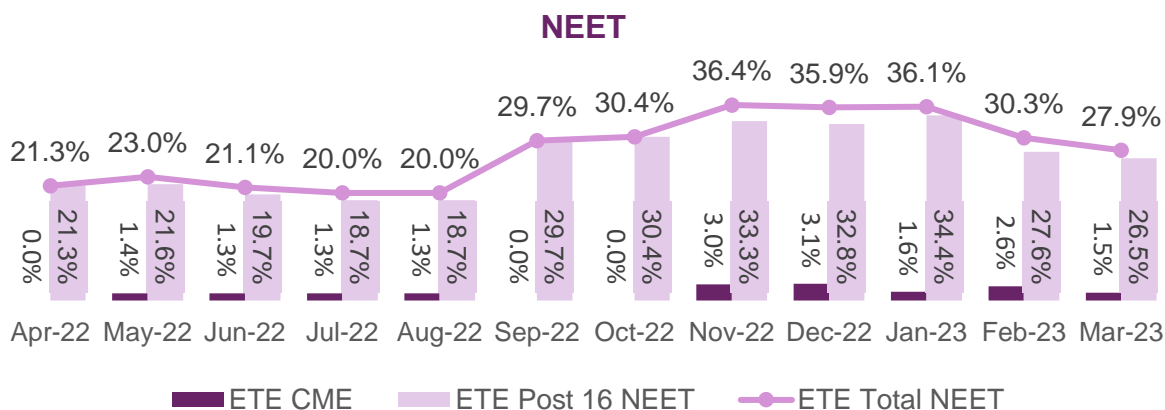
The Youth Justice Partnership approved a diversion pathway for children at risk of engaging in violent behaviour, offending and harmful sexual behaviour. In partnership with Walsall police, we established a daily triage process to identify children involved in violent behaviour. The panel is well resourced with colleagues from Children's Services, Early Help, NHS Liaison and Diversion, Beacon Drug and Alcohol Services, representatives from the VRP and commissioned intervention providers such as the Inspire Group. The panel identify the need for assessment and assign a lead professional to engage with the child and deliver intervention and support. All children eligible for out of court police disposals are also discussed at the Youth Justice Partnership Panel. A joint decision is made regarding eligibility and then allocated to a youth justice prevention officer to undertake an assessment and make a proposal for suitability based on risk, need, offence seriousness and the wishes of victims. The partnership is developing our ability to track the offending behaviour of this group of children to demonstrate effectiveness.

### Education

What we have done work to improve education, training and employment outcomes during 2022/23:

- The YJS' partnership with the Virtual School/Inclusion Hub is strong and support our children under the age of 16.
- We have introduced a youth justice personal education plan for children where issues have been identified around attendance, exclusion, and SEN.
- The Virtual school complete Personal Education Plans (PEP) for all children remanded into custody.
- The YJS has had an Impact worker deployed to the team to support 16+ young people.
- We have a 16+ training pathway via Open Lens Media for our black boys.
- Our partnership with the Local Authority's employment and skills team actively monitors and manages our 16+ children with a NEET Action Group

- We are supported by Walsall Works, an initiative supported by local businesses to help young people find employment to develop work experience opportunities.
- The YJS is in partnership with the VRP to develop a reducing exclusion pathway.



Over the last 12 months the overall number and percentage of children not in education, training and employment has fluctuated from a very low 21.3% to 27.9%. We are aware through regular and close monitoring that the numbers of school age children missing education (CME) is low and that our partnership with the Virtual School works quickly to ensure that suitable school places are found and that we support those at risk of exclusion. Education outcomes for children CME improve when they receive our support. We are developing our partnership with Newleaf Pupil Referral Unit, alongside Early Help, to improve our prevention offer for children at risk of entering the justice system

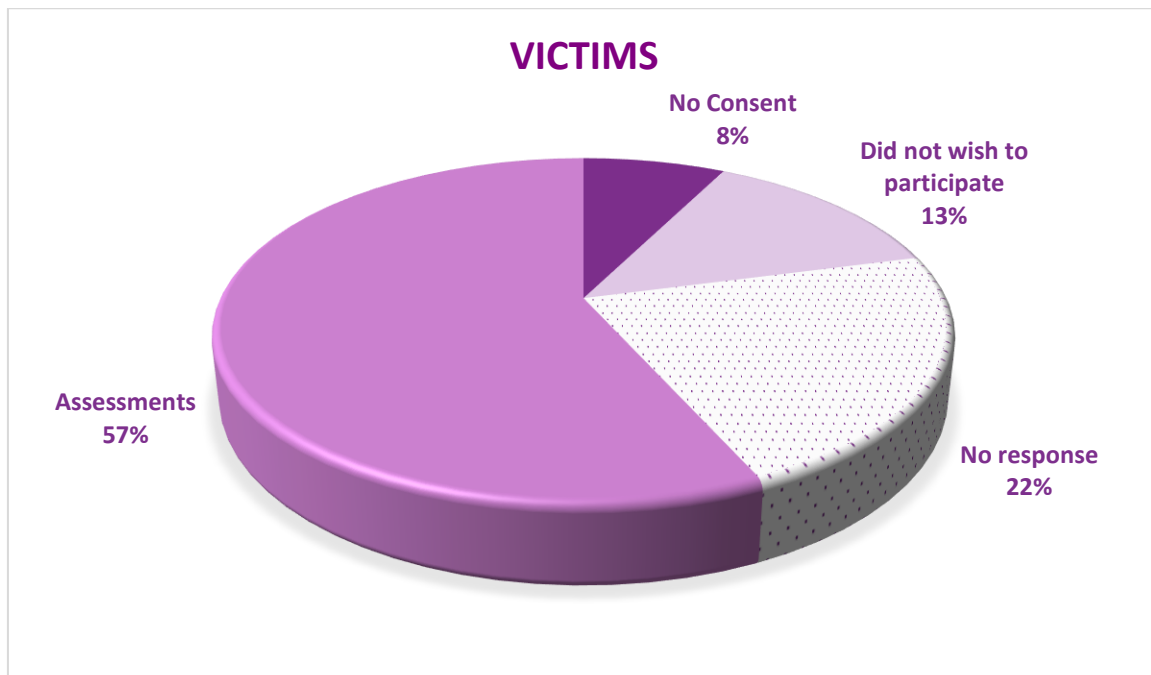
We do recognise that children often enter the youth justice system with special educational needs (currently 43%) and that children completing their intervention with us will often have reduced timetables, receive their education in short stay 'pupil referral units' (17%) and have experienced exclusion. 33% of our children have on average experienced at least 1 fixed term exclusion. We continue to be faced with challenges when supporting Children in Walsall over the age of 16. Often the 'pull' of working for 'cash in hand' is greater than attending a training provision with longer term benefits, combined with difficulties created by a difficult education history, experience of exclusion and few qualifications.

### Restorative approaches and Victims

Walsall YJS has had a new Victim and Restorative Justice Officer in post for 12 months who contacts all victims where consent has been obtained. Where contact has been made with victims the interaction has overall been positive and support has been offered to those that have requested it in a variety of different ways. This has included referrals to other services such as counselling/support groups, drawing and talking therapy and face to face restorative meetings.

Over the past 12 months we have had 95 victims of crime committed by children. During the early stages of the new post being implemented we had difficulties with regards to gaining details for adult victims. This has since been rectified with the Police, but it did mean that we were unable to make contact with 28 victims over that period.

Below is a breakdown of the remaining 67 victims. 47 victims were contacted and 38 assessments were completed with those that wished to engage- 11 of them required or requested further support. In all cases where the victim was contacted, they were satisfied with the service that they received.

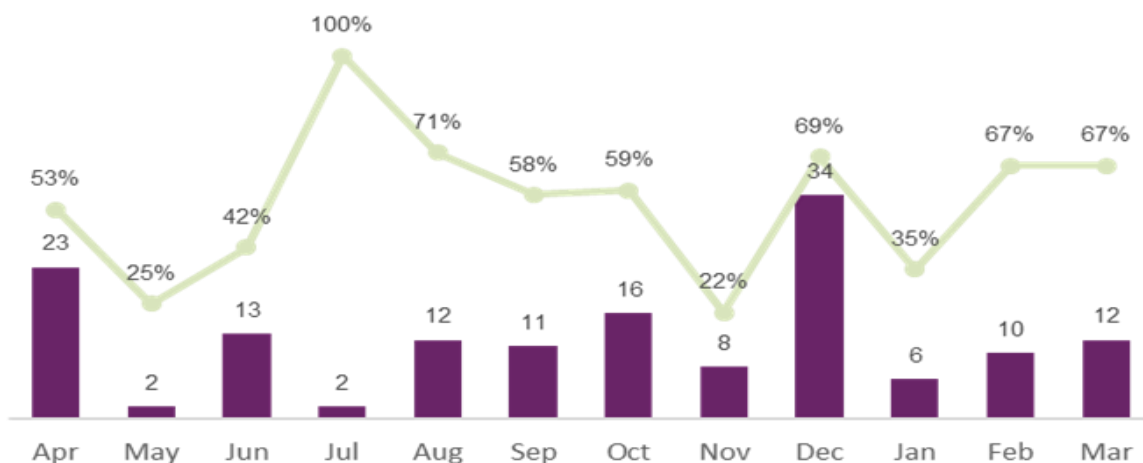


### Serious Violence and Exploitation

Preventing and reducing youth violence is a strategic priority for the partnership. Between April 2022 and March 2023, Walsall YJS reported serious incident notifications for a total of 14 children in relation to offence such as wounding, attempted murder and murder. Violence is the most common offence type we see, and we are seeing a larger number of children entering the formal youth justice system for the first time by receiving custodial sentences. Work to address the strategic priority to prevent and reduce youth violence is detailed within section 8 of this plan.

Violent offending is monitored on a monthly basis through the YJS performance scorecard. If we consider the period between April 2022 and March 2023, we can see that violent offences make up a significant percentage (56%) of all offences committed with a youth justice outcome.

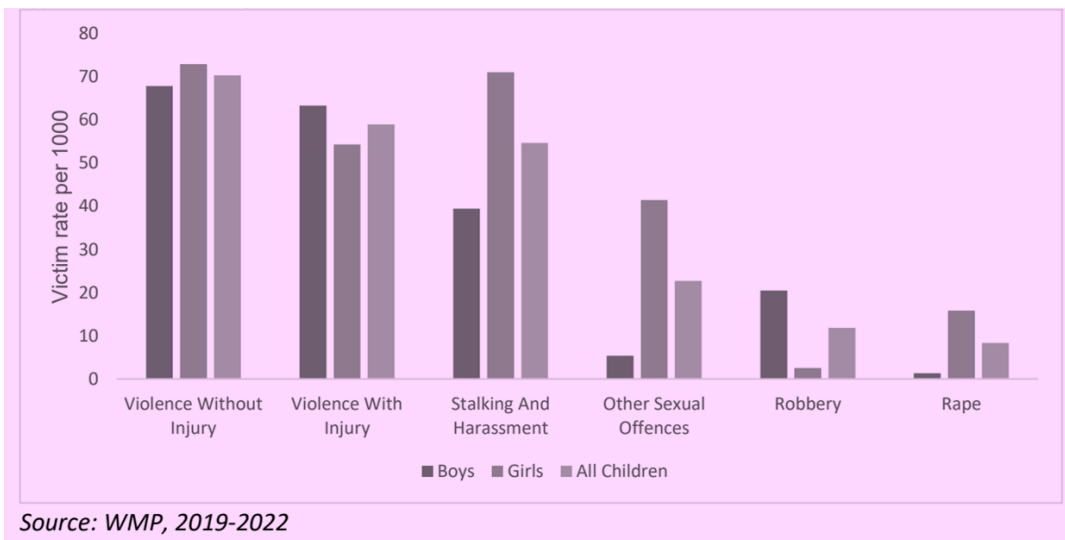
### Number and Percentage of Violent Offences April 22 - March 23



Further data can be found in Walsall's Serious Youth Violence Strategic Needs Assessment. Information from the Police suggests that girls were similarly impacted by violence when compared to boys and for some offence types, more likely to be victims.

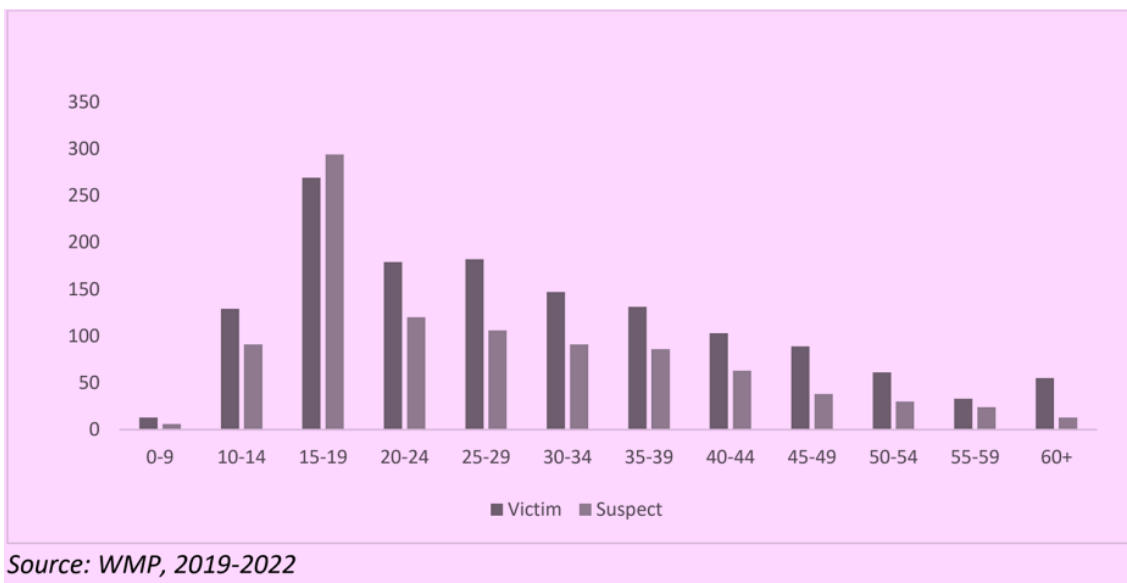


**Rate of children aged 13-17 years who were victims of violence, Walsall residents, by type of violence and gender.**



We can see from the chart below that knife crime predominantly impacts upon children aged 15-19 and the probability decreases with age.

**Volume of Knife Crime, victims and suspects, by age group, living in Walsall.**



**Learning from Serious Incidents:**

The YJS has undertaken a review of children who have been involved serious violent incidents in 2022. This followed an excellent partnership review, written by a Head of Service from Children’s Social Care, which explored the journey of a 15-year-old boy who ultimately become involved in a fight and seriously injured another boy with a knife. The review was presented to the YJS Performance and Partnership Board in February 2023, alongside a case study which detailed the impact on the victim and the support provided to him and his family. The main learning points and recommendations from the review are detailed below:

Learning Points	Recommendations
Maintaining a focus on the child	Ensure clear training opportunities are in place for staff in conducting effective direct work with children when assessing their needs.
Issues of neglect and how we work with families where it is a long-standing issue	Ensuring that our assessment guidance regarding neglect is clear and that professionals involved understand its long-term impact in line with the current Walsall partnership Neglect Strategy.
Use of fixed term exclusions for younger children:	Ensure that staff within the Virtual School and Inclusion Hub provide support, challenge and training to schools who are excluding, ensuring they fully understand the implications and how they impact on outcomes
EHCP processes – when learning difficulties are identified	Ensure staff within the Virtual School and Inclusion Hub work alongside the SEN Team to ensure EHCPs are prioritised for children with a social worker/YJO and are, wherever possible, completed within timescales
Working with fathers and ensuring this is incorporated into children's plans:	A recent audit has been completed regarding working with fathers and the findings of this will be incorporated into overall practice development.
Step up/step down processes:	Within both MASH and across the localities, we need to ensure that the new step up/step down processes are working effectively, and that staff understand them clearly.
Earlier identification of Young People at risk of Serious Youth Violence:	A strategic needs assessment for youth violence has now been commissioned to provide an analysis and context in relation to incidents of serious youth violence here in Walsall and will inform a strategic coordinated approach to reduce youth violence and secure better outcomes for children, young people within their community.

The recommendations from the review of serious incidents in 2022, align with the above recommendations.

### Exploitation:

The National Referral Mechanism (NRM) is a framework that assesses potential victims of modern slavery. Victims may not be aware that they are being exploited or trafficked and may have agreed to elements of their exploitation, or accepted their situation (NRM, Gov.uk, 2022). Between January 2019 and December 2022 there were 209 persons referred to the NRM for exploitation in Walsall, of which there were 77 victims referred between September 2021 to September 2022. The local authority is the biggest referrer (56% of all referrals), followed by West Midlands Polices (32%). Two thirds of people referred for exploitation were male (69%). Children aged 14 to 17 years are at the greatest risk of being exploited.

*Walsall Serious Violence Duty Strategic Needs Assessment – Dr Helen Lowey 2023*

Walsall YJS are one of the three main statutory partners (YJS, Police and Social Care) who have joined together with Street Teams, a local organisation working with exploitation, to form Walsall's exploitation hub. The Hub meets daily to triage exploitation assessments and review incidents. Professionals within the hub also oversee missing children. From daily triage, professionals coordinate disruption meetings for the perpetrators of exploitation and safety plans for victims. This activity is supported by our co-location in office space. Between April 2022 and March 2023, the YJS completed 12 exploitation assessments and associated referrals into the hub. Over the same period, 17 YJS children were referred into the NRM.

Children vulnerable to exploitation are also vulnerable to radicalisation and involvement with violent extremism. Although no children open to the YJS have been referred into prevent or Channel Panel over the past year, it is important that YJS staff are appropriately trained. As such, all staff are required to complete Prevent Training as part of their inductions. In February 2023 YJS practitioners attended a Synergy Training event at Bescot Stadium delivered by West Midlands Police Counter Terrorism Unit. The YJS Strategic Lead is the Chair of Channel Panel Walsall's Prevent Co-ordinator now is based alongside the YJS for increased connectivity.

## Detention in Police Custody

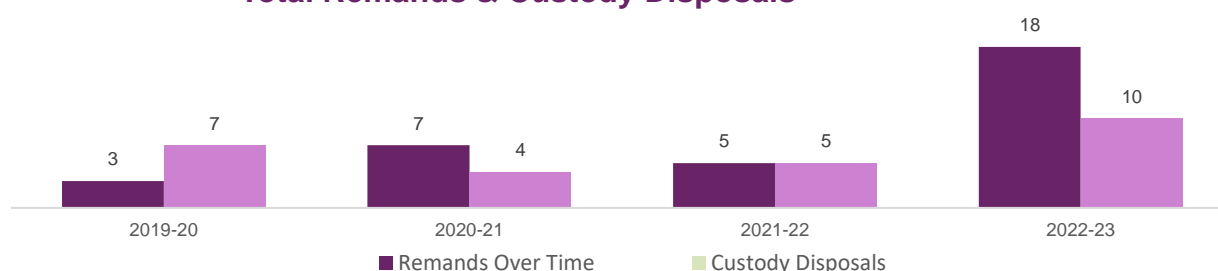
Between April 1<sup>st</sup> 2022 and March 31<sup>st</sup> 2023, there were 23 times, relating to 17 children, where a child was kept overnight in police custody. On 3 occasions a child was transferred to accommodation under the Police and Criminal Evidence Act 1984 (PACE). There is good dialogue between the Police and the Local Authority (LA), however there is a mixture of outcomes. There is an even split between the LA reporting no beds available, with the decision being made that due to the time, transferring a child was inappropriate. Within normal working hours, YJS staff undertake the Appropriate Adult (AA) role if family are not available. Outside of this, the YJS has dedicated staff who undertake the AA role through the Emergency Duty Team.

## Use of Remands, Custody and Constructive Resettlement

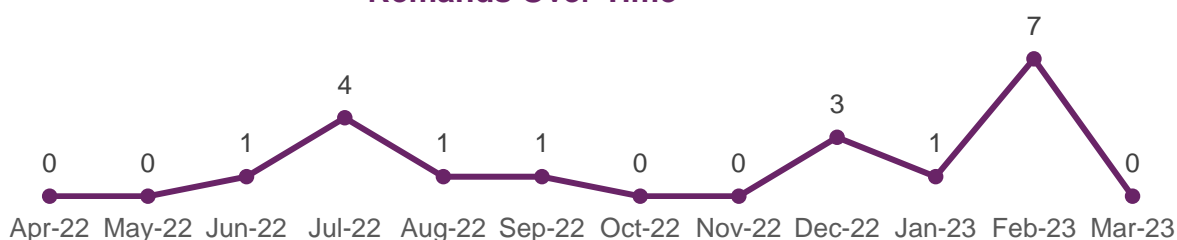
What we have done during 2022/23 to reduce the use of custody and improve outcomes:

- The partnership closely monitors children who enter the secure estate, undertakes audits and learning has been shared with the YJS Performance Board.
- A resettlement policy is in place in partnership with Social Care.
- As part of the YJS High Risk process, dedicated resettlement support panels are held for children subject to custodial sentences to support release plans.
- We welcomed HMIP to Walsall to support their joint thematic inspection of remanded children. We have effective and child first practice in Walsall.
- The partnership completed a multi-agency audit of remanded children and held a reflection event with partners to understand practice and issues impacting these boys.

### Total Remands & Custody Disposals



### Remands Over Time



The number of boys remanded into custody since April 2022 has been of huge concern to the partnership. The above chart highlights 18 remand episodes relating to 16 children, with 11 of these remands occurring between December and February. In February, 7 children were remanded for a murder offence committed in January. The violence behind these remands is concerning with 10 children remanded for murder. 8 of the children had not received YJS input prior to the remand and 8 children were receiving support from Social Care at the point of remand. The audit will help us drive forward improvements for children in the secure estate but will also support the partnership in understanding how to intervene earlier. We are working to make sure that all alternatives to remand are robustly considered on each occasion. Children receiving custodial sentences is a KPI and between April 2022 to March 2023 the number doubled to 10 when compared to the year before. 5 were imposed in December 2022 (total 28 offences), the majority of which were for violence. Overrepresentation can be seen with 63% of the cohort from an ethnic minority. Four children were first-time entrants.

## **10. Standards for children in the justice system**

The introduction of 'Standards for children in the youth justice system 2019' required all youth justice services to undertake a base-line self-assessment in 2020. In 2020, Walsall YJS Performance Board assigned strategic leaders from across the partnership to ensure joint accountability and oversight of each of the standards within the self-assessment process. The self-assessment was split into two parts: an operational audit and a strategic audit of governance. The operational audits were undertaken by youth justice managers using audit tools adapted from the YJB template. The findings from the operational audits were shared with the relevant strategic leads to start the strategic assessment process. Please refer to Walsall YJS' Strategic Plan 2020-21 and 2021-22 for details. An action plan was put in place following the self-assessment and despite the pandemic, significant progress was made across all five standards.

As per communication from the YJB, a new national standards audit is due during 2023-2024. In consultation with the Lord Chancellor, the YJB have agreed that all youth justice services should complete a self-assessment against one selected Standard in 2023-2024. Selecting just one Standard reduces the burden on services in a year when there are a number of substantial changes being implemented to drive improvements in outcomes for children. It also means that time and attention can be given to the quality and accuracy of the self-assessment. The Standard selected is 2: At Court. Guidance on the content and process of the self-assessment will follow over the next months. Services will be required to return their self-assessment by the 31<sup>st</sup> October; and will receive individual feedback and support in developing a plan to address gaps from YJB Operations staff. The findings from this audit will be detailed in next year's plan.

## **11. Workforce development**

The strengths of the Youth Justice Service are dependent upon the people working hard each day to improve outcomes for children. Our offer for staff is good and information throughout this plan details how the service has delivered training that is focussed on priorities and improving performance for children. Training has focussed on subjects such as motivational interviewing, restorative practice, cultural competence and unconscious bias, risk assessment and planning, speech and language, RESPECT family conflict training and many more. Walsall YJS are committed to investing in its staff to complete the Youth Justice Effective Practice Certificate (YJEPC) and the Child First qualification through Unitas. We currently have 3 new practitioners undertaking the YJEPC and two more planned for Autumn. In 2023, linked to our strategic priorities and our thematic learning, we have identified the need for further training to improve trauma awareness for children involved in serious youth violence, 'cultural competence' of our staff in engaging with complex and changing communities, confidence skills working within the criminal courts and bail assessment training. Following our thematic HMIP inspection of children on remand, we are keen to work together with colleagues in Social Care to deliver training on the lived experience of boys within the secure estate.

Our practice in 2022 was informed by a training plan linked to our Workforce and Inclusion Strategy supporting practitioners and managers within the Service to develop in their current roles and to aspire for progression. As a result of the pandemic, we now have trained Mental Health First Aiders and managers have been trained in supporting staff who are receiving clinical supervision with psychologists. Our wellbeing offer for the team will continue in 2023/24 and as our workforce changes, we are developing a new skills training plan for practitioners. We also undertake a yearly health check with staff and action findings to improve wellness at work. As mentioned previously in this plan, we are also staunch supporters of apprenticeships and are looking to upskill and attract positive values-based practitioners who have an interest in supporting children involved in offending. We need to diversify our offer to staff as we continue to struggle to recruit since the pandemic. This is detailed further in the section 12 of this plan.

## 12. Evidence-based practice and innovation

Continuing through 2022 we have worked closely with Children's Service's performance team to develop our quality assurance framework. This is ongoing and reflects new thinking and programmes, the introduction of new KPIs and changing priorities. Our performance scorecard continues to mature, and we have an audit process aligned with early help and children's social care. Combined with learning from practice reviews and inspections, the improvements in our oversight and the evidence gained from better analysis have supported changes in practice.

The evidence base of 'what works' to support and prevent children becoming involved in violence is growing. The Youth Endowment Fund (YEF) have recently released a toolkit to support those working with children and young people. It summarises the best available research evidence about different approaches to preventing serious youth violence.

The YEF's research states that pre-court diversion leads to greater reductions in offending than processing through the courts. It suggests that pre-court diversion reduces reoffending by 13%. Furthermore, if children are diverted but do commit another offence, this offence is likely to be less serious. There is also evidence that pre-court diversion has a greater impact than diversion after a charge is made. This provides support for the argument that you can achieve greater impacts by limiting a child's experience of the criminal justice system. Current evidence suggests the impact of pre-court diversion has been greater with younger children (aged 12-14). Our work with the Ministry of Justice Turnaround Programme and our diversion work through the YJS partnership panel has been detailed earlier in this document.

The YEF also evaluated research of sport-based programmes which found desirable impacts on reducing aggression, promoting mental health and responding to other behavioural difficulties. We know that for sport programmes to be effective, coaches running the programmes need to form trusted relationships with children, the sessions need to be in safe and accessible locations and times and are best utilised when they link children into other positive activities. Our partnership with the Inspire Group is strong and now based on several years of development. We have established sport programmes to work with children on the periphery of the justice system, but we also have an offer for children currently involved in violence and offending.

Below are other examples of how the YJS has adopted evidence-based practice:

### Virtual Reality Interventions:

The YJS currently has two virtual reality intervention offers for our children. Firstly, we work with West Midlands Fire Service to deliver one to one virtual reality interventions with children involved with vehicle crime and secondly, we have commissioned Round Midnight knife crime virtual reality interventions for children involved in knife crime. The programme is based on research and collaboration with 1200 children and developed through Birmingham University. Children believed that exploring risk taking behaviour through this lens was powerful and impactful. These interventions are popular with YJS children and have high engagement rates.

### 'Punishing Abuse'

Dr Alex Chard and the West Midlands Combined Authority published the 'Punishing Abuse' research report in 2021 and the findings still resonate on practice today. Walsall YJS used funding to train all our practitioners and managers in undertaking the action research used to provide the research base for Punishing Abuse. Its goal was to fully understand the extent of abuse and childhood adversity that children in the justice system have experienced. Through the commission of the research, the ALTAR™ framework was developed by Dr Chard which focused on Abuse, Loss, Trauma, Attachment and Resilience (ALTAR).

The Walsall YJS specific research report identified that within the sample group that our children had experienced a significant amount of Adverse childhood Experiences (ACEs) with one of the children experiencing 11 of the 12 recognised ACEs. Within this, the research found a number of themes through the narratives and storylines of the children considered. This included, but not limited to; high levels of household violence, increase levels of emotional abuse and neglect, the extent of poverty these children experienced and a disproportionate amount of parental substance misuse and poor mental health. However, in addition to this the research uncovered further childhood adversity not traditionally considered within the ACE model. These included:

- Radicalisation within a family.
- Trafficking and Criminal exploitation.
- Witnessing the near death of a parent.
- Being left abroad without parents.
- Possible substance abuse during pregnancy; and,
- The impact of immigration

As an example of practice change as a result of increased trauma awareness, the YJS adapted our policy on compliance and engagement. We adopted a 'was not brought' approach to appointments, rather than 'did not attend' and we implemented 'engagement meetings with parents to uncover barriers to participation. Managers adapted their quality assurance processes to provide a spotlight on issues of childhood adversity within our assessments, plans and reports.

### Child and Adolescent Mental Health Services (CAMHS)

Through CAMHS we have a Dialectical Behaviour Therapy (DBT) offer for our children. There is a wealth of evidence supporting the use of DBT and since its inception to support those suffering with borderline personality disorders, the use of DBT has been developed to help children with a variety of conditions or health concerns. In Walsall, our trained therapists understand that the adolescent brain does not stop developing until the age of 25 and as such there are opportunities to engage with children to help stop stigmatised diagnoses as an adult. When practitioners recognise potential trauma in our children, our CAMHS therapist will use DBT to develop the skills of our children to better manage distress before going on to try and address the pain through trauma therapy. We use DBT to help our children address several issues they are facing such as deliberate self-harm, anger, relationships and difficulties with sense of self.

### Motivational Interviewing:

Our YJS practitioners are trained in Motivational Interviewing, and this works well in support of our DBT offer. Motivation Interviewing (MI) is an evidence-based method of communication that is used to support behaviour change. *"MI is a collaborative, goal-oriented style of communication with particular attention to the language of change. It is designed to strengthen personal motivation for and commitment to a specific goal..within an atmosphere of acceptance and compassion."* (Miller & Rollnick, 2013)

*"MI is a collaborative, goal-orientated style of communication with particular attention to the language of change. It is designed to strengthen personal motivation for and commitment to a specific goal by eliciting and exploring the person's own reasons for change within an atmosphere of acceptance and compassion"*  
(Miller and Rollnick, 2013)

### **13. Service development**

Walsall YJS's Child First vision is built upon the 4 tenets of Youth Justice Board's Child First approach as outlined in its Strategic Plan 2021-24. Our service improvements contained within this strategic plan will have a basis on that approach. Informed by an independent review of progress, our local Performance and Partnership Board originally developed our strategic direction and priorities in January 2022 in support of this plan and determined governance arrangements that will drive forward service improvements. An update to our multi-year plan (2022-25) was considered in June 2023 and our priorities were confirmed. Board members will own strategic priorities and chair sub-groups to ensure progress is being made with oversight from the YJS Performance and Partnership Board.

The YJS changed office space in 2022 to co-locate with colleagues in the Police, Walsall's Exploitation Team and the MASH. We believe there are clear strategic and operational benefits to be had from the co-location of managers and practitioners:

- Improve our focus on our Reducing Serious Youth Violence strategic priority.
- Improve our strong relationship with the police and support of high-risk children.
- Develop our partnership with the Multi-agency Exploitation Hub and work to reduce exploitation.
- Better information sharing between partners and more efficient daily triage processes.
- Develop our pathways with Children's Social Care through the MASH front door.

The YJS Partnership has reviewed the incidents of serious youth violence that occurred in 2022. We had an unprecedented number of children involved in violent offences that met the threshold for notification to the Youth Justice Board and as such the partnership completed a multi-agency audit exploring the journey of these children from early years until their current circumstances. There were a number of findings and recommendations that were consistent across the children such as overrepresentation of boys with black and mixed ethnicity, the impact of both absent and present fathers, poor experience of education including exclusions and family involvement with early help and social care services. These learning reviews, alongside a wide range of youth justice information and data contributed towards the Safer Walsall Partnership's Serious Violence Needs Assessment. The YJS partnership is a leading agency in the development of the wider serious youth violence strategy.

#### **Thematic Review:**

The YJS partnership received an HMIP thematic inspection in June 2023 which focussed on children remanded into the secure estate. We know we have had an increase in the numbers of remanded children between April 2022 and March 2023 and we used this opportunity to pull the partnership together to better understand the journeys behind these children, learn from audit and activity and ultimately improve practice. The serious youth violence and the disproportionality that underpins these remands is a priority for our partnership.

In preparation, we delivered a learning and reflection event following a multi-agency audit of all the children who were in scope for this inspection. This included children who were remanded into YOIs and those who were subject to a substantive bail programme as a direct alternative. In addition to the YJS, partners from Social Care, Police, Early Help and Education audited practice including assessment, planning, multi-agency working and child and family engagement, with an overall grade based on the impact and difference made for the child or young person. A wider lens was given to consider the historical context for these children to understand if there were any potential missed opportunities. We have in place an audit action plan.

We are pleased that the inspectors found effective practice here in Walsall and that the strengths far outweighed any areas for consideration. Inspectors found that the YJS practitioners were knowledgeable and manage these children well. The inspection recognised the national issues

impacting upon these children, such as placement sufficiency and a small and challenged secure estate. However, despite these challenges outside of the YJS' control, the Service supports remanded children well and works closely with partners in Social Care, the Police and YOI staff.

A joint thematic inspection youth remand: A review by HMI Probation June 2023.	
YJS management board considerations:	Effective and Positive Practice
Robust and consistent decision making is needed to consider remand into care of the local authority	Practitioners and managers are knowledgeable and manage these children well.
Review of practice of completion of Bail A+, to support Bail packages and negotiation with YCS.	Strong evidence of effective care planning for children on remand, including good information sharing between the partnership including the secure estate.
Review of risk of harm classifications for children in custody- improved consideration of evidence not related to the offence.	Evidence of good multi-agency plans of support for some children on ISS bail and evidence that they were being safely managed in the community.
Develop partnership training- <ul style="list-style-type: none"> <li>lived experience of boys in custody</li> <li>practitioner confidence in court</li> <li>trauma training- UASC.</li> </ul>	Children and young people's need over the course of the remand period were assessed and responded to in a proportionate manner by joint working between Youth Justice and Social Care.
The YJS Partnership needs to ensure 'Child First' thinking within agencies such as Police, Solicitors Firms and Youth Custody Service.	Evidence of positive relationships with children from both youth justice and social care and there was evidence of 'child first' and respectful practice.
The partnership needs to strengthen speech and language support for these children.	Evidence of support for the wider families within the community from both YJS and Children Social Care.
Strengthening our transition planning, through the development of a transition toolkit and T2A Hub with the Probation Service.	Work to address disproportionality within the Service was meaningful.
In some instances, poor info sharing between Police, YJS and HMYOI to approve contacts	Appropriate Adult provision was robust.

To support the partnership's improvement journey, during 2021/2022 the YJS Partnership have discussed learning from HMIP thematic reports exploring 'education, training & employment services in youth offending teams- June 2022', 'the work of youth offending services during the COVID-19 pandemic- November 2020' & 'experiences of black and mixed heritage boys in the youth justice system- October 2021'. The summary of these reviews is in Appendix 4.

**Her Majesty's Inspectorate of Probation (HMIP) Assurance Review 2021:**

In a desire to continually move forward, the YJS Partnership commissioned an independent assurance review of progress based on the recommendations made within Walsall's HMIP inspection report in 2019. The findings from this review continue to be relevant today and have helped shape our direction and priorities.





## Context and methodology of the HMIP Assurance Review:

It is important to place the review in context as the evidence examined will reflect what had been happening to the service. The unprecedented challenges resulting from the Covid-19 pandemic cannot be underestimated particularly which significantly curtailed the delivery of public services.

In keeping with the peer-review ethos, the process was essentially evidence based with desktop analysis and review of key documentation. Over 80 separate local documents were examined alongside national guidance including the revised HMIP Inspection Standards. The written evidence ranged from operational policies to partnership board papers and performance data. Of particular importance were the statutory YJS Plan and the 2019 Inspection report. Triangulation of evidence was through an analysis of a small number of case records.

Areas Considered within the HMIP Assurance Review	Summary of Progress	Actions and Response
Out of Court Disposal Model	The issues raised by HMIP have been successfully addressed & practice has been adjusted to provide a more robust approach to OOC. Some minor adjustments are needed to reflect the updated inspection standards.	Develop the performance reporting of the YJS 'front door': Performance Scorecard now reflects prevention, diversion & OOC. Review the YJS Crime Prevention Strategy: Reviewed. Review the pre-court assessment tool The YJS piloted the YJB pre-court assessment tool & have implemented it.
Management of risk of harm	The main issues with respect to practice highlighted by HMIP have been successfully addressed through training & ongoing quality assurance. However there have been consequences that may have led to unsustainable levels of high-risk cases placing pressure on the service. Partnership commitment to working with high-risk cases needs refreshing.	Implement review assessment training with practitioners. Asset training implemented with the team. Review ToR for the YJS high risk panel. Completed. Improve the use of MyPlan to capture external controls. Completed Review the partnership with the Police: A regional OOC model & JD for youth crime officers is being developed.
Victim Model	Despite swift actions to respond to HMIP findings, it became clear the arrangements did not deliver the improvements required. However, the YJS deserves credit for keeping this under review & Board approved the recruitment of a victim officer.	Recruit a dedicated victim officer to lead on practice. Our Victim Officer has been in post for over 12 months and make a clear difference to practice.
Performance and Partnership Board	The issues raised by HMIP with respect to information provided to the Partnership Board have been successfully addressed with comprehensive routine data provided. This is supported by more in-depth reports on priority topics. The Board responded decisively to the areas identified by HMIP. It will be aided by creating a firmer relationship with the operational service, deepening its understanding of youth justice activity and ensuring the child's voice plays a more prominent role.	Improve the performance scorecard to include diversion work: Performance Scorecard reflects prevention, diversion & OOC. Commission a deep dive analysis of FTE: A further joint audit with the Police is underway. Performance is improving. Develop the links between the operational service and Board members. Ensure children's voice is heard at Board. The Board model was reviewed, themed meetings led by partners, examples of children's voice influencing strategy. YJS Practice week occurred Jan 2023

The recommendations from the review have supported the partnership in identifying its strategic priorities for 2022 to 2025 and actions will be included within delivery plans.

## 14. Challenges, risks and issues

Although our offer for staff is strong, since the covid pandemic the YJS has continued to struggle to recruit youth justice officers and has relied upon agency staff to cover vacancies. We recognise that this is a national issue, but we are trying to address the problem in several ways. Our recruitment processes are being reviewed to update how we advertise and select candidates in an effort to reach talent. Our flexible working arrangements are strong, and we are considering innovations such as a 9-day fortnight to encourage practitioners to apply. We are also supporters of apprenticeships and are looking to upskill and attract positive values-based people from across children's services who are interested in supporting children involved in offending.

Our Workforce and Inclusion Strategy now details career pathways for our staff who are looking for progression or who are wanting to develop their skills and opportunities within their current role. It also expands upon the welfare support that is on offer to managers and practitioners who undertake a difficult and challenging job. Walsall YJS are committed to investing in the workforce.

The YJB have recently written to Youth Justice partnerships to detail the national issue of high vacancy rates for Probation Officers (POs) and Probation Support Officers (PSOs). We recognise the unique expertise that Probation staff bring to our multi-agency partnership, especially in relation to MAPPA procedures, safeguarding and managing transitions to adult justice services. In Walsall, we have held a Probation Officer vacancy for nearly 12 months, although we have covered transition work through agency staff. The level of Probation vacancies is reflective of the current national resource pressures in the Probation Service. The risks associated with Probation Officer recruitment are linked to an exciting opportunity we have here in Walsall with the development of a dedicated transition hub. We agency staff undertaking the YJS role and we are working with our Probation colleagues to recruit specialist PO and PSOs who will work closely with youth justice officers to complete transition and maturity interventions. We are improving our links with Brinsford YOI (18 to 21) and are exploring a transition apprenticeship post.

The service has worked through the challenges of remote working and with new co-located office space in the Civic Centre we have moved into a new phase of blended working. This has provided the team with the much-needed physical space to more effectively manage risk and support our children. It also improves our ability to monitor the wellbeing of the team and provide space to support each other. Our Workforce and Inclusion Strategy also put other measures in place to ensure that our team are resilient enough to work with the most vulnerable children.

Serious youth violence in the borough remains a concern for the partnership and will again be a priority for us to work on. Violence remains the most common offence type our children are committing and we are seeing increases in violent behaviour in specific localities in Walsall. We are working closely with partners in the Police, community safety team and children's services exploitation team to address the levels of violence in these areas. The YJS has improved its community links, has engaged with local community associations and established intervention centres in localities where there is often concerning behaviour. We have linked in with local schools, have engaged in community events such as the Lionheart Project, and provided diversion interventions to those children caught on the periphery of disorder. However, these are long term multi-generational issues and continued work in these localities will need to continue.

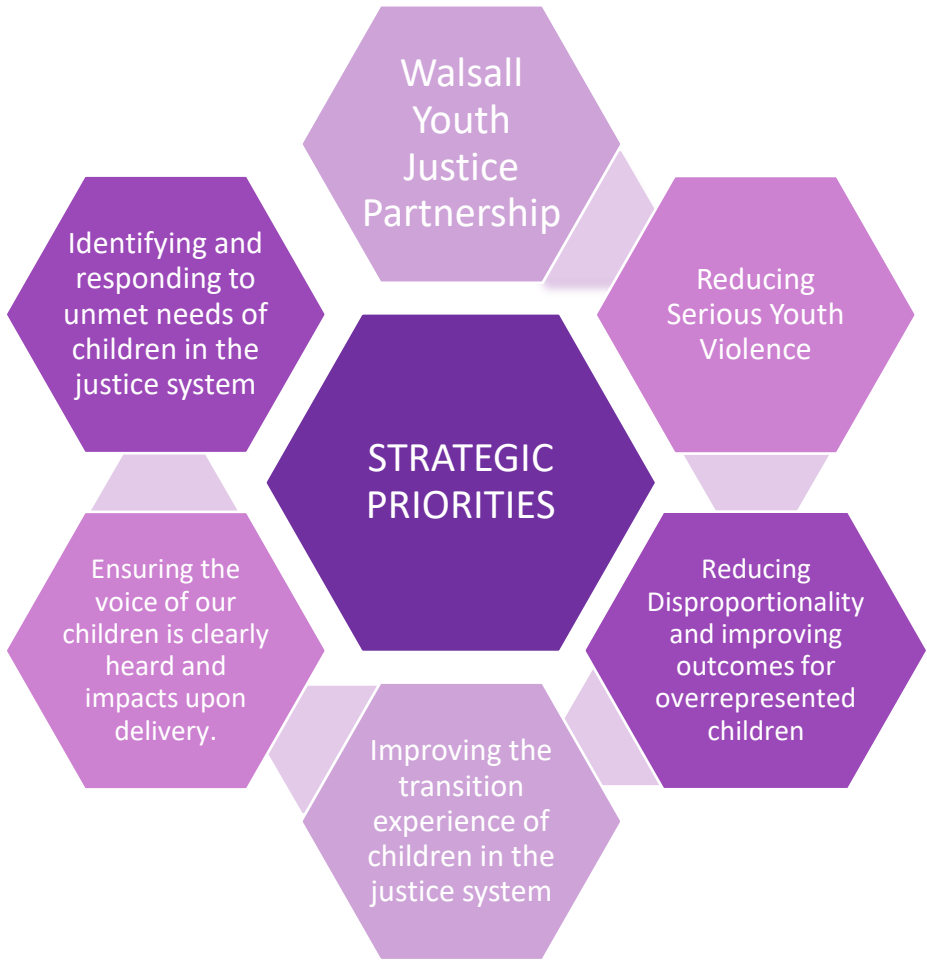
Our children have told us that often they feel unsafe in their neighbourhoods and that they carry knives as this makes them feel safer. Serious youth violence within their communities is a priority for them. The children that we have consulted with overwhelmingly believe that one of the major contributing factors to the increase in youth violence is that there is a lack of positive activities for them in their communities. As a Youth Justice Service, we recognise the need to have a strong and varied positive activity offer for our children which includes sport, music and other projects. We also know that the children we work with can be additionally vulnerable to exploitation or

abuse outside of the family or school environment. This can take a variety of different forms including exploitation by criminal gangs such as county lines; trafficking; online abuse; sexual exploitation and radicalisation. As a key partner within the Exploitation Hub and daily exploitation triage, we are working together to identify and respond to safeguarding risks as soon as possible. As first responders our practitioners' complete referrals through the National Referral Mechanism (NRM) and undertake exploitation assessments. The YJS has also established a clear pathway between exploitation triage and the YJS partnership panel to offer diversion where appropriate.

Our youth justice partnership recognises that our health pathways for children in the justice system in Walsall need to improve and level up with other local authorities in the Black Country. Speech, language and communication provision and pathways need to be further developed locally. The partnership has identified this as a key priority for 2022 to 2025. We have secured Public Health funding for a school nurse post for the YJS and have established a speech and language offer through the Virtual School. This being said, we still have a lot of work to do to increase our health resource to a comparable level with other services in the West Midlands.

## 15. Looking forward

Walsall youth justice partnership are a forward-facing learning organisation that has a Child First Vision at its heart. We have aligned our priorities with our strategic partners, and we have listened to our young people and practitioners that experience the justice system every day. We are one year into our 3-year plan and recognise the hard work needed to make a long-lasting difference to children in the justice system.



The YJS partnership recognise that these priorities will take time and as such we have published a 3-year plan. We know it will require investment and energy to achieve positive change. Our YJS board members, managers and practitioners are committed to the child first vision and to improving outcomes for our children.

❖ **Transitions and Resettlement.**

Strategic Lead: Head of Probation

This priority is aligned to the Safer Walsall Partnership reducing re-offending priority and the regional Transition 2 Adulthood policy framework.

❖ **Reducing Serious Youth Violence:**

Strategic Lead: Superintendent Walsall Police.

This priority is aligned to the Safer Walsall Partnership and recognises the Serious Violence Duty (2021) and the delegated responsibilities on agencies and partnership.

❖ **Disproportionality**

Strategic Lead: Head of Service – Children’s Social Care.

This priority is linked to the Council’s Corporate Equality Group and objectives within the Corporate Plan 2022-25.

❖ **Identifying and responding to unmet need (health).**

Strategic Lead: Head of CAMHS commissioning

Our partnership recognises that there is a clear need to ‘level up’ health provision for Walsall children in line with the Black country and regional developments.

❖ **Voice of our children**

Strategic Lead: YJS Strategic Lead



Following the findings of the HMIP assurance review in 2021, the partnership is committed to better evidencing how we hear and are responsive to the voices of our children both strategically and operationally.

Walsall YJS Performance and Partnership Board are determined to improve its governance of the partnership in line with HMIP inspections standards and reviewed governance from the Youth Justice Board. As such we have reviewed the terms of reference for the Board and its members, and we have created a new infrastructure where full board meetings are focussed upon individual themed priorities. Underneath this model, the strategic leads identified above will chair sub-groups based upon the priorities to drive forward progress.

For 2022 onwards, Board members want to be more involved in service delivery and better understand the complex lives of the children we support. Therefore, we have reviewed our Board member induction pack and, in addition to the priority sub-groups, introduced a series of observations and participation activities for Board members with the practitioners and managers within the YJS. To further improve our understanding of the lived experience of our children we have identified hearing their voice as a priority for 2022 and we are exploring different ways to highlight their stories and bring their voices closer to strategic decision makers.

These are exciting developments for Walsall’s youth justice partnership in 2023. The Youth Justice Service practitioners and managers, alongside our strategic board members, are committed to driving forward delivery for children in the justice system and continuing to improve their outcomes.

## 16. Sign off, submission and approval

Chair of YJS Board	Sally Rowe- Executive Director of Childrens Services	Phil Rutherford- YJS Strategic Lead
Signature		
Date	04.09.2023	28.07.2023

## 17. Appendices

### Appendix 1

#### **Current YJS Performance and Partnership Board membership:**

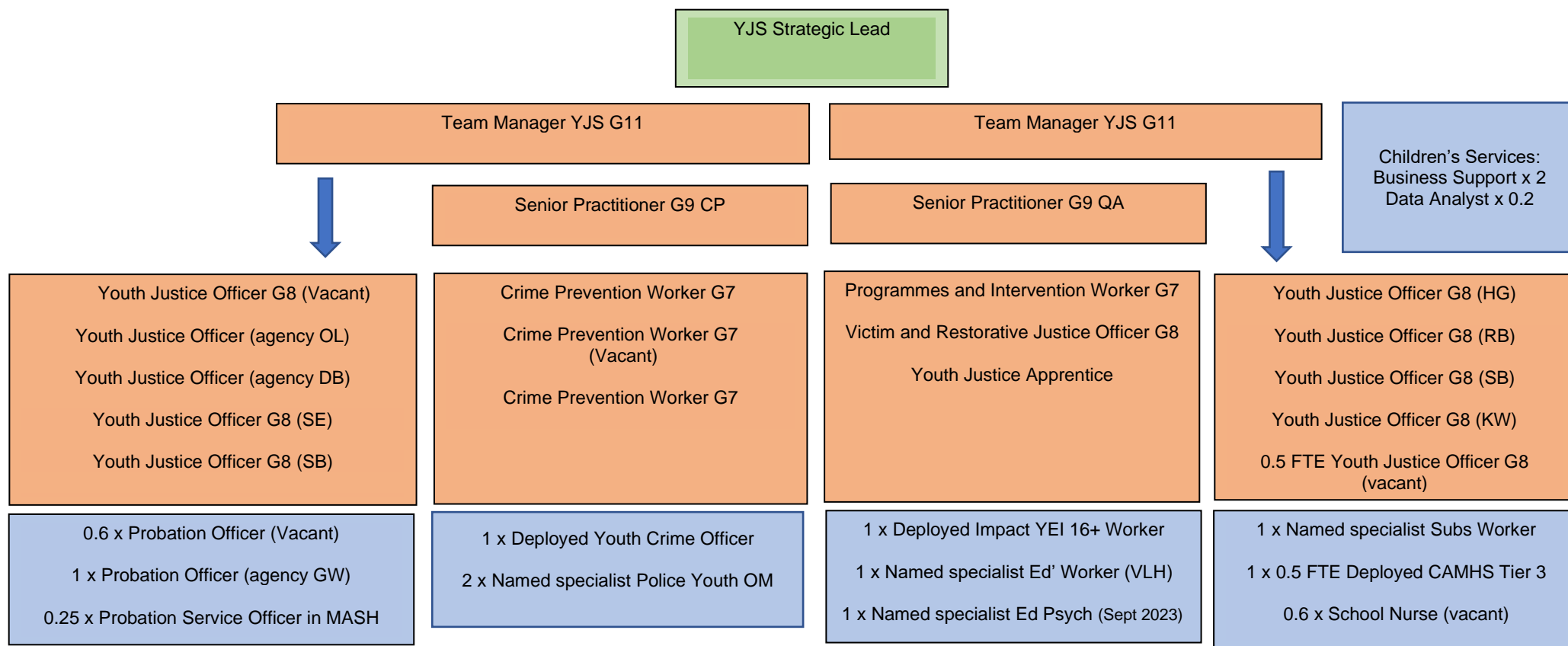
- West Midlands Police – Superintendent
- National Probation Service – NPS lead for the Black Country
- Child & Adolescent Mental Health Services- Head of Commissioning
- Child & Adolescent Mental Health Services- Clinical Lead
- Black Country Magistrates Youth Panel Chair
- Head of Safeguarding – HMYOI Werrington
- Local Authority –
  - Director of Children’s Services (Chair)
  - Public Health – Lead Consultant
  - Head of Resilient Communities
  - Community Safety Manager
  - Education- Director of Access and Achievement
  - Education- Virtual School Lead
  - Education- Head of Inclusion
  - 16+ Education- Employment and Skills Manager

#### Supporting Officers-

- Youth Justice Service Strategic Lead, Walsall Children’s Services
- Youth Justice Service Team Managers
- Youth Justice Board- Head of Innovation and Engagement
- Local Authority Accountant – finance.
- Local Authority Performance Officer
- Administrative Support, Youth Justice Service

<b>Last 4 Performance &amp; Partnership Board Meeting Attendees</b>					
<b>Name</b>	<b>Job Title</b>	<b>10/05/2022</b>	<b>23/09/2022</b>	<b>17/02/2023</b>	<b>14/06/2023</b>
Sally Rowe (Chair)	Director of Children's Services	x	x		x
Frances Bate	Team Manager, Walsall Youth Justice Service	x	x		
Phil Rutherford	Strategic Lead, Youth Justice Service (YJS)	x	x	x	x
Mamps Gill	YJB, Head of Region for Midlands	x	x	x	x
Lorraine Thompson	Virtual Schools for Looked After Children	x		x	x
Lee Allen	Senior Performance Officer, Children & Social Care	x	x		
Samantha Jones	Superintendent for West Midlands Police	x			
Lee Westlake	Special Advisor to the P&P Board Meeting	x	x	x	x
David Elrington	Regulatory Services Manager	x	x		
Leanne Barnet	Deputy Head of Walsall & Wolverhampton Probation Service	x			
Helena Kucharzyk	Head of Service, QA and Performance Improvement	x		x	
Margaret Courts	Head of CAMHS Commissioning for the Black Country And West Birmingham CCG	x	x	x	x
Ann Williams	Finance- accountant	x			
Isabel Vanderheeren	Director of Early Help Partnership Children's Services	x	x	x	x
Jane Kaur-Gill	Employment & Skills Manager, Regeneration	x			
Zoe Morgan	Head of Service for Health, Protection & Support	x	x		x
Mark Patrick	Team Manager, Walsall Youth Justice Service	x			
Khalique Shah	Business Support Officer	x	x	x	x
Tanya Collier	Lead Accountant, Children's Services		x		
Sharon Kelly	Director of Access & Inclusion, Children's Services		x	x	
Paramjit Bains	Chair of Black Country Youth Panel		x		x
Shona Chand	Victim Liaison Officer, Walsall Youth Justice Service		x	x	
Daina Anderson	Founder & CEO of Open Lens Media		x		
Natalie Lau	Head of Walsall & Wolverhampton Probation		x	x	x
Malachi Edwards	Young person		x		
Kelly Rutherford	Senior Practitioner, Walsall Youth Justice Service			x	
Samuel Booth	Apprentice, Walsall Youth Justice Service			x	
Emma Thomas	Deputy Head of Service & Partnership Lead for Business Insights			x	
Nadia Ingles	Consultant in Public Health – Inequalities & Mental Well-being			x	x
Emma Fletcher	Seconded Service Manager & Clinical Lead, Walsall CAMHS			x	
Steve Gittins	Community Safety Manager, Walsall Council			x	x
Esther Higdon	Public Health for Children & Young People			x	
Rob Thomas	Head of Access & Education			x	
Maria Kilcoyne	Associate Director for Safeguarding & Partnerships			x	x
Jonathan Parkes	Head of Safeguarding - Werrington YOI				x
David McNally	Youth Justice Board- regional advisor				x
Pervez Mohammed	West Midlands Police- Superintendent				x
Ricky Otto	Disproportionality Resettlement Officer				x
John O'Connor	Team Manager – Walsall YJS				x

## Walsall Youth Justice Service- Structure Chart June 2023



Position (no known disabilities)	Sex	Ethnicity
Strategic Lead	Male	White
Team Managers	1 x male and 1 x female	2 x White
Senior Practitioners	2 x female	2 x White
Youth Justice Officers	7 x female	2 x white, 3 x black, 1 x Asian, 1 x mixed (1.5 x vacancy)
Crime Prevention Workers	2 x female	1 x white, w x Asian (1 x vacancy)
Programme Worker	Male	Black



### Appendix 3

#### Safer Lives Survey Summary 2023:

Exposure to violent media: 53% of young people surveyed stated that they saw violent images or videos on social media on a daily basis. 60% watched violent TV or films that contained violence on a weekly basis and 40% played violent computer games on a weekly basis. Over 90% of young people surveyed listened to violent lyrics each day.

Exposure to violence in daily life: 40% of the young people had seen violence within their school or college on a monthly basis, with only 2 stating that this occurred each week. The majority (40%) had seen violence within the local neighbourhood during the past month, with 27% stating this occurred on a weekly basis. When considering violence in other areas, similarly, 40% had experienced violence each month, 13% had experienced violence in other areas.

How safe do our young people feel?: 40% of young people surveyed expressed that they felt safe within their school or college with 40% stating that they neither felt safe or unsafe. 53% neither felt safe or unsafe in the local area or surrounding areas. With 13% stating that they felt very unsafe in their local area.

The people they know: All children surveyed knew someone who had previously been the victim of serious violence and someone who needed hospital treatment. 20% of young people stated that they know 10 or more young people who had been the victim of violence. 60% of the young people knew at least one person who carried a knife, with 40% knowing someone involved in the supply of drugs. The majority of young people in the survey felt they could talk to their parents if they were worried about violence. Only 2 of the young people felt confident in approaching the police. Majority of young 73% would turn to a friend and 27% felt they could talk to their YJS worker.

#### What is important to our young people:

Only 7% of young people thought that the Police make the lives of young people safer. 40% of young people surveyed did not feel that young people should be sent to prison if found in possession of a knife. A staggering 73% thought that young people carry knives to feel safe. 53% of young people felt that working hard on education and getting good grades was important. 40% felt that having expensive clothes and jewellery was not important to them, with 27% believing they are important. Positively 87% of young people felt that they could talk to their parents/carers if they were worried about violence.

What would they do to make things safer? 40% of the young people believed that banning knives/taking knives off the streets would make things safer. 14% acknowledged that having activities/youth clubs in the community would help. 14% of young people identified that listening more and understanding the reasons why young people carry knives would be helpful in tackling the issue. Knives featured in over 70% of the responses received with all identifying more awareness is needed.

## Appendix 4

### Breakdown of expenditure to accompany certificate, 2022-23

#### Walsall

INCOME	Youth Justice Board <sup>1</sup>	Local Authority	Police	Police and Crime Commissioner	Probation	Health	Welsh Government	Other	Total
Cash	£467,647	£591,988	£21,888	£76,885	£5,000				£1,163,408
In-kind									£0
<b>Total income</b>	<b>£467,647</b>	<b>£591,988</b>	<b>£21,888</b>	<b>£76,885</b>	<b>£5,000</b>	<b>£0</b>	<b>£0</b>	<b>£0</b>	<b>£1,163,408</b>

1. This includes *all* grants received from YJB

If possible, please provide a breakdown against each funding source. If this information is not retained, please give details of the total amounts spent against each area.

EXPENDITURE	Youth Justice Board <sup>2</sup>	Local Authority	Police	Police and Crime Commissioner	Probation	Health	Welsh Government	Other	Total
Salaries	£349,537	£421,264	£21,888	£76,885					£869,574
Activity costs	£9,907	£9,916							£19,823
Accommodation	£0								£0
Overheads	£102,538	£147,556			£5,000				£255,094
Equipment	£5,665	£13,252							£18,917
<b>Total expenditure</b>	<b>£467,647</b>	<b>£591,988</b>	<b>£21,888</b>	<b>£76,885</b>	<b>£5,000</b>	<b>£0</b>	<b>£0</b>	<b>£0</b>	<b>£1,163,408</b>

2. Figures provided in sheet (1a), *plus sheet (1b) if applicable*

## Appendix 5

<b>A joint inspection of education, training &amp; employment services in youth offending teams in England &amp; Wales, A review by HM Inspectorate of Probation June 2022.</b>	
YJS management boards should:	What we did:
Ensure that all children have a comprehensive ETE assessment.	All children that enter the YJS have an assessment of their ETE. Where issues are highlighted, a comprehensive assessment is completed by the Virtual School & Inclusion Hub, including those on remand in custody (PEPs). This ensures that where needs are identified these are promptly shared with establishments to make sure the child is receiving the correct level of support.
Monitor, alongside the local authority, key aspects of ETE work for children working with the YJS, including school exclusion, level of attendance, extent of additional support provided to children with SEN/ ALN, ECHP reviews.	<p>YJS and VLH meet on a monthly basis to discuss primarily those children that are of concern, regarding low attendance, exclusions, SEN/EHCP including children that are remanded into custody. VLH pro-actively attend professionals' meetings, risk discussions &amp; remand meetings to ensure children/families are being offered appropriate support. They also work closely with Youth Justice staff to offer support &amp; guidance when managing complex situations.</p> <p>Monthly monitoring of EHCPs has been introduced to ensure that reviews are completed in line with timescales, where this does not occur this is escalated via the appropriate channels. Monthly YJS performance scorecard allows us to monitor and pick up any trends or issues. The scorecard breaks down types of provisions, no. of NEET children, attendance, SEN and EHCP's.</p>
Develop ambitious aims for ETE work in the YJS, including the achievement of Level 2 English and Maths by every child.	For some children when they enter the YJS, we know that their schooling has been disrupted for reasons such as exclusion, managed moves or poor attendance. We work hard, through Black Country Impact & the Local Authority Walsall Works employment & skills offer, to ensure children are offered opportunities to complete their Level 2 in English and Maths, alongside other key skills/training. Going into 2023/24, we need to further develop our pathways for post 16 children.
Establish a greater range of occupational training opportunities for those children beyond compulsory school age	<p>The YJS have introduced a training pathway for black and mixed heritage boys, the Triangle Trust Pathway, via Open Lens. This supports our transition for children into adulthood up to the age 29.</p> <p>Black Country Impact offers advice &amp; guidance to children post 16, identifying their interests, strengths, abilities &amp; supporting them into a provision/activity that best suits their needs.</p> <p>Virtual School works with children in care post 16 to offer advice &amp; guidance and support them to access appropriate provision/training.</p>
Monitor & evaluate the levels of educational engagement & attainment in disproportionately represented groups within the YOT caseload in order to develop improvement.	<p>YJS report on ETE status for all children including OOC &amp; Turnaround.</p> <p>Open Lens work with boys from black and mixed heritage boys as we understand &amp; acknowledge that they may require a different type of support.</p>

**A thematic review of the work of youth offending services during the COVID-19 pandemic A review by HM Inspectorate of Probation November 2020**

YJS management boards should:	What we did:
Identify the backlog of cases that are being processed through courts, and ensure that there is sufficient workforce capacity to deal with increased caseloads	The backlog within the Youth Court was quickly worked through by the summer of 2021. Court staff were provided with the technology to engage virtually and attended Court in person. Caseloads consistently monitored and resources re-purposed for the increase in Out of Court Disposals
Work with partners to include children who are defined as high vulnerability by YOTs within the local definition of vulnerable children.	Children in the YJS cohort were defined locally as highly vulnerable and our partner the Virtual School prioritised support this group.
Consider how this group of children are to be reintroduced to school, education and employment and how any attainment gap is to be addressed.	YJS children were provided with the opportunity to receive laptops to enable them to better re-engage with school. School hours, attendance and placement suitable monitored on a monthly basis.
YJSs should:	
Routinely assess children's access to IT and remote communication methods as a standard part of assessments.	QA process updated to ensure that upon entering the YJS children were assessed for IT capability.

**The experiences of black and mixed heritage boys in the youth justice system A thematic inspection by HM Inspectorate of Probation October 2021**

YJS partnership boards should:	What we did:
have a vision and strategy for improving outcomes for black and mixed heritage boys, and make sure these are understood by staff and partner agencies	Funding through the PCC and SWP has enabled the YJS to work with a local organisation to develop our Disproportionality Strategy in 2022
ensure that all board members contribute data from their individual services that identifies areas of disproportionality and the action being taken to address them, and that this data is used to develop a joint strategic needs assessment	Following the YJS ethnicity analysis, children's services commissioned analysis from across all part of CS, including education and supported this will a full locality analysis
have a joint set of targets, for example with children's services, for improving service delivery for these boys, and make sure mechanisms are in place to monitor and evaluate outcomes.	Reducing disproportionality remains a priority for the YJS with a Board member, (Head of Children's Social Care) taking strategic lead for this work across the partnership
YJS managers should:	
establish effective processes for gaining feedback from black and mixed heritage boys on the services they receive and use this feedback to	The role of the YJS apprentice is to gather the views of our children. Our work with Open Lens will have a child steering group to gather feedback from children as part of the engagement and development programme to establish legacy

assess, review and improve the quality and suitability of service provision	
make sure that 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	YJS staff have been trained in engaging our black children and we undertook commissioned unconscious bias training. Further training is planned for 2022 and we are working local community leaders to support this.
improve the quality of management oversight to make sure it is sufficiently focused on diversity, what this means in practice and that there are clear escalation routes to address any barriers to black and mixed heritage boys accessing services	Audit tools and QA gatekeeping tools have been amended to improve our oversight of this cohort of children. We have also undertaken audits based on the recommendations of this thematic review
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	We have commissioned specialist provision for our black and mixed heritage boys- an engagement and development programme based on improving ETE skills through media.
offer suitable support and intervention to the parents/carers of black and mixed heritage boys and review the suitability of this provision	We have continued to work with first class legacy during 2021 to refer parents to the kitchen table talks programme

## Common youth justice terms

Please add any locally used terminology

<b>ACE</b>	Adverse childhood experience. Events in the child's life that can have negative, long lasting impact on the child's health, and life choices
<b>AIM 2 and 3</b>	Assessment, intervention and moving on, an assessment tool and framework for children who have instigated harmful sexual behaviour
<b>ASB</b>	Anti-social behaviour
<b>AssetPlus</b>	Assessment tool to be used for children who have been involved in offending behaviour
<b>CAMHS</b>	Child and adolescent mental health services
<b>CCE</b>	Child Criminal exploitation, where a child is forced, through threats of violence, or manipulated to take part in criminal activity
<b>Children</b>	We define a child as anyone who has not yet reached their 18th birthday. This is in line with the United Nations Convention on the Rights of the Child and civil legislation in England and Wales. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate, does not change their status or entitlements to services or protection.
<b>Child First</b>	A system wide approach to working with children in the youth justice system. There are four tenants to this approach, it should be: developmentally informed, strength based, promote participation, and encourage diversion
<b>Child looked-after</b>	Child Looked After, where a child is looked after by the local authority
<b>CME</b>	Child Missing Education
<b>Constructive resettlement</b>	The principle of encouraging and supporting a child's positive identity development from pro-offending to pro-social
<b>Contextual safeguarding</b>	An approach to safeguarding children which considers the wider community and peer influences on a child's safety
<b>Community resolution</b>	Community resolution, an informal disposal, administered by the police, for low level offending where there has been an admission of guilt
<b>EHCP</b>	Education and health care plan, a plan outlining the education, health and social care needs of a child with additional needs
<b>ETE</b>	Education, training or employment
<b>EHE</b>	Electively home educated, children who are formally recorded as being educated at home and do not attend school

<b>EOTAS</b>	Education other than at school, children who receive their education away from a mainstream school setting
<b>FTE</b>	First Time Entrant. A child who receives a statutory criminal justice outcome for the first time (youth caution, youth conditional caution, or court disposal)
<b>HMIP</b>	Her Majesty Inspectorate of Probation. An independent arms-length body who inspect Youth Justice services and probation services
<b>HSB</b>	Harmful sexual behaviour, developmentally inappropriate sexual behaviour by children, which is harmful to another child or adult, or themselves
<b>JAC</b>	Junior Attendance Centre
<b>MAPP</b>	Multi agency public protection arrangements
<b>MFH</b>	Missing from Home
<b>NRM</b>	National Referral Mechanism. The national framework for identifying and referring potential victims of modern slavery in order to gain help to support and protect them
<b>OOCD</b>	Out-of-court disposal. All recorded disposals where a crime is recorded, an outcome delivered but the matter is not sent to court
<b>Outcome 22/21</b>	An informal disposal, available where the child does not admit the offence, but they undertake intervention to build strengths to minimise the possibility of further offending
<b>Over-represented children</b>	Appearing in higher numbers than the local or national average
<b>RHI</b>	Return home Interviews. These are interviews completed after a child has been reported missing
<b>SLCN</b>	Speech, Language and communication needs
<b>STC</b>	Secure training centre
<b>SCH</b>	Secure children's home
<b>Young adult</b>	We define a young adult as someone who is 18 or over. For example, when a young adult is transferring to the adult probation service.
<b>YJS</b>	Youth Justice Service. This is now the preferred title for services working with children in the youth justice system. This reflects the move to a child first approach
<b>YOI</b>	Young offender institution

## **Cabinet – 13 December 2023**

### **Treasury Management Mid-Year Position Statement 2023/24**

**Portfolio:** Councillor Ferguson – Internal Services

**Related portfolios:**

**Service:** Finance

**Wards:** All

**Key decision:** No

**Forward plan:** Yes

#### **1. Aim**

1.1 The council is required through regulations issued under the Local Government Act 2003 to produce a mid-year position statement reviewing treasury management activities and prudential and treasury indicator performance. The Treasury Management mid-year position statement at Appendix A provides Cabinet with these details and meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

#### **2. Summary**

2.1. This report sets out the council's 2023/24 mid-year position statement for treasury management activities (Appendix A) and a summary of performance against set targets (Appendix B).

2.2. The net position for capital financing is an expected underspend against the 2023/24 budget of £2.080m. In addition to the underspend there is a forecast net transfer to reserves of £5.720m to fund future years borrowing costs and to mitigate any risk arising from the removal of the statutory override in relation to property fund valuations.

#### **3. Recommendations**

3.1 That Cabinet notes and forward to Council, for consideration and noting (and in line with the requirements of the Treasury Management Code of Practice (2021)), the mid-year position statement for treasury management activities 2023/24 including prudential and local indicators (Appendix A).



## 4. Report detail - know

### Context

- 4.1 The council's Treasury Management service is responsible for maintaining the council's cash flow and banking arrangements, alongside management of its borrowing and investment requirements.
- 4.2 In terms of cash flow, the council is required to set a balanced budget each year, which broadly means cash raised during the year will be in line with its budgeted expenditure. As such the role of the treasury management service within that is to ensure this cash flow is adequately planned, and that cash is available to meet expenditure as required.
- 4.3 Effective cash flow planning allows the authority to understand how long it will have surplus balances available to it, and to undertake investments (in line with the Treasury Management Policy Statement – approved by Council in February 2023) in the interim period which can generate income for the authority.
- 4.4 In relation to any borrowing requirements, these are linked to the council's approved capital programme, with the treasury management service identifying the associated borrowing requirement and the most effective method to fund that - which may involve arranging long or short term loans, or using longer term cash flow surpluses (known as internal borrowing).
- 4.5 In line with the Treasury Management Code of Practice (2021) there are a number of reports relating to the performance of the treasury management service that are required to be produced and reported publicly each year. One of these is a requirement to publish a Treasury Management Mid Year Position statement, and this is provided within the report attached at Appendix A – with the following points summarising key areas of performance within that:
- The mid year position statement meets the requirement of both the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities.
  - The banking environment has improved during 2023/24 with interest rates offered on investments continuing to increase without any corresponding increase in counter party risk. From 2 February 2023 to 30 September 2023 there have been 5 Bank of England base rate increases, taking the bank rate at that point to 5.25%, with forecasts at that time expecting rates to remain at this same level in March 2024.
  - The authority has continued to identify appropriate new areas of investment opportunity which, together with investment income rates being higher than budgeted (as a result of the successive changes in the base rate), has led to a significant over achievement on average cash investment performance, which is forecast to deliver a positive return of £0.680m above the budget set

for the year. The average investment income rate on all cash investments as at 30 September 2023 was 4.56%, compared to the average for 2022/23 of 2.05% and a budgeted rate of 2.50%.

- Savings are forecast to be made on interest payable costs with £5.038m expected to be transferred to reserves at 30 September 2023 to support future cost pressures and risks. These savings are due to a planned budgeted transfer to reserves as well as a result of the council choosing to utilise its cash balances to fund capital expenditure rather than borrowing externally as originally budgeted for.

## **5. Council Plan priorities**

- 5.1 Sound financial management of the council's cash balances supports the delivery of council priorities within the council's available resources.

## **6. Risk management**

- 6.1 Treasury management activity takes place within a robust risk management environment, which enables the council to effectively maximise investment income and minimise interest payments without undue or inappropriate exposure to financial risk. It is recognised that the management of risk is as important as maximisation of performance and it is essential that the council has the right balance of risk and reward when making investment decisions. This is supported by treasury management policies which seek to manage the risk of adverse fluctuations in interest rates and safeguard the financial interests of the council.

- 6.2 Uncertainty for interest rates and within the financial markets continues to create risk with a period of high inflation and continually increasing interest rates. The Bank of England is expected to keep interest rates at the current peak of 5.25% until the second half of 2024 and decline gradually following this. The Council has responded to this risk by reviewing the counterparties that it utilises for investments to minimise the risk to any one counter party or class of counter party, and by utilising cash balances as a first call rather than taking out new borrowing to fund capital expenditure.

## **7. Financial implications**

- 7.1 Treasury management activity forms part of the council's financial framework and supports delivery of the medium term financial strategy. Treasury management performance and activity is reviewed through both the treasury management annual report and the mid-year performance review report.

- 7.2 The financial position set out at the mid year point, as at 30 September 2023, shows a forecast positive variance for the service against the budget available for the year of £2.080m, with details of the reasons for that set out within the 'Treasury Management Mid Year Review' report attached at Appendix A.

## **8. Legal implications**

8.1 The council is required to have regard to the Prudential Code under the duties outlined by the Local Government Act 2003. One requirement of the Prudential Code is that the council should comply with the CIPFA Code of Practice for Treasury Management. The council adopted the original treasury management code in 1992 alongside further revisions to the Code in 2002, 2010, 2017 and 2021.

## **9. Procurement Implications / Social Value**

9.1 None directly relating to this report.

## **10. Property implications**

10.1 None directly relating to this report.

## **11. Health and wellbeing implications**

11.1 None directly relating to this report.

## **12. Staffing implications**

12.1 None directly relating to this report.

## **13. Reducing Inequalities**

13.1 No issues directly relating to this report.

## **14. Climate Change**

14.1 No issues directly relating to this report.

## **15. Consultation**

15.1 The report has been approved by the finance treasury management panel, an internal governance arrangement comprising the S151 Officer, Director - Finance Corporate Performance & Corp Landlord and relevant Heads of Finance.

## **16. Decide**

16.1 In line with the Treasury Management Code of Practice (2021) there are a number of reports that are required to be produced and reported publicly each year. The Treasury Management Mid-Year Position statement forms one of these requirements and as such is being reported to Cabinet for noting and forwarding on to Council for consideration.

## 17. Respond

17.1 This report is not seeking approval of a decision, in line with the Treasury Management Code of Practice (2021) it is required to be reported for noting and forwarding to Council for consideration.

## 18. Review

18.1 In line with Treasury Management Code of Practice (2021) this is a backward looking document looking at performance over the first six months of the current financial year and a further report on performance will be provided each year in line with the requirements of the Code.

## Background papers

Various financial working papers

Corporate Budget Plan 2023/24 to 2026/27, incorporating the Capital Strategy, and the Treasury Management and Investment Strategy 2023/24 – Council 23/02/23

## Author

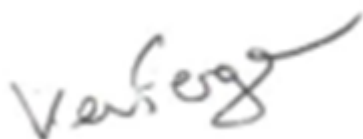
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**Councillor K Ferguson**  
Portfolio holder

**13 December 2023**

## Appendix A

### Treasury Management Mid-Year Review

#### Summary

In line with the Treasury Management Code of Practice (2021) requirements, this report provides an overview of treasury management performance between 31 March 2023 and 30 September 2023, including an overview of the borrowing and investment position for the authority, the budgetary position of the treasury management service, an economic update and a summary of delivery against performance targets approved for the year.

#### Borrowing and Investments

Table 1 shows borrowing and investments held at 31 March 2023 and 30 September 2023. The table shows that net borrowing has reduced by £30m during this period. The reduction is predominantly due to maturities of long-term borrowing with PWLB, and other maturities for loans taken out to meet the cash flow requirements related to the upfront pension payment made in April 2020.

The forecast borrowing position for the year end shows that since 31 March 2023 borrowing levels are expected to increase by £10m overall. Borrowing of £40m to support the capital programme is expected to be undertaken during the latter half of the year, resulting in a net increase of £10m borrowing over this financial year.

The investment balance for the period to 30 September 2023 has decreased by approximately £26m. The authority has delayed borrowing to support the capital programme due to the high interest rate environment, this has led to reduced investment balances. This reduction is in line with the budgeted assumptions for the year which included a plan to ensure that cash balances were maintained at an appropriate and robust level in line with expected cashflows projected for the year. This is also linked to the cashflow profile for local authorities where a large proportion of income is normally received at the start of the year (with upfront funding provided to the authority in relation to a number of grants, and with a large number of individuals and businesses choosing to make early payments of council tax and business rates invoices etc), with corresponding expenditure normally being spread across the year.

The forecast investment position for the year end shows that investment balances are expected to decrease further as we approach 31 March 2024 as payments on capital schemes are made and less income is profiled to be raised (and therefore collected) during the period, however these balances are sufficient and in line with budgeted expectations.

**Table 1**

<b>Borrowing</b>	<b>31-Mar-23</b>	<b>30-Sep-23</b>	<b>Change in year</b>	<b>Forecast 31-Mar-24</b>	<b>Forecast Change 31-Mar-23 to 31-Mar-24</b>
	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>
PWLB	174.365	154.365	(20.000)	154.365	(20.000)
Private Loans	75.000	75.000	0.000	75.000	0.000
Other Loans	16.226	6.226	(10.000)	46.226	30.000
<b>Total Borrowing</b>	<b>265.591</b>	<b>235.591</b>	<b>(30.000)</b>	<b>275.591</b>	<b>10.000</b>
<b>Investments</b>	<b>31-Mar-23</b>	<b>30-Sep-23</b>	<b>Change in year</b>	<b>Forecast Position 31-Mar-24</b>	<b>Forecast Change 31-Mar-23 to 31-Mar-24</b>
	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>
At-call	47.771	45.323	(2.448)	31.477	(16.294)
Short term	58.000	34.500	(23.500)	10.000	(48.000)
Long term	5.000	5.000	0.000	5.000	0.000
Property funds	30.000	30.000	0.000	30.000	0.000
<b>Total Investments</b>	<b>140.771</b>	<b>114.823</b>	<b>(25.948)</b>	<b>76.477</b>	<b>(64.294)</b>
<b>Net Position (Borrowing less Investment)</b>	<b>124.820</b>	<b>120.768</b>	<b>(4.052)</b>	<b>199.114</b>	<b>74.294</b>

## Capital Financing Budget Update

Table 2 below shows the mid-year revenue outturn forecast for treasury management capital financing. Prior to any transfer to or from reserves there is an expected underspend of £7.214 within capital financing. £5.720m is forecast to be transferred to reserves to fund future years borrowing costs and to mitigate any risk arising from the removal of the statutory override in relation to property fund valuations. The underspend is due to a budgeted transfer to reserves, a saving on borrowing interest costs by delaying borrowing, along with over achievement of interest income on investments. £0.009m is also being utilised to fund upfront pension payments from April 2020. As at 30 September 2024 a net underspend of £2.080m is forecast.

The Minimum Revenue Provision (MRP) charge for the year is forecast to be £0.577m over budget, however this was expected and a transfer from reserves equal to the forecast overspend is therefore planned to manage that. This transfer from reserves is a continuation of the release of the c.£24m savings identified as a result of the MRP review in 2015/16 and c.£21m savings identified as a result of the MRP review in 2020/21.

**Table 2**

Service Description	Full Year Forecast	Annual Budget	Forecast Variance	Transfer (from) / to reserves	Net Forecast Variance
	£m	£m	£m	£m	£m
Interest Payable	10.265	17.374	(7.109)	5.029	(2.080)
Investment Returns	(5.264)	(4.582)	(0.682)	0.682	(0.000)
Allocation of interest on internal balances	0.138	0.138	0.000	0.000	0.000
Other Local Authority Debt	2.296	2.296	0.000	0.000	0.000
Treasury Management costs	0.020	0.020	0.000	0.000	0.000
Bank charges	0.136	0.136	0.000	0.000	0.000
Minimum Revenue Provision	10.042	9.465	0.577	(0.577)	0.000
<b>Total</b>	<b>17.633</b>	<b>24.847</b>	<b>(7.214)</b>	<b>5.134</b>	<b>(2.080)</b>

### **Economic update provided by the Council's external Treasury Management Partner as at September 2023**

- The first half of 2023/24 saw:
  - Interest rates rise by a further 100 basis points, taking Bank Rate from 4.25% to 5.25% and, possibly, the peak in the tightening cycle.
  - Short, medium and long-dated gilts remain elevated as inflation continually surprised to the upside.
  - A 0.5% month/month decline in real Gross Domestic Product (GDP) in July, mainly due to more strikes.
  - Consumer Price Index (CPI) inflation falling from 8.7% in April to 6.7% in August, its lowest rate since February 2022, but still the highest in the G7.
  - Core Consumer Price (CPI) Index inflation declining to 6.2% in August from 7.1% in April and May, a then 31 years high.
  - A cooling in labour market conditions, but no evidence yet that it has led to an easing in wage growth (as the 3 month year/year growth of average earnings rose to 7.8% in August, excluding bonuses).
- The 0.5% month/month fall in Gross Domestic Product (GDP) in July suggests that underlying growth has lost momentum since earlier in the year. Some of the weakness in July was due to there being almost twice as many working days lost to strikes in July (281,000) than in June (160,000). But with output falling in 10 out of the 17 sectors, there is an air of underlying weakness.
- The fall in the composite Purchasing Managers Index from 48.6 in August to 46.8 in September left it at its lowest level since COVID-19 lockdowns reduced activity in January 2021. At face value, it is consistent with the 0.2% quarter/quarter rise in real

Gross Domestic Product (GDP) in the period April to June, being followed by a contraction of up to 1% in the second half of 2023.

- The 0.4% month/month rebound in retail sales volumes in August is not as good as it looks as it partly reflected a pickup in sales after the unusually wet weather in July. Sales volumes in August were 0.2% below their level in May, suggesting much of the resilience in retail activity in the first half of the year has faded.
- As the growing drag from higher interest rates intensifies over the next six months, we think the economy will continue to lose momentum and soon fall into a mild recession. Strong labour demand, fast wage growth and government handouts have all supported household incomes over the past year. And with Consumer Price Index (CPI) inflation past its peak and expected to decline further, the economy has got through the cost-of-living crisis without recession. But even though the worst of the falls in real household disposable incomes are behind us, the phasing out of financial support packages provided by the government during the energy crisis means real incomes are unlikely to grow strongly. Higher interest rates will soon bite harder too. We expect the Bank of England to keep interest rates at the probable peak of 5.25% until the second half of 2024. Mortgage rates are likely to stay above 5.0% for around a year.
- The tightness of the labour market continued to ease, with employment in the three months to July falling by 207,000. The further decline in the number of job vacancies from 1.017m in July to 0.989m in August suggests that the labour market has loosened a bit further since July. That is the first time it has fallen below 1m since July 2021. At 3.0% in July, and likely to have fallen to 2.9% in August, the job vacancy rate is getting closer to 2.5%, which would be consistent with slower wage growth. Meanwhile, the 48,000 decline in the supply of workers in the three months to July offset some of the loosening in the tightness of the labour market. That was due to a 63,000 increase in inactivity in the three months to July as more people left the labour market due to long term sickness or to enter education. The supply of labour is still 0.3% below its pre-pandemic February 2020 level.
- But the cooling in labour market conditions still has not fed through to an easing in wage growth. While the monthly rate of earnings growth eased sharply from an upwardly revised +2.2% in June to -0.9% in July, a lot of that was due to the one-off bonus payments for NHS staff in June not being repeated in July. The headline 3 month year/year rate rose from 8.4% (revised up from 8.2%) to 8.5%, which meant UK wage growth remains much faster than in the US and in the Euro-zone. Moreover, while the Bank of England's closely watched measure of regular private sector wage growth eased a touch in July, from 8.2% 3month year/year in June to 8.1% 3 month year/year, it is still well above the Bank of England's prediction for it to fall to 6.9% in September.
- Consumer Price Index (CPI) inflation declined from 6.8% in July to 6.7% in August, the lowest rate since February 2022. The biggest positive surprise was the drop in core Consumer Price Index (CPI) inflation, which declined from 6.9% to 6.2%. That reverses all the rise since March and means the gap between the UK and elsewhere has shrunk (US core inflation is 4.4% and in the Euro-zone it is 5.3%). Core goods inflation fell from 5.9% to 5.2% and the further easing in core goods producer price inflation, from 2.2% in July to a 29-month low of 1.5% in August, suggests it will eventually fall close to zero. But the really positive development was the fall in services inflation from 7.4% to 6.8%. That also reverses most of the rise since March and takes it below the forecast of 7.2% the Bank of England published in early August.



- In its latest monetary policy meeting on 02 November, the Bank of England left interest rates unchanged at 5.25% for the second meeting in a row. Although inflation is still high, it has fallen from 11% in 2022 to 6.7% in September and is expected to fall further this year to around 4.5%. The minutes show the decision was “finely balanced”. Six MPC members voted for no change and the other three voted for a 25 basis point hike.
- Like the US Fed, the Bank of England wants the markets to believe in the higher for longer narrative. The statement did not say that rates have peaked and once again said if there was evidence of more persistent inflation pressures “further tightening in policy would be required”. Governor Bailey stated, “we’ll be watching closely to see if further increases are needed”. The Bank also retained the hawkish guidance that rates will stay “sufficiently restrictive for sufficiently long”.
- This narrative makes sense as the Bank of England does not want the markets to decide that a peak in rates will be soon followed by rate cuts, which would loosen financial conditions and undermine its attempts to quash inflation. The language also gives the Bank of England the flexibility to respond to new developments. A rebound in services inflation, another surge in wage growth and/or a further leap in oil prices could conceivably force it to raise rates at the next meeting on 2nd November, or even pause in November and raise rates in December.
- The yield on 10-year Gilts fell from a peak of 4.74% on 17th August to 4.44% on 29th September, mainly on the back of investors revising down their interest rate expectations. But even after their recent pullback, the rise in Gilt yields has exceeded the rise in most other Developed Market government yields since the start of the year. Looking forward, once inflation falls back, Gilt yields are set to reduce further. A (mild) recession over the next couple of quarters will support this outlook if it helps to loosen the labour market (higher unemployment/lower wage increases).
- The pound weakened from its cycle high of \$1.30 in the middle of July to \$1.21 in late September. In the first half of the year, the pound bounced back strongly from the Truss debacle last autumn. That rebound was in large part driven by the substantial shift up in UK interest rate expectations. However, over the past couple of months, interest rate expectations have dropped sharply as inflation started to come down, growth faltered, and the Bank of England called an end to its hiking cycle.
- The FTSE 100 has gained more than 2% since the end of August, from around 7,440 on 31st August to 7,608 on 29th September. The rebound has been primarily driven by higher energy prices which boosted the valuations of energy companies. The FTSE 100’s relatively high concentration of energy companies helps to explain why UK equities outperformed both US and Euro-zone equities in September. Nonetheless, as recently as 21<sup>st</sup> April the FTSE 100 stood at 7,914.

## Performance

The prudential and local indicators as at 30 September 2022 are shown in **Appendix B**. All indicators are currently being met with the exception of the following:

L8. Average Interest Received on STI vs at all rate 0.88%. Short term interest showing at 4.60% is 0.04% higher than the at-call rate which shows as 4.56%. However, the target rate for STI vs call rate shows at 35.00%. At the time these targets were set short term interest rates were significantly higher than at call rates. Also, as the call rate is increasing there are still active short-term investments placed over the past 12 months which are providing a much lower yield in comparison to current short term yields. Once these investments have matured (and potentially re-invested), we should see an increase in short term interest rate.

L11. Average rate on all investments (including the property fund) 4.47%. This is currently under the target rate of 4.54% but is expected to be met by the end of the year as short term deals are re-invested at higher rates in combination with increasing at call rates which have continued with the recent base rate increases.

The targets that these prudential indicators are monitored against have been taken from the Treasury Management and Investment Strategy for 2023/24 onwards.

### Prudential Indicators as at 30<sup>th</sup> September 2023

Prudential Indicator		Actual	Target	Actual Position at	Variance to target	
		2022/23	2023/24	31-March-24	Numerical Variance	% Variance
		£m	£m	£m		
<b>Pr1 1</b>	<b>Capital Expenditure</b>	96.31	135.60	<b>116.90</b>	-18.70	-14%
This indicator is required to inform the council of capital spending plans, it is the duty of a local authority to determine and keep under review the amount that it can afford to allocate to capital expenditure. Capital expenditure may be funded by grant, capital receipts and borrowing.						
<b>Pr1 2</b>	<b>Ratio of financing costs to net revenue stream</b>	<b>4.05%</b>	8.86%	<b>5.56%</b>	-3.30	-37%
<b>Financing costs - Divided by</b> (Interest charged on loans Less Interest earned on investments)		<b>Budget requirement</b> (Revenue Support Grant + NNDR +Council Tax)		<b>The ratio of financing costs to net revenue stream (General Fund) as a %</b>		
<b>Pr1 3</b>	<b>Estimates of the incremental impact of new capital investment decisions on Council Tax</b>	<b>£43.02</b>	£89.66	<b>£89.66</b>	0.00	0%
This is a notional amount indicating the amount of council tax band D that is affected by the capital programme in the budget report compared to existing approved commitments and current plans.						
<b>Pr1 4</b>	<b>Capital Financing Requirement</b>	<b>390.19</b>	433.11	<b>433.11</b>	0.00	0%
This represents the underlying level of borrowing needed to finance historic and future capital expenditure. It is updated at end of the financial year.						
<b>Pr1 5</b>	<b>Authorised Limit for external debt</b>	<b>474.39</b>	465.41	<b>465.41</b>	0.00	0%
The council may not breach the limit it sets, so it is important to allow prudent room for uncertain cash flow movements and borrowing in advance of future need.						
<b>Pr1 6</b>	<b>Operational Limit for external debt</b>	<b>431.25</b>	423.10	<b>423.10</b>	0.00	0%
This has been set at the level of the capital financing requirement less the CFR items relating PFI and finance leases.						
<b>Pr1 7</b>	<b>Gross Borrowing exceeds capital financing requirement</b>	<b>No</b>	<b>No</b>	<b>No</b>		
The CFR represents the underlying level of borrowing needed to finance historic capital expenditure. Actual net borrowing should be lower than this because of strong positive cash flow and balances. It would be a cause for concern if net borrowing exceeded CFR.						
<b>Pr1 8</b>	<b>Authority has adopted CIPFA Code of Practice for Treasury Management</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>		
To ensure that treasury management activity is carried out within best professional practice.						
<b>Pr1 9</b>	<b>Total principle sums invested for longer</b>	<b>5.0</b>	<b>25.0</b>	<b>5.0</b>		

	<b>than 364 days must not exceed</b>				
The council is at risk when lending temporarily surplus cash. The risk is limited by investing surplus cash in specified investments and by applying lending limits and high credit worthiness. These are kept under constant review.					
Prudential Indicator continued		Upper Limit	Lower Limit	Actual 2022/23	Actual Position at 31-March- 2024
Prl 10	Fixed Interest Rate Exposure	95.00%	40.00%	<b>98.14%</b>	<b>91.61%</b>
Prl 11	Variable Interest Rate Exposure	45.00%	0.00%	<b>1.86%</b>	<b>8.39%</b>
Prl 12	<b><i>Maturity Structure of Borrowing</i></b>				
	Under 12 months	25.00%	0.00%	<b>12.84%</b>	<b>8.16%</b>
	12 months and within 24 months	25.00%	0.00%	<b>12.24%</b>	<b>12.71%</b>
	24 months and within 5 years	40.00%	0.00%	<b>20.25%</b>	<b>17.58%</b>
	5 years and within 10 years	50.00%	5.00%	<b>0.00%</b>	<b>0.00%</b>
	10 years and above	85.00%	30.00%	<b>54.67%</b>	<b>61.55%</b>

## Local Indicators as at 30<sup>th</sup> September 2023

Local Indicators		Actual 2022/23	Target 2023/24	Actual Position as at 31-March- 2024	Variance to target		Met
					Numerical Variance	% Variance	
L1	Full compliance with prudential code	Yes	Yes	Yes	-	-	Y
L2	Average length of debt	17.13	Lower Limit 15 years, Upper limit 25 years	18.86	-	-	Y
This is a maturity measure and ideally should relate to the average lifespan of assets.							
L3a	Financing costs as a % of council tax requirement	10.64%	20.00%	3.13%	-16.87	-84.35%	Y
L3b	Financing costs as a % of tax revenues	7.21%	12.50%	2.09%	-10.41	-83.27%	Y
These are a variation to PrI 3 excluding investment income and including MRP (amount set aside to repay debt costs). The target figure of 12.5% represents an upper limit of affordable net borrowing costs as a percentage of tax revenues for the authority. The actual level of net borrowing costs is currently less than the upper limit, which in the main is linked to the work undertaken by the service to seek to secure favorable rates on investments and reduced costs on borrowing, thus reducing the overall net borrowing costs.							
L4	Net actual debt vs. operational debt	61.42%	85.00%	55.51%	-29.49	-34.70%	Y
This assists the monitoring of the authority's debt position.							
L5	Average interest rate of external debt outstanding excluding OLA	3.82%	4.21%	4.11%	0.10	2.45%	Y
L6	Average interest rate of external debt outstanding including OLA	3.87%	4.33%	4.16%	0.17	3.82%	Y
The measure should be as low as possible. Other Local Authority debt (OLA) is managed on our behalf by Dudley council.							

L7	<b>Gearing effect of 1% increase in interest rate</b>	<b>3.81%</b>	5.00%	<b>4.20%</b>	<b>0.04%</b>	<b>This would increase the average interest rate payable from 4.16% shown in L6 to 4.20%</b>	<b>Y</b>
This relates risk management principles to the monitoring of the TM strategy. It measures the effect of a change in interest rates and the effect it may have on the capital financing costs.							
L8	<b>Average interest rate received on STI vs. At Call rate</b>	<b>-11.22%</b>	35.00%	<b>0.88%</b>	-34.12	-97.49%	<b>N</b>
L9a	<b>AT call investments</b>	<b>2.05%</b>	2.50%	<b>4.56%</b>	2.06	82.40%	<b>Y</b>
L9b	<b>Short Term Investments</b>	<b>1.82%</b>	3.75%	<b>4.60%</b>	0.85	22.67%	<b>Y</b>
L9c	<b>Long Term Investments</b>	<b>0.83%</b>	4.00%	<b>5.01%</b>	1.01	25.25%	<b>Y</b>
L9d	<b>Property Fund Investments</b>	<b>3.89%</b>	3.56%	<b>3.99%</b>	0.43	12.08%	<b>Y</b>
L10	<b>Average interest rate on all ST investments (ST and AT call)</b>	<b>1.89%</b>	3.39%	<b>4.58%</b>	1.19	35.23%	<b>Y</b>
L11a	<b>Average rate on all investments (ex. Property fund)</b>	<b>1.81%</b>	3.48%	<b>4.60%</b>	1.12	32.26%	<b>Y</b>
L11b	<b>Average rate on all investments (inc. property fund)</b>	<b>2.11%</b>	4.54%	<b>4.47%</b>	-0.07	-1.46%	<b>N</b>
L12	<b>% daily bank balances within target range</b>	<b>99%</b>	99%	<b>99%</b>	0.00	0.00%	<b>Y</b>
This measures how good our daily cash flow prediction is. A figure of 98% and above indicates a high level of accuracy.							

## **Cabinet - 13 December 2023**

### **Walsall Children and Families Healthy Eating Programme**

**Portfolio:** Councillor Flint – Wellbeing, Leisure and Public Spaces

**Related portfolios:** Councillor Elson – Children’s Services

**Service:** Public Health

**Wards:** All

**Key decision:** Yes

**Forward plan:** Yes

#### **1. Aim**

- 1.1 To ensure Walsall Council delivers a programme of interventions to promote and influence healthy eating and growing in early years settings, schools and communities.
- 1.2 This programme will be working with school staff, caterers and parents, as well as with community organisations and food retailers, to improve the food environment in Walsall.
- 1.3 The contract to deliver this programme is intended to be in force from 1 April 2024 to 31 March 2027 with an option to extend two periods of twelve months (2 x 12 months) basis, giving a total maximum contractual term of 5 years.

#### **2. Summary**

- 2.1 This Cabinet report seeks approval for the award of a contract for provision of Walsall’s Children and Families Healthy Eating Programme following the conclusion of a compliant procurement process.
- 2.2 The contract for current provision is due to end on 31 March 2024. The new service has been remodelled in line with a review of the current provision, which was proposed at Cabinet on 14 December 2022. This new model has introduced some strategic elements into the service and has broadened delivery into local communities.

- 2.3 This is a key decision as it impacts children aged 2-11 and families in all wards across the Borough.

### **3. Recommendations**

- 3.1 That, following consideration of the confidential report in the private session of the agenda, Cabinet approve the award of a contract for the period 1 April 2024 to 31 March 2027, with an option to extend for two periods of up to twelve months (2 x 12 months), with an anticipated value in the region of £1.148m to the Soil Association Limited (The) for the delivery of the Children and Families Healthy Eating Programme.
- 3.2 That Cabinet delegate authority to the Director of Public Health, in consultation with the Portfolio Holder for Wellbeing, Leisure and Public Spaces, to enter into a contract to deliver the Children and Families Healthy Eating Programme, and to subsequently authorise the sealing and signing of any deeds, contracts or other related documents for such services.
- 3.3 That Cabinet delegate authority to Director of Public Health and the Executive Director of Adult Social Care , in consultation with the Portfolio Holder for Wellbeing, Leisure and Public Spaces, to authorise any variations to the contractual arrangements or other related documents for such services should this be required throughout the duration of the term of any contracts and provided they are in line with the Council's Contract Rules and any relevant legislation, including Public Contract Regulations 2015.

### **4. Report detail – know**

#### **Context**

- 4.1 Prevalence of obesity and overweight for Reception and Year 6 children in Walsall are significantly higher than national average for England and have been consistently rated by the National Child Measurement Programme (NCMP) as amongst the worst in the country (Figure 1).



Reception (age 4-5) excess weight by local authority, 2021/22												
High percentage overweight or obese				Low percentage overweight or obese								
Local Authority	Survey estimate	Lower CI	Upper CI	Local Authority	Survey estimate	Lower CI	Upper CI					
Sandwell	14.9%	13.8%	16.0%	Richmond upon Thames	5.4%	4.5%	6.6%					
Barking and Dagenham	14.8%	13.7%	16.0%	Surrey	5.7%	5.2%	6.1%					
Greenwich	14.6%	13.5%	15.9%	Trafford	6.7%	5.8%	7.7%					
Kingston upon Hull	14.5%	13.2%	15.8%	Windsor and Maidenhead	6.7%	5.5%	8.1%					
Wolverhampton	14.2%	13.1%	15.5%	Calderdale	6.8%	5.8%	7.8%					
Hartlepool	14.1%	12.1%	16.5%	Sutton	6.8%	5.8%	7.9%					
Enfield	13.4%	12.4%	14.6%	Bath & NE Somerset	7.1%	6.0%	8.5%					
Middlesbrough	12.9%	11.4%	14.4%	Central Bedfordshire	7.2%	6.3%	8.0%					
St. Helens	12.9%	11.4%	14.4%	Wokingham	7.2%	6.2%	8.4%					
Doncaster	12.9%	11.8%	14.0%	Merton	7.3%	6.2%	8.5%					
Walsall	12.8%	11.8%	14.0%	Devon	7.4%	6.8%	8.1%					
Knowsley	12.7%	11.2%	14.1%	Stockport	7.7%	6.9%	8.8%					

Year 6 (age 10-11) excess weight by local authority, 2021/22												
High percentage overweight or obese				Low percentage overweight or obese								
Local Authority	Survey estimate	Lower CI	Upper CI	Local Authority	Survey estimate	Lower CI	Upper CI					
Sandwell	34.0%	32.7%	35.4%	Surrey	12.4%	11.7%	13.1%					
Barking and Dagenham	33.2%	31.8%	34.9%	Richmond upon Thames	12.8%	11.3%	14.3%					
Wolverhampton	32.2%	30.7%	33.7%	Bath & NE Somerset	15.4%	13.9%	17.3%					
Newham	32.0%	30.7%	33.4%	Wokingham	15.5%	14.1%	17.1%					
Walsall	30.9%	29.3%	32.4%	Rutland	15.9%	11.9%	19.9%					
Middlesbrough	30.4%	28.3%	32.4%	West Berkshire	16.2%	14.4%	17.9%					
Liverpool	30.4%	29.1%	31.7%	Kingston upon Thames	16.8%	15.2%	18.7%					
Westminster	30.1%	27.5%	32.9%	Dorset	17.0%	15.7%	18.3%					
Sunderland	29.7%	28.0%	31.3%	Windsor and Maidenhead	17.5%	15.7%	19.6%					
Nottingham	29.7%	28.2%	31.2%	Devon	17.6%	16.7%	18.5%					
Stoke-on-Trent	29.7%	28.2%	31.3%	Trafford	17.9%	16.5%	19.3%					
Tower Hamlets	29.7%	28.1%	31.4%	Buckinghamshire	18.0%	17.0%	19.0%					

Source: NHS Digital, [National Child Measurement Programme 2021/22](#), Tables 3a\_R\_UTLA and 3a\_6\_UTLA

Figure 1 Rates of overweight and obesity in reception and year 6 (2021-2022)

- 4.2 Eating a good quality diet can have positive effects on our physical and mental health. It can reduce the risk of Type 2 diabetes, keep hearts healthy by maintaining blood pressure and cholesterol levels, keep bones and teeth strong and, help to keep a healthy weight. A good diet can also help improve our mood, give us more energy and help us think more clearly.
- 4.3 Similarly, poor nutrition is not just about “bad foods”. Both undereating and overeating (even of the “right foods”) can have adverse effects on health such as:
- overweight & obesity
  - tooth and gum disease
  - vitamin deficiency
  - heart disease & stroke
  - type 2 diabetes
  - high blood pressure
  - cancers.
- 4.4 The procurement process has been informed by national policy, local needs assessment, evidence, knowledge gained from other neighbouring procurement exercises, and a consultation with parents, stakeholders, and partner agencies.
- 4.5 The Walsall Healthy Eating Children and Families programme will provide an evidence-based approach to healthy eating which will impact not only on children while in educational settings but also improve the health and wellbeing of children,

families and the wider community. In line with the draft Walsall Food Plan, it will also promote sustainability and reduce inequalities.

- 4.6 Consultation with residents highlighted overwhelming support for healthy eating services for children.
- 4.7 Work with families and schools, Early Years and community settings provides opportunities for children to learn and develop healthy eating habits.
- 4.8 Improving children's diet and activity levels may also have wider benefits and is associated with higher academic achievement, better health in childhood and later life, higher motivation at school and reduced anxiety and depression.
- 4.9 Evidence shows that people are more likely to try new foods and make changes to their diets if they cook the dishes for themselves. The proposed contract will ensure community skills and confidence are developed through training and sharing the basics of growing food, and practical and healthy cooking techniques. Using community influence and knowledge is a sustainable way to improve the health outcomes of communities in Walsall.
- 4.10 The Walsall Children and Families Healthy Eating programme will deliver the following priorities:
  - Develop an Accreditation Scheme for Healthy Eating in early years' settings and schools.
  - Work with organisations on policies and processes to improve the dining room experience.
  - Lead a local food partnership to drive implementation of the emerging Walsall Food Plan.
  - Deliver a programme on growing food in community sites, at home and in school and Early Years Settings.
  - Use effective communications and promotional campaigns to improve food knowledge, skills and experience.
  - Train staff and volunteers in a range of community settings to deliver Cook and Eat sessions.
  - Work with local businesses and agencies on food purchasing and reducing food waste.
- 4.11 This programme aligns with prescribed/mandated services or standards for the local authority including the National Child Measurement Programme, and the DfE National School Food Standards which are monitored by Ofsted's common inspection framework.
- 4.12 Key local issues associated with food include:

### Lack of Balanced Food Consumption

- 4.13 The Public Health Outcomes Framework shows that only 51.3% of adults in Walsall meet the recommended '5 a day' on 'a usual day'. Research has demonstrated that eating well in childhood will often be continued into adulthood.

### Child Oral health

- 4.14 Child oral health is directly linked to food consumed. In 2021/22, about a quarter of 5-year-old children (24.8%) in Walsall had experience of visually obvious dental decay.
- 4.15 In 2019 (most current data) 5-year-old children in Walsall had an average of 0.78 (per child) decayed, missing or filled teeth (similar to national rate).

### Too Much Food

- 4.16 The Public Health Outcomes Framework shows an increase from 22.3% in 2006/7 to 24.7% in 2021/22 in the proportion of reception children who are overweight or obese in Walsall.
- 4.17 For year 6, 34.6% children were overweight or obese in 2006/7 and this rose to 46.9% in 2021/22. This is significantly above the national average for both reception (22.3%) and year 6 (37.8%).

### Responsible & Sustainable Food Offer

- 4.18 As in other parts of the UK, we have a culture which does not avoid food waste. Walsall Council is developing a waste strategy in line with the national environmental plan goals to use resources from nature more sustainably. The strategy includes actions to meet the national requirement for the introduction of separate weekly food waste collections.

### Cost of Living and Food

- 4.19 Walsall fares particularly badly in terms of income with 44 out of 167 of its neighbourhoods (LSOAs) being amongst the most deprived 10% in England compared to 34 in 2015. The 2019 Index of Multiple Deprivation now ranks Walsall as the 25th most deprived English local authority (out of 317), placing Walsall within the most deprived 10% of districts in the country.
- 4.20 Many of the issues that challenge the borough match the geography of deprivation. 1 in 3 residents aged under 16 years are living in low-income families, higher than the national average of 1 in 5 (HMRC, 2016). Recent resident focus groups reported that cost was a major priority when choosing food.

### Exemplar and Procurement

- 4.21 The national food plan (The Dimbleby report) has stressed the need for improvements in the monitoring system for the national buying standards for food (GBSF) for public sector organisations.
- 4.22 More recently, the 2022 Director of Public Health Annual Report 'Feeding our Future' Publications - Walsall Insight (walsallintelligence.org.uk) recommended that Walsall Council, local public sector organisations, housing, schools and businesses work together to: restrict the advertising of high fat, sugar, salt foods in areas accessible to children, and get residents involved in food growing initiatives on allotments and other community growing spaces. Also, that they set procurement standards for food on their own sites and for contracts they let.
- 4.23 In response, Walsall Public Health is therefore seeking a refreshed programme to improve healthy eating for Children and families.

### **Council Plan priorities**

- 4.24 The Walsall Health and Wellbeing Board has set three priorities for 2022 to 2025
- Mental wellbeing
  - Children and Young People
  - Our Digital Approach – infrastructure and inclusion.
- 4.25 Within the children and young people priority, specific mention is made in the Walsall Joint Local Health & Wellbeing Strategy (2022-25) to ensure that Walsall Children are provided with the best start in life so they can fulfil their potential and make positive contributions to their communities.
- 4.26 Walsall Right for Children Inclusion Strategy identifies the need to involve students to build their knowledge and skills to make healthy choices and develop their independence.
- 4.27 Walsall's draft Food Plan has 4 key themes which cover:
- Good Food Choices
  - Good Food Environment in Communities
  - Responsible & Sustainable Food
  - Exemplars & Procurement of Food
- 4.28 Walsall in 2040 will be the most improved borough in the region, a vibrant place where people are proud to live and residents in all neighbourhoods have the same life chances.

4.29 This will work to the following outcome from the We are Walsall 2040 Vision:

- Child Friendly Borough - “By 2040 all Walsall Children will have the best start in life with excellent support available to families to ensure they thrive”.
- Living Active - “By 2040 people in all areas of the borough will live in better health, and we will have narrowed the gap in life expectancy and healthy life expectancy across all neighbourhoods”.

### **Risk management**

4.30 The risks relating to both the procurement and service implementation have been actively assessed and managed as part of the tendering process.

4.31 Failure to award this contract has the potential to widen inequalities across Walsall.

### **Financial implications**

4.32 It is anticipated that the Children and Families Healthy Eating Programme will be delivered for a period of up to 5 years. This project will be funded from the existing budget within the Public Health Grant. Also, £56k has been identified from non-recurrent funding in 2024/25 to support Y1 mobilisation.

4.33 The annual budget of this contract is £220,515 (Plus £56,000 for Y1 mobilisation) and based on current utilisation levels, the lifetime value of this contract is anticipated to be £1,148m. This creates savings against the budget of £10,954, over the contract lifetime.

### **Legal implications**

4.34 Legal Services have and will continue to work with the relevant Council Officers to ensure that the correct duly completed contractual documentation will be entered into under the Council’s Seal.

### **Procurement Implications / Social Value**

4.35 The contract has been tendered in compliance with the Council’s Contract Rules and the PCR 2015 using an open tender process which enabled local providers to bid for the contract.

4.36 The Social Value element resulted in measurable benefits for Walsall as part of contract delivery. These should be reviewed and monitored by the Directorate.

4.37 Tenders were sought for management and delivery of Walsall’s Children and Families Healthy Eating Programme using an open procurement process which

commenced on 13 October 2023. A public advertisement was placed on the Council's e-tendering portal 'Intend' and published on Contracts Finder and on the Find a Tender Service on 13 October 2023 in accordance with Public Contract Regulations 2015 and the Council's Contract Rules.

- 4.38 There were 19 expressions of interest who accessed the documentation with 2 suppliers submitting a tender. The tender evaluation model used a combination of price and technical merit/quality. The overall weightings used were Price 20% and Technical Merit/Quality 80%. Bidders were required to complete a technical questionnaire which sought to test their understanding of the service requirements as well as their capacity and capability to manage and deliver the service.
- 4.39 Tenders were opened on 13 November 2023 by Dr Nadia Inglis, Interim Director of Public Health and Olena Florek, Senior Procurement Officer, using a formal opening ceremony on the Intend e-tendering portal.
- 4.40 The non-price criteria was evaluated by a range of partners including senior officers from Walsall Council's Public Health, Community Equality & Cohesion, Trading Standards & Licensing and the Procurement, in accordance with the scoring criteria published within the ITT.
- 4.41 See table below for a breakdown of the non-price criteria:

	<b>Criteria</b>	<b>Maximum Word Count/ Page Limit</b>	<b>Percentage Weighting</b>
<b>1</b>	<b>Social Value</b>	2 sides A4	5%
<b>2</b>	<b>Mobilisation and Implementation</b>	2 sides A4 Plus Gantt Chart	10%
<b>3</b>	<b>Engagement and Retention</b>	2 sides A4	10%
<b>4</b>	<b>Service Delivery</b>	3 sides A4	15%
<b>5</b>	<b>Recruitment &amp; Training</b>	3 sides A4	10%
<b>6</b>	<b>Legacy</b>	2 sides A4	7%
<b>7</b>	<b>Resources and Co-production</b>	2 sides A4	8%
<b>8</b>	<b>Innovation</b>	2 sides A4	8%
<b>9</b>	<b>Data Capture</b>	2 sides A4	7%
<b>Total</b>			<b>80%</b>

- 4.42 Following evaluation against the advertised criteria and on consideration of the outcome of the evaluation, it is recommended that the contract is awarded to Soil Association Limited (The). The total cost (including all optional extension periods) will be £1,148m from 1 April 2024 to 31 March 2027 and including options to extend for two periods of up to twelve months (2 x 12 months) until 31 March 2029.

- 4.43 The successful tenderer will be required to demonstrate how they offer Social Value in economic, environmental and/or social benefits to their employees and residents of Walsall. The Council's Social Value Toolkit is used as a guide.

#### **Property implications**

- 4.44 There are no implications for the Council's property portfolio.

#### **Health and wellbeing implications**

- 4.45 This programme will target interventions to improve the health of children and families and impact future life outcomes. This will have particular emphasis on residents at higher risk of poor health outcomes and lower educational attainment.

#### **Reducing Inequalities**

- 4.46 The Marmot Review and the public health white paper 'Healthy Lives, Healthy People' highlighted the importance of early life interventions in improving health and reducing avoidable health inequalities across the life course. The 6 Marmot Principles were adopted by the council in September 2012.

- Give every child the best start in life
- Enable all children, young people and adults to maximise their capabilities and have control over their lives
- Create fair employment and good work for all
- Ensure a healthy standard of living for all
- Create and develop healthy and sustainable places and communities
- Strengthen the role and impact of ill-health prevention.

- 4.47 This programme will build upon the learning from the existing contracted provision, including co-designing activities with residents from protected groups.

- 4.48 The new Children and Families Healthy Eating Programme will work in the community including, but not restricted to, working with local Voluntary and Community Sector (VCS) organisations, faith groups, businesses and residents' groups. This will enable engagement with underserved vulnerable populations and those who find it hard to access services.

- 4.49 The Children and Families Healthy Eating Programme is a universal service. However additional targeted interventions are provided for those schools, families and communities where greatest need is identified including:

- Communities and populations with higher risks of ill-health and health inequalities
- Educational Settings/areas with high prevalence of overweight, obesity
- Residents from Black, Asian, and other ethnic minority populations

- People with learning disabilities

4.50 The appended EQiA completed in September 2023, showed no adverse impact of the programme on people with protected characteristics. (See Appendix A)

### **Staffing implications**

4.51 There are no staffing implications for council staff arising out of this report.

### **Climate Impact**

4.52 Positive environmental impact may be delivered from a better understanding by residents of the impact of food on the environment. The benefit of reducing food miles through local growing of food and reduction of food waste will also be promoted.

### **Consultation**

4.53 The principles of the programme specification have also been endorsed by key colleagues across the Council and community network.

4.54 Consultation with residents highlighted overwhelming support for healthy eating services for children as detailed in the EQiA at Appendix A.

## **5. Decide**

5.1 That following consideration of the confidential report in the private session of the agenda, Cabinet approves the award of a contract for the period 1 April 2024 to 31 March 2027, with an option to extend for two periods of up to twelve months (2 x 12 months), with an anticipated value in the region of £1.148m to the Soil Association Limited (The) for the delivery of the Children and Families Healthy Eating Programme.

5.2 That Cabinet delegate authority to the Director of Public Health and the Executive Director of Adult Social Care, in consultation with the Portfolio Holder for Wellbeing, Leisure and Public Spaces, to enter into a contract to deliver the Children and Families Healthy Eating Programme, and to subsequently authorise the sealing and signing of any deeds, contracts or other related documents for such services.

5.3 That Cabinet delegate authority to Director of Public Health, in consultation with the Portfolio Holder for Wellbeing, Leisure and Public Spaces, to authorise any variations to the contractual arrangements or other related documents for such services should this be required throughout the duration of the term of any



contracts and provided they are in line with the Council's Contract Rules and any relevant legislation, including Public Contract Regulations 2015.

## **6. Respond**

Subject to Cabinet approval of the recommendations, Public Health will work with corporate colleagues to progress the completion and mobilisation of Walsall's new Healthy Eating Children and Families Programme contract.

## **7. Review**

Once awarded, the Healthy Eating Children and Families Programme contract will be reviewed in line with the contract performance review process.

## **Appendices**

Appendix A (EQiA)

## **Background papers**

Service Specification

## **Author**

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□ 653744



Kerrie Allward  
Executive Director  
Adult Social Care Public Health and Hub

24 November 2023



Councillor Flint  
Portfolio holder for Wellbeing, Leisure  
and Public Places

1 December 2023

## Equality Impact Assessment (EqIA) for Policies, Procedures and Services

<b>Proposal name</b>	<b>WALSALL CHILDREN AND FAMILIES HEALTHY EATING PROGRAMME</b>		
<b>Directorate</b>	Adult Social Care and Public Health		
<b>Service</b>	Public Health		
<b>Responsible Officer</b>	Esther Higdon/Paulette Myers		
<b>Proposal planning start</b>	September 2023	<b>Proposal start date (due or actual date)</b>	1 <sup>st</sup> April 2024
<b>1</b>	<b>What is the purpose of the proposal?</b>	<b>Yes / No</b>	<b>New / revision</b>
	Policy	<b>No</b>	
	Procedure	<b>No</b>	
	Guidance	<b>No</b>	
	Is this a service to customers/staff/public?	<b>Yes</b>	<b>Revision</b>
	If yes, is it contracted or commissioned?	<b>Commissioned</b>	
	Other - give details		
<b>2</b>	<b>What is the business case for this proposal? Please provide the main purpose of the service, intended outcomes and reasons for change?</b>		



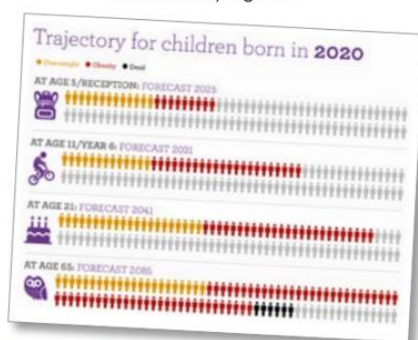
## National Food Strategy - Youth Consultation report

### AN EPIDEMIC OF OBESITY AND DIET-RELATED ILLNESS

**1 in 10** children in **RECEPTION**  
are **OBES**, rising sharply to  
**1 in 5** in **YEAR 6**<sup>3</sup>

Without action to change this trajectory,

**25% children**  
born in 2020 will be  
**obese by age 21**  
and 57% by age 65<sup>4</sup>



SOURCE: THE BROKEN  
PLATE 2020 REPORT

### Aim of the Walsall Children and Families Healthy Eating Programme

To develop and deliver a Healthy Eating Programme that supports Walsall Council corporate plan objectives and workstreams (including Walsall's Food Plan, Walsall Wellbeing Outcomes Framework and the [Walsall Joint Local Health & Wellbeing Strategy 2022-25](#) ) and links to relevant National strategies including:

[The Government's 2020 Obesity Strategy](#)

[The Government's 2022 Food Strategy.](#)

[Royal Society for Public Health's Routing out Childhood Obesity Report](#)

[The Independent Review of the National Food Strategy](#)

Ensuring that Walsall children in early years settings and at school including special schools and homeschooled children have access to a programme that supports healthy eating and physical activity both in school and beyond the school gate into the community (including faith organisations, resident associations, family hubs, VCS organisations, retailers etc)

**“80% of processed food sold in the UK is unhealthy”**

- National Food Strategy – The Plan – 2021

## **Objectives**

The new contract will look to build on the good work of the current Healthy Eating Service in Schools contract that expires in 31<sup>st</sup> March 2024 and go further as the programme will implement and deliver an evidence-based approach to develop a good food environment and increase good food choices across early years, primary (infant, junior and special) schools, outside the school gate and in community settings.

This evidence-based model will complement the wider work taking place across Walsall to embed a whole population food plan, drive quantifiable and sustainable behaviour changes and improve the wider determinants of health

Walsall Council Public Health are proposing a broader approach to healthy eating in children and families, with work to be done in both the school and community environment.

## **General Principles**

The aims of the new service have been developed to align with the themes of Walsall's Food Plan:

- Good Food Choice - Increase appeal of good food available in communities and in schools
- Communities/Good Food Environment - Increase access to good food in places where children and families go
- Responsible/Sustainable - Protect Walsall families from hunger and increase local food production
- Exemplars/Procurement - Build community advocacy

The service will have objectives covering policy development, promotion, training & development, and direct (evidence-based) delivery.

## **Partnership Principles**

The proposed partnership principles for the Children and Families Healthy Eating Programme are:

- Work with local community organisations to promote healthy eating approaches
- Support organisations through training of staff, volunteers, residents in key aspects of nutrition, health promotion, food hygiene, growing and sourcing of food.
- Advocate for Walsall at local, regional and national level to influence policies on food
- Support schools and early years' settings in the delivery of a positive dining room experience, experience for children in growing and preparing food and knowledge of the food environment.
- Support schools and early years' settings in developing whole school policies and actions which meet the standards for Early Years Foundation and contribute to evidence for Ofsted reviews.

- To be a significant contributor to wider strategic work across Walsall such as policies on advertising of foods high in salt, fat, sugar.

### Delivery Principles

- Effective links with community associations and networks to provide an integrated approach to improving the food environment
- Optimise existing individual and community assets
- Responsive and flexible to local need
- Leadership and management – Increase ownership of good food provision by local Leaders and Management
- Tailored support and education – development and provision of appropriately tailored community, curricular and extra-curricular practical support.
- Sharing of Good Practice – Development and promotion of a learning network
- Communications- leading local tailored and culturally appropriate campaigns and promoting national initiatives (e.g. Start for Life) on good food.
- Health inequalities- ensuring additional support, engagement, and targeted work in deprived areas and targeted groups (e.g. SEND children)
- Align with Marmot Principles
- Monitoring impact and identifying need - including qualitative and quantitative evaluation and subsequent programme development when required.

### Evaluation Principles

Evaluated through a consistent set of measures aligned to the local wellbeing outcomes framework and will be formally monitored at quarterly commissioner/provider meetings.

The new service is due to start April 2024.

The cost of the service is approximately £220k per annum with approximately £50k additional 1<sup>st</sup> year mobilisation funding.

3 Who is the proposal likely to affect?		
People in Walsall	Yes / No	Detail
All	N	.
Specific group/s	Y	This service, in its broadest sense, is a universal offer to Children (aged 2-11) and their families within the borough and will encompass a whole school (including Early Years settings) approach as well as delivery with and into communities. However, whilst the broad offer is universal, given the resource available, more detailed work will need to be undertaken in a targeted way (see final row of this table)
Council employees	N	Council employees will not be directly affected; however, a proportion of staff will live in Walsall and therefore would be able to access and benefit from the service if they are parents of or

		have care responsibilities for Children in the borough.
<b>Other (identify)</b>	<b>Y</b>	Individual elements of the service will be targeted based on data to ensure we are addressing health inequalities. These are detailed in the following sections but include: Children living in poverty, Black, Asian and other minority ethnic communities, Children living with cognitive or physical disabilities and communities with a higher prevalence of overweight and obesity.

**4 Please provide service data relating to this proposal on your customer's protected characteristics.**

This is a universal offer (in the broadest sense of the service) to Children and their families and therefore reflects the demographics of Walsall. However there will be individual elements of the service which will be aimed at different high-risk groups such as Disabled Children, Children living in poverty and Children of Black and Asian ethnicity, who are nearly twice as likely to be living in poverty and where there is a higher prevalence of overweight and obesity (National Child Measurement Programme (NCMP)). This targeting will also be important given the resource available for the service.

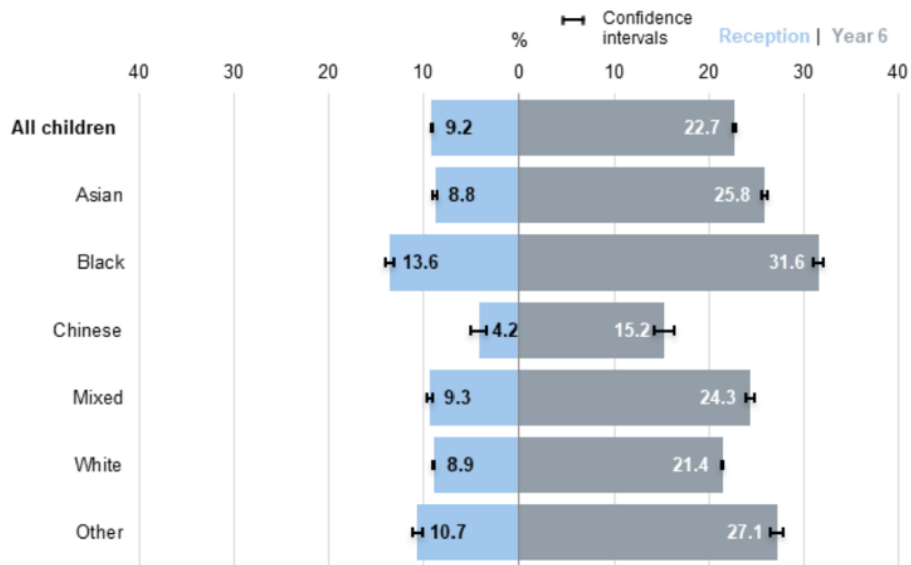
**ECONOMIC DISRUPTION AND WEALTH INEQUALITY**

Before Covid-19,  
**4.2 million children**  
were **LIVING IN POVERTY** in the UK  
- 9 in every classroom of 30<sup>9</sup>

Children from **BLACK AND MINORITY ETHNIC GROUPS** are more likely to be in poverty:  
**46%** are now in poverty, compared with  
**26%** of children in **WHITE BRITISH** families<sup>9</sup>

National Food Strategy - Youth Consultation report 2022

Obesity prevalence by school year and upper level ethnic group, 2022/23

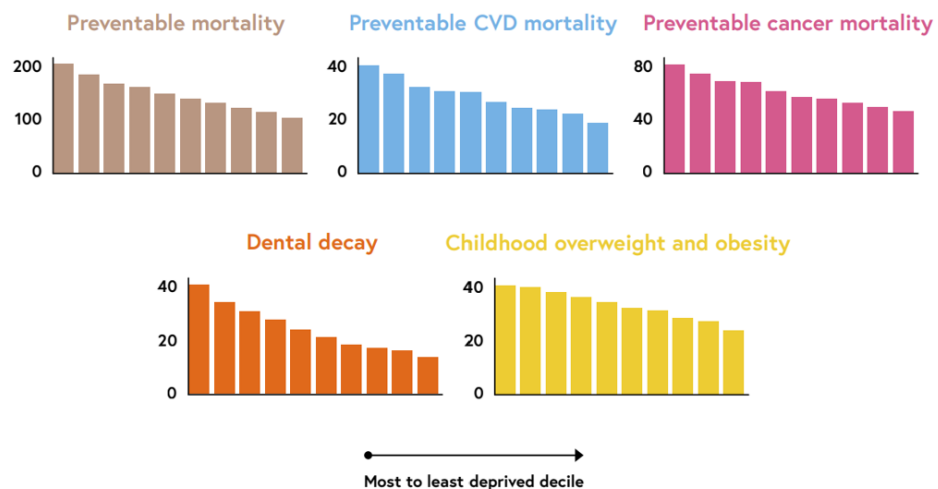


For more information: Table 4 National Child Measurement Programme, England, 2022/23 School Year

The National Food Strategy - Youth Consultation report estimates that 9 Children in every classroom of 30 live in poverty which would have a significant impact on health and life chances.

**People on low incomes are more likely to suffer, and die from, diet-related conditions**

National Food Strategy YOUTH CONSULTATION REPORT



Y axis in all charts shows relative risk, expressed as percentages, rate per 100,000 people, or mortality per 100,000 people.

Source: National food Strategy 2022

*“Children from the least well-off 20% of families consume around 29% less fruits and vegetables, 75% less oily fish, and 17% less fibre per day than children from the most well off 20%.*

*The effects of this dietary disparity are all too predictable. People living in the most deprived decile are almost twice as likely to die from all preventable causes, compared to those in the richest decile.*

*They are*

- *2.1 times more likely to die from preventable heart disease;*



- 1.7 times more likely to die from preventable cancer;
- 3 times more likely to have tooth decay at age 5.
- Nearly twice as likely to be overweight or obese at age 11."

## Local Context

Deprivation is closely linked to poor diet quality, being overweight and obesity. The 2019 Index of Multiple Deprivation ranked Walsall as the 25th most deprived English local authority (out of 317), placing Walsall within the most deprived 10% of districts in the country (33rd in 2015, 30th in 2010 and 45th in 2007).

Some of the key local issues associated with food are detailed in the service specification but include;

- Lack of Balanced Food Consumption

Public Health Outcomes Framework shows that only 51.3% of adults in Walsall meet the recommended '5 a day' on 'a usual day'. Research has demonstrated that eating well in childhood will often be continued into adulthood.

- Too Much Food

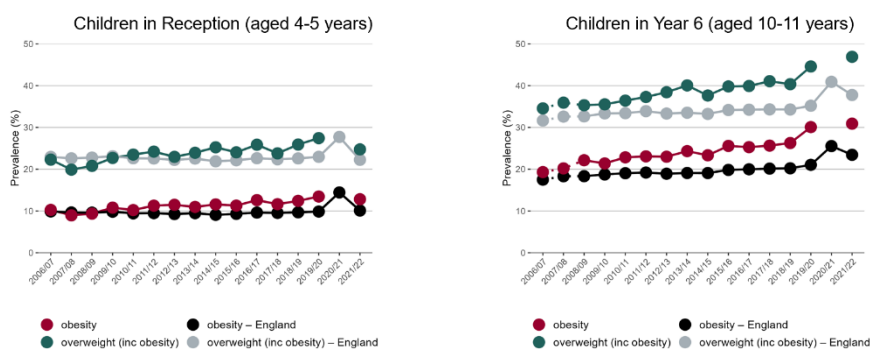
Public Health Outcomes Framework shows an increase from 22.3% in 2006/7 to 24.7% in 2021/22 in proportion of reception children who are overweight or obese.

For year 6, 34.6% children were overweight or obese in 2006/7 and this rose to 46.9% in 2021/22.

This is significantly above the 2021/22 national average for both reception (22.3%) and year 6 (37.8%)

## Trend in the prevalence of obesity and overweight (including obesity) by age in Walsall

National Child Measurement Programme 2006/2007 to 2021/2022



Missing data point denotes missing data for 2020/2021  
 Note: for Year 6, comparisons are not possible with the first years of the NCMP (2006/2007 to 2008/2009) as low participation levels led to underestimation of obesity prevalence

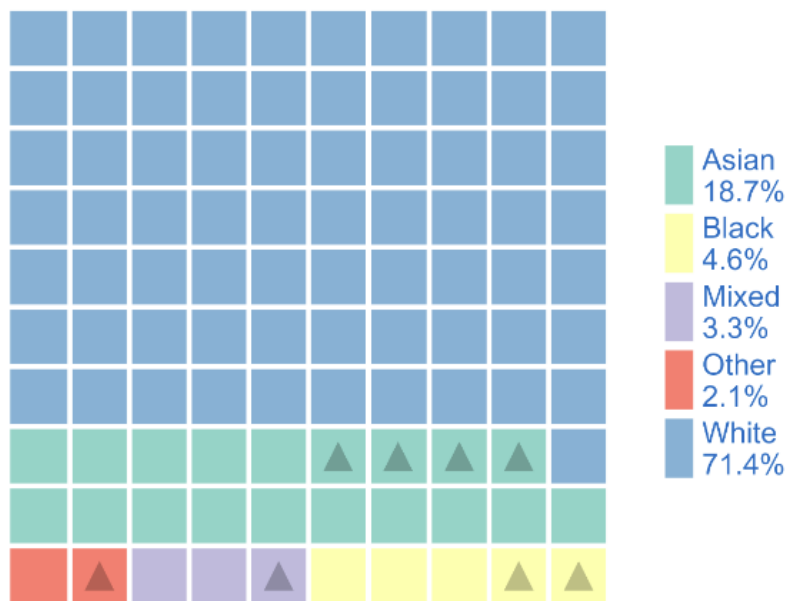
**5 Please provide details of all engagement and consultation undertaken for this proposal. (Please use a separate box for each engagement/consultation).**

**Consultation Activity**

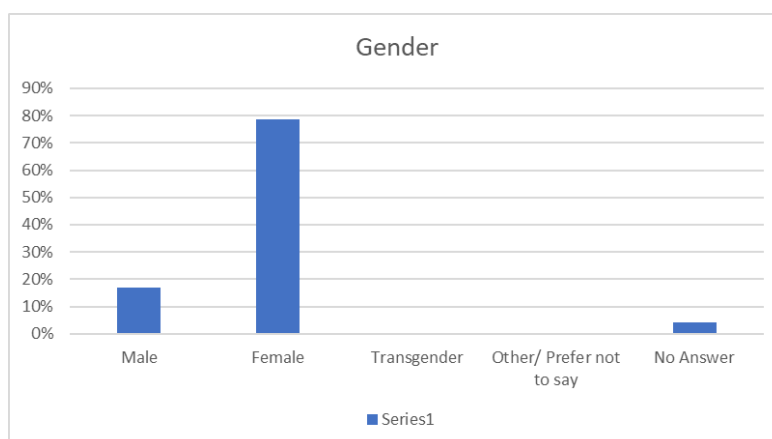
Complete a copy of this table for each consultation activity you have undertaken.

<p><b>Type of engagement/consultation</b></p>	<p>Various focus groups, survey, drop in, local, area panels, local resident engagement.</p>	<p><b>Date</b></p>	<p>Throughout September 2023</p>														
<p><b>Who attended/participated?</b></p>	<p>Parents and carers within Family Hubs, Community Groups and Faith Settings.</p> <p>Age of children ranged from infant to teenage years.</p> <div data-bbox="496 719 1394 1256" data-label="Figure"> <p>Age of C&amp;YP represents by parent/carer responses</p> <table border="1"> <caption>Age of C&amp;YP represents by parent/carer responses</caption> <thead> <tr> <th>Age Group</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>0-3 Years</td> <td>38%</td> </tr> <tr> <td>4-6 Years</td> <td>23%</td> </tr> <tr> <td>7-10 Years</td> <td>15%</td> </tr> <tr> <td>11-15 Years</td> <td>15%</td> </tr> <tr> <td>16+</td> <td>5%</td> </tr> <tr> <td>No Answer</td> <td>3%</td> </tr> </tbody> </table> </div> <p>e.g. general public, service users (specify if it was for a protected characteristic group e.g. Disability Forum).</p>			Age Group	Percentage	0-3 Years	38%	4-6 Years	23%	7-10 Years	15%	11-15 Years	15%	16+	5%	No Answer	3%
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<p><b>Protected characteristics of participants</b></p>	<div data-bbox="496 1473 1278 1906" data-label="Figure"> <p>Ethnicity</p> <table border="1"> <caption>Ethnicity</caption> <thead> <tr> <th>Ethnicity</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>White</td> <td>64%</td> </tr> <tr> <td>Black</td> <td>13%</td> </tr> <tr> <td>Asian</td> <td>17%</td> </tr> <tr> <td>Mixed</td> <td>0%</td> </tr> <tr> <td>Other</td> <td>2%</td> </tr> <tr> <td>No Answer</td> <td>4%</td> </tr> </tbody> </table> </div>			Ethnicity	Percentage	White	64%	Black	13%	Asian	17%	Mixed	0%	Other	2%	No Answer	4%
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## Walsall Population by Ethnicity Census 2021



▲ Arrows indicate increase since 2011 (1 square = 1% pop)



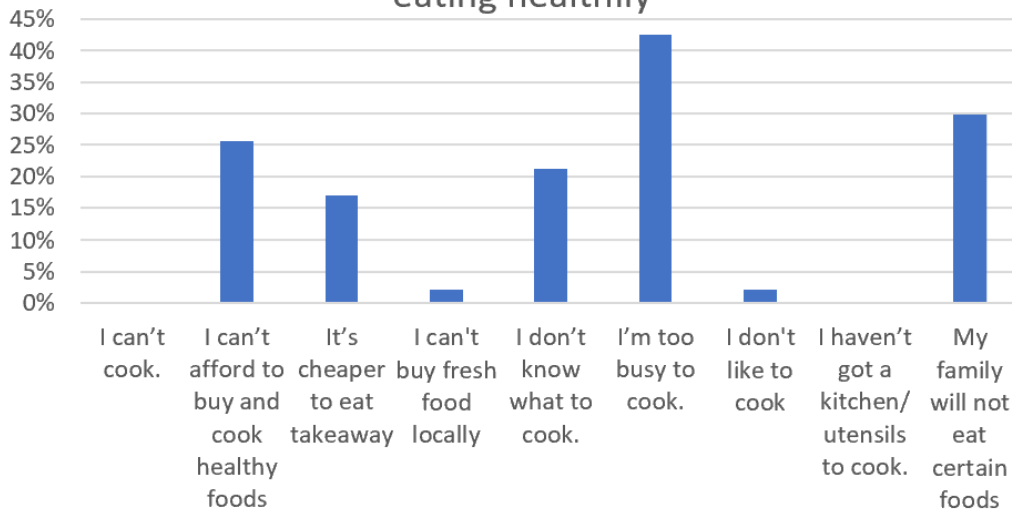
[Summary of the protected characteristic monitoring data.](#)

### Feedback

Less than half respondents (49%) felt that they and their family ate a healthy diet

There were a broad range of barriers highlighted with multiple barriers to eating healthily

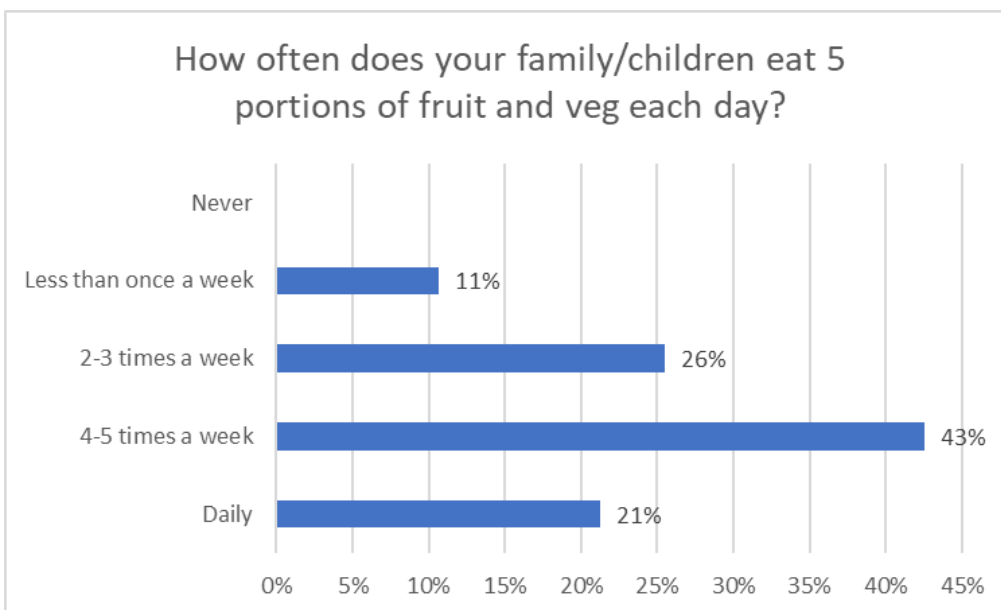
### What are the barriers to you and your family eating healthily



79% of respondents were not managing to achieve the recommended 5 portions of fruit and veg per day

11% managed 5 portions of fruit and veg less than once in a week

### How often does your family/children eat 5 portions of fruit and veg each day?

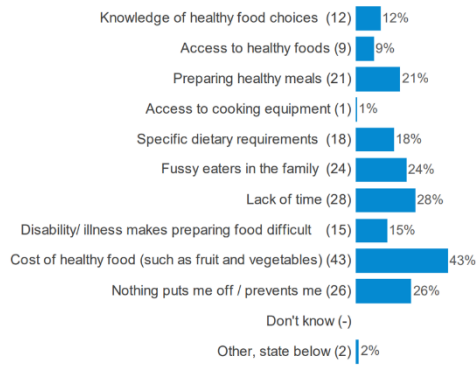


Tab

	Barriers to Healthy Eating	What would support Healthy Eating
Time Pressure/Convenience/Habit	<p><i>"Sometimes struggle as too busy to cook"</i></p> <p><i>"Takeaway is often easy."</i></p> <p><i>"Habit of eating ready-made food"</i></p> <p><i>"Easy access to fresh fruit and veg"</i></p>	<p><i>"Need food ideas"</i></p> <p><i>"Promote eating as a family"</i></p> <p><i>"Help to create good routine"</i></p> <p><i>"Cooking Classes/Support"</i></p>
Knowledge Gaps	<p><i>"Knowing what to cook - easy to cook and cheap"</i></p> <p><i>"Understanding issues around diabetes and health"</i></p> <p><i>"Help with easy quick recipes/ideas"</i></p> <p><i>"Understanding what bad lifestyles may lead to"</i></p> <p><i>"Advice on what to feed a nine year old. What meals can a 9 year old cook himself"</i></p> <p><i>"Understanding what bad lifestyles may lead to"</i></p> <p><i>"More ideas to reduce food waste"</i></p>	<p><i>"School support/help promote healthy food"</i></p> <p><i>"Eating together as a family"</i></p> <p><i>"Education on what is good food"</i></p> <p><i>"Education on what is good food"</i></p> <p><i>"Improved labelling from supermarket"</i></p> <p><i>"Provide healthy eating advice for parents and not just children"</i></p> <p><i>"Knowledge"</i></p> <p><i>"Learning"</i></p> <p><i>"Cooking Classes"</i></p>
Cost/Perceived Expense	<p><i>"Too expensive to cook for myself and family"</i></p> <p><i>"Cheaper to buy takeaway ready meals"</i></p> <p><i>"You can't afford to always eat healthy food"</i></p> <p><i>"The bills are too high to the extent that you have to put your families healthy eating as a second priority."</i></p> <p><i>"High cost of cooking for 2 people (parent and child)"</i></p> <p><i>"Cheaper to eat frozen/takeaway sometimes"</i></p> <p><i>"Fresh food is expensive"</i></p>	<p><i>"Provide healthy eating vouchers as not getting vouchers now as started back to work"</i></p> <p><i>"Make vegetables/healthy eating more appealing and cheaper"</i></p> <p><i>"Greater access to Food Bank vouchers"</i></p> <p><i>"Budgeting help and support"</i></p> <p><i>"Raise the minimum wage whilst reducing food costs - that will go a long way"</i></p>

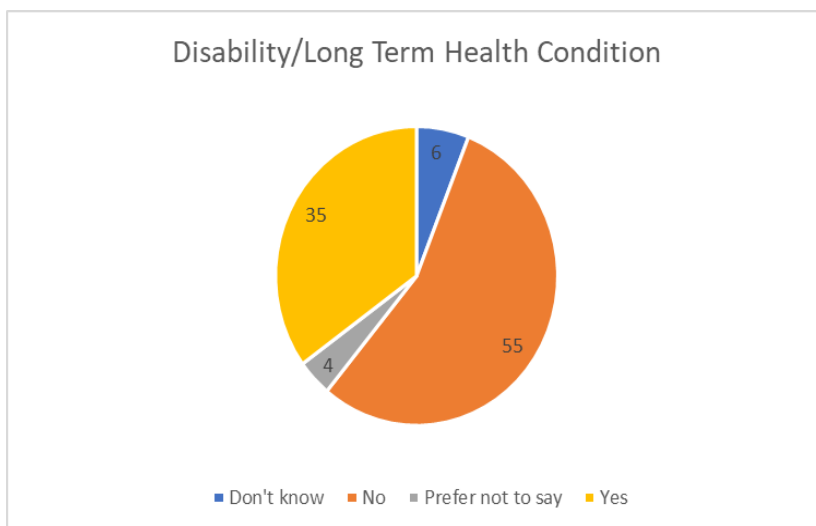
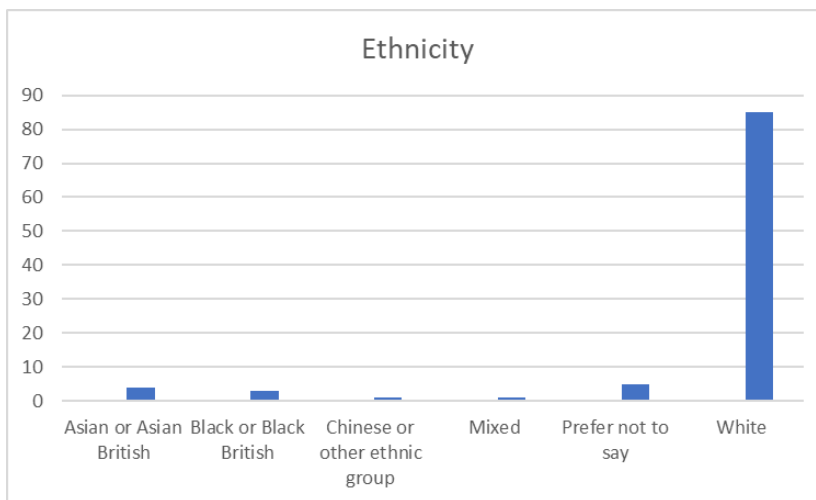
Type of engagement/consultation	Wellbeing Service Residents Survey	Date	Throughout July 2023								
Who attended/participated?	99 Walsall Residents										
Protected characteristics of participants	Summary of the protected characteristic monitoring data.										
<p><b>Feedback</b></p> <p>20% of respondents felt it was difficult or very difficult to find support for weight management</p> <p>Accessibility of wellbeing related support</p> <table border="1"> <thead> <tr> <th>Wellbeing Issue</th> <th>Fairly/ Very Easy</th> <th>Difficult/ V.Difficult</th> <th>Don't know</th> </tr> </thead> <tbody> <tr> <td>Weight Management</td> <td>61%</td> <td>20%</td> <td>18%</td> </tr> </tbody> </table> <p>Nearly three quarters (74%) of respondents felt they had barriers to eating healthily</p>				Wellbeing Issue	Fairly/ Very Easy	Difficult/ V.Difficult	Don't know	Weight Management	61%	20%	18%
Wellbeing Issue	Fairly/ Very Easy	Difficult/ V.Difficult	Don't know								
Weight Management	61%	20%	18%								

Do any of the following prevent or put you off you and / or your family from eating more healthily?



Top 3:

- Cost of Healthy Food
- Lack of time
- Fussy eaters in the family



<b>Type of engagement/c onsultation</b>	Aston University Research	<b>Date</b>	Throughout September 2023
<b>Who attended/parti cipated?</b>	Parents on low incomes who are eligible for the <a href="#">Healthy Start Scheme</a> from an original pool of 21 people registered an interest.		

**Protected characteristics of participants**

All participants were on low incomes  
 Participants ages ranged from 22 to 36 years, 88.9% of participants were female, and 88.9% participants were of White British Ethnicity. Four parents were educated to A level or equivalent, 2 parents had GCSE's, only 2 were educated to university level, and 1 had no qualifications.

A deep dive was undertaken into understanding perceptions from parents who qualify for the Healthy Start Scheme will allow for an insight into the food choices they make for their children

6 main themes emerged:

- 1) The Complexity of the Social Environment,
- 2) The Pressures in the Physical Environment,
- 3) The Healthy Start Scheme: The Good, The Bad, The Uncertainty,
- 4) The Impact of the Child,
- 5) Perceived Barriers to Healthy Eating, and
- 6) Parental Strategies



**6 Concise overview of all evidence, engagement and consultation**

**“In England 1 in 3 children leaving primary school are overweight or living with obesity”**

- Office Health Improvement and Disparities

Children and Families in Walsall are experiencing poor health outcomes, are at risk of serious ill health, poor life chances and early death due to the impact of poor diet.

Whilst this is a national issue. The trends outlined in all the data and studies show that the situation is currently deteriorating in Walsall at a quicker rate the most.

There are a number of socio- economic factors which impact upon this including finance/poverty, knowledge, access, learned behaviours, social and physical environments and there is no one size fits all solution. There need to be both Local and national approaches to address this.

This programme is one part of reversing Walsall's negative trends, by developing the offer beyond the school gate and into communities we are looking to have a broader impact on Walsall families.

At risk groups will be targeted and feedback from consultation acted upon to support children and families in a way that is both meaningful and long term. Developing residents' knowledge around food choice, promoting healthy eating, challenging ingrained behaviours and working in partnership with community stakeholders as outlined in the service specification.

**7 How may the proposal impact each protected characteristic or group? The impact may be positive, negative, neutral or not known. Give reasons and if action is needed.**

<b>Characteristic</b>	<b>Impact Yes / No</b>	<b>Reason</b>	<b>Action needed Yes / No</b>
<b>Age</b>	Yes – Positive Impact	Positive impact on children with secondary positive impact on other age groups within families as children advocate healthy eating options impacting family habits and health or when family members attend community-based healthy eating events.	No
<b>Disability</b>	Yes – Positive Impact	Children with cognitive and/or physical disabilities are more likely to	No



		<p>suffer from health inequalities, poor outcomes and shorter life expectancy due to poor nutrition, poor oral health and unhealthy eating.</p> <p>The government paper-</p> <p><u>Disability and nutrition programming: evidence and learning</u></p> <p>Suggests that disabled people are often invisible in healthy eating programmes This contract will ensure that the provider utilises data and best practice to reach and offer bespoke targeted support for children with disabilities in Walsall both in mainstream and special schools</p>	
<b>Gender reassignment</b>	Neutral	No Foreseen Impact	No
<b>Marriage and civil partnership</b>	Neutral	No Foreseen Impact	No
<b>Pregnancy and maternity</b>	Yes – Positive Impact	Expectant parents who also have children in educational settings will be impacted by messaging and will have access to information, training and advice via community activities such as cooking or growing sessions.	No

<b>Race</b>	Yes – Positive Impact	<p>There is agreement from the BMA, Social Care Institute for Excellence and the NHS Race and Health Observatory that Black &amp; Asian minority ethnic communities are impacted by inequalities in health and social circumstances and experience poorer outcomes.</p> <p>We are addressing this by developing a community offer through this service and ensuring data is captured and gaps identified acted upon. Black &amp; Asian minority ethnic communities are specifically identified as a target group by providing healthy eating services within those communities. (challenging inequalities by providing services that are culturally appropriate and community sensitive). Advocates will be used whenever possible who can speak the same language and understand an communities' cultural needs and potential barriers to engagement.</p>	No
<b>Religion or belief</b>	Neutral	No Foreseen Impact	No
<b>Sex</b>	Yes – Positive impact	<p>Women in the most deprived 10% of neighbourhoods in England (see above) have a life expectancy that is 7.7 years shorter than that of women in the richest areas. This programme</p>	No

			will impact on the health of girls into the future.	
	<b>Sexual orientation</b>	Neutral	No Foreseen Impact	No
	<b>Armed Forces</b>	Neutral	No Foreseen Impact	No
	<b>Care responsibilities</b>	Yes – Positive Impact	It is likely that there will be a secondary positive impact on those with caring responsibilities for Children	No
	<b>Health, Social and economic inequalities</b>	Yes – Positive Impact	Ensuring additional support, engagement, and targeted work in deprived areas and targeted groups (e.g. SEND children)	No
	<b>Other (Give Detail)</b>			
	<b>Further information</b>			
<b>8</b>	<b>Does your proposal link with other proposals to have a cumulative effect on particular equality groups? If yes, give details.</b>			(Delete one) <b>Yes</b>
	<p>This cross-curriculum approach to healthy eating model works in a complementary way with other key services to improve their health and to achieve their goals i.e. Walsall Borough Council's Healthy Spaces and Clean &amp; green teams, locality hubs, and the wellbeing service. It will also support staff working with children including SEND to maintain a healthy lifestyle</p> <p>This service will also complement the work undertaken in schools and early years settings to embed a whole food school plan and so builds on the support already gained in schools</p> <p>The emerging Walsall Public Health Food Plan will also support whole community healthy eating and this proposal is closely linking to achieving common objectives.</p>			
<b>9</b>	<b>Which justifiable action does the evidence, engagement and consultation feedback suggest you take?</b>			
	<b>A</b>	<b>No major change required</b> When no potential for discrimination or adverse impact is identified and all opportunities to promote equality have been taken.		
	<b>B</b>	Adjustments needed to remove barriers or to better promote equality Are you satisfied that the proposed adjustments will remove the barriers identified?		

<b>C</b>	<p><b>Continue despite possible adverse impact</b></p> <p>For important relevant proposals, compelling reasons will be needed. You should consider whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact.</p> <p>Consultation may suggest a change of action, but some actions will be required regardless of consultation e.g. budget savings. Mitigating actions may be required to minimise impact identified through consultation.</p>
<b>D</b>	<p><b>Stop and rethink your proposal</b></p> <p>Actual or potential unlawful discrimination is identified; the proposal will need reviewing immediately. You may need to consult with appropriate officers including your executive director, finance or Equality, Safety and Wellbeing.</p>

<b>Action and Monitoring Plan</b>				
<b>Action Date</b>	<b>Action</b>	<b>Responsibility</b>	<b>Due Date</b>	<b>Detail</b>
September 2023	Undertake stake holder and public consultations	Esther Higdon /Paulette Myers	September 2023	Responses to inform design of new service specification
October 2023	Undertake thorough, robust and legally compliant reprocurement process	Esther Higdon /Paulette Myers	January 2023	Work with colleagues (procurement, legal, finance and other stakeholders) To ensure compliance.
April 2025	Annual review of contract to deep dive into service data and EQIA to identify and address gaps with Quarterly contract meetings to	Esther Higdon /Paulette Myers	April 2025	Provider to collect, share and utilise data as per service specification to enable delivery against any gaps in service provision

<b>Update to EqIA</b>	
<b>Date</b>	<b>Detail</b>

## Contact us

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## **Cabinet – 13 December 2023**

### **Tobacco Control Plan for Walsall 2023 to 2027**

**Portfolio:** Councillor Flint - Wellbeing, Leisure and Public Spaces

**Related portfolios:** Councillor Perry - Deputy Leader - Resilient Communities

**Service:** Public Health

**Wards:** All

**Key decision:** No

**Forward plan:** Yes

#### **1. Aim**

Provide a co-ordinated approach to tobacco control in Walsall, maximising the health and economic benefits of this work locally, and supporting the national ambition for a smoke free generation.

#### **2. Summary**

This Cabinet report seeks approval of a new Tobacco Control Plan for Walsall (2023-2027) and approval to sign up to the Local Government Declaration on Tobacco Control.

#### **3. Recommendations**

- 3.1 That Cabinet approves the revised Tobacco Control Plan for Walsall.
- 3.2 That Cabinet delegates The Safer Walsall Partnership Board to oversee the implementation of the local Tobacco Control Plan, with appropriate health partnership input provided through the Health and Wellbeing Board.
- 3.3 That Cabinet authorises the Leader, Portfolio Holder for Wellbeing, Leisure and Public Spaces, Deputy Leader – Resilient Communities, Chief Executive and Interim Director of Public Health to sign the Local Government Declaration on Tobacco Control, supporting the national ambition of being smoke free by 2030.

## 4. Report detail - know

### **Context**

- 4.1 Smoking is the leading preventable cause of ill-health and premature death nationally. Smoking is also the single largest driver of health inequalities in England, accounting for half the difference in life expectancy between those living in the most and least deprived communities. Smoking is much more common among people with lower incomes.
- 4.2 In October 2023, the Prime Minister set out plans to introduce new legislation and policy to support the national ambition of being smoke-free by 2030 (as heralded in the Government's green paper on preventative health in 2019; Advancing our health: prevention in the 2020s).
- 4.3 Government proposals will:
- Raise the smoking age by a year each year until it applies to the whole population.
  - Provide an additional £70 million investment each year over the next five years to expand locally delivered and cost-effective smoking cessation services.
  - Strengthen enforcement activity, with an investment of £30 million per year over the next five years to support agencies including local Trading Standards, HMRC and Border Force to take action to stop underage sales and tackle the import of illicit tobacco and vaping products at the border.
  - Increase restrictions to crackdown on youth vaping (e.g. regulating point of sales display)
- 4.4 Smoking prevalence amongst adults in Walsall is 13.8% which is above (worse than) the England average of 12.7%. Similar to the national pattern (referred to in 4.1), there are differences in smoking prevalence between certain population groups in Walsall. For example, 16.3% of Walsall residents employed in routine and manual occupations are smokers.
- 4.5 Smoking status of pregnant women at time of delivery is worse in Walsall (9.4%) compared to the England average (9.1%). There is limited robust local data on smoking amongst young people. However, nationally the percentage of 11- to 15-year-olds who have ever smoked has dropped between 2016 (16%) and 2021 (12%). An emerging area of concern is the increase in vaping amongst young people. Between 2020 and 2023, the percentage of young people who tried vaping rose from 13.9% to 20.5%.
- 4.6 Vaping is not for children and young people. Most vapes contain nicotine. Nicotine is highly addictive, and the developing lungs and brains of children and young people are more sensitive to its effects. Vapes can contain other harmful substances besides nicotine. Children and young people who use vapes may be more likely to smoke cigarettes in the future. Research has shown 14% probability that vape users (youth) went onto smoke cigarettes after 1 year, rising to 25% after 3 years.

- 4.7 Reducing the prevalence of smoking and those being initiated into smoking is seriously undermined by the availability of illicit and counterfeit tobacco in Walsall. The ingredients of illicit tobacco are not known or regulated. Whilst no tobacco is safe, illicit tobacco could contain higher levels of harmful chemicals.
- 4.8 Tobacco smuggling and the sale of non-duty paid tobacco are illegal acts often linked to highly organised criminal gangs who do not limit their activities to tobacco. These criminal activities damage the local economy and legitimate traders by gaining a competitive advantage at their expense and taking trade away from genuine businesses.
- 4.9 Between September 2021 and September 2023, Walsall Council Regulatory Services seized 20,224 illegal vapes, 392,917 illegal cigarettes and 199.05kg of illegal hand rolling tobacco.
- 4.10 Each year in Walsall, it is estimated that smoking costs approximately £106.4m. Revenue from cigarette and hand rolled tobacco taxation only brings in about £48.3m.
- 4.11 The £106.4m in costs are accrued in the following areas:
- Productivity loss (£86.4m) – smoking negatively affects earnings and employment prospects.
  - Healthcare (£10.8m) – these costs are a result of smoking-related hospital admissions and the cost of treating smoking-related illness via primary care services.
  - Social Care (£6.3m) – many current/ former smokers require care in later life as result of smoking related illnesses. The estimated overall cost to local authorities is split between £3m for residential care and £3.3m for domiciliary care.
  - Fire (£2.6m) – smoking materials are a major contributor to fires.
- 4.12 The Tobacco Control Plan for Walsall (2023 to 2027) aims to provide a co-ordinated approach to tobacco control, maximising the health and economic benefits to Walsall and its residents. By 2027 we aim to reduce smoking prevalence to lower than the regional average and be the most improved borough in the West Midlands by 2040. The draft plan is included in **appendix 1**. No one single measure will achieve a reduction in levels of smoking. Therefore, a combination of the following will be implemented:
- Effective leadership and partnerships - The Safer Walsall Partnership has committed to overseeing the implementation of the Tobacco Control Plan and this will ensure involvement from key partners. The Health and Wellbeing Board will provide appropriate health partnership input.
  - Enhanced local regulation and enforcement (sales of tobacco and vaping products)
  - Preventing residents from starting (smoking and/or vaping)



- Enhancing services to target those in greatest need (e.g. high risk groups such as residents with mental health conditions, routine and manual employees and pregnant women).

4.13 A key action within the plan is for large local organisations to sign up to the relaunched Local Government Declaration on Tobacco Control (**see appendix 2**). The declaration was relaunched on No Smoking Day 2022 (9th March 2022) to bring it into line with the Government’s ambition for England to be smoke free by 2030. Since it was launched in May 2013, over 120 councils across the country have signed the Declaration. The previous Declaration was approved for signature by Cabinet on 26 October 2016 (see background papers).

### ***Council Plan priorities***

4.14 Walsall’s Tobacco Control Plan will support

The Council Plan priorities particularly:

- People can access support in their community to keep safe and well and remain independent at home.
- People are supported to maintain or improve their health, wellbeing, and quality of life.
- Supporting a dynamic, resilient, and diverse economy where businesses invest, and everyone has the right jobs and the right housing in the right place.

The ‘We Are Walsall 2040’ priorities particularly:

- ‘By 2040 people in all areas of the borough will live longer lives in better health, and we will have narrowed the gap in life expectancy and healthy life expectancy across all neighbourhoods.’
- ‘By 2040 people in Walsall will live more physically active lives – we will be the most improved borough for smoking rates and drug addiction in the region.’

4.15 Walsall Tobacco Control Plan will provide support to both residents and the local economy, reducing the harms caused by smoking and vaping. This will be as follows:

- Children and young people will be clear about the dangers/risks of smoking and vaping.
- Residents who smoke (who want support) will be able to access evidence-based interventions tailored to their individual needs.
- Tackling the sale of illegal tobacco and vaping products will reduce health implications. Whilst no tobacco is safe, illicit tobacco could contain higher levels of harmful chemicals. The same applies to illegal vapes.
- Tackling the sale of smuggled tobacco will reduce the amount of revenue in duty that is lost each year. It will also reduce the supply of cheaper products making price more of a barrier for those who otherwise would continue smoking.

- Local businesses will be supported to implement new Government Legislation on age restricted sales of tobacco and vaping products. This will reduce the risk of fines and potential imprisonment.

### ***Risk management***

- 4.16 Budget constraints may limit the Council's ability to deliver all aspects of the current plan to the maximum effect. Delivery of the plan will be monitored and assured through its accountability to the Safer Walsall Partnership Board.

### ***Financial implications***

- 4.17 Between 2014/15 and 2023/24, the stop smoking service budget has reduced substantially from £941,000 to approximately £329,000. This includes universal smoking cessation support (£220,000) and smoking in pregnancy support (£109,000). The service budget was reduced to achieve required savings by Cabinet.
- 4.18 In line with the proposed Government legislation (**see section 4.2 and 4.3**), an additional £70 million a year over the next five years (2024/25-2028/29) will be allocated to expand locally delivered and cost-effective smoking cessation services. The proposed funding uplift for each area is based on the prevalence of smoking in each local authority. For Walsall, the proposed allocation is up to £368,536, which will be received as a separate grant. These allocations are indicative but have been provided for planning purposes. Exact funding criteria and precise allocations will be communicated to local authorities through the formal grant agreement process.
- 4.19 The funding allocation will be ringfenced for the purposes of local authority-led stop smoking services. To receive the funding, local authorities must maintain their existing spend on stop smoking services.

### ***Legal implications***

- 4.20 There are no legal implications arising out of this report.

### ***Procurement Implications/Social Value***

- 4.21 Any procurement activity will be compliant with procurement policy

### ***Property implications***

- 4.22 There are no property implications arising out of this report.

### ***Health and wellbeing implications***

- 4.23 Smoking is one of the biggest causes of death and illness in the UK. Smoking causes 7 in 10 cases of lung cancer. It causes cancer in various other parts of the body (e.g. throat, stomach). Smoking damages the heart and blood circulation increasing the risk of heart attacks and strokes. In Walsall, 245 per

100,000 deaths are attributable to smoking. This is higher than the England average (202 per 100,000).

- 4.24 Stopping smoking at age 60, 50, 40, or 30 adds about 3, 6, 9, or 10 years of life expectancy respectively. For people who stop smoking before the age of 50 years, the risk of dying of smoking-related disease is reduced by 50%.

### ***Reducing Inequalities***

- 4.25 Cumulative disadvantage increases the likelihood of smoking. Higher smoking prevalence is associated with almost every indicator of deprivation or marginalisation (e.g. unemployment, low income, homelessness).
- 4.26 Spending on tobacco consumes a high proportion of income of individuals with limited financial resources. Therefore, tobacco addiction can lock people into poverty as well as negatively impact on personal and family health. The nature of maintaining an addiction means that individuals can risk trying to reduce costs to sustain their ability to smoke. People and communities experiencing poverty are therefore at risk of being targeted by those selling illicit tobacco and the additional harms (**see section 4.12**) associated with these illegal products.
- 4.27 The Tobacco Control Plan for Walsall will provide a balance between preventative measures and targeted support. Targeted support will be designed specifically for certain groups that are at greater risk of harm from tobacco and vaping products (illicit and legal).

### ***Staffing implications***

- 4.28 There are no staffing implications arising out of this report.

### ***Climate Impact***

- 4.29 Smoking related litter is the most prevalent form of litter in England, making up 68% of all littered items.
- 4.30 Environmental impacts of vapes include littering, risks associated with unsafe disposal of their contents including lithium batteries and chemicals, and greenhouse gas emissions and water consumption, occurring during the manufacturing process.

### ***Consultation***

- 4.31 Walsall's updated Tobacco Control Plan has been informed by national guidance and benchmarking against equivalent plans in other local authorities. Consultation has taken place with relevant stakeholders, such as partner in ICB and education. The Tobacco Control plan includes actions to engage with high-risk target groups (e.g. pregnant women, routine and manual workers) to help shape policy and practice.

## 5. Decide

- 5.1 That Cabinet approves the revised Tobacco Control Plan for Walsall
- 5.2 That Cabinet delegates The Safer Walsall Partnership Board to oversee the implementation of the local Tobacco Control Plan, with appropriate health partnership input being provided through the Health and Wellbeing Board.
- 5.3 That Cabinet authorises the Leader, Portfolio Holder for Wellbeing, Leisure and Public Spaces, Deputy Leader – Resilient Communities, Chief Executive and Interim Director of Public Health to sign the Local Government Declaration on Tobacco Control, supporting the national ambition of being smoke free by 2030.

## 6. Respond

Subject to Cabinet approval of the recommendations, Public Health will work with relevant partners to progress the actions from the Tobacco Control Plan for Walsall.

## 7. Review

Regular performance reports will be provided to the Safer Walsall Partnership who will oversee implementation of the Tobacco Control Plan for Walsall.

## Appendices

Appendix 1: Tobacco Control Plan for Walsall

Appendix 2: Local Government Declaration on Tobacco Control

## Background papers

Previous cabinet paper:

[Microsoft Word - cabinet report template tobacco control final.docx \(walsall.gov.uk\)](#)

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Nadia Inglis  
Interim Director of Public Health

30 November 2023



Councillor Flint  
Portfolio holder: Wellbeing, Leisure  
and Public Spaces

30 November 2023

## **Walsall Tobacco Control Plan 2023-2027**

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Action Plan 2023 - 2027

## Foreword

Smoking is the leading preventable cause of ill-health and premature death nationally. As well as impacting on health, the access and availability of illicit tobacco and vapes highlight the wider reaching, negative impact of tobacco with safety and criminal activity.

A comprehensive tobacco control plan is the best thing a local authority can do for the wellbeing and safety of its residents.

In [Our Council Plan 2022-2025](#), one of our key areas of focus is to encourage our residents to maintain or improve their health and wellbeing, to lead more active, fulfilling and independent lives and get timely support for this, where required. This includes access to stop smoking support and awareness of illicit tobacco.

“We are healthy and well” is one of four ambitions in the [We are Walsall 2040 Borough Plan](#). It incorporates the vision for people to live more physically active lives, with an outcome that by 2040, we will be the most improved borough for smoking rates and drug addiction in the region.

Although Walsall has seen a steady decline in people smoking, there is still more work to be done, especially in supporting those groups in highest need. This includes pregnant women, routine and manual workers and those with long-term mental health conditions.

We also must address the growing concern around the use of vapes by young people, in line with access and availability of illicit products.

Success in the effective control of tobacco cannot be tackled in isolation. A comprehensive approach to tobacco control is more than providing services or enforcing legislation. A wide range of co-ordinated activities need to be developed and delivered across all our partnerships.

As part of our ambition to ‘inspire a smoke-free generation’, Walsall Council and its partners are committed to improving the safety and health and wellbeing of all people of all ages living across the borough.

The four priority action areas of the Tobacco Control Plan for Walsall (2023-2027) aim to provide a co-ordinated approach to tobacco control, maximising the safety, health and economic benefits to Walsall and its residents:

### **1. Effective Leadership and Partnership**

Tobacco control and smoking cessation is central to a wide range of policies and practices across Walsall. Ownership and robust governance across a range of partners is key to ensure a collaborative approach and accountability for delivery of the Tobacco Control Plan.

## **2. Enhance Local Regulation and Enforcement (including vaping)**

This covers effective measures that are required for identifying and tackling the trade in illicit tobacco and vaping products.

## **3. Preventing residents from starting (smoking and/or vaping)**

This explores how we can raise awareness and implement action to reduce the number of new smokers, including those who vape.

## **4. Enhancing Stop Smoking Services to target those in greatest need (e.g. high-risk groups such as residents with mental health conditions, routine and manual workers and pregnant women).**

This considers how we can increase access to stop smoking support for high-risk groups and contribute to reducing inequalities.

The Walsall Tobacco Control Plan will provide support to both residents and the local economy to reduce the harms caused by smoking and vaping by: providing children and young people clear information about the dangers of smoking and vaping; providing access to evidence-based stop smoking interventions tailored to individual needs for those who want to quit smoking; tackling the sale of illegal tobacco and vaping products; tackling the sale of smuggled tobacco making the price more of a barrier for those who otherwise would continue smoking and supporting local businesses to implement new Government Legislation on age-restricted sales of tobacco and vaping products.

We are pleased to support the Tobacco Control Plan. We look forward to the delivery of actions that will bring Walsall closer to its aims and ambitions to reduce smoking prevalence to lower than the regional average by 2027, move closer to the national 2030 Smokefree ambition and be the most improved borough in the West Midlands by 2040.

**Councillor Gary Flint, Portfolio Holder for Wellbeing, Leisure and Public Spaces**

**Councillor Garry Perry, Deputy Leader and Portfolio Holder for Resilient Communities**



## Introduction

Smoking is widely accepted as one of the most detrimental behaviours which can affect the health of our communities and increase the risk of suffering serious illness and premature death.

Cigarettes are the cause of death for about half of all long-term smokers and greatly contribute to increased morbidity in those who are long-term smokers.<sup>1</sup> Smoking causes conditions ranging from cancers, vascular disease to respiratory diseases and events such as heart attacks and strokes, dementias, rheumatoid arthritis and macular degeneration - the leading cause of sight loss in people aged over 50. Smoking is a major public health concern, causing damage not only to smokers themselves but also to the people around them. It (Smoking) is also the single largest cause of preventable deaths.<sup>2</sup>

Nicotine is addictive and is one of the key reasons why it can be difficult for smokers to quit. Whilst addictive nicotine is not the cause of smoking related deaths, it is the 4000 chemicals in tobacco which cause the harm to health, over 50 of which can cause cancer.<sup>3</sup> About half of attempted quits are made without the use of Nicotine Replacement Therapy (NRT) or other aids.<sup>4</sup> The use of NRT and licenced pharmacotherapy helps reduce the nicotine cravings that arise with stopping smoking. The likelihood of successfully quitting in the long term is increased by three times,<sup>5</sup> through the use of Local Stop Smoking Services which provide behavioural support to aid quitting.

In England there have been concerted efforts to reduce the number of smokers in the population and increase education of the harm that smoking has on the health of smokers. While hundreds of thousands of people in England stop smoking every year, many still start using tobacco and nearly all of those who do are in their teens or early twenties. There has been a significant reduction in smoking both nationally and locally which is welcome, but this reduction and the harms that tobacco causes on those in the community who smoke is not equally distributed. There are deep inequalities related to tobacco use and have a higher prevalence of smoking than the regional average.

Most smokers know about the associated risks of smoking and, because of them, want to quit - but the addictive nature of cigarettes means they cannot. Three-

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<sup>1</sup> Doll, R., Peto, R., Boreham, J. and Sutherland, I. (2004) Mortality in relation to smoking: 50 years' observations on male British doctors

<sup>2</sup> <https://www.local.gov.uk/about/news/lga-responds-latest-smoking-habits-figures> (LGA 2019)

<sup>3</sup> World Health Organisation (2012) Why is smoking an issue for non-smokers?

<sup>4</sup> Action on Smoking and Health (2019) The End of Smoking <https://ash.org.uk/resources/view/the-end-of-smoking>

<sup>5</sup> Public Health England (2019) Health matters: stopping smoking - what works?

<https://www.gov.uk/government/publications/health-matters-stopping-smoking-what-works>

quarters of current smokers would never have started if they had the choice again<sup>6</sup> and on average it takes around 30 quit attempts to succeed.<sup>7</sup> The majority of smokers start in their youth and are then addicted for life. More than 4 in 5 smokers start before the age of 20.<sup>8</sup> There is an emphasis in preventing people from starting smoking in the first place.

Smoking is the single largest driver of health inequalities in England, accounting for half the difference in life expectancy between those living in the most and least deprived communities. Smoking is much more common among people with lower incomes. The more disadvantaged a person is, the more likely they are to smoke and to suffer from smoking related illness and early death related to smoking.<sup>9</sup> As spending on tobacco consumes a relatively high proportion of the household income for people with low incomes who smoke, smoking can push people into poverty.

Children and young people who live with parents who smoke are nearly three times more likely to become smokers themselves than their peers who do not live with smokers.<sup>10</sup> If smoking is more visible and perceived to be socially normal behaviour, there is a higher likelihood to experiment with tobacco.

In Walsall rates of smoking have reduced but there is still work to do. Particularly within our more deprived areas and amongst our more vulnerable population groups including pregnant smokers, young people and those with mental health issues. There is also an opportunity to inform our more hardened smokers who are not ready to quit to smoke responsibly in view of the effects of second-hand smoke, especially to children.

Reducing the number of those smoking is not helped when you consider the sales of illicit and counterfeit cigarettes in Walsall. Tobacco smuggling and the sale of cheap cigarettes are illegal acts. These criminal activities damage the local economy and legitimate traders by gaining a competitive advantage.

These activities are often carried out by large criminal organisations that not only deal in cigarettes but also alcohol and drugs and even human trafficking. The people selling illegal tobacco products are also happy to sell to young people and

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<sup>6</sup> Smokers encouraged to take part in Stoptober, as they report smoking more during pandemic - GOV.UK <https://www.gov.uk/government/news/smokers-encouraged-to-take-part-in-stoptober-as-they-report-smoking-more-during-pandemic>

<sup>7</sup> Estimating the number of quit attempts it takes to quit smoking successfully in a longitudinal cohort of smokers - PubMed (nih.gov)) <https://pubmed.ncbi.nlm.nih.gov/27288378/>

<sup>8</sup> Health matters: smoking and quitting in England - GOV.UK ([www.gov.uk](http://www.gov.uk)) <https://www.gov.uk/government/publications/health-matters-smoking-and-quitting-in-england/smoking-and-quitting-in-england>

<sup>9</sup> Action on Smoking and Health (2019) Health Inequalities and Smoking [https://ash.org.uk/uploads/ASH-Briefing\\_Health-Inequalities.pdf](https://ash.org.uk/uploads/ASH-Briefing_Health-Inequalities.pdf)

<sup>10</sup> Action on Smoking and Health (2019) Young People and Smoking <https://ash.org.uk/resources/view/young-people-and-smoking>

children as they can afford the cheaper price and the sale is unregulated. The increasing cost of cigarettes<sup>11</sup> will no doubt cause an increase in this type of activity.

In addition to smoking, vaping has now become a concern among young people.

The number of children using vapes has tripled in the past 3 years and a staggering 20.5% of children had tried vaping in March to April 2023.<sup>12</sup> Due to nicotine content and the unknown long-term harms, vaping carries potential risk of harm and addiction for children. The health advice is clear: young people and those who have never smoked should not vape. The potential long-term harms associated with underage vaping with developing lungs and brains is still not fully understood. Encouraging children to use a product designed for adults to quit smoking and then addicting them is not acceptable.

While selling nicotine vapes to under 18s is illegal, inherited EU regulations have led to a system where vapes are routinely promoted and marketed to children and young people at scale.

The Tobacco Control Plan 2023 - 2027 for Walsall builds on the previous Walsall Tobacco Control Plan 2016 - 2019. It provides an opportunity to review what has worked well and what areas we need to further improve and embed. The Plan aims to establish a comprehensive approach to tobacco control moving Walsall closer to the national 2030 Smokefree ambition and to reduce the harm caused by illicit tobacco and maximise the health and wellbeing of Walsall residents.

## **National**

Tobacco control is an umbrella term used to describe the broad range of activities that aim to reduce smoking prevalence and/or reduce exposure to second-hand smoke and the morbidity and mortality it causes.

The Secretary of State for Health and Social Care has set out a commitment to upscaling prevention in the NHS Long Term Plan.<sup>13</sup> The NHS Long Term Plan has highlighted the contribution the NHS can make to tackling tobacco dependence, especially for hospital inpatients, pregnant women and long-term users of mental health services. In time, this will bring new opportunities for reducing local inequalities in smoking prevalence. In delivering the NHS Long Term Plan, a

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<sup>11</sup> <https://www.gov.uk/government/publications/spring-budget-2023/spring-budget-2023-html#cost-of-living-and-public-services>

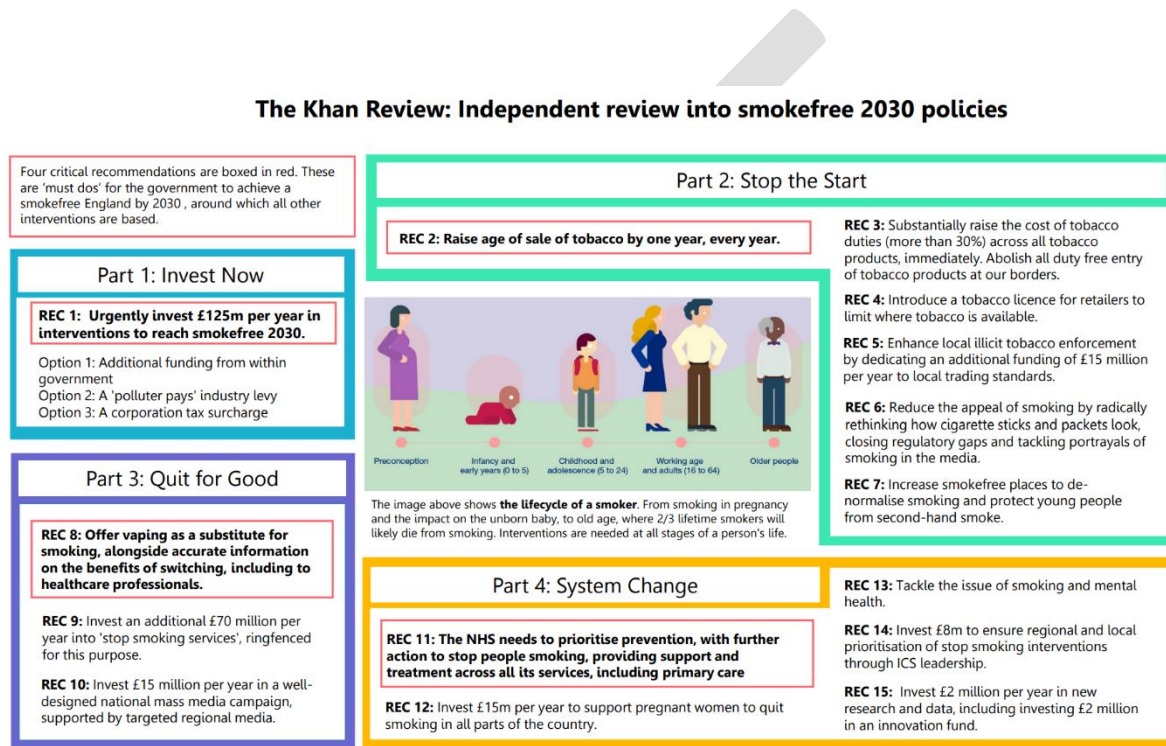
<sup>12</sup> [Use of e-cigarettes among young people in Great Britain - ASH](#) (ASH June 2023)

<sup>13</sup> <https://www.longtermplan.nhs.uk/>

population view of health is required in reducing smoking prevalence providing a clear focus for collaboration between local government and the NHS.

The Khan Review: Making Smoking Obsolete provides a national foundation to continue the campaign to achieve smokefree status. It highlights strong partnership working will be required across the board in order to achieve its ambitious aims. Walsall is in a positive position to move ahead through the networks already established and the achievements made.

Figure 1. The Khan Review: Making Smoking Obsolete 2022 <sup>14</sup>



The Parliamentary Under Secretary of State for Primary Care and Public Health, Neil O'Brien addressed the government's plans to cut smoking rates and tackle underage vaping (April 2023)<sup>15</sup>, highlighting eight areas:

1. Youth vaping: A call for evidence ([youth vaping a call for evidence consultation](#))
2. Swap to stop: 1 million smokers – launching national swap to stop scheme with free vaping starter kits plus behavioural support focusing on settings such as job centres, homeless centres, and social housing providers. Funding to be followed up by Local Authorities.

<sup>14</sup> <https://www.gov.uk/government/publications/the-khan-review-making-smoking-obsolete>

<sup>15</sup> <https://www.gov.uk/government/speeches/minister-neil-obrien-speech-on-achieving-smokefree-2030-cutting-smoking-and-stopping-kids-vaping>

3. Illicit products: A new national “flying squad” – create a specialised “flying squad” to enforce the rules on vaping and tackle illicit vapes and underage sales – Track and Trace system – HMRC/Border force new 2023 strategy being developed
4. Smoking in pregnancy: A national incentive scheme - offer a financial incentive scheme to all pregnant women who smoke to quit by the end of 2024 – build on national digital platform
5. Smoking in mental health: Quit support in MH services - work with mental health services to improve the signposting to evidence-based support for smokers – plan for all mental health practitioners to signpost to specially developed, evidence based, digital quit resources.
6. Licensed medicines: Unblocking supplies – addressing access supplies for Varenicline and other generic stop smoking prescribed medicines
7. Tobacco packaging: Mandatory pack inserts - consultation on cigarette pack inserts later this year – QR codes to access support easier
8. The Major conditions Strategy: stop smoking is central to this strategy.

As plans developed for the above programmes, Prime Minister Rishi Sunak’s speech supporting the national policy paper: Stopping the start: our new plan to create a smokefree generation (October 2023)<sup>16</sup> sets out proposed actions to introduce new legislation and policy to support the national ambition of being smoke-free by 2030 (as published the Government’s green paper on preventative health; Advancing our health: prevention in the 2020s)<sup>17</sup>.

The Government proposals will:

1. Raise the smoking age by a year each year until it applies to the whole population.
2. Provide an additional £70 million investment each year over the next five years to expand locally delivered and cost-effective stop smoking services.
3. Strengthen enforcement activity, with an investment of £30 million per year over the next five years to support agencies including local Trading Standards, HMRC and Border Force to take action to stop underage sales and tackle the import of illicit tobacco and vaping products at the border.

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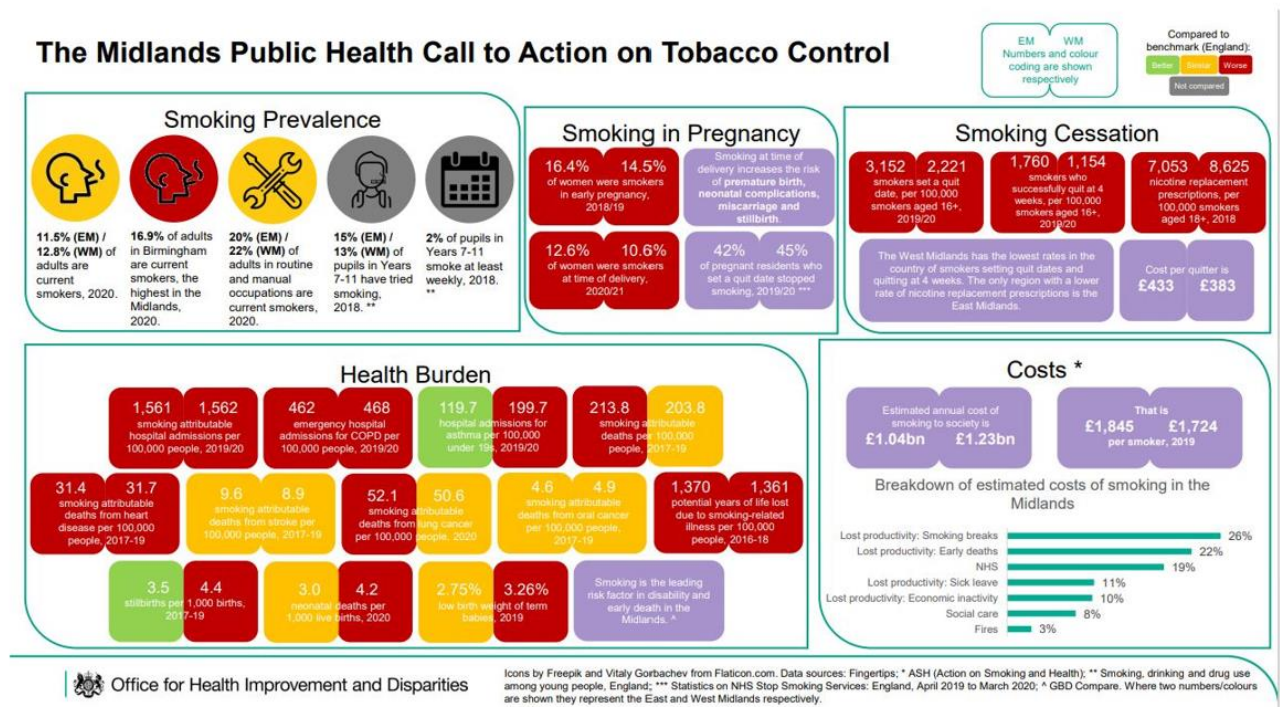
<sup>16</sup> <https://www.gov.uk/government/publications/stopping-the-start-our-new-plan-to-create-a-smokefree-generation>

<sup>17</sup> <https://www.gov.uk/government/consultations/advancing-our-health-prevention-in-the-2020s/advancing-our-health-prevention-in-the-2020s-consultation-document>

- Increase restrictions to crackdown on youth vaping (e.g. regulating point of sales display)

## Regional

Figure 2. Overview of the Midlands Public Health call to Action on Tobacco Control



Despite a continued decline in smoking prevalence, over 12% of adults in the Midlands are current smokers (2020). The Annual Population Survey (2020) provides an insight to smoking data across Walsall reporting smoking prevalence in adults (18+) as 11.8% and in adults aged 18-64 in routine and manual occupations 18.5% were smokers. The NHS Digital return on smoking status at time of delivery (2020/21) identified 13.9% of women were smokers at the time of delivery.

It is known that tobacco use is one of the largest drivers of health inequality and is responsible for half of the difference in life expectancy between the rich and the poor.<sup>18</sup> A report by the Local Government Authority (2019) reports 'the difference in life expectancy between the most and least deprived can be as much as nine years, of which approximately half can be attributed to smoking'. In Walsall, smoking is estimated to kill 381 people every year.<sup>19</sup>

<sup>18</sup> <https://www.health.org.uk/publications/reports/the-marmot-review-10-years-on>

<sup>19</sup> <https://www.walsallintelligence.org.uk/>

## Local

There is a continuing decline in the proportion of people who smoke in Walsall.

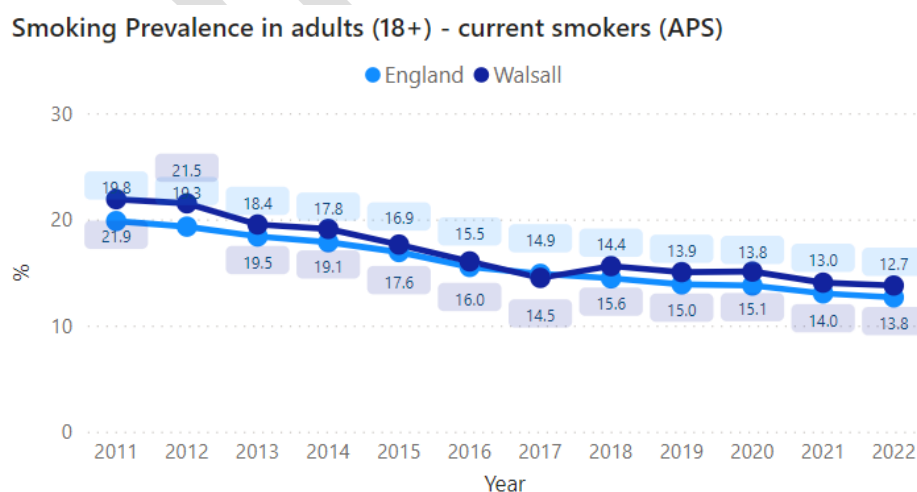
In Our Council Plan 2022-25, people are supported to maintain or improve their health, wellbeing and quality of life through encouraging residents to lead more active, fulfilling and independent lives; to maintain or improve their health and wellbeing; and that people know how to maintain or improve their health and wellbeing and get timely support for this, where required. This includes access to Stop Smoking support and awareness of illicit tobacco.

We Are Walsall 2040, under the ambition of “We are Healthy” incorporates support for people to live healthier lives by including smoking cessation within the theme of Living Active Lives: “By 2040 people in Walsall will live more physically active lives – we will be the most improved borough for smoking rates and drug addiction in the region.”

Current data, show that smoking prevalence amongst adults in Walsall is 13.8% which is above (worse than) the England average (12.7%). Based on the latest population estimate, this is approximately 29,300 people. Local data shows the rate is higher in males, those working in routine and manual occupations, people aged 25-35 years old and is higher than average in “white” and “mixed” ethnic groups, as opposed to lower than average in “Asian and Black” ethnic groups.

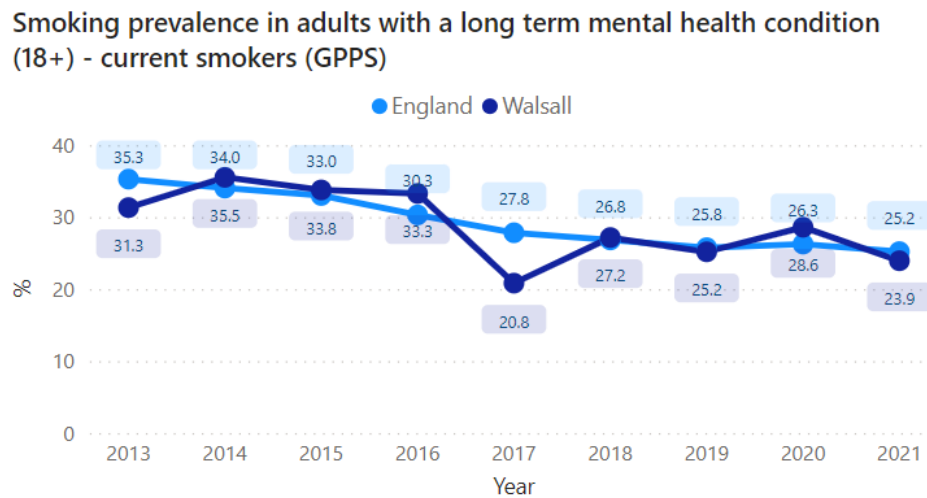
This highlights the need for effective smoking cessation services to be in place.

Figure 3. Smoking prevalence in Adults (18+) in Walsall ([Local Tobacco Control Profiles - Data 2023](#))



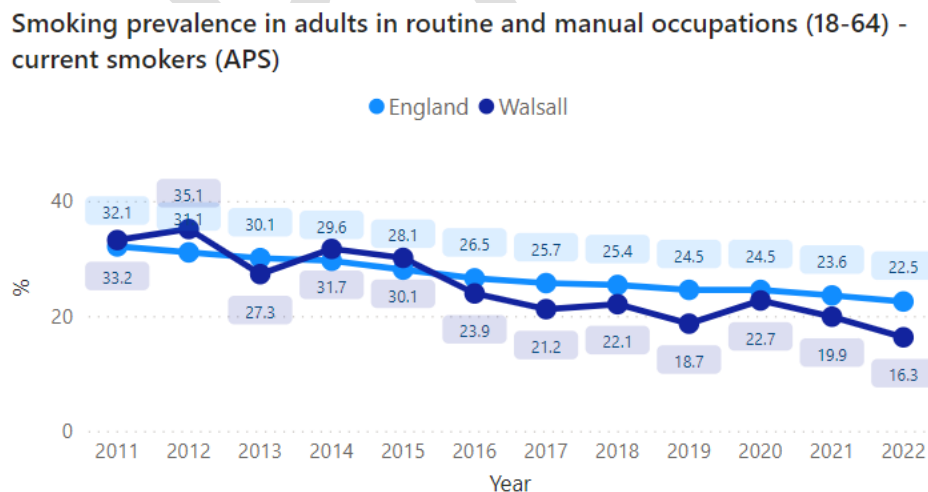
While the overall smoking levels in Walsall are encouraging, there are inequalities in those who smoke, and we have a prevalence higher than both the national and regional average.

Figure 4. Smoking prevalence in Adults with Long Term Mental Health Condition (18+) ([Local Tobacco Control Profiles - Data 2023](#))



The rate of smokers with long term mental health conditions shows a slight decline over the years. Current data, shows that 23.9% of adults with long term mental health conditions in Walsall smoke, this figure falls just below England levels.

Figure 5. Smoking prevalence in Adults in Routine and Manual Occupations (18-64) ([Local Tobacco Control Profiles - Data 2023](#))

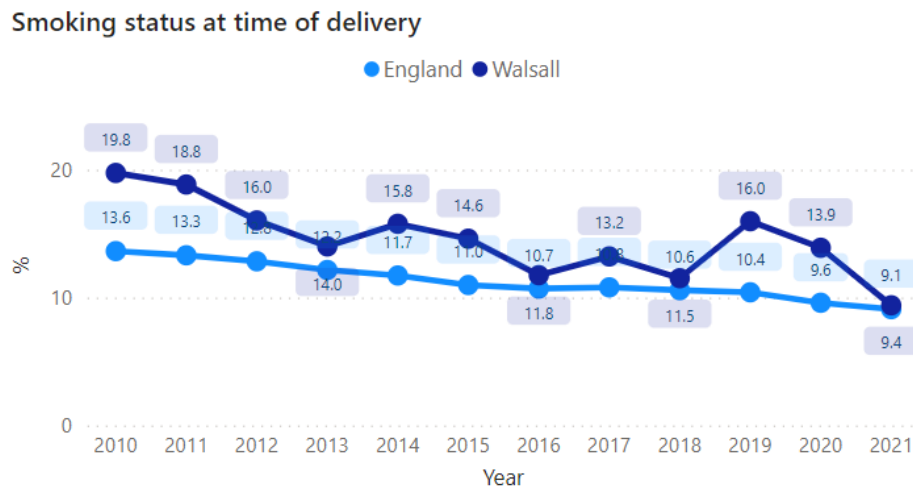


For those people working in routine and manual occupations, the rate of smoking has shown a steady decline year on year. Current data shows 16.3% of adults in routine and manual occupations smoke this is lower than the England level of 22.5%.

### Smoking in Pregnancy



Figure 6. Smoking Status at Time of Delivery ([Local Tobacco Control Profiles - Data 2023](#))



The number of women who smoke while pregnant is currently 9.4% (England 9.1%). There has been a steady decline over the past few years in the number of women who smoke at time of delivery.

### Smoking in Young People

There is limited robust local data on smoking amongst young people, however, nationally the percentage of 11 to 15 year olds who have ever smoked has dropped between 2016 (16%) and 2021 (12%). An emerging area of concern is the increase in vaping amongst young people. Between 2020 and 2023, the percentage of young people who tried vaping rose from 13.9% to 20.5%.

### Regulation and Enforcement

Walsall faces significant challenges and pressures to tackle existing, new and emerging threats. Tobacco control is one of these threats with the high level of illicit sales and associated health harms of smoking tobacco products.

Reducing the prevalence of smoking and those being initiated into smoking is seriously undermined by the availability of illicit and counterfeit tobacco in Walsall. The ingredients of illicit tobacco are not known or regulated. Whilst no tobacco is safe, illicit tobacco could contain higher levels of harmful chemicals.

Tobacco smuggling and the sale of non-duty paid tobacco are illegal acts often linked to highly organised criminal gangs who do not limit their activities to tobacco.

These criminal activities damage the local economy and legitimate traders by gaining a competitive advantage.<sup>20</sup>

Tobacco bought on the illegal market is more likely to be the result of organised criminal activity with links to human trafficking, drug smuggling, illegal alcohol production and even terrorism. This brings crime into Walsall and exploits vulnerable people. Many traders are prepared to sell to children and get them hooked on smoking. The availability of cheap tobacco significantly undermines the effect of higher taxation on efforts to reduce the number of people that smoke.

Environmental health support the tobacco control agenda by advising business on how to create/maintain safe smoke free sites and environments, signposting to quit smoking support and lobbying for change (i.e., shisha regulation in the UK).

Regulatory services have seen a steady increase in tobacco related issues in Walsall.

Trading Standards working together with Police and Licensing teams and through national initiatives, Operation CeCe (tobacco detection dog teams and test purchasers to target those who supply illegal tobacco) and Operation Joseph (tobacco/vape detection dog teams and test purchasers to target those who supply illegal vapes) have documented between September 2021 and September 2023:

- 392,917 illegal cigarettes seized
- 199.05kg of illegal hand rolling tobacco seized
- £406,000 approximate retail value of seized cigarettes and hand rolling tobacco
- 13 attempted underage cigarette purchases led to 4 illegal sales (31%)
- 153 complaints relating to illegal vapes and sales of vapes to underage persons
- 20,224 Illegal vape seizures (e-liquid capacity over the permitted 2ml and / or labelling issues)
- £216,000 approximate retail value of seized vapes
- 21 attempted underage purchases of a disposable vape led to 8 illegal sales (38%)
- 3 recent underage vape cases proceeded to court
- 6 pots of shisha molasses seized

Most of all age restricted complaints received by Trading Standards (alcohol, tobacco, etc.) now relate to disposable vapes. Underage Sales test purchases are only undertaken if a complaint is received or conducted as an advisory visit to the business. This is the reason for the low number of Cigarettes test purchases in

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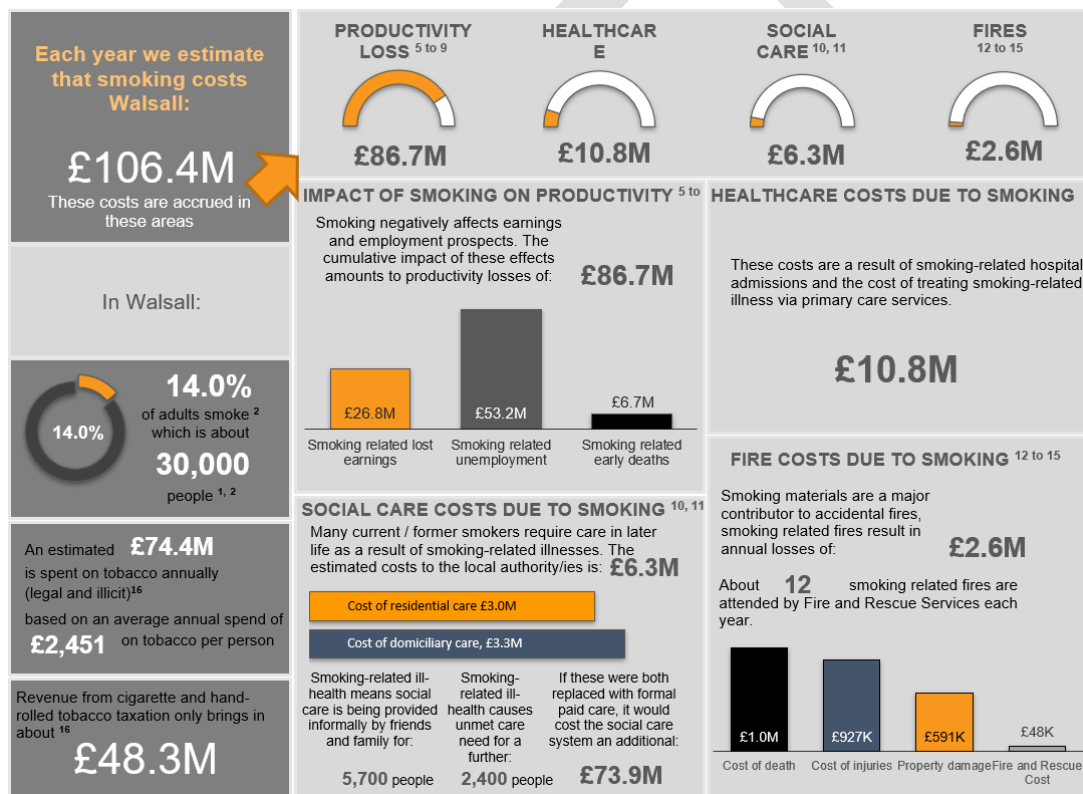
<sup>20</sup> [Tackling illicit tobacco: From leaf to light](#)

comparison to vapes. Trading Standards have prosecutions pending for the sale of illicit and single cigarettes to children.

### The Effects of Smoking on the wider community

The effect of government policies has made smoking more expensive and a deterrent to some. A smoker consuming a pack of twenty cigarettes a day will spend around £2,500 a year on their habit. Smoking not only has an impact on the health of the population; there is also a wider cost to society. The ASH Ready Reckoner estimates the costs of smoking tobacco at a local level.

Figure 7. Breakdown of costs to society of smoking in Walsall (ASH Ready Recknor 2022)



Each year in Walsall it is estimated that smoking costs approximately £106.4m.<sup>21</sup> Revenue from cigarette and hand rolled tobacco taxation only brings in about £48.3m.

The £106.4m in costs are accrued in the following areas:

<sup>21</sup> <https://ash.org.uk/resources>

- Productivity loss (£86.4m) – smoking negatively affects earnings and employment prospects. Smokers take more sick leave from work than non-smokers and smoking increases the risk of disability and early death. This has an impact on the local workforce and economy. It is estimated that each year a potential amount of wealth is lost from the local economy as a result of lost productivity due to smoking.
- Healthcare (£10.8m) – these costs are a result of smoking-related hospital admissions and the cost of treating smoking-related illness via primary care services
- Social Care (£6.3m) – many current/ former smokers require care in later life as a result of smoking related illnesses. The estimated overall cost to local authorities is split between £3m for residential care and £3.3m for domiciliary care.
- Fire (£2.6m) – Smoking materials are a major contributor to accidental fires in England with around 7% being smoking related, in Walsall this equates to approximately 12 fires per year. Fatalities are disproportionately high in smoking related fires. Illicit cigarettes are linked to an increase in house fires as they continue to burn if not actively smoked unlike genuine cigarettes.

### **Littering Costs**

Tobacco usage has an environmental impact in our community. 62% of people drop litter and smoking materials constitute 35% of all street litter. Most cigarette filters are non-biodegradable and must be collected and disposed of in landfill sites.

### **Priorities for Walsall Council 2023 - 2027**

Our Vision for Walsall is to improve tobacco related outcomes for the health and economy of the borough and its residents, with the aim of reducing smoking prevalence to lower than the regional average.

### **Aims**

By 2027 we aim to:

Reduce smoking prevalence to lower than the regional average and be the most improved borough in the West Midlands by 2040.

Provide a co-ordinated approach to tobacco control to fully realise the improvements to the health and economy of Walsall and its residents by contributing to:

- Gaining strength through partnership support internally and externally
- Reducing illicit tobacco supply and supporting the local economy

- Tackling the growing use of vaping in children and young people
- Reducing the number of people smoking
- Addressing inequalities and improving access to support especially for those people with mental health conditions, routine and manual workers and pregnant women
- Providing accurate information and lifestyle signposting and support, including advice about smokefree homes
- Supporting workplaces with resources.

Through these aims, four key priority areas for action have been identified and have been grouped under the following headings:

### **1. Effective Leadership and Partnership**

Tobacco control and smoking cessation is central to a wide range of policies and practices across Walsall. Ownership and robust governance across a range of partners to ensure a collaborative approach and accountability for delivery of the Tobacco Control Plan.

### **2. Enhance Local Regulation and Enforcement (including Vaping)**

Effective measures for identifying and tackling the trade in illicit tobacco and vaping products.

### **3. Preventing residents from starting (smoking and/or vaping)**

Raising awareness and implementing action to reduce the number of new smokers including those who vape.

### **4. Enhancing Stop Smoking Services to target those in greatest need (e.g. high-risk groups such as residents with mental health conditions, routine and manual employees and pregnant women).**

Increasing access to stop smoking support for high-risk groups to contribute to reducing inequalities.

## **Ambitions**

### **Non-quit related ambitions aligned to local actions:**

- Directive for all large sized organisations (e.g. Trust, ICB, College) to sign the relaunched Local Government Declaration on Tobacco Control
- Carry out mapping exercise of raids/seizures

- Work with national working group to raise awareness of harms of shisha use and associated risks
- Continue to reduce workplace absence/increase productivity
- Work with local partners (Fire service, Walsall Football Club, sports clubs, family Hubs, GP Practices, Dental Practices, etc.) to promote smoke-free messages
- Strengthen the pathway for smoking cessation with visibility and signposting at pre-op clinics, outpatients, dental practices, etc.

### **Quit related ambitions aligned to national data:**

Reduce the prevalence of smoking in the adult population, smoking in routine and manual workers, smoking in those with a serious mental illness and women who smoke at the time of delivery to lower than the West Midlands average.

Paving the way for Walsall to continue working towards achieving the national Smokefree 2030 ambition.

### **Implementation and Monitoring**

The Safer Walsall Partnership (or nominated partnership committee) will be responsible for overseeing the implementation of the Tobacco Control Plan, with appropriate health partnership governance being provided through the Health and Wellbeing Board.

The Tobacco Control subgroup will be responsible for delivery of the plan and will be accountable to the Safer Walsall Partnership Board.

### **Action Plan**

#### **Effective Leadership and Partnership**

Objective	Stakeholder	Deliverable	By when
Re-establish governance with Safer Walsall Partnership and links with wider national and regional leads and add name to distribution lists	Safer Walsall Partnership Board  West Midlands Tobacco Control Network (restart)  Smoking Cessation Steering Group (Maternity)	Joint policies and positions on vaping and increasing smoke free areas	Year 1

	Local Tobacco Control Working Group (create)		
Develop a local Tobacco Control group and support development of a regional and national group	Local Tobacco Control membership: Trading Standards Environmental Health Wellbeing Service By invitation: Licensing  Regional and National Tobacco Control Membership  Black Country partners leading in Tobacco  National partners such as ASH and LGA	Application of national tobacco control initiatives locally  System change – to influence regional and national policy	Year 1 (local and regional)  Year 2 (national)
Identify and develop 'champions' within organisations to increase the profile of the tobacco control agenda	Environmental Health Local organisations	Well informed local organisations with increased awareness of tobacco control	Year 2
Develop the skills, knowledge and awareness for wider teams in tobacco control	Environmental Health Relevant partners	Well informed workforce with increased capacity for tobacco control	Year 2
Encourage more partners to sign up to the relaunched Local Government Declaration on Tobacco Control	Relevant partners particularly large organisations	Raising the profile of Tobacco Control and aligning to national stance	Year 1

## Enhance Local Regulation and Enforcement

Objective	Stakeholder	Deliverable	By when
Proactively support to Trading Standards work on reducing illicit tobacco availability within Walsall by providing relevant intelligence (underage sales of tobacco and nicotine containing products)	Trading Standards Police Education and relevant partners in regular contact with local community and business	Reducing illicit tobacco supply and supporting the local economy	Year 4
Mapping and evaluation of illicit activities across the borough	Trading Standards Business Insights	Local intelligence on geography involved, types of seizures, age of sale and community feedback	Year 2
Establish a process of collecting relevant data from inspection visits and monitoring and evaluation of subsequent actions	Environment Health Trading Standards	Proformas for accurate recording of relevant information from inspection visits  Local intelligence to inform future actions	Year 3
Implement local action on the national “flying squad” (program on illicit vaping) and Track and Trace (manufacture, import, transport, store or sell tobacco products)	Trading Standards	Reduce supply of illicit products (national importing)	Year 2
Raise awareness of Tobacco involvement with criminal activity, human trafficking, drugs and exploitation of vulnerable people	Trading Standards Immigration Police Magistrates Social Workers Housing Associations	Local communications and training to wide range of partners alongside national campaigns.  Increase professional knowledge and awareness of wider links to illicit tobacco	Year 3



Work with regional/national partners to develop and implement education and communication resources to raise awareness (e.g. myth busting, environmental effects) and decrease use of vapes	Trading Standards	Addressing vaping/youth vaping – impact on health, economy, environment, wider	Year 1/Year 2
Raise awareness of the harm and impacts of niche tobacco products (shisha)	Environmental Health Trading Standards	Local intelligence to inform future actions	Year 3

### Preventing residents from starting

Objective	Stakeholder	Deliverable	By when
Develop a co-ordinated internal and external communications strategy	Communications LA/ICB/WHT	Tobacco Communication Plan	Year 1
Work with local partners to promote smoke-free (smoke free homes, safe and well, families with children)	Fire service Family Hubs, GP Practices, Children's Services, Social Care	Raise awareness on effects of second-hand smoke, reduce exposure of adults smoking in front of children and young people and safety (e.g. reducing fires)	Year 2
Develop and roll out education resources to address vaping in young people	Education/School Nursing, Family Hubs, Trading Standards  Develop a local position statement on Vaping	Raise awareness on vaping 'myth busting' with young people  Increase vigilance with selling/purchasing of illegal vapes	Year 1/Year 2
Refresh Little Lungs/Smoke-free gates – implement and monitor local policy	Education	Drive policy (school gates) and sign-up/refresh	Year 2
Develop local position statement on youth vaping and	Black Country Tobacco Control group	Local policy which provides clarity for	Year 1/Year 2

policy and resources on vaping for local partners (businesses; schools, primary care)	Local Tobacco Control group	young people who vape A policy template for local partners to tailor and implement within respective settings	
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### Enhancing Stop Smoking Services to target those in greatest need

Objective	Stakeholder	Deliverable	By when
Increase the number of individuals from high-risk groups using the local stop smoking services, (addressing inequalities).	WHT (Inpatient Offer, Smoking in Pregnancy) Wellbeing Service MoreLife (Digital App)  Primary Care Pharmacy Community Organisations Public	Raise profile and ease of access to cessation offers. Development of referral pathways Clear reporting of engagement and outcomes for high-risk groups	Year 1
Varied offer of local face to face and digital stop smoking options	Smoking cessation providers (including Wellbeing Service and pharmacies)  Digital Stop Smoking Provider	Review of digital stop smoking pilot and plan for future provision  Refreshing service offer that provides choice to residents	Year 1
Analysis of local population views and knowledge about local stop smoking services	Smoking cessation providers (including Wellbeing Service and pharmacies)	Local intelligence to shape future support for high-risk groups	Year 3

	Digital Stop Smoking Provider  Business Insights		
Raise professional awareness across all points of contact about stop smoking, smokefree homes, tobacco control	WHT MHT ICB/Primary Care Smoking in Pregnancy Health Visitors Family Hubs Education	Increase visibility to direct people to stop smoking and wider support services to encourage quit	Year 2
Targeted Communications campaigns	Public Health Primary Care WHT Stop Smoking service providers (across all pathways)	Engaging with target groups (those with mental health conditions, partners of pregnant women, routine and manual workers)  Evaluation to determine if the offer is fit for purpose by the Provider	Year 3
Develop follow-up post-pregnancy of benefits of maintained quits	Primary Care Health Visitors Family Hubs	Evaluation of long-term quits post pregnancy	Year 4
Implement a workplace offer, particularly for routine and manual employers, for smoking cessation.  Support routine and manual businesses to go above and beyond best practice in relation to smokefree practices	Wellbeing Service	Increase awareness of benefits of being smoke free (e.g myth busting of tobacco/ vaping)  Workplace based smoking cessation offers	Year 4

This is an initial action plan; we will work through the Safer Walsall Partnership Board on any additional actions that evolve and will contribute to the outcomes listed above over the lifecycle of the strategy.

# Local Government Declaration on Tobacco Control

## As public health leaders, we acknowledge that:

- Smoking is a leading cause of premature death, disease and disability in our communities;
- Reducing smoking in our communities significantly increases household incomes and benefits the local economy;
- Reducing smoking amongst the most disadvantaged in our communities is the single most important means of reducing health inequalities;
- Smoking is an addiction largely starting in childhood, two thirds of smokers start before the age of 18;
- Smoking is an epidemic created and sustained by the tobacco industry, which promotes uptake of smoking to replace the tens of thousands of people its products kill in England every year; and
- The illicit trade in tobacco funds organised criminal gangs and gives children access to cheap tobacco.

## We welcome the:

- Opportunity for local government to lead local action to tackle smoking and secure the health, welfare, social, economic and environmental benefits that come from reducing smoking prevalence;
- Government's ambition to make England smokefree by 2030 and tackle inequalities in smoking prevalence;
- Commitment by the government to live up to its obligations as a party to the World Health organization's framework convention on Tobacco control (FCTC) and in particular to protect the development of public health policy from the vested interests of the tobacco industry; and
- NHS Long Term Plan commitments to provide all smokers in hospital, pregnant women and long-term users of mental health services with tobacco dependence treatment.

## We commit \_\_\_\_\_ from this date \_\_\_\_\_ to:

- Act at a local level to reduce smoking prevalence and health inequalities, to raise the profile of the harm caused by smoking to our communities and in so doing support delivery of the national smokefree 2030 ambition;
- Develop plans with our partners and local communities to address the causes and impacts of tobacco use;
- Participate in local and regional networks for support;
- Support the government in taking action at national level to help local authorities reduce smoking prevalence and health inequalities in our communities;
- Protect our tobacco control work from the commercial and vested interests of the tobacco industry by not accepting any partnerships, payments, gifts and services, monetary or in kind or research funding offered by the tobacco industry to officials or employees;
- Monitor the progress of our plans against our commitments and publish the results; and
- Publicly declare our commitment to reducing smoking in our communities and to join the Smokefree Action Coalition, the alliance of organisations working to reduce the harm caused by tobacco.

## Signatories:



Leader of Council



Chief Executive



Director of Public Health

## Endorsed by:

Prof Sir Chris Whitty, Chief Medical Officer,  
Department of Health and Social Care



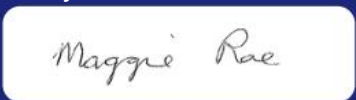
Councillor David Fothergill, Community Wellbeing  
Board Chair, Local Government Association



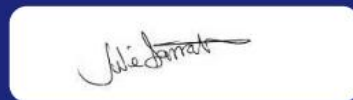
Prof Jim McManus, President,  
Association of Directors of Public Health



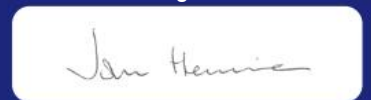
Prof Maggie Rae, President,  
Faculty of Public Health



Julie Barratt, President,  
Chartered Institute of Environmental Health



John Herriman, Chief Executive,  
Chartered Trading Standards Institute



## Equality Impact Assessment (EqIA) for Policies, Procedures and Services

<b>Proposal name</b>	<b>Tobacco Control Plan</b>		
<b>Directorate</b>	Adult Social Care		
<b>Service</b>	Public Health		
<b>Responsible Officer</b>	Nina Chauhan-Lall		
<b>Proposal planning start</b>	13/11/23	<b>Proposal start date (due or actual date)</b>	Cabinet 13/12/23

1	What is the purpose of the proposal?	Yes / No	New / revision
	Policy	No	
	Procedure	No	
	Guidance	No	
	Is this a service to customers/staff/public?	No	
	If yes, is it contracted or commissioned?	No	
	Other - give details – The Tobacco Control Plan outlines the priorities for the Local Authority and partners in delivering on the actions outlined in the Plan	Yes	update
2	<b>What is the business case for this proposal? Please provide the main purpose of the service, intended outcomes and reasons for change?</b> <p>The Tobacco Control Action Plan 2023-27 is an update from the previous Tobacco Control Action plan 2016-19.</p> <p>The plan aims to continue to support the locality in reducing the use and harms associated with tobacco use in the local Walsall population and for those people who work in Walsall. The actions provide a balance between preventative measures, universal and targeted support.</p> <p>The targeted support will be designed specifically for certain groups that are at greater risk of harm from tobacco and vaping products (illicit and legal) this includes:</p> <ul style="list-style-type: none"> <li>• People with long term mental health conditions</li> <li>• Pregnant women</li> <li>• Routine and manual workers.</li> </ul> <p>The actions outlined will support local residents and the economy by reducing the harms caused by smoking and vaping.</p>		



Smoking is the leading cause of death and illness in the UK. It is estimated that there are close to one million smokers in the West Midlands. Smoking can contribute towards the development of many diseases, but is most commonly linked with coronary heart disease, stroke, lung cancer, asthma and chronic obstructive pulmonary disease. For those who smoke, quitting is often the single most effective method of improving health and preventing illness. Evidence-based NHS stop smoking services are highly effective in both cost and clinical terms.

The national smoking prevalence (18+) is estimated to be 12.7%; Walsall has a higher smoking prevalence of 13.8% and an estimated total number of 29,300 smokers. Reducing health inequalities for Walsall is a part of the wider Council objectives. National evidence shows that tobacco contributes to poverty due to the income spent on tobacco rather than rent, food and bills.

The Tobacco Control Plan will provide support to both residents and the local economy, reducing the harms caused by smoking and vaping:

Children and young people will be clear about the dangers/risks of smoking and vaping.

Residents who smoke (who want support) will be able to access evidence-based interventions tailored to their individual needs.

Tackling the sale of illegal tobacco and vaping products will reduce health implications. Whilst no tobacco is safe, illicit tobacco could contain higher levels of harmful chemicals. The same applies to illegal vapes.

Tackling the sale of smuggled tobacco will reduce the amount of revenue in duty that is lost each year. It will also reduce the supply of cheaper products making price more of a barrier for those who otherwise would continue smoking.

Local businesses will be supported to implement new Government Legislation on age restricted sales of tobacco and vaping products. This will reduce the risk of fines and potential imprisonment.

**3 Who is the proposal likely to affect?**

People in Walsall	Yes / No	Detail
All	N	The Tobacco Control Plan is aimed at supporting people who live, work or are registered with a Walsall GP to stop using tobacco containing products.  The service offers across the borough include: <ul style="list-style-type: none"> <li>• Universal support to anyone aged 12 and over who smoke/use a tobacco product</li> <li>• Digital support to those aged 18 and over</li> <li>• Smoking in pregnancy support for pregnant women, partners and grandparents</li> <li>• Inpatient offer for those people who are admitted to hospital with further community pharmacy support on discharge</li> </ul>
Specific group/s	Y	
Council employees	Y	
Other (identify)		
The Tobacco Control Plan is aimed at supporting people who live, work or are registered with a Walsall GP to stop smoking/using tobacco containing products.  In addition the Plan will provide support to both		

	<p>residents and the local economy, reducing the harms caused by smoking and vaping (under age and illicit sales).</p>		<p>As we support more individuals to stop smoking it will have a better impact on the wider Walsall population with regards to the environment, second hand smoke, smoke-free homes, smoking in pregnancy.</p> <p>Working with partners the Tobacco Control Plan addresses actions to raise the awareness of under age sales and use of illicit tobacco and tobacco containing products, including vapes.</p>
<b>4</b>	<p><b>Please provide service data relating to this proposal on your customer's protected characteristics.</b></p>		
	<p>Smoking prevalence amongst adults in Walsall is 13.8% which is above (worse than) the England average (12.7%), this equates to an estimated total number of 29,300 smokers. In Walsall, smoking is estimated to kill 381 people every year (Public Health England 2019).</p> <p>In adults aged 18-64 in routine and manual occupations 18.5% were smokers.</p> <p>NHS Digital return on smoking status at time of delivery (2020/21) identified 13.9% of women were smokers at the time of delivery.</p> <p>Reducing health inequalities for Walsall is a part of the wider Council objectives. National evidence shows that tobacco contributes to poverty due to the income spent on tobacco rather than rent, food and bills.</p> <p>The national tobacco control plan emphasises the need to support smokers to quit; data shows that people are four times more likely to quit with specialist support.</p> <p>The Khan Review: Making Smoking Obsolete (2022) (<a href="#">the-khan-review-making-smoking-obsolete</a>) Minister O'Brien's Address (<a href="#">minister-neil-obrien-speech-on-achieving-smokefree-2030-cutting-smoking-and-stopping-kids-vaping</a>) and the Prime Minister's Address (<a href="#">government-sets-out-next-steps-to-create-smokefree-generation</a>)</p> <p>provide a national foundation to continue the campaign in achieving smokefree status. It highlights strong partnership working and innovation will be required across the board in order to achieve its ambitious aims and support people to stop smoking, address vaping in young people and the harms of illicit tobacco/tobacco products.</p> <p>The overall aim of the Tobacco Control Plan is to lead towards the national ambition of Smokefree 2030.</p> <p>See the attached draft Tobacco Control Plan for local and national data.</p>		
<b>5</b>	<p><b>Please provide details of all engagement and consultation undertaken for this proposal. (Please use a separate box for each engagement/consultation).</b></p>		

The Tobacco Control Plan for Walsall will provide a balance between preventative measures and targeted support. Targeted support will be designed specifically for certain groups that are at greater risk of harm from tobacco and vaping products (illicit and legal).

The Tobacco Control Plan has been updated in accordance with new government legislation and data highlighting the need for a strong system approach to:

- Encourage people to stop smoking
- Address the harms of tobacco
- Drawing attention to underage sales and illicit tobacco/vapes
- Highlight the concerns around youth vaping
- Increase knowledge of the harms associated with tobacco use.

All actions within the Tobacco Control Plan have been supported with national and local data around the stop smoking agenda and will be carried out by designated stakeholders/service providers.

Walsall's Tobacco Control Plan will support:

The Council Plan priorities particularly:

- People can access support in their community to keep safe and well and remain independent at home.
- People are supported to maintain or improve their health, wellbeing, and quality of life.
- Supporting a dynamic, resilient, and diverse economy where businesses invest and everyone has the right jobs and the right housing in the right place.

The 'We Are Walsall 2040' priorities particularly:

- 'By 2040 people in all areas of the borough will live longer lives in better health, and we will have narrowed the gap in life expectancy and healthy life expectancy across all neighbourhoods.'
- 'By 2040 people in Walsall will live more physically active lives – we will be the most improved borough for smoking rates and drug addiction in the region.'

See the attached draft Tobacco Control Plan for local and national data.



**Consultation Activity**

The Tobacco Control Plan encompasses an action plan which partners and providers will deliver on. Where appropriate an EQIA will be completed by commissioners for a defined activity (detailed Service Specification) and approved to ensure there is no adverse impact on any of the protected characteristics.

The Tobacco Control Plan provides an action plan based on four priorities:

1. Effective Leadership and Partnership
2. Enhance Local Regulation and Enforcement
3. Preventing residents from starting (smoking and/or vaping)
4. Enhancing Stop Smoking Services to target those in greatest need (e.g. high-risk groups such as residents with mental health conditions, routine and manual employees and pregnant women).

All actions outlines are based on national and local data around smoking/quit smoking (Provider data) and tobacco control (Trading Standards) activity.

NB: EQIA has been approved for all providers delivering stop smoking/tobacco control within the relevant service specification (See attached Wellbeing Service EQIA and Digital Stop Smoking EQIA – both approved for the specific service which is noted within the Tobacco Control Plan actions).

**6 Concise overview of all evidence, engagement and consultation**

The Tobacco Control Plan encompasses an action plan which partners and providers will deliver on. Where appropriate an EQIA will be completed by commissioners for a defined activity (detailed Service Specification) and approved to ensure there is no adverse impact on any of the protected characteristics.

All actions within the Tobacco Control Plan have been supported with national and local data around the stop smoking agenda and will be carried out by designated stakeholders/service providers.

**7 How may the proposal affect each protected characteristic or group? The effect may be positive, negative, neutral or not known. Give reasons and if action is needed.**

Characteristic	Affect	Reason	Action needed Yes / No
Age	See Attached		
Disability			
Gender reassignment			
Marriage and civil partnership			

	<b>Pregnancy and maternity</b>	
	<b>Race</b>	
	<b>Religion or belief</b>	
	<b>Sex</b>	
	<b>Sexual orientation</b>	
	<b>Other (give detail)</b>	
	<b>Further information</b>	
<b>8</b>	<b>Does your proposal link with other proposals to have a cumulative effect on particular equality groups? If yes, give details.</b>	(Delete one) <b>No</b>
	The Tobacco Control Plan is the overarching document which ensures that the priorities outlined in the action plan are delivered by the appropriate partners (internally and externally) or commissioned providers.	
<b>9</b>	<b>Which justifiable action does the evidence, engagement and consultation feedback suggest you take?</b>	
A	<b>No major change required based on reasons explained above with exception of ensuring stop smoking offers consider people with protected characteristics at higher risk appropriately (this will be done through service specifications and specific EqlAs for services commissioned)</b>	

<b>Action and monitoring plan</b>				
<b>Action Date</b>	<b>Action</b>	<b>Responsibility</b>	<b>Outcome Date</b>	<b>Outcome</b>

Update to EqIA	
Date	Detail
Use this section for updates following the commencement of your proposal.	

**Contact us**

Policy and Strategy Unit  
 Email: [PolicyandStrategy@walsall.gov.uk](mailto:PolicyandStrategy@walsall.gov.uk)

Inside Walsall: [http://int.walsall.gov.uk/Service information/Equality and diversity](http://int.walsall.gov.uk/Service_information/Equality_and_diversity)

<p><b>7. How may the proposal affect each protected characteristic or group? The effect may be positive, negative, neutral or not known. Give reasons and if action is needed.</b></p>			
<p><b>Characteristic</b></p>	<p>Affect</p>	<p>Reason</p>	<p>Action needed Yes / No</p>
<p><b>Age</b></p>	<p>Whole population</p>	<p>Depending on the element of Tobacco control being addressed e.g. smoking in pregnancy affects the mother and unborn child, under age sales of illicit tobacco affects the child and</p>	<p>No</p>

		proprietor (legally), stop smoking offer open to people aged 12 and over	
<b>Disability</b>	Having a disability will not affect any of the actions under the Tobacco Control Plan	Ability to smoke or be involved in tobacco trade	No
<b>Gender reassignment</b>	<p>The actions of the Tobacco Control Plan will not be gender biased and allows for accessibility to all genders.</p> <p>Health policy campaigns will include equality policies – in any relevant specification</p>	<p>Those who identify as transgender may be more likely to be smokers, as almost across the board, trans people are at higher risk of a number of things including homelessness, substance misuse etc. Trans people may be positively, though disproportionately, affected by actions outlined in the Plan.</p> <p>LGBT people are disproportionately affected by wider social inequalities which can increase the risk of smoking initiation and tobacco addiction.</p>	Yes – ensure people with protected characteristics who are at higher risk of smoking are considered in smoking cessation delivery models and campaigns
<b>Marriage and civil</b>	Marital/civil status does not affect	If there is more than one smoker	No

<p><b>partnership</b></p>	<p>actions outlined in the Tobacco Control Plan</p>	<p>in the partnership, the stop smoking app can engage with both partners simultaneously throughout the quit journey allowing mutual support to quit together.</p> <p>Study evaluated the supporting role married or cohabiting partners might have in smoking cessation. At the end of the programme, 64% of patients and 75% of partners were abstinent -- compared to none and 55% at the start, respectively. The odds of quitting smoking at 16 weeks were significantly higher (5.83-fold) in couples who tried to quit together compared to patients who attempted it alone.</p>	
<p><b>Pregnancy and maternity</b></p>	<p>Tailored support is delivered to pregnant women in Walsall. This support has now been extended to partners.</p>	<p>There is a face-to-face smoking cessation offer for pregnant women through Walsall Healthcare Trust.</p>	<p>No</p>

		The app will further enhance the support offer for those women who do not want to engage with traditional services.	
<b>Race</b>	Race does not affect any of the actions of the Tobacco Control Plan, with the exception of ensuring smoking cessation service offers take racial inequalities into account	Some groups may have a higher prevalence of smoking/tobacco use compared to others and be supported to engage in cessation offers.  The percentage of adults who smoked was higher than average in the Mixed (19.5%) and White (14.4%) ethnic groups	Yes – ensure people with protected characteristics who are at higher risk of smoking are considered in smoking cessation delivery models
<b>Religion or belief</b>	Religion or belief does not affect any of the actions of the Tobacco Control Plan	Analyses suggest that Muslims smoke substantially less than Christians. Highest levels of smoking	No

		characterise people not professing any religion.	
<b>Sex</b>	Sex/Gender does not affect any of the actions of the Tobacco Control Plan, with the exception of ensuring people with protected characteristics at higher risk are considered appropriately through smoking cessation offers	There are likely to be a greater number of men who use tobacco products	Yes
<b>Sexual orientation</b>	Sexual orientation does not affect any of the actions of the Tobacco Control Plan, with the exception of ensuring people with protected characteristics at higher risk are considered appropriately through smoking cessation offers	Lesbian, gay and bisexual people are more likely to smoke than heterosexual people. Rates are particularly high for LGB women and bisexual men, with the inequality particularly pronounced when compared with heterosexual women and men (ONS, 2019).	Yes
<b>Other (give detail)</b>			
<b>Further information</b>	The detail of each specific action under the Tobacco Control Plan will potentially affect a population or a specific		



	<p>characteristic. This should be in a positive manner, however it is important that smoking cessation offers consider people with protected characteristics who are at higher risk appropriately.</p>		
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## **Cabinet – 13 December 2023**

### **Adult Social Care contributions policy for community and residential**

**Portfolio:** Councillor Pedley - Adult Social Care

**Related portfolios:** All

**Service:** Adult Social Care

**Wards:** All

**Key decision:** Yes

**Forward plan:** Yes

#### **1. Aim**

1.1 A significant activity of work has been undertaken to improve business processes and the experience of customers who require a financial assessment, to determine whether they are required to contribute towards the cost of their adult social care. This activity aligns to the following Council Plan 2022/2025 priorities:

- Priority 5 - All services will be innovative, high-performing and efficient, using technology, insight and new ways of working to bring equitable services to our customers.
- Priority 6 - The Council will deliver trusted, customer focused, and enabling services, which are recognised by customers and our partners for the value they bring.

1.2 To build upon these improved business processes, Adult Social Care is proposing to make general changes to the Council's Contributions Policy. These general changes will provide more clear and transparent guidance on how Walsall assesses customers for Adult Social Care financial contributions for residential and community care services.

#### **2. Summary**

2.1 In December 2021 Cabinet were asked, subject to consultation, to approve the Adult Social Care Charging Policy 2022. Delegated authority was also approved to align the Policy to meet the requirements of the national Adult Social Care Reforms to be introduced in October 2023. Subsequently, the Social Care Reforms have been delayed and further business processes and

systems are required to implement some of the charges and processes detailed in the 2022 Charging Policy.

- 2.2 As work continues to develop the Charging Policy underpinned by new and revised end to end finance processes being scoped by Adult Social Care Continuous Improvement Programme, it is recommended that the Adult Social Care Contributions Policy is updated, with a Charging Policy being introduced at a later date.

### **3. Recommendations**

- 3.1 That Cabinet approves the updated Adult Social Care Contributions Policy, to go live on Monday 5 February 2024.
- 3.2 That Cabinet notes the progress made to date to improve business processes and the experience of customers who require a financial assessment.

### **4. Report detail - know**

#### ***Context***

- 4.1 The current Adult Social Care Contributions Policy was agreed by Cabinet in 2017. An internal review of the Policy was undertaken from August 2021 to November 2021. The review identified a number of potential changes to the Policy and Cabinet approved the commencement of public consultation in advance of deciding whether to implement these changes.
- 4.2 Following the public consultation, a draft 2022 Charging Policy was developed. A Charging Policy covers the charging framework for care and support under section 14 of the Care Act 2014, that gives local authorities the power to charge for care and support provided to adults in a number of ways. It has a wider scope than a Contributions Policy, which sets out how an adult is assessed to determine how much they will contribute towards their adult social care costs.
- 4.3 In trying to operationalise the 2022 Charging Policy, it was established that further work would be required to take all the elements of the Charging Policy forward. The delays to the introduction of the Social Care Reforms also impeded this work. A decision has been made therefore to update the current 2017 Contributions Policy in the interim.
- 4.4 Although the current 2017 Community Contributions Policy is legally compliant, an updated Walsall Adult Social Care Contributions Policy is necessary to reflect best practice, provide more clarity on how some elements of the Policy work and reflect the Council's updated business processes and procedures. These would be regarded as general changes to the policy that do not require consultation. Clarity and enhancements reflected in the 2024 Contributions Policy include:

- Removal of website links to Statutory Provisions which are unusable, replaced by the stating the relevant legislation
  - Updated definition of aids and minor adaptations except from charging and contributions, in line with the Care Act
  - Updates to services the Council currently offers
  - A summary section explaining what a financial assessment is and the updated Council business process
  - A section explaining when a light touch financial assessment would be undertaken, in line with Statutory Provisions
  - Separate sections which detail the community financial assessment calculation and the residential financial assessment calculation, in line with Statutory Provisions and what financial information is taken into consideration
  - A detailed explanation of when a full charge will be applied resulting from the customer failing to provide all requested information
  - A section added to explain how property is considered in financial assessment calculations. Although this is detailed in the Statutory Provisions, the 2017 Policy was not clear on how this is applied.
- 4.5 The financial assessment process which underpins the Contributions Policy is now wholly administered and managed by the newly formed Financial Assessment and Charging Team in Adult Social Care, removing the data capture form process from social care practitioners, freeing up capacity within care management. This new business process has been in place since May 2023.
- 4.6 Customers receiving residential services will be assessed and contributions calculated according to the Statutory Provisions. For people who receive community services to remain at home, the Council can make some choices about the way they calculate a customer's contribution towards their care. The updated policy will not see any changes as to how the Council already calculates a customer's contribution towards their care, but more clarity on how this is done.
- 4.7 Walsall will offer more than one way for customers to complete their financial assessment including online and by telephone where customers need more support. These channels have been piloted by the Financial Assessment and Charging Team and have already dramatically reduced the processing time for financial assessments and Council costs associated with printing and postage.
- 4.8 Customers will be offered a benefits maximisation assessment alongside their financial assessment. This will ensure that a customer's total household income is maximised, essential at a time when the cost of living is high; but in doing so, will also maximise the customer financial contributions income the Council receives.
- 4.9 Where customers require support to complete benefit applications, the service will refer the customer to Citizens Advice Sandwell and Walsall Welfare Benefits Caseworkers, who can provide specialist welfare rights information, form completion, appeals, tribunal support and case preparation.

- 4.10 Significant work has already been undertaken to prepare for an updated Contributions Policy and to enable customers to understand their obligation to make a financial contribution towards their care, as early possible in adult social care journey.
- 4.11 Customers will receive contact from the Financial Assessment and Charging Team following a referral from the social care practitioner during the care needs assessment stage. Social care practitioners should request a financial assessment to be undertaken if:
- The customer is new to Adult Social Care
  - The customer is known to Adult Social Care but does not have a current service in place
  - The customer is known to Adult Social Care and a change in service provision is required – community to residential.
  - Where a customer has had a change in circumstances
- 4.13 The Financial Assessment and Charging Team will also review an adult's financial assessment annually or at the request of the customer due to a change in circumstances.
- 4.12 A new customer booklet has been produced and will be provided to all customers. Customers will be asked to sign and return the customer declaration, which will be held on their social care record.
- 4.14 Council web pages associated with paying towards Adult Social Care are being updated to provide more information to all residents. Online customer support videos and the ability to complete the financial assessment online will be available using BetterCare Finance.
- 4.15 Project activity started in February 2023 to reduce Council client contributions debt levels by undertaking targeted case reviews. This work will be concluded by the end February 2024. The benefits of targeted resources to proactively monitor client contributions and to engage with adults early has been acknowledged. It is proposed to incorporate permanent resources to undertake this function as part of the Financial Assessment and Charging Team from 2024.

### ***Council Plan priorities***

- 4.16 This proposal links to the Council's corporate priority 'People have increased independence, improved health and can positively contribute to their communities; and Walsall 2024 "A community that cares" outcome by supporting people "...to be able to live independent lives and stay in their homes and communities as long as possible through provision of quality and timely support".

- 4.17 The principles and actions contained within this report are in full accordance with the Marmot objective enabling all people to maximise their capabilities and have control over their lives.

### ***Risk management***

- 4.18 There is a risk that some customers, carers, residents and groups will experience a level of anxiety or confusion about the Contributions Policy, even though there are no fundamental changes to the Policy.
- 4.19 Walsall Council will seek to mitigate these risks by providing customer information and advice in relation to the Policy via various channels including the Council's website.

### ***Financial implications***

- 4.20 Through a more clear and transparent policy, improved financial assessment business processes and procedures and more support for customers, should reduce customer contributions debt.

### ***Legal implications***

- 4.21 The legislative framework, which currently governs the Contributions Policy and associated business processes is dominated by the Care Act 2014, which, together with the related statutory instruments and regulations, provides a single framework for charging for care and support. Section 14 of the Act affords local authorities the power to charge individuals in receipt of care and support services, for these services where the local authority is permitted to charge. The same section also details which types of care and support Local Authorities are not permitted to charge for.
- 4.22 The details and time scales for the Social Care Reforms is likely to impact the future legislative landscape with respect to charging for care and support. Future changes to the Contributions Policy may therefore be required.

### ***Procurement Implications/Social Value***

- 4.23 There are no procurement implications arising out this report.

### ***Property implications***

- 4.24 There are no property implications arising out this report.

### ***Health and wellbeing implications***

- 4.25 The Council will take into consideration the mental capacity of customers and residents as well as any illness or condition they may have, when communicating with them and their ability to contribute towards their adult social care costs. In line with the Care Act 2014, and the principles set out in the

Mental Capacity Act 2005, the Council will assume that customers and residents have mental capacity and can make decisions for themselves unless it is established otherwise. In such cases, appropriate support will be identified.

### ***Reducing Inequalities***

- 4.26 A further Equality Impact Report will be completed as required.

### ***Staffing implications***

- 4.27 There are no staffing implications arising out of this specific report.

### ***Climate Impact***

- 4.28 There are no climate change implications arising out of this report.

### ***Consultation***

- 4.29 There are no consultation implications arising out of this report.

## **5. Decide**

### **Option 1 – Do not update the current Contributions Policy**

- 5.1 The Council could maintain the current policy (2017), but this may lead to criticism from the Local Government and Social Care Ombudsman if someone suffers an injustice as a result of the policy failing to reflect best practice and updated guidance.
- 5.2 The current policy lacks detail in some areas as how the policy is discharged, which causes confusion to both Council officers and customers. The updated Policy seeks to address this.
- 5.3 The current policy does not align with new business processes.
- 5.4 This option is not recommended.

### **Option 2 - Update the current Contributions Policy**

- 5.5 The general updates will reflect best practice, provide more clarity on how the policy is discharged, as well as reflect the improved financial assessment business processes.
- 5.6 This general update will provide more clarity on how customers engage with the financial assessment process. By providing more clarity and support for customers through the financial assessment process, it is believed that customers will make more timely payments and reduce the chances of

occurring debt. This will therefore relieve pressure on Adult Social Care and other Council budgets.

5.7 This option is recommended.

## 6. Respond

6.1 That Cabinet is asked to approve the updated ASC Contributions Policy, which is attached as Appendix 1. The proposed go live date is Monday 5 February 2024.

6.2 That Cabinet acknowledge the work undertaken and in progress to improve financial assessment business processes and procedures.

6.3 That Cabinet notes that further activity is being undertaken to implement a comprehensive Charging Policy for Adult Social Care Charging.

## 7. Review

7.1 The service will continue to monitor the effectiveness of both the Policy and the associated business processes and procedures.

## Appendices

Appendix 1 – Adult Social Care Contributions Policy 2024

## Background papers

None

## Author

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Signed



Kerrie Allward  
Executive Director  
30 November 2023

Signed



Councillor Pedley  
Portfolio Holder for Adult Social Care  
30 November 2023







**Walsall Council**

# Adult Social Care Contributions Policy 2024

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## 1. Introduction and legal framework

Unlike health care, **adults' social care is not free**, and adults/their representatives are expected to pay, or contribute towards the cost of their adult social care. Councils use the contributions adults pay towards the cost of social care services and to reinvest in social care services, that they would otherwise not be able to provide to the wider community.

This document sets out Walsall Council's policy on how adults, who are eligible for social care and support and their carers, contribute towards the cost of these services. It is based on Government legislation and national statutory guidance, most notably the [Care Act 2014](#) and [Statutory Guidance](#) that is underpinned by core principles to ensure it is fair, equitable, and based on the ability to pay.

This policy applies to all adults who receive care and support services following an assessment of their care needs and individual financial circumstances. For this policy, an adult is any adult aged 18 and above.

Section 14 of the Care Act 2014 gives local authorities the power to charge an adult and carers in receipt of direct care and support. Section 17 of the Care Act 2014 permits local authorities to undertake an assessment of financial resources. The financial assessment will determine the levels of an adult's financial resources and the amount that they are able to pay towards their care and support services.

This policy will be applied consistently to all adults regardless of how they are receiving their services. Everyone will contribute towards the cost of their care depending upon their means, and as such all will be offered a financial assessment.

No one will be charged more than it is reasonably practicable to pay dependent on the extent of his or her needs. The financial assessment will ask the adult/their representative about their finances and circumstances, and a calculation will be used to determine how much an adult is able to pay – this is known as the assessed contribution.

This policy will be regularly reviewed, and any changes agreed by the Council will be reflected in an updated policy document.

We will always consider a person's individual circumstances to ensure fairness so that they are not unreasonably disadvantaged.

We have set out the policy as simply as possible. Financial affairs can be complicated, but it is important that everyone can understand how the contribution they are asked to make has been arrived at, as this will support an adult's ability to have greater control over their finances and ultimately, over how they live their lives.

## 2. Assessed contribution principles

In order to comply with the requirements of the Care Act 2014, this policy seeks:

- To be comprehensive and to reduce variation in assessment and charge;
- To be clear, transparent and applied equally;
- To promote wellbeing, social inclusion and supports the vision of personalisation, independence, choice and control;

- To be focused, reflecting the variety of care and caring journeys and the variety of options available to meet their needs;
- To enable and encourage those who wish to stay in/take up employment, education or training is sustainable for local authorities.

The Council adopts the following over-arching principles to ensure the correct contributions from adults:

- Contributions from adults will be fair and reasonable and calculated with their input through an individual financial assessment.
- The Council will ensure that the financial assessment process provides adults with sufficient funds to cover basic needs such as food and housing costs.
- The vulnerability of adults and their personal circumstances will always be taken account of in regard to the application of the policy and the pursual of debt.

### 3. The financial assessment process

The eligibility threshold for an adult's needs is set out in the Care and Support (Eligibility Criteria) Regulations 2014. The threshold is based on identifying **how an adult's needs affect their ability to achieve relevant outcomes and how this impact on their wellbeing.**

If an adult's needs meet the Councils' eligibility criteria for services, the Council will undertake an assessment of the adult's ability to contribute to the cost of their care. This is done through a financial assessment, which will be undertaken by the Financial Assessment and Charging Team.

The adult will receive contact from the Financial Assessment and Charging Team following a referral from the social care practitioner, during the care needs assessment stage. Social care practitioners will only be required to request a financial assessment to be undertaken where the adult:

- is new to Walsall Council Adult Social Care
- is known to Walsall Council Adult Social Care but does not have a current service in place
- is known to Walsall Council Adult Social Care and a change in service provision is required – community to residential.
- has had a change in circumstances

The Financial Assessment and Charging Team will then contact the adult or their representative to explain the process and what is required as part of the assessment process. Adults will be provided with information and advice. They will be directed to where further information is available, including the customer booklet 'Your Social Care Contributions Explained' and online resources such as Council's website.

Adults can ask for assistance in completing the financial assessment. This can be requested with the Financial Assessment and Charging Team or, if preferred, an independent advocate.

Where an adult has a representative, i.e., Deputy, Power of Attorney or Appointee or next of kin that deals with their financial affairs, they **must** be part of the financial assessment process. If there is no legal representative, an adult may wish to have support from a carer, relative or friend.

Adults who are subject to a financial assessment will also be offered a welfare benefit check to ensure that they are receiving all the income that they are entitled to.

The financial assessment process will look at the total income and assets an adult has available to contribute. The Care Act and Statutory Guidance details that we include certain sources of income and assets and what should be excluded. Evidence will be required to substantiate an adult's financial circumstances.

If there is a delay in completing the financial assessment resulting from the adult failing to provide all requested information in the timescale specified (usually 14 days), the Council reserves the right to apply a full charge and the adult will be required to pay the full cost of their service:

- First financial assessment - from the start of the service
- Financial assessment review - from the date of the full charge decision

However, every effort will be made by the Council to undertake a financial assessment using available information to provide an accurate financial assessment.

If an adult declines or refuses a financial assessment, they will be required to pay for the full cost of their service from the start of the service.

Following the financial assessment, the Council will endeavour to notify the adult/their representative of the outcome prior to agreement of their Care and Support Plan ("CSP") which will be a legal document governing the placement.

#### 4. Light touch financial assessments

Under the Statutory Regulations, the Council is permitted to complete a "light touch" financial assessment under the following circumstances:

- The person consents to a light touch assessment, and outcome;
- The person has sufficient income left following the charge for community care services and the charge is clearly affordable,
- That the person has significant resources;
- That a full financial assessment would be disproportionate.

#### 5. Assessed contributions exemptions

The following services are exempt from being assessed for a contribution from an adult:

- Intermediate care, including reablement for up to a maximum of six weeks. If your support extends beyond six weeks, you will be charged subject to your ability to pay.
- Care and support provided to people with Creutzfeldt-Jacob Disease
- Community equipment (aids and minor adaptations) in line with the [Provisions of the Care Act](#)
- NHS Services
- After care and support provided under section 117 Mental Health Act 1983
- Services that the Council is required to provide under other Acts.

## 6. Financial assessment for community based services

Following a care and support needs eligibility assessment, the Council will carry out a financial assessment to see if a person can contribute towards their care and support that is to be delivered in their home and other community settings. The following services will therefore be financially assessed according to this policy:

- Homecare
- Supported living
- Shared Lives services
- Day care services – both community and site based
- Befriending
- Respite stays
- Reablement and enablement following a period of up to 6 weeks of free service
- Housing-related support services

The financial assessment considers a person's income, capital and appropriate expenses. Where appropriate capital is above the upper limit, the person will pay the full cost of the care. Capital is explained in section 8 of this policy.

Where capital is below the upper capital limit the basic principles of the financial assessment calculation are:

Income **LESS** Minimum Income Guarantee, Eligible Housing Costs & Expenses, Disability Related Expenditure = **Net Available Income for Charging**

The Council will ensure that the financial assessment process provides adults with sufficient funds to cover basic needs such as food and housing costs. This amount, (which is known as the 'Minimum Income Guarantee'), is set annually by the Department of Health and Social Care, prior to the start of the new financial year. Although a standard Minimum Income Guarantee will apply in most cases, we do recognise that there may be individual circumstances that may mean a person needs to keep more of their income.

If an adult incurs additional expenses due to their disability, additional allowances can be given to reflect the additional cost. The "Adults Support Plan" should identify disabilities or medical conditions, that indicate that additional allowances should be given.

"Disability Related Expenditure" ("DRE") is applied based on a standard allowance approach, with an option for an individual assessment. A graduated scheme is in place linked to percentage based on Disability Living Allowance benefit received. 10% DRE component is applied against each of the three rates detailed below:

- Care Component Lowest
- Care Component Middle Rate
- Care Component Highest Rate

An individual assessment will be considered, when DRE costs greater than the above, on an exception, evidenced based and case by case basis. Receipts may be requested for all items/services when a reassessment of charge is carried out or there is a dispute in the amount of any DRE allowed.

If there is a duplication of care being provided privately and by the Council, no DRE will be given for that particular service item.

If the adult requests any additional items and/or services, be included in the assessment after the financial assessment has been undertaken and the adult has been advised of their weekly contributions, receipts and supporting evidence will be required.

The net available income for charging will be the maximum level a person may be asked to contribute towards services. An adult assessed with no available income for charging purposes will not have to contribute towards the service.

## 7. Financial assessment for residential care

Following a care and support needs eligibility assessment, the Council will carry out a financial assessment to determine the amount of contribution towards a residential care.

The value of any property owned by an adult in a care home is normally included in their financial assessment, unless it is occupied by a spouse or partner, or relative who is under 18 or over 60 years of age.

The financial assessment considers an adult's income, capital and in some cases appropriate expenses. Capital is explained in section 8 of this policy.

Where capital included is above the upper limit the adult/their representative **must** pay the full cost of the care.

Where capital is below the upper capital limit the basic principles of the financial assessment calculation are:

Income **LESS** Personal Expense Allowance = **Charge**

The full financial assessment will ensure that individuals retain a basic level of income after charges have been deducted, known as the Personal Expenditure Allowance (PEA). The amount is set by the Department of Health each year.

Where a property is included within the assessment the adult may be eligible for the Council's Deferred Payments Scheme. The Deferred Payments Scheme is to help those who have been assessed as having to pay the full cost of residential care but cannot pay the full amount because their capital is tied up in a property. For more information about Deferred Payments, please visit the [Council's website https://go.walsall.gov.uk/health-and-social-care](https://go.walsall.gov.uk/health-and-social-care)

## 8. Capital

The value and treatment of capital and assets will be based on the definitions in the Care Act 2014 and the Care and Support Statutory Guidance. Some examples of capital included in the guidance are money held in a bank or building society, stocks and shares, bonds or land. A more substantial list can be found in the [Care and Support Statutory guidance](#).

The levels of capital considered with a financial assessment are:



- Capital below £14,250 will be disregarded (not included) for financial assessment purposes.
- Capital between £14,250 and £23,250 will be taken into account and a person will be required to pay £1 per week for every £250 of capital owned between £14,250 and £23,250.
- Capital over £23,250 will be taken into account and a person will be required to pay the full cost of their care.

## 9. How property is considered in financial assessment calculations

All decisions about the treatment of property will be made in accordance with the 2014 Regulations and Statutory Guidance provisions. This is the same for all types of care and support, only the exception is an adult's main or only home where the value of the property is considered for permanent residential care but not for any other types of care and support.

The main property will be disregarded from the financial assessment if it continues to be the permanent residence of a spouse or partner, or relative under the age of 18 or over 60.

Where the main and/or additional properties are included in the financial assessment calculations and a Deferred Payment Agreement is not viable or appropriate, the Council can apply a temporary hold on invoices to allow the adult time to consider the options available to fund their care costs. This period should be agreed between the Financial Assessment and Charging Team and the adult and confirmed in writing.

Adults should seek independent advice as soon as possible on their available options to fund their care costs where they have property. Options may include equity release or selling additional properties.

## 10. Deprivation of income, assets and/or capital

The deliberate disposal of income, assets and/or capital to avoid or reduce care charges is known as Deprivation of Income and/or Capital.

The question of deprivation should only be considered when the adult ceases to possess income, assets and/or capital which would otherwise have been taken into account.

In all cases of dispute, it is up to the adult to evidence to the Council that they no longer possess the income, asset and/or capital and the reason for this.

The Council will decide from available evidence whether the adult owned the capital and if applicable, the timing of a disposal prior to or during the provision of care services.

If the Council decides that an adult or an adult on their behalf, has deliberately deprived themselves of an asset or income to reduce the charge for care and support, the Council will charge the adult as though they still owned the asset or income.

Your invoice will show how much you/representative need to pay. Once you have received your invoice, it should be paid **immediately**.

## 11. Financial assessments where the adult is a couple/civil partnership.

Couples and Civil Partnerships will not be assessed according to joint resources. Individuals will be assessed in their own right.

## 12. Cost of support – the assessed contribution

Your assessed contribution will be based on the annual cost of your support plan agreed with your Social Care Practitioner.

Contributions will not exceed the costs set out in the current support plan. Where there are significant variations between support plan costs and actual services delivered, an adjustment will be applied – this called a variation.

Adults will not be charged more than the amount determined by their financial assessment or the actual cost of their care.

Contributions are payable from the date care services commence.

## 13. Self-funders and charges for arranging social care services

Where following a financial assessment, an adult is found to have sufficient funds to meet the full cost of their care themselves (savings or capital more than the Upper Capital Limit), this person is known as a self-funder and **must** pay the full cost of the social care services.

The adult/their representative will be offered information and advice on what options are available to them including how to arrange their own care. The adult/their representative is also entitled to ask the Council to commission and organise care and support services.

The Care Act 2014 allows the Council to recover its costs in providing a service to an adult who is regarded as a self-funder. The Council at this point has decided not to exercise its power in charging additionally for the cost of arranging services. This decision is currently under review.

The self-funder by accepting a managed service, accepts that their social care charge will be based upon the cost of your support plan agreed by Social Care Practitioner and not necessarily the actual care delivered.

## 14. Paying your assessed contribution

If we have arranged your care at home, we will send you an invoice every four weeks, which tells you how much you need to pay. Payment of the invoice will be due straight away. If you are in residential or nursing care, following your financial assessment, you will receive an initial invoice from the Council. Thereafter, you will pay your provider directly based upon their terms of business.

If you receive a Direct Payment, you must pay your care contributions into your Direct Payment account.

Your invoice will show you how much you need to pay. Once you receive your invoice, it should be paid straight away.

## 15. Adults who receive a Direct Payment

Adults who are not self-funders or full cost payers will have the option to use their Personal Budget to fund Council commissioned services, or to take it as a Direct Payment with which they may purchase alternative types of care to meet their assessed needs, as defined in Sections 31 to 33 of the Care Act 2014. It is also possible to use a combination of both a Direct Payment and a Personal Budget.

Adults opting to receive their care and support costs through a Direct Payment will receive payment to a dedicated bank account net of their assessed contribution. The adult should pay their contribution into this bank account to ensure that their care needs are met in full.

If a person has an outstanding adult social care debt, then we receive the right to meet an adult's care needs through commissioned care rather than a Direct Payment.

## 16. Variations to the Care and Support Plan

The care and support plan will outline the components of service/s and the cost of these services. Contributions will be calculated based on planned service provision and applied on a weekly basis.

Variations to planned service will occur from time to time for a variety of reasons, such as:

- where an adult is unwell;
- where an adult is away visiting relatives and does not require a homecare service.
- where additional care support is required

A reduction of the assessed weekly contribution will only be considered if there is a significant variation about the services, you are receiving when compared to those stated in your annual support plan. Evidence of these variations will need to be provided. We would not normally consider queries in relation to small adjustments as most people do not contribute the full cost.

## 17. Financial assessment annual review

The Financial Assessment of an adult's ability to contribute towards the cost of their social care will be reviewed annually and earlier if there are significant changes in either the financial circumstances of the adult or the amount of care they receive. Adults have a duty to notify the Financial Assessments and Charging Team if there is a change to their financial circumstances.

## 18. Change in circumstances

The adult or their carer/representative must inform the Financial Assessment and Charging Team, if there is any change in their circumstances regarding their finances which include income and capital (this includes any state benefit awards including universal credit award), as this may result in an adjustment to contribution that is required. It is important that you specify the date the change is effective from.

Any additional contributions identified in a reassessment of charges will be backdated to the date of the change in the circumstances.

Adults' contributions will be adjusted each year and the effective date will be in line with Department for Work and Pensions (DWP) and HM Revenue and Customs changes.

## 19. Non-payment of assessed contributions

The Council requires adults/their representative to pay the assessed contribution. Any adult/their representative refusing to provide financial information will be required to contribute the full cost of any services provided.

Recovery action will be taken where non-payment occurs. Follow up reminders and recovery action will be taken on all outstanding unpaid invoices.

Whilst an adult's personal circumstances will be considered with sensitivity, to ensure fairness to those adults who pay the required financial contribution, non-payment will be handled in line with the Council's Corporate Debt Policy.

Any adult /their representative failing to pay or refusing to pay the assessed contribution, who is unable to come to an arrangement with the Council about payment, will be subject to a financial recovery approach consistent with Section 69 of the Care Act 2014.

## 20. Appeal a financial assessment decision

An adult has a right of appeal and can request a review of their financial assessment. Such a review would need to be supported with evidence showing why it is believed that an error or omission has occurred.

An appeal will be accepted for the following reasons:

- Incorrect dates or amounts have been used.
- The contribution is incorrectly calculated.
- There is additional income and/or expenditure which was not included in the financial circumstances form.
- Costs in respect of an adult's disability are higher than the disregard of disability benefit income allowed by the Council and are not being met from the Personal Budget.
- There are exceptional personal circumstances concerning the adult's financial situation that make it unreasonable to pay the assessed contribution.

The adult will have their charge and financial assessment reviewed by an officer from the Financial Assessment and Charging Team, other than the one who completed the original assessment and calculations.

The adult will be notified of the outcome of their review within 10 working days of receipt of the original request. This could result in a changed / amended contribution.

Should an adult remain dissatisfied with the outcome of the financial assessment appeal, the next stage would be handled under the Walsall Council's Complaints Procedure. This procedure can be found on the [Council's website](#).

## 21. Safeguarding in the financial assessment process

Under sections 42-47 of the Care Act 2014, the Council has a duty to safeguard adults at risk of abuse or neglect, which includes financial abuse. The Financial Assessment and Charging Team will as part of its duties, look for signs of financial abuse.

When an adult lacks capacity to manage their own finances, there will often be a Deputyship, Lasting Power or Attorney or registered Enduring Power of Attorney in place. The person appointed will have a responsibility to act in the best interests of the adult, and this will be laid down in the Deputyship Order or Power of Attorney document. In these cases, the Council may need to speak to the individual managing the adult's finances in relation to specific transactions.

The Council recognises that financial abuse will not occur in most of circumstances but reserves the right to make checks to protect adults from abuse.

## 22. Questions or queries

If there are questions or queries regarding the Contributions Policy, about the financial assessment process or assessed contributions, please contact Financial Assessment and Charging Team:

Email [FACT@Walsall.gov.uk](mailto:FACT@Walsall.gov.uk)

Post Financial Assessment and Charging Team  
1st Floor Civic Centre Zone 1K  
Darwall Street  
Walsall  
WS1 1RG

## **Cabinet – 13 December 2023**

### **Recommendations from Education Overview and Scrutiny Committee regarding school performance data**

<b>Portfolio:</b>	Councillor Statham – Education and Skills
<b>Related Portfolios:</b>	
<b>Service:</b>	Childrens Services (Education Directorate)
<b>Wards:</b>	All
<b>Key decision:</b>	No
<b>Forward plan:</b>	No

#### **1. Aim**

To receive a recommendation from the Education Overview and Scrutiny Committee made on 3 October 2023 regarding school performance data.

#### **2. Recommendations**

That:-

1. Cabinet writes to the Secretary of State for Education to request that public performance data published on the Department for Education website on Local Authorities average education performance should split academy (Multi Academy Trusts or Companies) from maintained schools as Local Authorities have no control over academies and thus should not be judged on their performance.

#### **3. Report detail – know**

At its meeting on the 3 October 2023, the Education Overview and Scrutiny Committee received an update report on Learning Recovery within the Borough's schools. Members raised concerns and made a recommendation in relation to the report.

Members were concerned that the headline data published by the Department for Education which was used to judge the performance of the Council, such as Ofsted ratings and reading, writing and phonics standards, included performance data from academies. Members felt that it was not fair to judge the performance of the local authority using data including academies and that this data should be split between maintained schools and academies. This was because the Council did not have any control or input into the running of academies and therefore should

not be judged on their performance, especially when being compared to national averages.

The Committee felt that when comparing each local authority's performance the Department for Education should separate academies' data from that of the Borough's maintained schools when judging the performance of the Borough, as maintained schools had performed better on average in their Ofsted rating.

#### **4. Decide**

Cabinet could choose to:

1. undertake the recommendation as set out;
2. reject it;
3. choose to receive a report in more depth at a future Cabinet meeting.

#### **5. Respond**

Following the decision of Cabinet, the Education Overview and Scrutiny Committee will be advised of the outcome of their recommendation.

#### **6. Review**

Subject to the decision of Cabinet, further reports at Education Overview and Scrutiny Committee meetings or Cabinet meetings may be required.

### **Background papers**

None

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## **Cabinet – 13 December 2023**

### **Recommendations from Scrutiny Overview Committee - Policing within Walsall.**

**Portfolios:** Councillor Perry - Deputy Leader and Resilient Communities  
Councillor Murphy - Street Pride  
Councillor Ferguson - Internal Services

**Wards:** All

**Key decision:** No

**Forward plan:** No

#### **1. Aim**

To receive a recommendation from the Scrutiny Overview Committee made on 28 September 2023 regarding Policing in Walsall.

#### **2. Recommendations**

That Cabinet: -

- a. Identify potential opportunities to improve collaboration between Walsall Council and West Midlands Police to improve road safety and reduce road harm in the Borough.
- b. Consider the feasibility of co-locating the Council's community protection teams alongside West Midlands Police to increase co-operative working.

#### **3. Report detail – know**

At its meeting of on the 28 September 2023, the Scrutiny Overview Committee received a report on Policing within Walsall, including the establishment of the 'Local Policing Areas model', across West Midlands Police.

Members welcomed statistics relating to arrests, intelligence submissions, expired bail and response times which all reflected improved performance. Chief Superintendent Dolby elaborated on the importance of partnership working to produce visions of change and to design approaches for achieving these. Road safety and tackling road harm was identified as an area in which partnership working could be improved and community involvement could be an important part of this. The Chief Superintendent highlighted the need to 'design out' rather than 'enforce out' some highways risks. Civil injunctions conducted in partnership with organisations such as social housing providers were a useful tool and West Midlands Police consider it beneficial to co-locate in the Civic Centre with the community protection team. This would help to further strengthen working relationships and provide increased opportunities for collaboration and multi-agency working. This would further improve performance and outcomes for residents.



#### **4. Decide**

Cabinet could choose to:

1. undertake the recommendation as set out;
2. reject them;
3. choose to receive a report in more depth at a future Cabinet meeting.

#### **5. Respond**

Following the decision of Cabinet, the Scrutiny Overview Committee will be advised of the outcome of their recommendation.

#### **6. Review**

Subject to the decision of Cabinet further reports at Scrutiny Overview Committee meetings or Cabinet meetings may be required.

### **Background papers**

None

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