

<u>MEETING</u> COUNCIL
<u>DATE AND TIME</u> TUESDAY 31ST JULY, 2018 AT 7.00 PM
<u>VENUE</u> HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BG

Dear Councillors,

Please find enclosed additional papers relating to the following items for the above mentioned meeting which were not available at the time of collation of the agenda.

Item No	Title of Report	Pages
11.3	REFERRAL FROM THE CONSTITUTION & GENERAL PURPOSES COMMITTEE - CONSTITUTION REVIEW	3 - 48
12.2	COUNCIL TAX REDUCTION FOR CARE LEAVERS	49 - 66

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	<p>Council</p> <p>31 July 2018</p>
Title	<p>Report of the Constitution and General Purposes Committee – Constitution Review</p>
Report of	<p>Monitoring Officer and Chief Legal Advisor Head of Governance</p>
Wards	<p>All</p>
Status	<p>Public</p>
Enclosures	<p>Annex 1 – Report to Constitution and General Purposes 24 July 2018 Annex 1A – Decisions of Constitution and General Purposes Committee, 24 July 2018 Appendix A – Article 3: Residents and Public Participation (Tracked) Appendix B – Article 7: Committees, Forums, Working Groups and Partnerships (Tracked) Appendix C – Article 9: Chief Officers</p>
Officer Contact Details	<p>Andrew Charlwood, Head of Governance, 020 8359 2014, andrew.charlwood@barnet.gov.uk</p>

Summary

The Constitution and General Purposes Committee at a meeting held on 24 July 2018 considered a report on the Constitution, reviewing various sections. Only Full Council may amend the Constitution and therefore Council are recommended to approve the various recommendations of the Committee that would alter the Constitution.

Recommendations

- 1. That Council approve the recommendations contained in the report from the Constitution and General Purposes Committee at Annexe 1, and the track change versions attached at Appendix A to Appendix C.**
- 2. That the Monitoring Officer and Chief Legal Advisor be authorised to implement these revisions and publish a revised Constitution.**

1. WHY THIS REPORT IS NEEDED

- 1.1 As set out in the report attached at Annex 1.

2. REASONS FOR RECOMMENDATIONS

- 2.1 As set out in the report attached at Annex 1.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Options were put forward to the Committee and the attached report reflects the options chosen (as amended by the Committee) for recommendation to Council following discussion and debate.

4. POST DECISION IMPLEMENTATION

- 4.1 The Monitoring Officer will make arrangements for any changes agreed to be actioned, together with minor drafting and housekeeping changes. The revised Constitution will be published online and for existing hard copies issued to be revised and replaced.
- 4.2 The Constitution and General Purposes Committee will continue to proactively keep the Constitution under review and may make further recommendations in the next municipal year.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 As set out in the report attached at Annex 1.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 None.

5.3 Legal and Constitutional References

- 5.3.1 Council Constitution, Article 4 states that “The Full Council is a formal meeting

of all Councillors and is required by law to take certain important decisions as set out below. Full Council also approves a number of key plans and strategies, which together form the Policy Framework:....Adopting and changing the Constitution (unless delegated).”

5.3.2 Council Constitution, Article 7 states that the Constitution and General Purposes Committee terms of reference includes to: “Keep under review all aspects of the Council’s Constitution so as to ensure that it remains current and fit for purpose, and to make recommendations thereon to the Council.”.

5.3.3 Council Constitution, Article 9 states that “The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is available for consultation by Members, staff and the public”.

5.4 Risk Management

5.4.1 As set out in the report attached at Annex 1.

5.5 Equalities and Diversity

5.5.1 As set out in the report attached at Annex 1.

5.6 Consultation and Engagement

5.6.1 As set out in the report attached at Annex 1.

6. BACKGROUND PAPERS

6.1 As set out in the report attached at Annex 1.

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Decisions of the Constitution and General Purposes Committee

24 July 2018

Members Present:-

Councillor Melvin Cohen (Chairman)
Councillor John Marshall (Vice-Chairman)

Councillor Geof Cooke Councillor Barry Rawlings
Councillor Richard Cornelius Councillor Sarah Wardle
Councillor Alison Moore

1. MINUTES

RESOLVED that the minutes of the General Functions Committee held on 19 March 2018 be approved as a correct record.

2. ABSENCE OF MEMBERS

None.

3. DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS

None.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. PUBLIC QUESTION AND COMMENTS (IF ANY)

None.

6. MEMBERS ITEM (IF ANY)

None

7. CONSTITUTION REVIEW

The Monitoring Officer presented the Constitution Review report. Following discussion and consideration of the report **the Committee RESOLVED to:**

Recommend to Council that the Constitution be amended to incorporate the changes detailed in the report and in the amended versions the sections set out in Appendix A to Appendix C subject to the following amendments;

1. **Article 3, Section 3.2 Questions to Committee – first sentence of the first paragraph,**
 - **“Questions must specify the substantive item of business on the agenda which they relate to.”**

delete with word ‘substantive’, amended wording to read;

- **“Questions must specify the item of business on the agenda which they relate to.”**

2. **Article 3, Section 3.5 Issues for Residents Forums – bullet point 1**
 1. **Residents will have the opportunity to discuss the issue raised for up to 3 minutes.**

Amended the wording to read:

1. **Residents will have the opportunity to address the Forum for up to 3 minutes on the issue they have previously raised.**

The meeting finished at 8.05 pm

Article 3 – Residents and Public Participation

3.1 Residents' Rights

Residents have a number of rights. The following list is a general summary of rights in terms of information, the opportunity to participate and the ability to make complaints.

- (a) (i) **Petition scheme.** Residents who are concerned about a Council service or a decision that is about to be made may send the Council a petition which shall be considered and responded to in accordance with the Petition Scheme as outlined below.
- (b) **Information.** Residents have the right to:
 - (i) Attend meetings of the Council and its committees, except where confidential or exempt information is likely to be disclosed, and that part of the meeting is therefore held in private;
 - (ii) See agendas, reports and background papers, except where confidential or exempt information is likely to be disclosed, and any records of decisions made by the Council and its committees; and
 - (iii) Inspect the Council's accounts and make their views known to the external auditor.
- (c) **Treatment.** Residents have the right to:
 - (i) Be treated with understanding and respect;
 - (ii) Have equal opportunity with other residents; and
 - (iii) Receive quality services provided to Best Value principles.
- (d) **Public Engagement.** Residents have the right to ask questions, receive answers and make comments at committee meetings in accordance with the following rules. Residents can also raise issues at Residents Forum.

Residents can participate in Committee meetings as follows:

- By asking a public question
- By making a public comment
- By submitting a petition

3.2 Questions to a Committee

Questions must specify the substantive item of business on the agenda which they relate to. Committee agendas are usually published on the Council's website five clear working days prior to the meeting. Residents should state their address when submitting questions.

Questions should be submitted to the relevant Governance Officer by 10am on the third working day prior to the meeting. Any questions submitted after this time will not be considered.

Written responses to public questions will be circulated to the questioner in advance or at the meeting. Residents can ask the committee chairman one supplementary question per question asked at the committee meeting, which will be answered without discussion. The supplementary question must be relevant to the original question put to the chairman.

Residents submitting questions are able to send a substitute to ask their supplementary question if they are unable to attend the committee meeting. The Governance Officer supporting the meeting should be made aware of this prior to the meeting commencing.

At the meeting a time period of up to 30 minutes is available for public questions and comments in total.

3.3 Comments to Committees

Comments must specify the substantive item of business on the agenda which they relate to. Committee agendas are published on the Council's website five clear working days prior to the meeting.

Requests to speak should be submitted to the relevant Governance Officer named on the front page of the agenda and be received by 10am on the third working day prior to the meeting. Any requests to make comments after this time will not be considered.

At the meeting each speaker will have a time period of up to three minutes to address the committee. Committee Members may ask the speaker questions on the representation they have made to the committee.

Comments may also be made in writing within the same deadlines as above and these will be published as an addendum to a report.

Residents making public comments are able to send a substitute if they are unable to attend a committee meeting. The Governance Officer supporting the meeting should be made aware of this prior to the meeting commencing.

3.4 Procedure for Questions and Comments at Committees

At the committee meetings a time period of up to 30 minutes, is available for public questions and comments in total.

Public comments will be received by the Committee before supplementary questions are asked. Where a resident has submitted more than one question, their second item or question will be considered after all other residents have asked their first supplementary question. Supplementary questions will continue to be asked in this way until there are no further questions or 30 minutes has elapsed.

3.5 Issues for Residents Forum

Issues must be received by the Governance Service by 10am on the fifth working day prior to the meeting for the item to be discussed at the Forum. Written responses to local matters will be provided by 5pm the working day before the Residents Forums take place.

The Forum Chairman has the discretion to accept issues with less than five days' notice if they deem the matter to be urgent. Responses to urgent matters will be responded to verbally by officers at the Forum meeting.

Councillors, MPs and Assembly Members are not permitted to submit items and questions for Residents Forum, but may be called on to comment on issues. Such comments will be invited entirely at the discretion of the Residents Forum chairman.

The Six Month Rule shall apply whereby matters dealt with cannot be raised again within this period. The Six Month Rule means that Residents Forum will not reconsider any issues discussed at a resident's forum or any decision taken by a committee in the six months preceding the date of the forum.

The Residents Forum may also be a forum for certain consultations from the Council as decided by the Chairman.

At Residents Forum issues will be considered in order of receipt. Where a resident has submitted more than one issue, their second item or question will be considered after all other residents have presented their first item. Issues will continue to be determined in this way until all issues have been considered.

The Chairman will determine issues in the following way:

1. Residents will have the opportunity to discuss the issue raised for up to 3 minutes
2. Chairman, Chief Officers or other relevant officers may respond to the issues raised
3. Having considered the issues the Chairman can take the following actions:
 - note the issue and take no action
 - instruct that an appropriate named officer contact the resident within 20 working days to provide an additional response
 - instruct that Ward Members are notified of the issue.
 - decide that the issue be referred to the next meeting of an Area Committee for consideration, subject to the issue being within the terms of reference of an Area Committee

When determining issues in accordance with the options detailed above, the Chairman must give reasons for their decision.

Public questions and comments are not permitted:

- If they don't relate to a substantive item on the agenda
- If they are defamatory, abusive or offensive.
- If submitted from Council employees or trade unions on employment matters; there are avenues available for these to be addressed via the Terms of Reference of the General Functions Committee.

- If they would result in the release of confidential information, or which may prejudice enforcement.
- If they relate to a matter where there is a right of appeal against any decision of the Council.

The Chairman of the relevant Committee or Sub-Committee, in consultation with the Head of Governance, shall decide whether any particular question, comment or issue will be permitted.

3.6 Petitions

Petitions must have a minimum of 25 signatures and be relevant to the functions of the authority. The petition will be presented to the Governance Service who will forthwith present it to the relevant Director and/or the relevant Committee Chairman for information.

Petitions can either be submitted in hard copy to the Head of Governance or by using the authority's e-petitions facility. It is acceptable to combine paper petitions and e-petitions, providing the action the Council is being requested to take in the petitions are the same.

The address of the Head of Governance is as follows:

Head of Governance
 London Borough of Barnet
 Building 2, North London Business Park
 Oakleigh Road South
 N11 1NP

The authority's e-petition facility can be found here:

<https://barnet.moderngov.co.uk/mgEPetitionListDisplay.aspx?bcr=1>

E-petitions submitted on external websites can be accepted by the council. However, petitions hosted on external websites will need to be submitted by the lead petitioner to the Head of Governance in order for the petition to be accepted.

Petition signatures must be from Barnet residents otherwise they will not count towards the overall signature total. Petitions signatories must provide addresses to enable them to be verified.

A petition will not be accepted if:

- it is vexatious or abusive;
- it relates to any enactment or statutory provision;
- it relates to a safeguarding matter;
- it does not contain the address of signatories;
- it relates to a named individual or could reveal the identity of a person;
- it does not relate to the functions of the council;
- it is not clear what it is asking the council to do;
- it deals with an issue that has previously been resolved;
- it is repetitive, vexatious, or requires action which is unlawful or for which another council procedure is available

The Head of Governance will make a ruling on whether or not to accept a petition, taking into consideration grounds for rejection as laid out above.

On such an occasion where a petition is rejected, the Head of Governance (or his/her representative) will write to the lead petitioner and explain the reasons for rejection.

Petitions relating to planning or licensing applications, appeals or reviews will be treated as letters of representation and will be dealt with by the relevant service area and will be taken into consideration in dealing with the relevant application, appeal or review. For petitions falling within these categories, the reporting procedures below will not apply.

Petitions which have been submitted in response to a consultation process initiated by a specific committee should be reported back to that committee.

Petitions will be acknowledged within 10 working days. The acknowledgement will include information on how the petition will be progressed.

Petitions will be reported as follows:

Signatures	Forum and Procedure
0-24	No action required.
25 – 1,999 Signatures	<p>The petition will be reported to Residents Forum to which the issue relates. Where the petition relates to a borough-wide issue, the matter will be reported to the Residents Forum for the constituency area in which the lead petitioner resides.</p> <p>The Lead Petitioner will be given three minutes to present the petition to the Forum. Following the presentation the Residents Forum Chairman will decide to:</p> <ul style="list-style-type: none"> • Take no action; • Refer the matter to a chief officer to respond to within 20 working days; or • Refer the matter to the relevant Area Committee (if funding is required)
2,000 – 6,999 Signatures	<p>Where the petition relates to the functions and responsibilities of an Area Committee it will be reported to the relevant Area Committee.</p> <p>Where the petition relates to the matters outside the functions and responsibilities outside of the</p>

	<p>remit of an Area Committee, the petition will be reported to the relevant Theme Committee.</p> <p>The Lead Petitioner will be given five minutes to present the petition to the committee.</p> <p>Following the presentation the Chairman and Committee Members have an opportunity to ask the Lead Petitioner questions. After the debate the Committee will decide to:</p> <ul style="list-style-type: none"> • Take no action • Refer the matter to a chief officer to provide a written respond to Lead Petitioner within 20 working days; or • Instruct an officer to prepare a report for a future meeting of the Committee on the issue(s) raised with a recommended course of action
7,000 plus Signatures	<p>The petition will be considered by Full Council and the following process will be followed:</p> <ul style="list-style-type: none"> • Lead Petitioner is given five minutes to present the petition; • Council Members have an opportunity to ask questions of the Lead Petitioner then debate the item. • The relevant Committee Chairman will respond to the issues raised in the petition and outline the decision route (if any) he/she proposes to take

Petitions are required to be received seven working days before the Residents Forum, relevant committee meeting or Full Council.

Any hard copy petition received will be published on the Council's website via the Council's e-petition facility and processed by the Council as documented in this section. Updates or responses to petitions will be published on the e-petitions section of the website once an officer has responded or a Forum, Committee or Full Council has received a petition.

3.7 Requests to speak at Planning Committees

Requests to speak about an item-application on the planning committee agenda should be submitted to the relevant Governance Officer by 10am on the third working day prior to the meeting.

In addition to any Councillor and the Applicant (or their representative) two residents may speak. Such speakers shall be one for and one against the application unless there is no resident wishing to speak for the application in

which case two residents may speak against the application, or no resident in objection in which case two residents may speak in support of the application.

At the meeting, each speaker will have a time period of up to 3 minutes to address the committee. Committee members will then have the opportunity to question the speaker.

Where an application ~~or item~~ being considered by an Area Planning Committee is referred to the Planning Committee for determination, the speaking rights of members of the public who have registered to speak on the application or item will automatically transfer to the Planning Committee.

Speaking rights will also automatically transfer where an application has been deferred or adjourned to a future meeting of planning committee, but only if the speakers have not already addressed the committee on the deferred or adjourned item.

Public speaking arrangements do not apply to an item relating to the making / confirmation of a Tree Preservation Order as this would be contrary to the legislative procedure for making objections and/or representations.

3.8 **Complaints**

Residents have the right to complain to:

- (i) the Council itself under its complaints scheme;
- (ii) the Local Government Ombudsman (after using the Council's own complaints scheme);
- (iii) the Monitoring Officer about a breach of the Members Code of Conduct.

3.9 **Disorderly Conduct**

If a member(s) of the public or press (or a Councillor) interrupts the proceedings at any meeting, the Mayor or Chairman may warn him/her. If s/he continues the interruption and a warning has previously been given, the Mayor or Chairman may order his/her removal from the meeting place. In the event that the meeting is disrupted the Mayor or the Chairman may adjourn the meeting and if required clear the public gallery. The meeting will then reconvene to consider the remaining business without the public.

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Article 7 – Committees, Forums, Working Groups and Partnerships

Committees

- 7.1 The Council will appoint the committees set out below at 7.5 to discharge the functions described.

Sub-Committees and Working Groups

- 7.2 Following the Annual Meeting of the Council, and at any time during the year, committees may appoint: sub-committees and/or working groups and, if appropriate, agree their terms of reference, a Chairman and, if considered necessary, a Vice-Chairman and substitute members of the sub-committee or working group.

Appointment of Members to Committees

- 7.3 The Council will appoint the Members, Chairman and Vice Chairman to serve on the Committee subject to the right of a political group within the meaning of the Local Government and Housing Act 1989 and any regulations made under that Act to make nominations for those appointments at the meeting that makes the appointments before the appointments are made.

Local Strategic Partnership

- 7.4 A Local Strategic Partnership is an advisory Committee which brings together the key public, private and voluntary organisations within the borough to identify and articulate the needs and aspirations of Barnet's local communities and to provide a forum to assist the Council by collectively reviewing and steering public resources, through identifying priorities in Sustainable Community Strategies. In Barnet, the functions of a Local Strategic Partnership are discharged by the Barnet Partnership Board

- 7.5 Responsibility for Functions*

**If any report appears to come within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy and Resources Committee.*

Terms of Reference of all Committees are set out below:

Body responsible	Functions	Membership
Policy and Resources Committee	<p>(1) To be responsible for:</p> <ul style="list-style-type: none"> • Strategic policy, finance and corporate risk management including recommending: Capital and Revenue Budget; Medium Term Financial Strategy; and Corporate Plan to Full Council • Finance including: <ul style="list-style-type: none"> ➢ Treasury management Local taxation ➢ Insurance ➢ Corporate procurement ➢ Grants ➢ Writing-off debt ➢ Virements ➢ Effective use of resources • Procurement Forward Plan • Local Plans (except for matters reserved to Full Council) • Information Technology • Strategic Partnerships • Customer Services and Resident Engagement • Emergency Planning <p>(2) To be responsible for those matters not specifically allocated to any other committee affecting the affairs of the Council.</p> <p>(3) Consider for approval budget and business plan of the Barnet Group Ltd.</p> <p>(4) To determine fees and charges for services which are the responsibility of the committee.</p>	<p>12</p> <p>Chairman, Vice Chairman, Members and substitutes to be appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>

<p>Financial Performance and Contracts Committee</p>	<p>(1) Responsible for the oversight and scrutiny of:</p> <p>(a) the overall financial performance of the council</p> <p>(b) the performance of services other than those which are the responsibility of the: Adults & Safeguarding Committee; Assets, Regeneration & Growth Committee; Children, Education & Safeguarding Committee; Community Leadership & Libraries Committee; Environment Committee; or Housing Committee</p> <p>(c) the council’s major strategic contracts including (but not limited to):</p> <ul style="list-style-type: none"> ➤ Analysis of performance ➤ Contract variations ➤ Undertaking deep dives to review specific issues ➤ Monitoring the trading position and financial stability of external providers ➤ Making recommendations to the Policy & Resources Committee and/or theme committees on issues arising from the scrutiny of external providers <p>(2) At the request of the Policy & Resources Committee and/or theme committees consider matters relating to contract or supplier performance and other issues and making recommendations to the referring committee</p> <p>(3) To consider any decisions of the West London Economic Prosperity Board which have been called in, in accordance with this Article.</p>	<p>8</p> <p>Chairman, Vice Chairman, Members and substitutes to be appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>
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<p>Children, Education and Safeguarding Committee</p>	<p>(1) Responsibility for all matters relating to children, schools and education.</p> <p>(2) To submit to the Policy and Resources Committee proposals relating to the Committee's budget for the following year in accordance with the budget timetable.</p> <p>(3) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.</p> <p>(4) To receive reports on relevant performance information and risk on the services under the remit of the Committee.</p> <p>(5) To receive and consider reports as appropriate from the Corporate Parenting Advisory Panel.</p> <p>(6) Receive an annual report from the Lead Member for Children's Services (Chairman of Children, Education and Safeguarding Committee) covering key matters.</p> <p>(7) Receive an annual report from the Safeguarding Children's Board.</p> <p>(8) Determining arrangements for making nominations to the governing bodies of Local Authority administered schools.</p>	<p>10</p> <p>Chairman, Vice Chairman, Members and substitutes to be appointed by Council.</p> <p>Requirement to have a Lead Member for Children's Services.</p> <p>6 substitutes Quorum 3</p>
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<p>Adults and Safeguarding Committee</p>	<p>(1) Responsibility for all matters relating to vulnerable adults, adult social care and leisure services.</p> <p>(2) Work with partners on the Health and Well Being Board to ensure that social care, interventions are effectively and seamlessly joined up with public health and healthcare and promote the Health and Well Being Strategy and its associated sub strategies.</p> <p>(3) To submit to the Policy and Resources Committee proposals relating to the Committee's budget for the following year in accordance with the budget timetable.</p> <p>(4) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.</p> <p>(5) To receive reports on relevant performance information and risk on the services under the remit of the Committee.</p>	<p>10</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>
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<p>Environment Committee</p>	<p>(1) Responsibility for all borough-wide or cross-constituency matters relating to the street scene including, parking, road safety, lighting, street cleaning, transport, waste, waterways, refuse, recycling, allotments, parks, trees, crematoria and mortuary, trading standards and environmental health.</p> <p>(2) To submit to the Policy and Resources Committee proposals relating to the Committee's budget for the following year in accordance with the budget timetable.</p> <p>(3) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.</p> <p>(4) To receive reports on relevant performance information and risk on the services under the remit of the Committee.</p>	<p>10</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>
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<p>Assets, Regeneration and Growth Committee</p>	<p>(1) Responsibility for regeneration strategy and oversee major regeneration schemes, asset management, employment strategy, business support and engagement.</p> <p>(2) To submit to the Policy and Resources Committee proposals relating to the Committee's budget for the following year in accordance with the budget timetable.</p> <p>(3) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.</p> <p>(4) To receive reports on relevant performance information and risk on the services under the remit of the Committee.</p>	<p>10</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council. Committee to be made up in accordance with proportionality</p> <p>6 substitutes</p> <p>Quorum 3</p>
<p>Housing Committee</p>	<p>(1) Responsibility for housing matters including housing strategy, homelessness, social housing and housing grants, commissioning of environmental health functions for private sector housing.</p> <p>(2) To submit to the Policy and Resources Committee proposals relating to the Committee's budget for the following year in accordance with the budget timetable.</p> <p>(3) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.</p> <p>(4) To receive reports on relevant performance information and risk on the services under the remit of the Committee.</p>	<p>10</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>

<p>Community Leadership & Libraries Committee</p>	<p>(1) Responsibility for libraries, culture, civic events, the mayoralty, community safety, registration and nationality service and grants to the voluntary sector.</p> <p>(2) To receive nominations and determine applications for buildings / land to be listed as an Asset of Community Value (Community Right to Bid)</p> <p>(3) To submit to the Policy and Resources Committee proposals on the Committee's budget for the following year in accordance with the budget timetable and make recommendations on issues relating to virements, underspends or overspends. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.</p> <p>(4) To receive reports on relevant performance information and risk on the services under the remit of the Committee.</p>	<p>10</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>
<p>Community Leadership & Libraries Sub-Committee</p>	<p>To receive nominations and determine applications for buildings / land to be listed as an Asset of Community Value (Community Right to Bid) when there is no scheduled meeting of the full Committee which falls within the eight week statutory deadline for determining applications</p>	<p>3</p> <p>Chairman, Vice-Chairman and Opposition Spokesperson Appointed by Community Leadership Committee</p> <p>3 substitutes Quorum 2</p>

<p>Area Committees</p> <p>Finchley & Golders Green;</p> <p>Chipping Barnet; and</p> <p>Hendon</p>	<p>In relation to the area covered:</p> <p>1) Responsibility for all constituency specific matters relating to the street scene including parking, road safety, transport, allotments, parks and trees.</p> <p>2) Consider constituency specific matters as agreed with the Chairman.</p> <p>3) Consider matters relating to Town Centre regeneration and designating conservation areas.</p> <p>4) Consider matters raised at Residents Forums and determine how they are to be taken forward, including whether to request a report for a future meeting, refer to an Officer and/or ward councillors.</p> <p>5) Determine the allocation of Community Infrastructure Levy funding within the constituency up to a maximum of £25,000 per scheme / project in each case subject to sufficient of the budget allocated to the committee being unspent.</p>	<p>7</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>One Member and one substitute member for each Ward.</p> <p>Quorum 3</p>
<p>Licensing Committee</p>	<p>for all policy matters relating to licensing with licencing hearings concerning all licencing matters delegated to sub-committees.</p>	<p>11</p> <p>Chairman, Vice Chairman, Members</p> <p>No substitute members</p> <p>Quorum 3</p>
<p>Licensing Sub-Committees</p>	<p>All functions in relation to licensing as delegated by the Licensing Committee. Members appointed from the membership of the Licensing Committee</p>	<p>3</p> <p>Quorum 3</p> <p>Chairman appointed at each meeting of a Sub-Committee.</p>

<p>Audit Committee</p>	<p>To provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk and weakens the control environment, and to oversee the financial reporting process.</p> <p><u>Anti-Fraud Activity</u> To monitor the effective development and operation of the Council's Corporate Anti-Fraud Team (CAFT).</p> <p><u>Regulatory Framework.</u> To review any issue referred to it by the Chief Executive and to oversee the production of the authority's Annual Governance Statement and to recommend its adoption.</p> <p><u>Accounts</u> To review and approve the annual statement of accounts and consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.</p> <p><u>Annual Report</u> The Audit Committee shall prepare a report to Full Council on annual basis on its activity and effectiveness.</p> <p><u>Treasury Management</u> To review the implementation of the Treasury Management Strategy.</p>	<p>7</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>The membership should also include two independent, non-voting Members with a period of appointment of four years.</p> <p>6 substitutes</p> <p>Quorum 3</p>
<p>Planning Committee</p>	<p>To determine Applications for Planning Permission, including permissions in principle, made under the Town and Country Planning Act 1990 where the recommendation is for approval and the development:</p> <p>a. is within the categories which must be referred to the Mayor of London under the London Mayor Order;</p>	<p>11</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>10 substitutes</p> <p>Quorum 3</p>

	<p>b. does not accord with the provisions of the Development Plan and, in the opinion of the Chief Planning Officer, constitutes a significant departure; or</p> <p>c. is by or on behalf of the Council and, in the opinion of the relevant Chief Planning Officer], it is a significant development</p> <p>The confirmation of Directions under Article 4 of the Town and Country Planning (General Permitted Development) Order 2015.</p> <p>The confirmation of Town and Village Green Registration Applications under the Commons Act 2006, including considering the recommendations of a non-statutory inquiry chaired by an independent person.</p> <p>Designating neighbourhood areas and neighbourhood forums for the purposes of neighbourhood planning.</p> <p>Consider for approval and confirmation Neighbourhood Development Orders and Community Right to Build Orders.</p> <p>Recommending the creation of Conservation Areas to Full Council</p> <p>Consider approving Article 4 Directions for consultation</p> <p>Take action under Part 8 of the Anti-Social Behaviour Act 2003 relating to high hedges</p> <p>Any decision on an application that will result in the Council being liable for the payment of compensation, except where that compensation is as a result of an Article 4 Direction.</p> <p>Any other planning application or planning matter referred to this Committee by relevant Chief Planning Officer acting in his or her discretion, after consultation with the Chairman.</p> <p>Reports on all matters reserved to the Committee shall be made direct to the Committee and not through an Area Planning</p>	
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	<p>Committee.</p> <p>Any Planning Area Committee agenda item referred to this Committee for consideration and determination.</p> <p>To consider for approval fees and charges for those areas under the remit of the Committee.</p> <p>To consider additions, deletions or amendments to the entries in the Council's Brownfield Land Register, including any referrals from the Area Planning Committees, and conduct any other functions related to the Brownfield Land Register.</p>	
<p>Area Planning Committees:</p> <p>Finchley & Golders Green;</p> <p>Chipping Barnet; and</p> <p>Hendon</p>	<p>To determine the following application types, except where they are referable under the Constitution to the Planning Committee:</p> <p>A. Applications for Planning Permission made under the Town and Country Planning Act 1990;</p> <p>B. Applications for Listed Building Consent made under the Planning (Listed Buildings and Conservation Areas) Act 1990;</p> <p>C. Applications for Consent to Display an Advertisement made under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007;</p> <p>D. Applications for permissions in principle made under the Town and Country Planning Act 1990 and any application to add, delete or amend any entries in the Council's Brownfield Land Register" after the words "To determine the following application types, except where they are referable under the Constitution to the Planning Committee</p> <p>Where the recommendation is for approval and:</p>	<p>7 for each Committee</p> <p>One councillor representing each Ward 7 substitutes – one per Ward</p> <p>Quorum 3</p> <p>Chipping Barnet Area Planning Committee Brunswick Park Coppetts East Barnet High Barnet Oakleigh Totteridge Underhill</p> <p>Finchley and Golders Green Area Planning Committee: Childs Hill East Finchley Finchley Church End, Garden Suburb Golders Green West Finchley Woodhouse</p>

	<p>a. there is significant local public objection (defined as 5 or more objectors who have objected in writing in response to a planning application)</p> <p>b. there is a Councillor referral of an application which affects their Ward which that Member has 'called-in' to committee identifying a planning consideration.</p> <p>Any decision on an application that will result in the Council being liable for the payment of compensation, except where that compensation is as a result of an Article 4 Direction.</p> <p>Any other application or planning matter referred to this Committee by the relevant Chief Planning Officer acting in his or her discretion, after consultation with the Chairman.</p> <p>Applications to undertake treatment to trees included within a Tree Preservation Order</p> <p>Applications for a Hedgerow removal notice made under the Hedgerow Regulations 1997.</p> <p>Applications to demolish buildings on the Council's Local List.</p>	<p>Hendon Area Planning Committee Burnt Oak Colindale Edgware Hale Hendon Mill Hill West Hendon</p>
<p>Constitution and General Purposes Committee</p>	<p>Keep under review all aspects of the Council's Constitution so as to ensure that it remains current and fit for purpose, and to make recommendations thereon to the Council.</p> <p>To consider and make recommendations to the Council on:</p> <p>(i) how it can satisfy the continuing duty to promote and maintain high standards of conduct by Members;</p> <p>(ii) on the Code of Conduct for Members;</p> <p>(iii) on ethical standards in general across the authority.</p> <p>To have responsibility for overseeing the Council's governance arrangements including:</p>	<p>7</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>6 substitutes</p> <p>Quorum 3</p>

	<ul style="list-style-type: none"> • Electoral Services including: elections and electoral registration performance; and polling places and polling district boundaries • Approving premises for marriages and the formation of civil partnerships • Determine Members requests for non-committee information as specified in the Members Information Management Policy • Endorsing the calendar of meetings prior to Council approval • <u>Health and Safety Strategy and Performance</u> • <u>Member Development</u> • Staff matters generally (other than those within the remit of Chief Officer Appointment Panel) including: <ul style="list-style-type: none"> ➤ salaries and terms and conditions; ➤ approval of staffing restructures involving 20 or more employees; ➤ deciding on chief officer salary or severance packages over £100,000; ➤ approving the chief officer structure; ➤ pay and reward strategy; ➤ HR policies which go over and above statutory requirements; ➤ develop the annual pay policy statement for Full Council approval 	
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<p>Standards Committee</p>	<p>To investigate and determine allegations of a breach of the Code of Conduct for Members in the context of satisfying the Council’s continuing duty to promote and maintain high standards of conduct for Members.</p>	<p>5 (2 Members each from the Administration and the Opposition, and an Independent Member Chairman)</p> <p>2 substitutes each from the Administration and the Opposition.</p> <p>Quorum 3</p>
<p>Pension Fund Committee</p>	<p>To consider approval and act in accordance with statutory Pension Fund documents:</p> <ul style="list-style-type: none"> • Statement of Investment Principles • Funding Strategy Statement • Governance Policy Statement • Pension Administration Strategy • Communication Policy Statement <p>To review the above documents at least triennially, or more frequently if advised by the Chief Finance Officer of the need to do so</p> <p>To meet review and consider approval of the Pension Fund Statement of Accounts, income and expenditure and balance sheet or record of payments and receipts</p> <p>To receive and consider approval of the Pension Fund Annual Report.</p> <p>To appoint independent investment advisors.</p> <p>To appoint Pension Fund investment managers.</p> <p>To appoint Pension Fund actuaries.</p> <p>To appoint a performance management company.</p> <p>To appoint custodians.</p> <p>To review and challenge at least quarterly the Pension Fund investment managers’</p>	<p>7</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>To invite a recognised representative from the trades unions and a representative from Middlesex University (the largest scheduled / admitted body) to committee meetings</p> <p>These representatives are appointed to advise the committee on behalf of the interests they represent, but are not to have any voting rights. Further invites to scheduled/admitted bodies to be decided by the chairman of the committee.</p> <p>6 substitutes – 3 from each political group</p> <p>Quorum 3</p>

	<p>performance against the Statement of Investment Principles in general and investment performance benchmarks and targets in particular. One of these meetings to be the annual review, at which the representative from the council's performance management organisation attends to comment on the relative performance of the fund managers.</p> <p>To consider actuarial valuations and their impact on the Pension Fund.</p>	
Local Pension Board	<p>The Board is responsible for assisting with:</p> <ul style="list-style-type: none"> ○ securing compliance with Local Government Pension Scheme (LGPS) Government regulations and any other legislation relating to the governance and administration of the LGPS ○ securing compliance with the requirements imposed in relation to the PGPS by the Pensions Regulator. ○ such other matters that the LGPS regulations may specify <p>Ensure the effective and efficient governance and administration of the LGPS for the LBB Pension Fund.</p>	<p>7 Members comprising:</p> <p>3 employers side representatives (1 councillor and 2 employer representatives from an admitted body)</p> <p>3 employee side representatives (1 active member and 2 deferred member)</p> <p>1 independent member/advisor</p>
Chief Officer Appointment Panel	<p>To deal with Chief Officer Appointments, Discipline and Capability matters.</p> <p>Members comprise:</p> <p>Chairman – Leader of the Council Deputy Leader of the Council. One Administration Member</p> <p>Leader of the Opposition One Opposition Member</p>	<p>5</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>One substitute from each political group</p> <p>Quorum 3</p>

<p>Health and Wellbeing Board</p>	<p>(1) To jointly assess the health and social care needs of the population with NHS commissioners, and apply the findings of a Barnet joint strategic needs assessment (JSNA) to all relevant strategies and policies.</p> <p>(2) To agree a Health and Wellbeing Strategy (HWBS) for Barnet taking into account the findings of the JSNA and performance manage its implementation to ensure that improved outcomes are being delivered.</p> <p>(3) To work together to ensure the best fit between available resources to meet the health and social care needs of the population of Barnet (including children), by both improving services for health and social care and helping people to move as close as possible to a state of complete physical, mental and social wellbeing. Specific resources to be overseen include money for social care being allocated through the NHS; dedicated public health budgets; the Better Care Fund; and Section 75 partnership agreements between the NHS and the Council.</p> <p>(4) To promote partnership and, as appropriate, integration, across all necessary areas, including the use of joined-up commissioning plans across the NHS, social care and public health. To explore partnership work across North Central London where appropriate.</p> <p>(5) Specific responsibilities for:</p> <ul style="list-style-type: none"> • Overseeing public health • Developing further health and social care integration. 	<p>12</p> <p>Chairman, Vice Chairman, Members and substitutes appointed by Council.</p> <p>Three Members of the Council</p> <p>Director of Public Health</p> <p>Strategic Director for Children & Young People</p> <p>Strategic Director for Adults, Communities & Health</p> <p>Barnet Clinical Commissioning Group-Board members x 3</p> <p>Barnet Clinical Commissioning Group-Chief Officer</p> <p>Barnet Healthwatch representative</p> <p>Independent Chair of the Adults and Children’s Safeguarding Boards (Non-Voting Member)</p> <p>NHS England</p> <p>Each member may nominate a substitute if they cannot attend.</p> <p>Requirement for proportionality is waived and voting rights allowed to members other than Members of the Council.</p> <p>Quorum 3</p>
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<p>Health Overview and Scrutiny Committee</p>	<p>(1) To perform the overview and scrutiny role in relation to health issues which impact upon the residents of the London Borough of Barnet and the functions services and activities of the National Health Service and NHS bodies located within the London Borough of Barnet and in other areas. (2) To make reports and recommendations to Council, Health and Well Being Board, the Secretary of State for Health and/or other relevant authorities on health issues which affect or may affect the borough and its residents.</p>	<p>9 Chairman, Vice-Chairman, Members and substitutes to be appointed by Council</p>
<p>Urgency Committee</p>	<p>To consider any item of business which needs a decision as a matter of urgency and where a meeting of the relevant Committee is not scheduled to take place within the time period within which the decision is required.</p>	<p>3 Appointed by Council. Quorum 2</p>
<p>Residents Forums</p> <p><u>Chipping Barnet Residents Forum</u> Underhill, High Barnet, East Barnet, Oakleigh, Brunswick Park, Coppetts and Totteridge Wards.</p> <p><u>Hendon Residents Forum</u> Hale, Edgware, Burnt Oak, West Hendon, Colindale, Hendon and Mill Hill Wards</p> <p><u>Finchley and Golders Green Residents Forum</u> Woodhouse, West Finchley, Finchley Church End, Garden Suburb, Golders Green, Childs Hill and East Finchley Wards</p>	<p>Residents Forums provide an opportunity for any resident to raise matters affecting the area except matters relating to licensing and planning applications.</p>	<p>A Chairman and Vice-Chairman of each appointed by the Council.</p>

<p>Local Strategic Partnership (Barnet Partnership Board)</p>	<p>A Local Strategic Partnership is an advisory committee which brings together the key public, private and voluntary organisations within the borough to identify and articulate the needs and aspirations of Barnet's local communities and to provide a forum to assist the Council by collectively reviewing and steering public resources, through identifying priorities in Sustainable Community Strategies</p>	<p>Leader of the Council</p> <p>Council representatives to be appointed by Annual Council</p> <p>Senior representatives from:</p> <ul style="list-style-type: none"> • Met Police • Middlesex University • Barnet Clinical Commissioning Group • Community Barnet • Brent Cross Shopping Centre • Barnet and Southgate College • Job Centre Plus
<p>Children's Partnership Board</p>	<p>Barnet's Children's Partnership Board brings together all services for children and young people in the borough, to focus on hearing the voice of children and young people and improving their outcomes.</p> <p><u>Senior representatives from partner organisations make up the Children's Partnership Board which keeps strategic oversight of the Barnet Children and Young People's Partnership Plan. Each organisation has agreed to be responsible for implementing this plan which will be monitored by the Board.</u></p> <p><u>The legal framework underpinning Barnet's Children's Partnership Board arrangements is the 'duty to cooperate' and improve the well-being of children across the Borough, set out in S10 of the Children Act 2004.</u></p> <p><u>The terms of reference and membership will be the subject of annual review to take account of local or national changes and developments.</u></p>	<p>The Board will be chaired by the Lead Member for Children's Services as appointed by the Council <u>Strategic Director for Children & Young People.</u></p> <p>Members are able to delegate a deputy of suitable authority if they are unable to attend, by agreement with the chairman.</p> <p>Current partners <u>and members</u> are:</p> <ul style="list-style-type: none"> • LB Barnet – <u>Lead Member for Children's Services; Strategic Director for Children & Young People; Public Health Strategy Consultant; Director, Joint Commissioning; Head of Joint Children's</u>

General Responsibilities and Functions

The Children's Partnership Board is accountable for the following:

- Ensuring the voice of children and young people is heard in Barnet
- Developing and delivering the Children & Young People's Plan.
- Ensuring that the collective resources of the partners are being used to the best effect to meet the priorities in the Children & Young People's Plan.
- Resolving issues that block progress against the priorities.
- Summary updates and signing off all agreed Plans and Strategies relating to Children and Young People in Barnet prior to presentation to executive groups (e.g. CELS, H&WBB)
- Working with the Voluntary Sector in a particular approach to enable the best outcomes for children and young people

This includes shared responsibility for:

- Meeting the priorities in the Children & Young People's Plan
- Jointly developing, delivering and resourcing strategies and action plans necessary to meet the priorities
- Addressing barriers to meeting the priorities and to identifying future needs, including communication, information and data sharing
- Keeping Children's workforce informed and involved, providing clear direction, development and training as necessary
- Releasing staff to develop and attend network events
- Clarifying and simplifying governance structures and decision-making
- Ensuring that children, young people and families have a voice in decision making that affects them
- Monitoring performance towards agreed outcomes and taking remedial action where necessary.
- Building upon good practice and developing an evidence-based approach

Commissioning Unit)

- Barnet Clinical Commissioning Group (Board Member, Children's Clinical Lead)
- CommUnity Barnet (Chief Executive)
- Barnet and Southgate College (Principal)
- Metropolitan Police (Borough Commander)
- Primary, Secondary and Special Schools (Representative headteachers from: Barnet primary schools; Barnet secondary schools; Barnet special schools)
- Young Persons Representatives (Members of Barnet Youth Parliament x2)
- Housing (Head of Strategy & Performance, Barnet Homes)
- Multi-Faith Representative (Chair, Barnet Multi-Faith Forum)
- Special Educational Needs and Disability (Assistant Director, SEND & Inclusion)
- Parent / Carer Group Representative (Chair of the Parent Carer Forum)

Quorum 5 – must include the following:

- Chairman
- At least one representative each of the Council and Barnet CCG

	<p><u>to what works.</u></p> <p>The <u>Board's partnerships</u> remit includes the needs of all children and young people in Barnet under the age of 19, young people up to the age of 25 leaving care and young people up to the age of 25 with disabilities and/or learning difficulties. These responsibilities include effective transition arrangements, where necessary.</p> <p><u>Roles and Responsibilities of Board Members</u></p> <p><u>All members of the Board are required to agree to undertake the following:</u></p> <ul style="list-style-type: none"> • <u>Attendance at all Board meetings (or representation provided by as senior replacement).</u> • <u>Members will be responsible for an effective two-way communication system whereby the decisions and aims of the Board are widely disseminated and relevant organisational issues from members' own agencies are communicated to the Board.</u> • <u>Provide leadership on strategic issues to members of the Board</u> • <u>Champion the objectives of the Children and Young People's Plan and ensure relevant activities within the plan are implemented by their organisation.</u> • <u>Contribute to the development of a strategic three to five-year vision</u> <p><u>Meetings will take every two months.</u></p> <p>The Board will meet as an Annual Children and Young People's Conference.</p>	<ul style="list-style-type: none"> • <u>At least one representative of Barnet Police</u> • <u>At least one representative of Public Health</u> • <u>At least one member representing the voluntary sector</u>
Safer Communities Partnership Board	<p>The Safer Communities Partnership Board (SCPB) is the inter-agency mechanism in Barnet to reduce crime and anti-social behaviour and reoffending and promote social cohesion. It acts as the Crime and Disorder Reduction Partnership as defined (and required) by the 1998 Crime and Disorder Act and subsequent amendments including the 2006 Police and Justice Act and</p>	<p>Meetings will be quarterly and a quorum will comprise four members provided this consists of:</p> <p>The Chairman (Barnet Councillor) and Vice Chairman (Metropolitan Police)</p>

	<p>the 2009 Policing and Crime Act.</p> <p>The SCPB operates within the constitutional requirements of Barnet Council, the Metropolitan Police and other partner agencies, who ensure that the Board’s approaches to policy formulation and resource allocation are consistent with those of the agencies concerned. It is a thematic subgroup of the Barnet Partnership Board which has overall strategic responsibility and has delegated to the SCPB the responsibility for delivering the Strong Safe Communities for Everyone theme of the Sustainable Community Strategy.</p> <p>It is taking forward one of the objectives in the strategy to develop an Integrated Offender Management system that brings together the different agencies involved in managing the punishment and rehabilitation of offenders in a much more efficient and joined up way, reducing the risks of reoffending and ensuring far more offenders complete their drug rehabilitation successfully.</p> <p>Barnet Safer Communities Partnership is an unincorporated body and therefore it does not have a legal personality. Its members work collectively within their own individual legal frameworks.</p>	<p>At least one other representative each of the Council and the Metropolitan Police.</p> <p>Other current partners are:</p> <ul style="list-style-type: none"> • London Probation Trust • National Probation Service • London Fire Brigade • Barnet Clinical Commissioning Group • MOPAC (Mayor’s Office Policing/Crime) • Barnet Safer Neighbourhood Board • Middlesex University • North West London Magistrates’ Court • Community Barnet • Victim Support, North London Division • Department for Work and Pensions
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Substitute Members – Rules

- 7.6 A substitute Member may only attend, speak or vote at a meeting in place of a member usually from the same political group who is unable to attend the meeting. In the case of Area Committees and Area Planning Committees, substitutions are made on the basis of ward.
- 7.7 Details of membership substitutions or apologies for absence will be detailed in the formal record of the meeting.

Quorum – Rules

- 7.8 If a Committee or Sub-Committee is inquorate, it cannot transact any business. If there is no quorum at the time the meeting is due to begin, the start of the meeting will be delayed for up to 15 minutes. When 15 minutes have elapsed, the Head of Governance or their representative will count the number of Members present and if there is no quorum, s/he will advise the meeting that no business can be transacted and the meeting will be cancelled.

- 7.9 If the Chairman finds that a quorum of Members is not present at any time during the meeting, the Chairman must adjourn the meeting until such time as a quorum is returned.

Chairman of Meetings

- 7.10 If the Chairman is absent from a meeting the Vice-Chairman will take the Chair. If both are absent, the Head of Governance (or their representative) will open the meeting and he/she will seek nominations for the position of Chairman. A Chairman must be elected for the business of the meeting to be transacted.
- 7.11 Any procedural issues or challenges to the conduct of the meeting that arise during the course of a meeting shall be determined by the person presiding at the meeting.

Minutes

- 7.12 Apologies for absence, declaration of interests and the confirmation of the minutes of previous meetings are the first items of business at the meeting, (other than Licencing Sub-Committees) except when there is a need to elect a Chairman.
- 7.13 Minutes can only be amended to correct factual inaccuracy in the record, and not to make any retrospective amendment to the decisions made. The meeting will not proceed further until the minutes are approved, either amended or unamended. Upon approval as a correct record, the Chairman shall sign the minutes.

Urgent Business

- 7.14 When an urgent matter has arisen after the publication and dispatch of an appropriate agenda the following procedure applies:
- 7.15 The Chairman has the authority to agree to take urgent items not on the agenda. The Chair will consult with the Vice-Chairman and Opposition Spokesperson for the committee. The Chairman (with advice from the Monitoring Officer as appropriate) needs to be satisfied as to the need for urgency under the following criteria:
- i) the item has arisen between the compilation of the agenda and the date of the meeting.
 - ii) the item requires an urgent decision in the public interest which cannot be dealt with by other means
- 7.16 In all cases the reason for the urgency shall be clearly stated and recorded in the minutes of the meeting and the urgent item will be taken as the Chairman may decide.

- 7.17 If a decision on an issue is required as a matter of urgency [and there is no meeting scheduled] and if time allows under the provisions of the Access to Information Rules then a Committee comprising of the Leader, the Deputy Leader, and the Leader of the Opposition will be called. The decision may be within the terms of reference of another committee, but this will not invalidate the decision as the arrangements to discharge the function in cases of urgency is through a committee comprising the three specified members. The Committee must consult with the Chairman of the relevant Committee.

Financial Performance and Contracts Committee Call-in Procedure

- 7.18 The following procedure applies after a decision has been made by the West London Economic Prosperity Board (a Joint Committee in accordance with section 102 of the Local Government Act 2000).
- 7.19 Paragraph 24.4 of the Function and Procedure rules of the West London Economic Prosperity Board read as follows
- “Any decision called in for scrutiny before it has been implemented shall not be implemented until such time as the call-in procedures of the Participating Borough concerned have been concluded.”
- 7.20 Where a decision is made by the Board the decision shall be published. Once the decision is published then it may be implemented on the expiry of 7 working days after publication unless 10 members of the Council wish to call it in.
- 7.21 The notice seeking to invoke the call-in procedure must be communicated to the Head of Governance who will then notify the West London Economic Prosperity Board.
- 7.22 A notice seeking to invoke the call-in procedure must state at least one of the following grounds in support of the request for a call-in of the decision:
- (a) Inadequate consultation with stakeholders prior to the decision;
 - (b) The absence of adequate evidence on which to base the decision;
 - (c) The action is not proportionate to the desired outcome;
 - (d) A potential human rights challenge;
 - (e) Insufficient consideration of legal and financial advice;
 - (f) The decision is contrary to the policy framework, or contrary to, or not wholly in accordance with the budget framework of the Council;
- 7.23 A meeting of the Financial Performance and Contracts Committee (or Sub-Committee of the Committee created for this purpose), will be convened within 7 clear working days of the request for call-in.
- 7.24 The call-in procedure set out above shall not apply where the decision being taken by the West London Economic Prosperity Board is urgent. For the purposes of this call-in procedure a decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the West London

Economic Prosperity Board and the interests of Barnet. Reports to the West London Economic Prosperity Board must state that the report is urgent and provide the reasons for urgency.

- 7.25 The Chairman of the Financial Performance and Contracts Committee must agree that the decision proposed should be treated as a matter of urgency

Suspension of business at Committee and Sub-Committee meetings

- 7.26 No business at any meeting of a Committee or Sub-Committee shall be transacted after 10pm and any business transacted after that time shall be null and void. At 10pm and without further debate the Chairman shall immediately put to the vote any motion or amendment, which has been formally moved and seconded.
- 7.27 At any meeting of the Council, Planning Committee and Area Planning Committees, the Mayor or Chairman at their sole discretion may extend the period for the transaction of business to 10.30pm. This will be recorded in the Committee's decisions.

Voting and Recording of Votes

- 7.28 The mode of voting at all meetings of the Council, its Committees, Sub-Committees or Working Groups shall be determined by a show of hands except where otherwise provided by law or in these standing orders.
- 7.29 In cases where a vote is taken, the minutes of the meeting should record the number of votes for and against the matter together with the number of abstentions.
- 7.30 The Chairman will always have the right to exercise a casting vote in the event of equality of voting on a motion or amendment,
- 7.31 A Member of any committee can request that his/her vote be recorded in the minutes.

Filming and Recording of Meetings

- 7.32 Discreet, unlit, non-disruptive filming and recording of Council and Committee meetings by members of the public from the public gallery is allowed.

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Article 9 – Chief Officers

9.1 Management Structure

- (a) **General.** The Council may engage such staff (referred to as officers) as it considers necessary to carry out its functions. Apart from those officers referred to in (b) immediately below, all officers are appointed by the Chief Executive.
- (b) **Chief Officers.** Members will appoint staff for the following posts, who will be designated Chief Officers:

Chief Executive (Head of Paid Service)
Deputy Chief Executive
Assistant Chief Executive
Strategic Director, Children and Young People
Strategic Director, Adults, Communities and Health
Strategic Director, Environment
Director of Resources (Chief Finance Officer / Section 151 Officer)
Director of Public Health

Delegated Authority to Chief Executive and Chief Officers

(i) Chief Officers (Deputy Chief Executive, Assistant Chief Executive, Strategic Directors for Adults, Children and Environment, Director of Resources) have the following delegated powers in respect of all matters which are not key decisions (as defined in Article 2) and not reserved for decision by the Council or by a Committee of the Council:

(a) to make decisions and approve expenditure relating to their functions and the functions of their Department, where necessary in accordance with (b) and (c) below, and providing (1) that the sum expended is within the approved budget for the Department and/or relevant portfolio, and (2) the amount in relation to any single matter does not exceed £181,302.

(b) to determine employment matters relating to staff including all changes to staffing structures. This power will not include changes to terms and conditions of employment or additional payments to any individual member of staff above £100K.

(c) to approve tender strategies and award contracts in accordance with the Council's Contract Procedure Rules within Part 2 of the Constitution.

(d) the Chief Executive has all the above delegated authority and as may be necessary, determine which Department discharges any particular Council function if this is not clear.

Discretion to Refer Matters to Members: Where a Chief Officer believes that a matter that is within their delegated authority is significant or sensitive they have the discretion to refer it to Members for decision.

(ii) These powers may be delegated further under a Scheme of Delegation and powers are also delegated to all officers in accordance with their job description and department budget.

(iii) Officers should ensure that delegated powers are exercised in accordance with relevant Council policies and procedures and all decisions with a value of £50,000 or more made by officers under delegated powers should be listed in writing and a copy of the list for each Department produced to the Chief Executive and the Leader on the 30th September and 31st March of each year.

(iv) The Chief Executive and Chief Officers may exercise voting rights at general meetings of companies of which the Council is a member or by written resolution and may take any necessary action to protect, safeguard and effectively manage the Council's interest in such companies.

(c) Statutory Officers

The Council will designate the following posts as shown:

Post	Statutory Designation
Chief Executive	Head of Paid Service
Chief Legal Advisor	Monitoring Officer
Director of Resources	Chief Finance Officer / Section 151 Officer
Strategic Director, Children and Young People	Director of Children's Services
Strategic Director, Adults Communities and Health	Director for Adult Social Services
Director of Public Health	Director of Public Health

9.2 Functions of Head of Paid Service

(a) **Discharge of functions by the Council.** The Head of Paid Service will report to full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.

(b) **Restriction of functions.** The Head of Paid Service may not be the Monitoring Officer, but may hold the post of Chief Finance Officer if a qualified accountant.

- (c) The Head of Paid Service has authority over all other chief officers so far as is necessary for efficient management and for carrying out the Council's functions.

9.3 Functions of the Monitoring Officer

- (a) **Maintaining the Constitution.** The Monitoring Officer, in consultation with the Head of Governance, will maintain an up-to-date version of the Constitution and will ensure that it is available for consultation by Members, staff and the public.
- (b) **Ensuring lawfulness and fairness of decision-making.** After consulting with the Head of Paid Service and the Assistant Chief Executive, the Monitoring Officer will report to the full council if s/he considers that any proposal, decision or omission which is referred by Harrow and Barnet Public Law or which is otherwise notified to him/her, would give rise to unlawfulness or if any decision or omission so referred would give rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
- (c) **Ensuring lawfulness and fairness of council operating procedures.** After consulting with the Head of Governance and the relevant senior line manager the Monitoring Officer will report to the Head of Paid Service and the Assistant Chief Executive any council process or procedure which s/he considers would give rise to unlawfulness or if any such process or procedure would give rise to maladministration.
- (d) **Managing the relationship with Harrow & Barnet Public Law.** As Chief Legal Advisor within the council, responsibility to manage the strategic relationship with Harrow & Barnet Public Law to ensure the council continues to be provided with a legal service which meets its needs and to advise the Head of Paid Service and Assistant Chief Executive where any risks are identified.
- (e) **Supporting the Constitution, Ethics and Probity Committee.** The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Constitution, Ethics and Probity Committee.
- (f) **Conducting investigations.** The Monitoring Officer will conduct or appoint Officers or others to conduct investigations into allegations of breach of the Member Code of Conduct. Then s/he or they will make reports and recommendations in respect of such allegations in accordance with the procedure for handling complaints against Members.
- (g) **Providing legal advice.** The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors.
- (h) **Register of Members Interests.** The Monitoring Officer will keep and maintain the Register of Members Interests and ensure its availability to the public.

9.4 Functions of the Chief Finance Officer / Section 151 Officer

- (a) **Ensuring lawfulness and financial prudence of decision-making.** After consulting with the Head of Paid Service and the Monitoring Officer, the Chief Finance Officer will report to the full Council and the council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the council is about to enter an item of account unlawfully.
- (b) **Estimates and resources.** In accordance with the Local Government Act 2003 to advise on robustness of estimates and level of resources.
- (c) **Administration of financial affairs.** The Chief Finance Officer will have responsibility for the administration of the financial affairs of the council.
- (d) **Providing financial advice.** The Chief Finance Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors and will support and advise councillors and officers in their respective roles.
- (e) **Give financial information.** The Chief Finance Officer will provide financial information to the media, members of the public and the community.
- (f) **Pensions governance. The Chief Finance Officer will provide support to the Pension Fund Committee and Local Pension Board.**

9.5 Functions of the Director of Children's Services

- (a) The Council as a children's services authority is required by the Children Act 2004 to appoint an officer to be known as the Director of Children's Services. The Strategic Director, Children and Young People will fulfil the role of the Director of Children's Services.
- (b) The Director of Children's Services is responsible for the delivery of the Council's education and social services functions for children, and any health functions for children delegated to the Council by an NHS body and as required by the Children Act 2004.

9.6 Functions of the Director of Adult Social Services

- (a) The Strategic Director, Adults Communities and Health will fulfil the role of the Director for Adult Social Services as required by the Local Authority Health Social Services Act 1970, as amended by the Children Act 2004.
- (b) The Strategic Director, Adults Communities and Health is responsible for the delivery of the Council's social services functions, other than those for which the Council's Director of Children's Services is responsible under the Children Act 2004.

9.7 Functions of the Director of Public Health (DPH)

- (a) The DPH is responsible for writing the Annual Report on the health of the local population.
- (b) The DPH is responsible for all of the local authority's duties to take steps to improve public health.
- (c) The DPH is responsible for exercising the local authority's functions in planning for, and responding to, emergencies that present a risk to public health.
- (d) The DPH is responsible for exercising the local authority's role in co-operating with the Police, the Probation Service and the Prison Service to assess the risks posed by violent or sexual offenders.
- (e) The DPH is responsible for the local authority's public health response as a responsible authority under the Licensing Act 2003, such as making representations about licensing applications.
- (f) The DPH is responsible for exercising the local authority's duties to ensure plans are in place to protect their population including through screening and immunisation.

9.8 Duty to provide sufficient resources to the Monitoring Officer and Chief Finance Officer

The Council will provide the Monitoring Officer and Chief Finance Officer with such officers, accommodation and other resources as are in their reasonable opinion sufficient to allow their duties to be performed.

9.9 Conduct

Officers will comply with the Officers' Code of Conduct and the Protocol on Member/Officer Relations set out in this Constitution.

9.10 Employment

The recruitment, selection and dismissal of officers will comply with the Human Resources (HR) Regulations.

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	<p>Full Council 31 July 2018</p>
<p style="text-align: center;">Title</p>	<p>Council Tax Reduction for Care Leavers</p>
<p style="text-align: center;">Report of</p>	<p>The Leader of the Council</p>
<p style="text-align: center;">Wards</p>	<p>All</p>
<p style="text-align: center;">Status</p>	<p>Public</p>
<p style="text-align: center;">Urgent</p>	<p>Yes</p>
<p style="text-align: center;">Key</p>	<p>No</p>
<p style="text-align: center;">Enclosures</p>	<p>Appendix A – Care Leaver Council Tax Reduction Policy Appendix B – Care Leaver Council Tax Reduction Policy Consultation results</p>
<p style="text-align: center;">Officer Contact Details</p>	<p>Allan Clark – Revenues and Benefits Manager Allan.Clark@Barnet.gov.uk</p> <p>Laurelle Brown – Strategy and Insight Officer Laurelle.Brown@Barnet.gov.uk</p>

<p>Summary</p>
<p>This paper provides information on the proposed Care Leaver Council Tax Reduction Policy and responses from consultation. It seeks approval from Full Council on the implementation of the Policy.</p>
<p>Recommendations</p>
<p>The report recommends that the Council:</p> <ol style="list-style-type: none"> 1. Note the consultation results in Appendix B pertaining to a policy for offering council tax relief to care leavers based on guaranteed relief for their first two years of independent living or until their 25th birthday, whichever is first. 2. Ratify the endorsement from Policy and Resources Committee of the Care Leaver Council Tax Reduction Policy attached in Appendix A, to be implemented and

backdated to 1 April 2018.

1. WHY THIS REPORT IS NEEDED

1.1 Executive Summary

- 1.1.1 The Children's Services Improvement Action Plan recognises the need to improve outcomes for care leavers, and in particular to ensure that they have access to appropriate discretionary funds and reliefs, improve outcomes and ensure they are adequately prepared for independent living.
- 1.1.2 Following Policy and Resources Committee on 11 June 2018, changes to the proposed Policy were endorsed by the Committee with the amended Policy to be sent to Full Council for ratification.

1.2 Council Tax Relief for Care Leavers

- 1.2.1 The Children's Services Improvement Action Plan recognises the need to improve outcomes for care leavers, and in particular to ensure that they have access to appropriate discretionary funds and reliefs, improve outcomes and ensure they are adequately prepared for independent living.
- 1.2.2 A briefing paper on council tax reduction for Barnet care leavers was finalised and presented to Corporate Parenting Advisory Panel on 3 February 2018.
- 1.2.3 The proposal was approved at Policy & Resources Committee on 13 February 2018 to authorise the Deputy Chief Executive to consult on a policy for offering council tax relief to care leavers based on guaranteed relief for their first two years of independent living or up to age 25, and a presumption in favour of granting relief should it be required after that up to age 25; and instruct the Deputy Chief Executive to bring the policy to a future meeting of the committee for approval.
- 1.2.4 The Consultation ran from 21st March to 20th May 2018 and received:
- 15 online survey responses from care leavers
 - 4 facilitated discussion responses from care leavers
 - 4 survey responses from other Barnet residents
- 1.2.5 The total number of care leavers that responded (n=19) equates to 8% of the total number of 18-25-year-old care leavers as at March 2018.
- 1.2.6 The majority of respondents strongly agree or agree with each element of the proposed policy. The recommendation is therefore to implement the Care Leaver Council Tax Reduction scheme, backdated to 1 April 2018.
- 1.2.7 A full breakdown of the consultation results can be found in Appendix B.

1.2.8 Following the consultation, the proposed Policy was extended on the basis of feedback received, to provide a 'pause period' within the two-year guaranteed relief period, whilst a care leaver is a full-time student. This ensures that care leavers can undertake Education opportunities and still benefit from the scheme once their studies have been completed.

1.2.9 The Policy can be found at Appendix A.

2. REASONS FOR RECOMMENDATIONS

2.1.1 The Government Strategy *Keep on Caring – supporting young people from care to independence* (July 2016) confirms that the corporate parenting should apply in relation to provision of all the services that the local authority provides, not just the Children's Services department. The strategy recommends that local authorities consider discounts and exemptions from council tax for care leavers as a way of providing financial support and assisting them with establishing stability in their home lives.

2.1.2 Many care leavers are already granted relief from Council Tax in accordance with the existing discretionary council tax relief policy. However, there is no specific policy for Barnet care leavers.

2.1.3 It is proposed that equivalent financial assistance should also be available to Barnet care leavers living outside Barnet.

2.1.4 The policy will apply to Barnet care leavers only, however care leavers from other boroughs living within Barnet can apply for relief under the Council's existing discretionary council tax relief policy. Care leavers from other local authorities whom are resident in Barnet, should contact their responsible local authority in the first instance to enquire about council tax assistance. Should further financial support be required, all non-Barnet care leavers are able to apply for discretionary relief under the general provisions of Section 13A.

2.1.5 In addition to the proposed policy, the Council has duties to care leavers and this includes the power to provide financial assistance if they are struggling to meet housing or other costs.

2.1.6 The transition to independent living can be a particularly challenging time for care leavers. As the corporate parent, the council must support this transition as fully as possible.

2.1.7 Recommendation 19 within Barnet's Single Inspection of services for children in need of help and protection, children looked after and care leavers and Review of the effectiveness of the Local Safeguarding Children Board report, (Ofsted, 7 July 2017) outlines that the Council should '*ensure care leavers have tools, such as money management, to cope with life's challenges...*'.

2.1.8 Implementing the Council Tax Reduction Policy will provide care leavers with a period to adjust to independent living – a minimum of two years or up until their 25th birthday (whichever is first). During this time, care leavers will be

able to receive appropriate support and guidance pertaining to financial matters, thus increasing their chance of success in adulthood and resilience to cope with life's challenges.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The council could choose not to create a policy, but this is not in accordance with best practice on the Council's corporate parenting duties for care leavers.
- 3.2 A blanket exemption until age 25 for all care leavers was considered. However, one of the council's key aims is to support care leavers to a position where they can live successful independent lives. A blanket exemption runs the risk that insufficient attention is paid to supporting care leavers to develop independent financial management and budgeting skills.

4. POST DECISION IMPLEMENTATION

- 4.1 The Revenues and Benefits and Onwards and Upwards Team Manager will implement the Policy as included in Appendix A.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 Improving services to children and young people has the highest priority within the Council following last year's Ofsted judgement that services were inadequate.
- 5.1.2 The implementation of a Care Leaver Council Tax Policy is a key mechanism through which Barnet Council and its partners will deliver the Family Friendly Barnet vision to be the most family friendly borough in London by 2020.
- 5.1.3 This supports the following Council's corporate priorities as expressed through the Corporate Plan for 2015-20 which sets out the vision and strategy for the next five years based on the core principles of fairness, responsibility and opportunity, to make sure Barnet is a place;
 - Of opportunity, where people can further their quality of life
 - Where people are helped to help themselves, recognising that prevention is better than cure

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 Council tax discounts are administered under section 13A(1)(c), which means they are discretionary local reliefs which must be paid fully by the local authority. As such a transfer will be made from the general fund to the collection fund at the end of each financial year to reflect the loss in Council Tax due to the actual awards made in relation to the discount. This will ensure preceptors are not any worse off because of the Council's decision to

operate a discretionary local policy.

5.2.2 The additional financial impact of the policy is estimated to be negligible, as many care leavers were already eligible for support under the existing discretionary scheme.

5.2.3 Financial assistance to Barnet Care Leavers living outside the borough will be met within the Family Services budget. The relatively low number of care leavers in this position again means that costs are expected to be extremely low (below £10k) relative to the scale of other service costs.

5.3 Social Value

5.3.1 Supporting care leavers to achieve successful independent lives provides significant value to the individuals, wider society and the public purse.

5.4 Legal and Constitutional References

5.4.1 There are a number of pieces of legislation and statutory guidance that set out the role of the local authority in respect of cared for children and care leavers. This includes duties under the Children Act 1989 and Children Act 2004. The Children and Social Work Act 2017 contains new duties in relation to care leavers, which if brought into force, will extend some duties to 25 years.

5.4.2 Under Section 13A(1)(c) of the Local Government Finance Act 1992 the Council has the power to reduce (or further reduce) liability for council tax for a chargeable dwelling for a specified period of time in any case as the local authority for the area in which the dwelling is situated thinks fit. Subsection (6) confirms that such reduction includes the power to reduce the liability to nil. Subsection (7) confirms that the power may be exercised in relation to a particular case or by determining a class of cases.

5.4.3 As a Council tax reduction scheme this matter falls within those matters reserved for a full Council decision.

5.5 Risk Management

5.5.1 No risks have been identified from the consultation responses and recommendation to implement this policy.

5.6 Equalities and Diversity

5.6.1 Care leavers are disproportionately likely to be male and from black and minority ethnic backgrounds. As a group, the significant challenges they face can typically be much greater than those in the general population, and therefore support to care leavers in general contributes towards the council's Public-Sector Equality Duty.

5.7 Corporate Parenting

- 5.7.1 In July 2016, the Government published their Care Leavers' strategy Keep on Caring which outlined that the "... [the government] will introduce a set of corporate parenting principles that will require all departments within a local authority to recognise their role as corporate parents, encouraging them to look at the services and support that they provide through the lens of what a reasonable parent would do to support their own children.'
- 5.7.2 There are seven corporate parenting principles that local authorities must have regard to when exercising their functions in relation to looked after children and young people, as follows:
- 1) to act in the best interests, and promote the physical and mental health and well-being, of those children and young people;
 - 2) to encourage those children and young people to express their views, wishes and feelings;
 - 3) to take into account the views, wishes and feelings of those children and young people;
 - 4) to help those children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners;
 - 5) to promote high aspirations, and seek to secure the best outcomes, for those children and young people;
 - 6) for those children and young people to be safe, and for stability in their home lives, relationships and education or work; and;
 - 7) to prepare those children and young people for adulthood and independent living.
- 5.7.3 To ensure that Barnet has due regard to the Principles and improves on the delivery of corporate parenting to children in care and care leavers in Barnet, the administering of council tax relief has been reviewed and a proposed policy consulted on to help care experienced young people have a more successful transition to independence, through the provision of guaranteed relief in their first two years of independent living.
- 5.7.4 Young people, key services and senior officers have developed the proposed policy, which was amended based on feedback received from the care leavers that responded to the public consultation.
- 5.7.5 The introduction of the care leavers council tax policy will help improve the emotional and physical health of care experienced young people and contribute to the achievement of the best outcomes for this cohort.
- 5.7.6 The proposed policy is part of the council's programme of activity to improve its corporate parenting, an area identified as in need of improvement in the July 2017 Ofsted report.

5.8 Consultation and Engagement

- 5.8.1 Engagement has been undertaken with care leavers and practitioners from several services, including Revenues and Benefits, the Leaving Care Team and Barnet Homes, on the extent to which financial pressures caused by

council tax are a barrier to successful independent living, and in particular can lead to rent arrears.

5.8.2 There were a number of key themes that presented which highlighted that care leavers find the transition to independent living challenging and often experience financial hardship as a result of council tax liability, which can lead to rent arrears and loss of tenancy.

5.8.3 A public consultation has been undertaken, the result of which can be found in Appendix B.

5.9 **Insight**

5.9.1 The council has reviewed its data on care leavers living in and out of Barnet, and the extent to which council tax relief is currently granted.

6. **BACKGROUND PAPERS**

6.1 Single Inspection of services for children in need of help and protection, children looked after and care leavers and Review of the effectiveness of the Local Safeguarding Children Board report, Ofsted, 7 July 2017
https://reports.ofsted.gov.uk/sites/default/files/documents/local_authority_reports/barnet/051_Single%20inspection%20of%20LA%20children%27s%20services%20as%20pdf.pdf

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Care Leaver Council Tax Reduction Policy

Introduction

In Barnet, we want the same things for our care leavers as any good parent would want for their child. We want our care leavers to be resilient, and by that we mean healthy, happy and feel valued. We want them to grow into well-adjusted individuals who will experience positive relationships, be responsible citizens, fulfil their goals and ambitions, and ultimately provide good parenting to their own children.

In line with our Family Friendly Barnet approach, we want care leavers to be able to bounce back from life's challenges and embrace new opportunities. Our vision is for a society where care leavers have the same life chances and ambitions as other young people.

This desire is reinforced through our [Corporate Parenting Pledge](#), which seeks to support our ambitions for Children in Care and Care Leavers as outlined within the [Children and Young People's Plan 2016 – 2020](#). The Pledge reflects our corporate values of fairness, responsibility and opportunity, furthermore, it promotes our approach to delivering a model of resilience based practice through empowering children and young people to take ownership of their pathways and identify their entitlements.

This policy is for practitioners working with Care Leavers in relation to council tax, and outlines the policy and protocol for care leaver council tax liability in Barnet. The policy should be read in conjunction with the Finance Policy for Care Leavers (2017) and Revenues and Benefits council tax protocols. The policy sets out the eligibility criteria, award process and arrangement for care leavers living outside of Barnet.

The local authority will provide an adequate council tax policy for all care leavers, that aid their transition to independence, and support their overall Pathway Plan by meeting their identified needs and helping them to achieve their potential.

All decisions on eligibility and levels of financial support after the initial two-year guaranteed relief period will be based on a thorough assessment of the young person's circumstances. An allocated Personal Advisor (PA) or Social Worker and Revenues and Benefits Council Tax staff member will ensure that young people are aware of and fully understand the assessment criteria and how decisions have been made regarding applications for relief.

Barnet Care leavers will receive a maximum of 100% discount on their Council Tax for up to their first 2 years of independent living up to the age of 25. The 2 years may be paused for up to 2 periods where a full exemption is already being awarded because the Care Leaver is a student.

1. Who is eligible?

1.1 This policy applies to 'Former Relevant Children' as defined in the Children Act 1989; those aged 18 or above who either have been a relevant child and would be one if (s)he was under 18 or immediately before (s)he ceased to be looked after at age 18, was an eligible child:

- **Eligible children** are those aged 16 or 17 who have been looked after by the Local Authority for at least 13 weeks since their 14th birthday and are still looked after.
- **Relevant children** are those aged 16 or 17 who are no longer looked after, but were eligible children before he or she was last looked after.

1.2 They must be liable to pay Council Tax in Barnet; their name must appear on a Barnet Council Tax bill.

1.3 They can be the only named liable person or joint and severally liable with other residents.

2. Discretionary discount regulations

2.1 The care leaver discount will be created as a class under section 13A(1) of the Local Government Finance Act 1992. This allows councils to create a class or group of people to whom the discretionary discount will apply.

2.2 Discretionary discounts are funded by the Council. This means that the cost of the scheme is met by us at the expense of the borough's Council Tax payers.

3. How will the discount be administered?

3.1 The care leaver discount will be awarded after other Council Tax status discounts and exemptions have been considered. These include single person discount for being the only resident, discounts for being a student or an apprentice and Council Tax Support.

3.2 If the care leaver is jointly and severally liable for Council Tax (meaning their name and the names of other adults resident at the property appear on the bill), then the household will still see their Council Tax bill reduced to nil. This is regardless of the circumstances of the other residents in the property.

4. What limitations are there?

4.1 The reduction will apply from 1st April 2018 or whenever the care leaver starts independent living according to their tenancy, if after this date. Where a care leaver started independent living prior to 1 April 2018 a reduction can be considered under the general provisions of section 13A for any periods prior to 1 April 2018. However, this will require an application to be made. These cases will then be considered by Revenues and Benefits Council Tax Team, in consultation with Onwards and Upwards on a case by case basis.

4.2 Similarly, once the care leavers discount expires after 2 years and the care leaver is under the age of 25, a further reduction can be considered under the general provisions of section 13A.

This would also require an application to be made and the case would be considered, in consultation with Onwards and Upwards, on a case by case basis.

- 4.3 The discount is only applicable when the care leaver has Council Tax liability. The care leaver would not normally be the liable person when living with foster carers, 'Staying Put' Providers, Supported Lodgings providers and destinations recorded as home on the Family Services case recording system. In these circumstances, the discount would not apply.
- 4.4 Where a full-time student is entitled to an exemption from Council Tax, the 2-year care leaver discount will be paused. There may be unforeseen circumstances where a full-time student may not be entitled to a full exemption, and so if the Care Leaver is liable to pay all or part of the Council Tax whilst a student, the Care Leaver discount will continue and the pause will not apply. Once the exemption ends, the Care leaver discount will recommence whilst the young person is under the age of 25.
- 4.5 The maximum aggregate total of the guaranteed up to 100% care Leaver discount must not exceed 2 years or go beyond the care leaver's 25 birthday. The discount may only be paused a maximum of two times. If a third instance (or more) of pausing is required, the discount will not be paused and will run concurrently with the student exemption. Where a care leaver requires more than 2 pauses, they may apply for discretionary relief under the general provisions of section 13A and their circumstances as a care leaver/student will be taken in to consideration along with the any supporting comments from Onwards and Upwards.
- 4.6 If the care leaver moves out of a property where relief is currently being applied, to take up full-time education (moves into halls of residence etc), they will also be eligible for the pause in relief should they:
- later become liable for Council Tax in Barnet again;
 - meet the other qualifying conditions;
 - not have taken more than 2 pauses already.

In this instance relief will only be applied following confirmation from the care leavers Personal Advisor that s/he has been living elsewhere owing to them being in a full-time course of education and that they are satisfied s/he has been attending the course.

- 4.7 Young people that do not have recourse to public funds, such as unaccompanied asylum-seeking children are not able to apply for discretionary funds. Revenues and Benefits will therefore be updated of the immigration status of care leavers on a monthly basis by the Family Services Data and Systems Team, to enable this information to be recorded on their case recording system.
- 4.8 A care leaver can receive the full reduction at up to a maximum of two addresses concurrently. This is for a maximum of 4 weeks and only in exceptional circumstances (such as at risk of domestic or serious youth violence). Where liability for two properties exceeds 4 weeks an application for discretionary relief under the general provisions of section 13A can be

submitted, and will be considered by Revenues and Benefits on its own merit, in consultation with Onwards and Upwards.

5. Young people who receive care from Barnet Council but live outside the Borough

5.1 For Barnet Care Leavers now living out of borough, upon receiving proof that they have paid their council tax bill in the borough in which they are residing and have council tax liability, Barnet Council will reimburse the young person via a support grant for the amount paid. This will be administered through the Onwards and Upwards leaving care team.

5.2 At the point of turning 18, depending on accommodation type, the Onwards and Upwards worker will support the young person to contact their local Revenues and Benefits Team to:

5.2.1 Look at reductions/discounts available to determine net bill amount;

5.2.2 Help young person to manage their budget and pay council tax so they can be reimbursed by Barnet a month in arrears. Young people will be encouraged to pay online and forward email receipt/confirmation to their worker to enable a swift reimbursement;

5.2.3 Reimburse payment; the Onwards and Upwards worker will raise commitment form and the young person will be reimbursed within 3 weeks.

6. Aged 25 and over

6.1 From the age of 25 years old the reduction will no longer be applicable, even if the 2-year period has not yet finished. After this point, the care leaver will then be treated the same as other residents in the borough with regards to council tax liability and applications for relief.

7. Facing Eviction or Homelessness

7.1 If a care leaver is facing eviction or homelessness and their 100% discount has ceased, they will need to make a claim for a discretionary reduction. This application will be considered as part of the Council's statutory duty under the *Code of Guidance for the Homeless Reduction Act 2018*.

Award Process

8. Barnet Care Leavers Resident in Barnet

8.1 At the point an offer of independent accommodation is made to a young person, whether Temporary Accommodation (TA) or a long-term tenancy, the following notification process is to be initiated:

8.1.1 Onwards and Upwards notify the nominated person in the Revenues and Benefits Team.

8.1.2 Care leaver information will be shared with the Revenues and Benefits contact, including address, date of birth, the date independent living commenced and where appropriate the date the tenancy ended.

8.1.3 In some cases, care leavers do not utilise the Onwards and Upwards Service and in these circumstances, Onwards and Upwards may not be aware of the Care Leaver starting independent living. In such cases it will be down to the care leaver to contact the Council to request the reduction, either directly with the Revenues and Benefits Service or via the Onwards and Upwards Team. Those that contact Revenues and Benefits directly will be encouraged to make the request via the Onwards and Upwards Team who may then be able to offer support to the care leaver in other ways and provide confirmation to the Revenues and Benefits Service that the individual is a Barnet care leaver. If the Care leaver insists on making the request directly to the Revenues and Benefits Service, the nominated person will contact Onwards and Upwards for confirmation of the care leaver's care status.

8.1.4 A list of all care leavers will be supplied in a spreadsheet to the Revenues and Benefits Service on a monthly basis, indicating new former relevant children, those open to Onwards and Upwards, those who are not open to Onwards and Upwards and those who have turned 25 -years old. The Revenues and Benefits Service will use this information to ensure that all awards of the care leaver Discount are correctly administered. The team will update Onwards and Upwards on a monthly basis of the status of care leavers accounts such as arrears and any risk of enforcement action to enable Onwards and Upwards to provide assistance to the young person where needed.

9. Non-Barnet Care Leavers Resident in Barnet

9.1 Care leavers from other local authorities whom are resident in Barnet should contact their responsible local authority in the first instance to enquire about council tax assistance. Should further financial support be required, all non-Barnet care leavers are able to apply for discretionary relief under the general provisions of Section 13A.

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Care Leaver Council Tax Consultation Summary – May 2018

1. Background

The Children's Services Improvement Action Plan recognises the need to improve outcomes for care leavers, and in particular to ensure that they have access to appropriate discretionary funds and reliefs, improve outcomes and ensure they are adequately prepared for independent living.

A briefing paper on council tax reduction for Barnet care leavers was finalised and presented to Corporate Parenting Advisory Panel on 3 February 2018.

The proposal was approved at Policy & Resources Committee on 13 February 2018 to authorise the Deputy Chief Executive to consult on a policy for offering council tax relief to care leavers based on guaranteed relief for their first two years of independent living, and a presumption in favour of granting relief should it be required after that up to age 25; and instruct the Deputy Chief Executive to bring the policy to a future meeting of the committee for approval.

2. The consultation

The consultation consisted of 11 questions which sought views on key elements of the policy proposal to;

- 1) Offer Council Tax relief to care leavers up to age 25.
- 2) That automatic relief be limited to their first two years of independent living.
- 3) Living circumstances to which this relief should apply.

The Consultation consisted of a questionnaire that was accessible online and via a facilitated group discussion with care leavers.

In addition to the online survey and facilitated care leaver discussion, key stakeholders including Social Work Team Managers, the Virtual School, Looked After Children Nurse, Barnet Homes, the Foster Carer Support Team, Voice of the Child Team and Leaving Care Service, were also engaged via the Corporate Parenting Officers' Group.

There were 4 main scaling questions posed as part of the consultation, to establish the extent respondents agreed or disagreed with the following:

- i. The council's proposal to help Barnet Council's Care Leavers up to the age of 25 by providing council tax relief?
- ii. That it is made available for the first two years of independent living (from the point a care leaver is first named as liable on Council Tax bill)
- iii. That council tax liability should be reduced to nil where a Care Leaver is jointly liable for council tax?
- iv. That this relief should apply to Care Leavers living in all bands of property?

Additional questions asked provided the opportunity for qualitative responses to be added by respondents and captured equality and diversity information.

The Consultation ran from 21 March to 20 May 2018 and received:

- 15 online survey responses from care leavers
- 4 facilitated discussion responses from care leavers
- 4 survey responses from other Barnet residents

The total number of care leavers that responded (n=19) equates to 8% of the total number of 18-25-year-old care leavers as at March 2018.

1.1 Facilitated discussion

A facilitated discussion was held with care leavers on 21 March 2018, during which all care leavers strongly agreed with each one of the consultation questions. Comments from the young people included:

Q4: Do you have any other comments or suggestions regarding the two years of independent living?

- “why can’t it be extended for longer? We should get it until [age] 24/25?”
- “If you have a job, depending on how much you get you should pay”

Q5: Do you have any other comments or suggestions regarding joint liability reduction to nil?

- “Halve it so the care leaver doesn’t have to pay”
- “Care leavers shouldn’t have to pay it”
- “Is there a way to have two different council tax bills for one house? Otherwise have the whole household at nil”
- “Just nil it by the house”

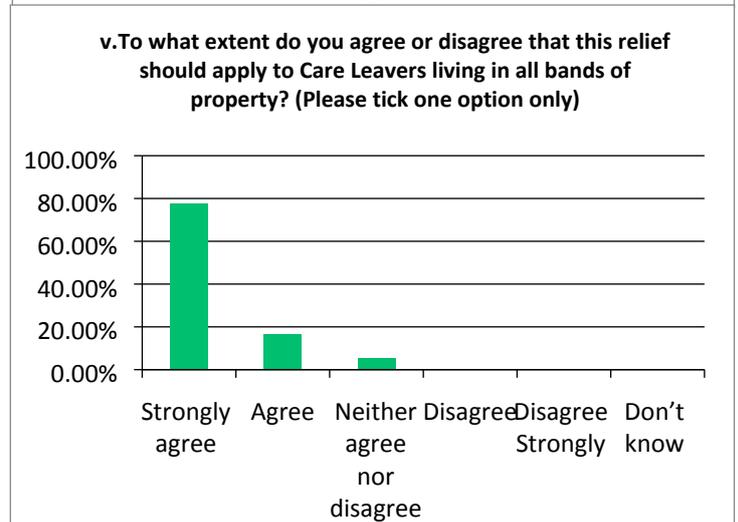
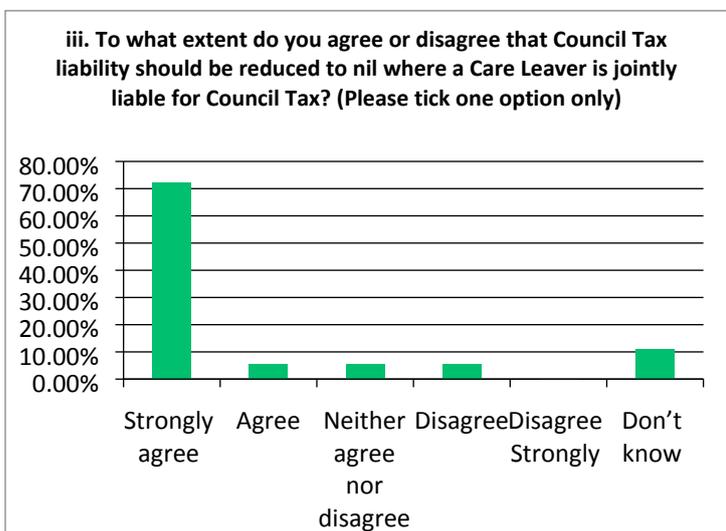
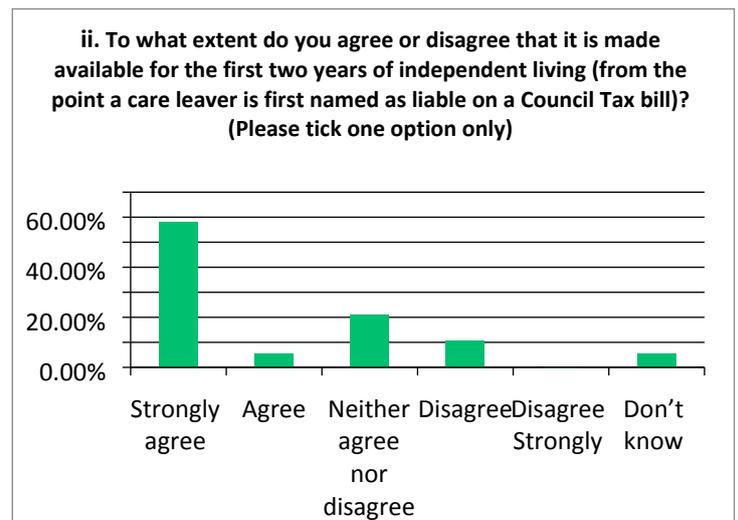
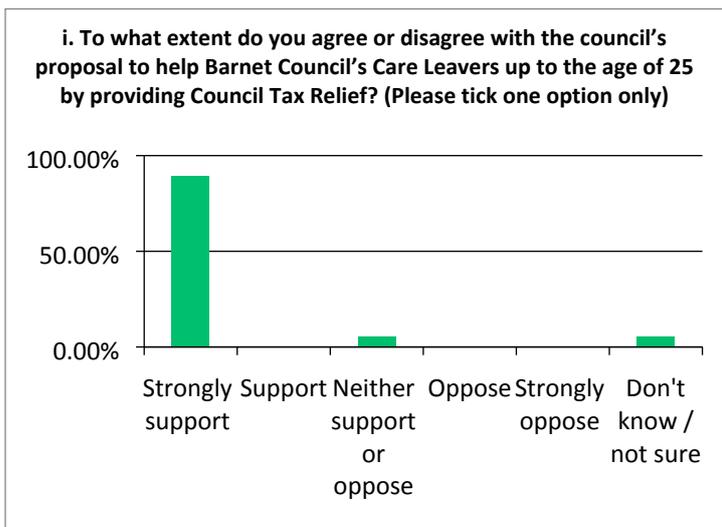
Q11: Do you have any other comments or suggestions regarding the proposal?

Feedback included:

- Concerns about young people in education not benefitting from the scheme.
- Young people living out of borough still being at risk of debt.
- Out of borough young people being disadvantaged.
- Care leavers being penalised when going in and out of university.

1.2 Online survey

Responses to the consultation’s four main questions were as follows:



Although the responses show clear agreement with the proposed policy, there were several themes that emerged from the comments. They have been categorised as follows:

1. **Continuation:** respondents feel that the two-year period should stop/start according to their council tax liability status I.E. Care Leavers are exempt from paying council tax when in full-time education and therefore this period of exemption should not be deducted from their two-year exemption – 6 respondents (26%)
2. **Duration:** respondents feel that the full reduction should be for longer than the proposed two years – 5 respondents (22%)
3. **Phased council tax bills:** respondents feel there should be incremental year on year bill increases– 2 respondents (9%)
4. **Backdated reduction:** a respondent felt that when the scheme is introduced, reduction should also be granted for those who have been living independently for more than two years – 1 respondent (4%)

When considered in the context of the total number of responses, point 1 and 2 are statistically significant. However, just 8% of care leavers responded to the consultation.

There were also numerous comments pertaining to the general hardship experienced by care leavers and the need for financial and other additional support, including:

“As a care leaver, I know how difficult it can be having to manage finances in combination with being independent and having to overcome challenges from childhood that the average child does not struggle with. The burden of financial woes and uncertainty of paying bills can make it so much harder for a care-leaver to overcome their childhood traumas. Thus, every, tiny bit of financial support makes a HUGE difference in reducing that burden and preparing a care leaver to feel strong enough to become independent after 25, when they no longer can access the same support. Therefore, I strongly support the proposal for care-leavers to be relieved of council tax up until the age of 25.”

“I do believe that this proposal will benefit many care leavers, as living in own it's difficult. Since I have placed into care and living in my house, I become liable for all my bills including council tax, that every year my social try to help by getting me an exemption to reduce my expenses. The process is not easy as they are many requirements before even be considered.”

“I am sure it will very good idea because the council tax is a big challenge for me.”

“I believe that the voice of care-leavers, whom already are at a significant disadvantage growing up and into the adult world, should be heard at the highest regard. The state has a duty to look after their needs and thus prepare them adequately one they leave the care system. In my opinion, this should mean that the burdens of responsibility in making the transition into adulthood should be minimised as much as possible I, especially financially which I personally know can be a source of major anxiety and pressure despite support from social workers. Therefore, a council tax exemption is something I know would help this, and is certainly something care-leavers deserve. As a care-leaver who has been in the system most of my life, I hope my opinion and wishes are heard above those that have not been in the system. Thank you.”

“That care leavers in apprenticeships or internships pay a highly reduced amount that is upped gradually to help prepare them for when they pay it all”

Consultation outcome

The majority of respondents strongly agree with each element of the proposed policy. The recommendation is therefore to implement the Care Leaver Council Tax Reduction scheme, with a backdated start date of 1 April 2018.

In terms of the categories of statistical significance, when considering the initial vision for the scheme and our corporate parenting responsibilities, we recommend that:

- *Continuation* - the scheme be varied to accommodate this point. This would entail a “pause enabling” approach for young people who leave their accommodation for a period of time or are awarded full exemption due to education status. The proposed terms and conditions for this are outlined below.
- *Duration* – this scheme should not be varied to accommodate this point. Care leavers can apply for up to 100% discretionary reduction after their initial two-year period if they are experiencing financial difficulties. The opportunity to access extended reduction is therefore available. In addition to this, as corporate parents, the council has an important role to play in preparing young people for independence; the discretionary reduction after two years is a way of achieving this.

Continuation terms and conditions

1.1 Where a full-time student is entitled to an exemption from Council Tax, the 2-year care leaver discount will be paused. There may be unforeseen circumstances where a full-time student may not be entitled to a full exemption, and so if the Care Leaver is liable to pay all or part of the Council Tax whilst a student, the Care Leaver discount will continue and the pause will not apply. Once the exemption ends, the Care leaver discount will recommence.

1.2 The maximum aggregate total of the guaranteed up to 100% care Leaver discount must not exceed 2 years. The discount may only be paused a maximum of two times. If a third instance (or more) of pausing is required, the discount will not be paused and will run concurrently with the student exemption. Where a care leaver requires more than 2 pauses, they may apply for discretionary relief under the general provisions of section 13A and their circumstances as a care leaver/student will be taken in to consideration along with the any supporting comments from Onwards and Upwards.

1.3 If the care leaver moves out of a property where relief is currently being applied, to take up full-time education (moves into halls of residence etc), they will also be eligible for the pause in relief should they:

- *later become liable for Council Tax in Barnet again;*
- *meet the other qualifying conditions;*
- *not have taken more than 2 pauses already.*

In this instance relief will only be applied following confirmation from the care leavers Personal Advisor that s/he has been living elsewhere owing to them being in a full-time course of education and that they are satisfied s/he has been attending the course.