



## Community Leadership and Libraries Committee

18 November 2020

<b>Title</b>	<b>Business Planning 2020 - 2025</b>
<b>Report of</b>	Councillor Reuben Thompstone
<b>Wards</b>	All
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Key</b>	Yes
<b>Enclosures</b>	Appendix A – Medium Term Financial Strategy (MTFS) and Savings Proposals for Committee Appendix B – Fees & Charges
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### Summary

A Business Planning report was agreed by Policy and Resources Committee on 24<sup>th</sup> September 2020 outlining the council's updated Medium-Term Financial Strategy (MTFS) to 2024/25 and the future financial challenges facing the council.

P&R Committee also agreed the process whereby Theme Committees will consider the response to this challenge in November, by considering savings proposals to balance council's budget (the same process as used in previous years). The paper set out the estimated savings requirements across Theme Committees for the period 2020-25.

Since then, and taking account of the emerging national and local situation with the Covid-19 pandemic, work has continued on the MTFS as a whole and specifically the budget for 2021/22. There is currently a shortfall in savings for 2021/22 £5.618m.

The approved savings for 2020/21 have also been reviewed for deliverability and any implications for future years.

This report asks the Committee to agree to the revenue savings proposals brought forward

and service pressure identified, and also to approve changes to Fees and Charges. The outcomes of all theme committee discussions will go forward as recommendations to Policy and Resources Committee in December 2020.

## Officers Recommendations

1. That the Committee consider the MTFs proposals that relate to the committee as set out in Appendix A and refer their comments to Policy and Resources Committee for eventual decision by Council.
2. That the Committee ~~note the changes to app~~ the fees and charges 2021/22 listed in Appendix B, ~~which will be included in the budget proposals submitted and refer them for noting~~ to Policy and Resources Committee.
3. That the Committee note the updates on the Recovery Planning Programme provided.
4. That the Committee approve the continuing work on the Recovery Planning Programme for the service areas it is responsible for, including any next steps outlined in this report.

Commented [ST1]: Full Council agreed on 20 October 2020 that recommendations on Fees and Charges are approved by Policy and Resources Committee.

### 1. WHY THIS REPORT IS NEEDED

- 1.1 This report is required as part of the council's annual business planning process, to discuss and approve priorities for the Community Leadership and Libraries Committee for 2021/22 and also 2022/23 to 2024/25.
- 1.2 The Committee's approval is requested for:
  - Savings proposals within its authority so they can then be recommended to Policy and Resources (P&R) Committee to set a balanced budget for 2021/22;
  - Proposed changes to Fees and Charges within Committee's authority for 2021/22 that require approval and recommendation to P&R Committee.

### 2. STRATEGIC CONTEXT

#### Background to 2021/22 Business Planning

- 2.1 The council has a statutory duty to set a balanced budget for the coming financial year and uses the Medium-Term Financial Strategy (MTFS) to estimate the budget position for the following three years. Savings proposals for future years should be identified via an ongoing process and proposed to Committee. Savings proposals for all years are proposed through Theme committees, then P&R Committee, and the Full Council in March to be approved.
- 2.2 Between 2010/11 to 2020/21, the council successfully identified savings proposals totalling c.£191m. In early March 2020, Full Council were presented and approved an estimated budget gap of £36.830 between 2021/22 to 2024/25. Accompanying this were savings proposals of £17.572m.

### **Approach to MTFS 2021-25**

- 2.3 In June 2020, P&R Committee were presented with an update on the impacts of Covid-19 and an introduction to the 2021/22 to 2024/25 MTFS process. A more detailed update on the MTFS was presented to September P&R committee with a revised budget gap and proposed savings identified to date. That report also included a recommendation for saving proposals to be presented to the relevant Theme committees in November for approval.
- 2.4 Due to the challenges facing the council's services arising from the pandemic, and the uncertainty in the future trajectory of key budget areas (e.g. adult social care demand, on and off street parking ~~income~~, and the local economic outlook) a modified approach for the MTFS for 2021/22 to 2024/25 was proposed in October 2020. This will:
  - a. Defer decisions on long-term funding for service pressures in 2021/22 until the likely future requirement is known with more certainty. Short term funding sources can be used (such as appropriate earmarked resources) until longer-term service needs are clearer;
  - b. Prioritise finalising savings proposals to balance the revised 2021/22 budget gap;
  - c. Continue, where possible, to identify and progress savings initiatives for 2022/23 to 2024/25.
- 2.5 In a situation of considerable uncertainty, this approach will prioritise balancing the 2021/22 budget with robust savings proposals without losing sight of the medium term financial outlook to 2024/25.

### **MTFS November Summary**

2.6 As at November, the estimated budget gap between 2021/22 to 2024/25 is now £53.380m. Taking this revised budget gap with proposed savings to date, the shortfall to balancing 2021/22 and 2022/23 to 2024/25 is set out in the table below.

<b>MTFS Summary</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>Total</b>
	<b>£'m</b>	<b>£'m</b>	<b>£'m</b>	<b>£'m</b>	<b>£'m</b>
<b>September Policy and Resources Budget Gap</b>	<b>27.272</b>	<b>18.017</b>	<b>9.961</b>	<b>6.035</b>	<b>61.285</b>
Further revisions to the budget and service pressures since September	(12.192)	1.410	0.086	2.395	(8.301)
<b>Revised Budget Gap at November</b>	<b>15.080</b>	<b>19.427</b>	<b>10.047</b>	<b>8.430</b>	<b>52.984</b>
	-	-	-	-	-
Savings Identified to date	(11.190)	(8.748)	(9.646)	(7.718)	(37.302)
<b>Shortfall / (Surplus) to Balanced Budget</b>	<b>3.890</b>	<b>10.679</b>	<b>0.401</b>	<b>0.712</b>	<b>15.682</b>

Commented [HJ2]: Updated table to reflect latest council wide budget position.

### Community Leadership and Libraries Context

- 2.7 A number of the services under the responsibility of the committee have faced a challenging year, with the Covid-19 pandemic and subsequent lockdown increasing demand for some services and preventing others from operating at full capacity.
- 2.8 This impacted the income generation capacity of services such as the Registration and Nationality service, while the demand placed on the service for death registrations increased. The Library Service also faces some budget pressures arising from an inability to generate income via fines and other fees and charges and hall hire.
- 2.9 Demand for community safety services also increased during this period, with an increase in Domestic Abuse reports during lockdown. New Covid-19 legislation has also required officers to be redeployed to enforcement roles in relation to non-compliant businesses.
- 2.10 The priority in these services areas continues to be around recovery from Covid-19 and dealing with the increased demand for services while continuing to run services in line with Covid-19 health and safety protocols.
- 2.11 There were no savings proposals relevant to the committee for 2020/21. The below section outlines a savings proposal for 2021/22 and 2022/23.

## Theme Committee Savings

- 2.12 To address the budget gap, Theme Committees have been asked to set out savings proposals to contribute to the council's overall savings requirement.
- 2.13 As set out in Table 1, one savings proposal has been identified relating to Community Leadership and Libraries Committee. This saving has a total value of £350k through an increased income generation target for the Registration and Nationality Service.
- 2.14 The saving has been identified due to the service overachieving on its income targets for 2019/20 by around £200k. Income in 2020/21 has taken a hit as a result of Covid-19, specifically the demand placed on the service around death registrations and the need to pause income generating services. An update on the recovery process within the service can be found in Section 2.9.1.
- 2.15 As this savings proposal does not represent a change to the service, no equalities impact assessment is required to be completed. Equalities and diversity, as well as the impact on residents, will remain a key consideration for the council and the Registration and Nationality service in the future.

**Table 1: Community Leadership and Libraries Savings Proposals (£'000)**

Service Area	Description of saving	2021/22 £'000	2022/23 £'000	2023/24 £'000	Total Savings (All Years) £'000
Customer Services & Digital	Income increase in the Registration service for births, marriages and deaths. The income generated from these services in 2019/20 was £200k higher than expected and while 2021/22 income has been affected by Covid-19 due to restrictions on weddings and birth registrations, targets have still been met for this year. Based on the higher levels of income experienced in 2019/20 the target for 2021/22 has been increased by £200k. However, 2022/23 will require additional investment in the town hall (carpets, paint etc) and increased promotion in order to increase income targets for weddings. There may need to be an invest to save bid to provide funding if that required spend is large,	(200)	(150)	0	(350)

	although this is not expected at this stage.				
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**Registrars Fees & Charges**

- 2.16 The Registration and Nationality Service is responsible for the registration of births, deaths and still-births, the formalities for marriage and civil partnerships and for nationality services and citizenship ceremonies. The current fees were approved by this Committee in September 2018, with a number of changes recommended to this. The full list of fees and charges provided by the service can be found in Appendix B.
- 2.17 This report seeks approval from the Committee for an increase in fees relating to a number of services carried out by the Registration team. The full justification for individual increases can be found in Appendix B. In a number of cases relating to certificate production, these fees are statutory figures introduced by the General Register Office in order to meet the costs of providing this service. In other cases, these will align the borough's service with the rates charged by neighbouring boroughs, while also discouraging no-shows and late cancellations that can cause disruption to the team.
- 2.18 These recommended fees and charges will ensure that the service remains competitive for Barnet residents and visitors, supporting the service in the best possible way. It will also allow the service to meet income generation targets, including the saving outlined as part of the MTFS.

**Libraries Fees and Charges**

- 2.19 Barnet's Library Service provides a wide range of services from resources for loan, free computer and Wi-Fi access, events, printing, photocopying and room hire. In November 2018 the Committee approved changes to photocopy and print charges. All other charges remained unchanged at this time.
- 2.20 This report seeks approval from the Committee to raise fees relating to library room hire and in subscription rates for the School Libraries Resources Service (SLRS).
- 2.21 The updated SLRS subscription rates will bring these charges into line with those levied by similar services and by other boroughs and will help to make this service more sustainable.
- 2.22 Library room hire charges were last updated in 2013 and are now substantially below market value. The recent independent evaluation of the Library Service conducted by the Activist Group and considered by the Committee in March 2020 recommended that these hire rates be reconsidered. The increased charges proposed in this report also more accurately reflect the specific features of each room and introduce a single rate for all groups.

### **Recovery Plan**

- 2.23 The Covid-19 pandemic provides an extremely challenging situation for Barnet, its residents and the wider borough. The pandemic itself has been responsible for over 58,000 deaths nationally, while the subsequent lockdown that was required to save lives has led to challenges relating to the economy and mental health.
- 2.24 In response to the pandemic, the council had to focus on critical services, including a number of new services to directly respond to the needs of residents. As lockdown restrictions eased, the council then moved to focusing on recovery, initially around a framework of deciding which services to restore in their previous form, which to retain from the lockdown and which to re-invent by bringing back in a new way. A programme of recovery planning has been set up to co-ordinate this process and deal with the challenges that recovery will bring for the council, the borough and its residents. The programme is split into 4 workstreams which are based around the cross-cutting themes of our emerging Corporate Plan and 2 additional cross-cutting workstreams. Each theme has at least one sponsor from the Council's Management Team and at least one workstream lead, a senior officer responsible for the day-to-day delivery of the workstream. The themes are:
1. Thriving
  2. Family Friendly
  3. Healthy
  4. Clean, Safe and Well Run
  5. Prevention
  6. The Way We Work

- 2.25 This committee will contribute to a number of these workstreams. Community safety and the registration and nationality service contribute to the Clean, Safe and Well Run workstream, while work on libraries will feed into the Family Friendly workstream. Work on community engagement and engagement with voluntary and community sector partners feeds into the Prevention workstream and The Way We Work Programme.
- 2.26 The Committee received an update on recovery activity for the services it is responsible for in September. The below sections provide the committee with a further update on these services.

#### **Registration and Nationality Service – Clean, Safe and Well Run**

- 2.27 The Registration and Nationality service forms part of the Clean, Safe and Well Run workstream. The service paused all face to face appointments when the first national lockdown was announced and focused resources on the increased demand in death registrations. Following easing of lockdown restrictions, the priorities have been restoring income generating services and clearing the backlog of birth registrations, weddings, civil partnership ceremonies and citizenship ceremonies that built up during the initial period of lockdown.
- 2.28 Service provision was re-introduced gradually, in line with relevant health and safety guidance, from June. Some limitations have been in place in regards numbers permitted to appointments and the service has adapted to changes in national guidelines as appropriate. Birth registrations, citizenship ceremonies and notice of marriages are now bookable, while death registrations are still being completed from home. The recent move to a wider lockdown nationally prevents the service conducting wedding and civil partnerships, currently.
- 2.29 The majority of the back logs have been cleared although the service is still following up with some couples who have yet to book appointments to register births. Income for the service picked up over the summer, due to a higher than expected demand for weddings albeit the service is still forecasting an overall loss of income in this financial year and further restrictions as a result of wider lockdowns will continue to impact this.

#### **Community Safety – Clean, Safe and Well Run**

- 2.29 Overall, in the 12 months to August 2020 there were 28,637 crimes in Barnet. This is 2,059 crimes fewer than in the equivalent period a year ago, representing a reduction in crime in Barnet of around 7%.
- 2.30 Some of the notable contributing elements to that reduction include a 19% reduction in Burglary, a 45% reduction in Gun crime and a 20% reduction in theft. Robbery is one offence type which went against the overall downward trend, increasing by 18% during this period (with most of this increase occurring prior to March 2020).

- 2.31 The Domestic Abuse and Violence Against Women and Girls (VAWG) delivery board (a sub-group of the Safer Communities Partnership Board) is currently working to refresh the partnership's Domestic Abuse and VAWG Strategy. The strategy is focused on: preventing violence against women and girls; improving outcomes for victims and their children; holding perpetrators to account; and developing joint working practices between agencies.
- 2.32 The Barnet Prevent Strategy continues to provide early intervention to protect and divert people away from violent extremism. This includes coordinating the multi-agency Barnet Channel Panel.
- 2.33 Channel is a voluntary programme which focuses on providing support and early intervention to safeguard children and adults identified as being at risk of being drawn into terrorism or extremism. This acts by identifying the individuals at risk, assessing the nature and extent of that risk, and developing the most appropriate support plan for the individuals concerned.
- 2.34 In addition, the Prevent Action Plan outlines the statutory duty to provide training to ensure that Barnet Safeguarding and Partnership staff can recognise signs that an individual may be vulnerable to being radicalised, and able to respond appropriately to reduce that risk.
- 2.35 In partnership with the Voluntary and Community Sector, the Barnet Zero Tolerance to Hate Crime project has continued engaging with communities and organizations across the borough to improve access to justice for victims of Hate Crime and to make it easier for people to report Hate Crime and get the support that they need.
- 2.36 During 2020/21 many of the services delivered by the project have moved online, including online Awareness Raising Webinars which focus on thematic issues, including for example Disability Hate Crime and Safeguarding / Online Hate and Extremism. Staff Training delivery has also been moved online and has been delivered via Microsoft Teams.
- 2.37 The project has also worked to expanding the Network of Hate Crime Reporting Centres. Vulnerable adults and victims of hate crime want to report at a known and trusted safe place (e.g. place of worship, educational setting, community centre). To date (up to 31st Oct 2020) the project has:
- Trained **174** staff across 19 partnership organisations to identify hate crime and support vulnerable people to report incidents to the Police.
  - Worked to support the Hate Crime Reporting Centres on the borough which has resulted in an increase in reports taken at Reporting Centres and the confidence of staff to support vulnerable adults to report hate crime. During 2020/21 the number of organisations participating as Hate Crime Reporting Centres has increased from **9** to **11**.
  - Delivered 15 Hate Crime Awareness Workshops for over **250** attendees.

- Run the Hate Crime Reporting Champion scheme – which has resulted in over **500** people registered pledging to report hate crime if they encounter it.

2.38 Environmental inspection patrols have been combined with bespoke Covid-19 community safety patrols by our third party provider Local Authority Support (formerly referred to as Kingdom Services Group) since 23rd March 2020. The focus of these patrols initially was upon social distancing in parks and open spaces and in the latter part of summer the reintroduction of trading and the associated monitoring of our high streets. The investigation and retrieval of evidence in fly tipping offences has been maintained and our contractor has also undertaken door step interviews under caution with suspected offenders with a view to pursuing prosecution proceedings once the Magistrates Courts resume business as usual.

#### **Libraries – Family Friendly**

- 2.39 At the end of September, the Library Service extended its Select and Collect book borrowing service to all 14 library sites and the Mobile Library Service. Since the 22 March a total of 29,363 items including books, audiobooks and DVDs have been borrowed by residents through this scheme. A further 20,771 items have been loaned to Barnet schools to support classroom teaching and learning via the School Libraries Resources Service (SLRS).
- 2.40 The Library Service continues to offer access to computers and the internet at the four Core Plus libraries (Chipping Barnet, Colindale, Edgware and Finchley Church End libraries). Machines must be booked in advance, with each session lasting for 45 minutes.
- 2.41 The online library offer continues to be developed, with the introduction of live online activities including author talks and baby rhyme time delivered via Microsoft Teams. In total there have been 29,329 views of the 107 library activity videos produced since the 22 March. Issues of electronic materials also continue to rise. To date a total of 277,420 items have been downloaded including ebooks, eAudiobooks, e-magazines and newspapers and e-comics.

#### **Community Engagement – The Way We Work**

- 2.42 Partnership working with the voluntary and community sector (VCS) continues to be strong, as many of the structures put in place during the first wave of the pandemic remain operational. Services initially staffed by redeployed council officers have transitioned to using resident volunteers, and management of the Essential Supplies Hub has been transferred to our partners in the VCS. The council's future working relationship with the sector is being redefined as part of the development of the forthcoming Barnet Plan. The successful examples of multi-agency partnership working that we have seen through the pandemic so far has created a positive foundation on which to build, but has necessitated a delay in finalising the Community Participation Strategy. This will now be brought to the next meeting of this committee.

### **3. REASONS FOR RECOMMENDATIONS**

- 3.1 Local Government continues to face significant reductions in funding and increased demand for services, as set out in the above context. These challenges require longer term, robust financial and strategic planning and the recommendations in this report support this.
- 3.2 By law, the council is required to set a balanced budget. These proposals are the best way of doing that by meeting financial requirement and delivering outcomes and ambitions for Barnet.

### **4. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 4.1 The alternative option is not to approve the MTFS. This, however, is not considered to be good practice and may expose the council to the risk of not achieving the savings targets or being able to set a balanced budget. There is a statutory requirement to set a balanced budget and submit budget returns to the Ministry of Housing, Communities and Local Government (MHCLG).

### **5. POST DECISION IMPLEMENTATION**

- 5.1 If the Community Leadership and Libraries Committee approves the recommendation made by this report, then the savings proposals will be referred to Policy and Resources Committee on 8<sup>th</sup> December 2020 as part of the council's Medium-Term Financial Strategy (MTFS). Public consultation on the MTFS will commence in December.

### **6. IMPLICATIONS OF DECISION**

#### **Corporate Priorities and Performance**

- 6.1 This report supports the council's corporate priorities as expressed through the Corporate Plan for 2019-24 which sets out our vision and strategy for the next 5 years. This includes the outcomes we want to achieve for the borough, the priorities we will focus limited resources on, and our approach for how we will deliver this.
- 6.2 Our 3 outcomes for the borough focus on place, people and communities:
- a pleasant, well maintained borough that we protect and invest in
  - our residents live happy, healthy, independent lives with the most vulnerable protected
  - safe and strong communities where people get along well

- 6.3 The approach for delivering on this is underpinned by four strands; ensuring residents get a fair deal, maximising on opportunities, sharing responsibilities with the community and partners, and working effectively and efficiently.
- 6.4 The 5-year strategic priorities for this committee can be seen in appendix A, with the 19/20 delivery plan of these in Appendix B.

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

- 6.5 The Community Leadership and Libraries Committee savings programme will enable the council to meet its savings target as set out in the MTF5. These budgets will be formally agreed each year, and individual proposals will be subject to appropriate consultation and equality impact assessments where necessary. For this reason, the proposals are subject to change.

**Social Value**

- 6.6 None applicable to this report, however the council must take into account the requirements of the Public Services (Social Value) Act 2012 to try to maximise the social and local economic value it derives from its procurement spend. The Barnet living wage is an example of where the council has considered its social value powers.

**Legal and Constitutional References**

- 6.7 Section 151 of the Local Government Act 1972 states that: “without prejudice to section 111, every local authority shall make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs”. Section 111 of the Local Government Act 1972, relates to the subsidiary powers of local authorities.
- 6.8 Section 31A of the Local Government Finance Act 1992 requires billing authorities to calculate their council tax requirements in accordance with the prescribed requirements of that section. This requires consideration of the authority’s estimated revenue expenditure for the year in order to perform its functions, allowances for contingencies in accordance with proper practices, financial reserves and amounts required to be transferred from general fund to collection fund.
- 6.9 Local authorities owe a fiduciary duty to council tax payers, which means it must consider the prudent use of resources, including control of expenditure, financial prudence in the short and long term, the need to strike a fair balance between the interests of council tax payers and ratepayers and the community’s interest in adequate and efficient services and the need to act in good faith in relation to compliance with statutory duties and exercising statutory powers.
- 6.10 These savings proposals are to be referred to Policy and Resources Committee. They will then be subject to consultation and a cumulative equality impact assessment before being referred on to Council so that Council may set the Council Tax, being mindful of any equality impacts and consultation responses.
- 6.11 The Council’s Constitution (Article 7, Article 7 – Committees, Forums, Working Groups and Partnerships) sets out the responsibilities of all council Committees. The council’s Constitution, Article 7 Committees, Forums, Working Groups and Partnerships, sets out the functions of the Community Leadership and Libraries Committee as:
- (1) Responsibility for libraries, culture, civic events, the mayoralty, community safety, registration and nationality service
  - (2) To receive nominations and determine applications for buildings / land to be listed as an Asset of Community Value (Community Right to Bid)
  - (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.
  - (4) To receive reports on relevant performance information and risk on the services under the remit of the Committee.

- (5) To recommend for approval fees and charges for those areas under the remit of the Committee.
- 6.12 The council's Financial Regulations can be found at:  
<http://barnet.moderngov.co.uk/documents/s46515/17FinancialRegulations.doc.pdf>
- 6.13 For the fees and charges within their remit, theme committees approve changes to fees and charges that are above CPI inflation by 2% or more, the introduction of new fees and charges, and changes to fees and charges outside the normal annual cycle. Changes to fees and charges approved by Theme Committees, must be reported to Policy and Resources Committee for noting.
- 6.14 Some of the proposals, relate to savings resulting from operational decisions being made in a different way and are therefore estimated savings. The saving is therefore an indicative saving and its deliverability will be dependent on a number of factors. As part of the budget setting process, Policy and Resources Committee will consider the need for an appropriate contingency to cover any savings that are indicative and may not be met due to operational decisions. Some of the proposals in the MTFS relate to proposals that are at a very early stage. These proposals will be subject to further business planning and decision making to test whether they can be delivered and what the impact of such a proposal will be. These proposals will be considered in further detail during future business planning reports.
- 6.15 All proposals emerging from the business planning process will need to be considered in terms of the council's legal powers and obligations (including, specifically, the public-sector equality duty under the Equality Act 2010).
- 6.16 Local authorities have a variety of powers to charge for specific services. The Local Government Act 2003 provides a power to trade and a power to charge for discretionary services, the latter on a costs recovery basis. Discretionary services are those that a local authority is permitted to provide under statute but is not obliged to do so. The power to charge for discretionary services is not available to local authorities if there is a statutory duty to provide the service, or if there is a prohibition on charging.

### **Risk Management**

- 6.17 The Council has taken steps to improve its risk management processes by integrating the management of financial and other risks facing the organisation. The allocation of an amount to contingency is a step to mitigate the pressures that had yet to be quantified during the budget setting process.
- 6.18 The allocation of budgets from contingency seeks to mitigate financial risks which have materialised.

## **Equalities and Diversity**

- 6.19 Equality and diversity issues are a mandatory consideration in the decision making of the council.
- 6.20 Decision makers should have due regard to the public sector equality duty in making their decisions. The Equality Act 2010 and the Public-Sector Equality Duty require elected Members to satisfy themselves that equality considerations are integrated into day-to-day business and that all proposals emerging from the business planning process have taken into consideration the impact, if any, on any protected group and what mitigating factors can be put in place. The equalities duties are continuing duties they are not duties to secure a particular outcome. The statutory grounds of the public sector equality duty are found at section 149 of the Equality Act 2010 and are as follows:
- 6.21 A public authority must, in the exercise of its functions, have due regard to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 6.22 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
  - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
  - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 6.23 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- 6.24 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- Tackle prejudice, and
  - Promote understanding.

- 6.25 Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act. The relevant protected characteristics are:
- Age
  - Disability
  - Gender reassignment
  - Pregnancy and maternity
  - Race,
  - Religion or belief
  - Sex
  - Sexual orientation
  - Marriage and Civil partnership
- 6.26 This is set out in the council's Equalities Policy together with our strategic Equalities Objective - as set out in the Corporate Plan - that citizens will be treated equally with understanding and respect; have equal opportunities and receive quality services provided to best value principles.
- 6.27 Progress against the performance measures we use is published on our website at: [www.barnet.gov.uk/info/200041/equality\\_and\\_diversity/224/equality\\_and\\_diversity](http://www.barnet.gov.uk/info/200041/equality_and_diversity/224/equality_and_diversity)
- 6.28 Where there are changes to service delivery or changes to staff, these will impact on individuals in different ways. However, at each stage of the process, the council will conduct an equalities impact assessment (EIA) where appropriate to ensure that where persons are impacted, proper measures are considered to mitigate the effect as far as possible. Those affected by any changes resulting from any of the proposals will be engaged, as set out in Appendix A under 'Consultation'. Where necessary, proposals will not be implemented or agreed until members have fully considered the equality impacts and responses to any consultation.
- 6.29 The revenue savings sheet shown at Appendix A indicates that an equalities impact assessment is not required for the one saving proposed for this committee. This is because it does not represent a change to a service, as it is a revised income generation target for the registration service.
- 6.30 All human resources implications will be managed in accordance with the Council's Managing Organisational Change policy, which supports the Council's Human Resources Strategy and meets statutory equalities duties and current employment legislation.
- 6.31 The council's Equalities, Diversity & Inclusion Policy 2020-2024 is currently subject to a public consultation that will close on 7 December. An eight-week period has been allocated for this consultation to ensure that we are able to engage as widely and deeply as possible. The council is working with its partners in the VCS to ensure that we can engage as diverse an audience as possible. Accessible formats of the consultation document include an easy-read version to facilitate engagement with residents who have

learning disabilities. Following the consultation, the policy will be brought to Policy and Resources Committee for final approval.

### **Corporate Parenting**

- 6.32 In line with Children and Social Work Act 2017, the council has a duty to consider Corporate Parenting Principles in decision-making across the council. The outcomes and priorities in the refreshed Corporate Plan, Barnet 2024, reflect the council's commitment to the Corporate Parenting duty to ensure the most vulnerable are protected and the needs of children are considered in everything that the council does. To this end, great attention has been paid to the needs of children in care and care leavers when approaching business planning, to ensure decisions are made through the lens of what a reasonable parent would do for their own child.
- 6.33 The Council, in setting its budget, has considered the Corporate Parenting Principles both in terms of savings and investment proposals. The Council proposals have sought to protect front-line social work and services to children in care and care leavers and in some cases, has invested in them.

### **Consultation and Engagement**

- 6.34 As a matter of public law, the duty to consult with regards to proposals to vary, reduce or withdraw services will arise in four circumstances:
- where there is a statutory requirement in the relevant legislative framework
  - where the practice has been to consult, or, where a policy document states the council will consult, then the council must comply with its own practice or policy
  - exceptionally, where the matter is so important that there is a legitimate expectation of consultation
  - Where consultation is required to complete an equalities impact assessment.
- 6.35 Regardless of whether the council has a duty to consult, if it chooses to consult, such consultation must be carried out fairly. In general, a consultation can only be considered as proper consultation if:
- comments are genuinely invited at the formative stage
  - the consultation documents include sufficient reasons for the proposal to allow those being consulted to be properly informed and to give an informed response
  - there is adequate time given to the consultees to consider the proposals
  - there is a mechanism for feeding back the comments and those comments are considered by the decision-maker / decision-making body when making a final decision

- the degree of specificity with which, in fairness, the public authority should conduct its consultation exercise may be influenced by the identity of those whom it is consulting
- where relevant and appropriate, the consultation is clear on the reasons why and extent to which alternatives and discarded options have been discarded. The more intrusive the decision, the more likely it is to attract a higher level of procedural fairness.

6.36 The council will perform a budget consultation during December 2019 through to January 2020. This consultation will cover any proposals to increase council tax together with seeking views on the council's budget overall.

6.37 In terms of service specific consultations, the council has a duty to consult with residents and service users in a number of different situations including proposals to significantly vary, reduce or withdraw services. Consultation is also needed in other circumstances, for example to identify the impact of proposals or to assist with complying with the council's equality duties. Service specific consultations will take place where necessary in line with timescales for any changes to be implemented.

6.38 If when council sets the budget envelope some service specific consultations have not been completed then Council will allow a contingency so that decision makers may make alternative decisions should there be undesirable equalities impacts.

6.39 Where appropriate, separate service specific consultations have already taken place for the 2021/22 savings and a link to the report presenting findings of the consultation is provided within the MTFS spreadsheet (Appendix B). There are no service specific consultations for CLL for 2021/22.

#### **Insight**

6.40 None in the context of this report

## **7. BACKGROUND PAPERS**

- 7.1 Community Leadership & Libraries Committee, 21 November 2018: Business Planning  
<https://barnet.moderngov.co.uk/documents/s59957/CLL%20Recovery%20Planning%20Paper%20FINAL.pdf>
- 7.2 Community Leadership & Libraries Committee, 5 March 2020: Independent Evaluation of the Library Service  
<https://barnet.moderngov.co.uk/documents/s58171/CLLC%20evaluation%20report.pdf>
- 7.3 Policy & Resources Committee, 17 June 2020: Covid-19 Recovery Planning  
<https://barnet.moderngov.co.uk/documents/s58985/Covid-19%20Recovery%20Planning.pdf>
- 7.4 Community Leadership & Libraries Committee, 16 September 2020: Recovery Plan  
<https://barnet.moderngov.co.uk/documents/s59957/CLL%20Recovery%20Planning%20Paper%20FINAL.pdf>
- 7.5 Policy & Resources Committee, 24 September 2020: Business Planning 2021 to 2025 and Budget Management 2020/21  
<https://barnet.moderngov.co.uk/documents/s60231/Business%20Planning%202021%20to%202025%20and%20Budget%20Management%20202021.pdf>