

	Children Education and Safeguarding Committee 18 November 2020
Title	Business Planning 2022-26
Report of	Chairman of the Committee- Cllr David Longstaff
Wards	All
Status	Public
Urgent	No
Key	Yes
Enclosures	Appendix A – Medium Term Financial Strategy (MTFS) and Savings Proposals for Committee Appendix B – Fees & Charges
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Summary

A Business Planning will be received by Policy and Resources Committee on 30 September 2021 outlining the council's updated Medium-Term Financial Strategy (MTFS) to 2025/26 and the future financial challenges facing the council.

Theme Committees will consider their response to this challenge, by considering savings proposals to secure a balanced council budget (the same process as used in previous years).

Work is ongoing to identify the impacts, both pandemic- and non-pandemic related, across the planning period. Given the high level of uncertainty in the MTFS period, particularly regarding 2022/23, 3 scenarios have been modelled. The central scenario estimates an overall budget gap of £16.2m, which may be reduced by £13.3m to £2.9m if proposed all savings are agreed.

This report asks the Committee to agree to the revenue savings proposals attached and to note the service pressures 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 2021.

Officers Recommendations

- 1. That Committee agree the revenue savings programme listed in Appendix A for recommendation to Policy and Resources Committee in December. Taking account of the equality impacts of such savings.**
- 2. That Committee note the risks associated with these savings proposals. These risks relate both to impact on services and residents and deliverability of savings.**
- 3. That Committee agree the changes to fees and charges as set out in Appendix B for referral to Policy and Resources Committee.**

4. WHY THIS REPORT IS NEEDED

4.1 Executive Summary

4.1.1 This report is required as part of the council's annual business planning process, to discuss and approve priorities for the Children Education and Safeguarding Committee for 2022/23 and also 2023/24 to 2025/26.

4.1.2 The Committee's approval is requested for:

- Savings proposals within its terms of reference so they can then be recommended to Policy and Resources (P&R) Committee to set a balanced budget for 2022/23.
- Proposed changes to Fees and Charges within Committee's authority for 2022/23 that require approval and recommendation to P&R Committee.

5. STRATEGIC CONTEXT

5.1 Background to 2022/23 Business Planning

5.1.1 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 are identified and proposed to Committee. Savings proposals for all years are proposed through Theme committees, recommended to P&R Committee, and so on to Full Council in March to be approved.

5.1.2 Between 2010/11 to 2020/21, the council successfully identified savings averaging £17m per year.

5.2 Approach to MTFS 2022-26

5.2.1 In June 2021, P&R Committee were presented with an update on the impacts of Covid and an introduction to the 2022/23 to 2025/26 MTFS process. This set out that recurrent resources were not expected to grow significantly from 2021/22 to 2022/23. Service areas were therefore asked to prepare budgets for 2022/23 within a nominal 'cash limit', set at the level of the budget in 2021/22.

5.2.2 A more detailed update on the MTFS was presented to September P&R committee which highlighted the level of uncertainty being faced in the short term. This uncertainty is being driven by 3 factors – the level of service pressures, and whether they are short term or of longer duration; the level of government grant funding to be received; and whether there will be scope for a social care precept (SCP) in 2022/23.

5.2.3 Considering these variables highlighted that each of them could have considerable impact (a 2% SCP would yield c£4m; service pressures were initially estimated at £15m; and changes government grant, estimated at a loss of £2m per year, could be a loss or a gain of twice that). Accordingly, 3 scenarios were presented to September P&R committee, illustrating how these variables could lead to quite different outcomes, but also emphasising that the central scenario or base case was regarded as more likely and that it was preferred as a basis of planning. This central scenario is summarised below.

5.2.4 It is anticipated that a combination of government announcements, local political decisions, and the further development of service financial plans will reduce the overall level of uncertainty substantially by March 2022 when the budget is set.

5.3 MTFS September Summary – 'Base case'

5.3.1 As at September, the estimated budget gap between 2022/23 to 2025/26 is £73.386m. Taking this revised budget gap with proposed savings to date, the shortfall across the MTFS period is reduced to £54.897m. Considering 2022/23 in isolation, the estimated funding gap is £16.233m, which reduces to £2.895m if all proposed savings are retained and approved.

2021/22		2022/23	2023/24	2024/25	2025/26
£m	<u>MTFS Summary - Base Scenario</u>	£m	£m	£m	£m
333.101	Expenditure	342.102	369.561	394.431	418.983
(333.101)	Resources	(325.869)	(329.121)	(337.888)	(345.597)
(0.000)	Cumulative (Surplus)/Shortfall to Balanced Budget	16.233	40.441	56.543	73.386
0.000	Funding from Earmarked Reserves (under review)	(0.519)	0.000	0.000	0.000

(0.000)	Net Cumulative (Surplus)/Shortfall to Balanced Budget	15.714	40.441	56.543	73.386
	Savings / Efficiencies Proposed to Date	(12.819)	(14.867)	(18.106)	(18.489)
0.000	Gap to Balanced Budget excl undertain items	2.895	25.574	38.437	54.897

5.4 Committee Context

5.4.1 The vision for this committee, which is set out in the Children and Young People's Plan, is to make Barnet the most family friendly borough in London where children, young people, and their families are safe and healthy, are informed and responsible, and feel listened to. At the core of this is a resilience-based model of practice which involves identifying issues early and supporting families to build their resilience, underpinned by high quality social work.

5.4.2 Our safeguarding arrangements for vulnerable children and young people will be effective and robust, with greater interface between services to provide a cohesive approach. We strive for schools in Barnet to remain among the best in the country, with enough early years and school places for all and children achieving the best they can, with attainment and progress of pupils in the top 10% nationally, and the progress of the most disadvantaged and vulnerable pupils accelerated.

5.4.3 The challenging financial climate in which the Service is operating requires a focus on ensuring that resources are deployed effectively to deliver the key outcomes and priorities for the Committee. It is critical that any savings that are proposed are not going to impact on the improvement to the quality of children's services, which could undermine the progress that has been and continues to be made.

5.4.4 Current and future trends:

- The number of children and young people with Education, Health and Care Plans increased from 2,682 in 2019 to 2,931 in 2020-21 to a forecast figure of 3,268 in 2021-22, a 22% increase in 2 years.
- There has been an increase in demand for lower-level support for young people and their families around anxiety due to the lockdown and subsequent return to the classroom. There has been an increase in Early Help assessments and mental health and wellbeing services due with a 25% increase in anxiety related presentation to Barnet Integrated Clinical Services (BICS) and KOOH online counselling service for young people.
- There has also been an increase in referrals, particularly from education, as well as an increase in the number of Strategy Discussions and child protection enquiries under Section 47 of the Children Act 1989.
- We continue to receive referrals of unaccompanied asylum seeking children from the hotels run by the Home Office and are anticipating that this will continue. There is also a resulting increase in the number of unaccompanied asylum children care leavers in Barnet.

5.5 In year (2021/22) Management

5.5.1 This year has continued to be a challenging year due to COVID which has presented a unique set of challenges both operationally and financially. The full impact of COVID is yet to be known or seen completely within the system.

5.5.2 As such, the budget forecast projections as at the end of September are based on information that is currently available and shows a budget pressure of £2.696m.

5.5.3 However, almost all of this (£2.693m) relates to anticipated one off costs associated with COVID 19.

5.5.4 The COVID costs are anticipated to be non-recurrent costs. Of the £2.693m forecast as at the end of September, the main costs are detailed below:

Service Area	COVID-19 Impact	Commentary
	£'000	
Children's Social Care	500	Increased use of Section 17 payments to support family's needs
	498	Additional Staff COVID cover
	234	Therapies (OT, physio, SLT)
	131	Onwards and Upwards client subsistence
	60	Various misc others
Children's Social Care	1,423	
Early Intervention & Prevention and Education & Skills	460	Mental Health support teams to be rolled out across all schools. Represents estimated 21/22 cost- £1.040m to be spent in future years
	142	Young people support on pathway to employment. Represents estimated 21/22 cost- £858k to be spent in future years
	500	High quality education: Language development, social, emotional, and mental health needs, narrowing the gap
	168	Various misc others
EIP & Education and Skills	1,270	
Children's and Family Services Total	2,693	

2.5.5 Business as usual is balancing across Children's and Family Services. However, within this there are various pressures being managed within the service. This includes pressures within placements relating to Independent Fostering Agencies, External Family Assessments and External Semi-Independent. These pressures remain challenging to deal with but are being managed actively across the service.

5.6 Children Education and Safeguarding Committee Pressures and Savings

5.6.1 A list of pressures within the Children, Education and Safeguarding Committee's area of responsibility can be seen in Appendix A. The table below provides a summary of the pressures.

TABLE SHOWING SUMMARY OF PRESSURES

	2022/23	2023/24	2024/25	2025/26
	£	£	£	£
Placements - demographics and complexity. There has been an increase in demand for family assessments and remand services and an increase in cost of Independent Fostering Agencies.	757,796	750,000	750,000	750,000
Leaving Care- there are increasing numbers of Unaccompanied Asylum Seeking Children care leavers in Barnet. This will bring a saving in later years as this group of care leavers leaves the system.	115,000	125,000	(70,000)	(70,000)
The Troubled Families reserve, which delivered a saving in previous years, has been fully used.	242,650	207,350	0	0
Agency staffing pressures within the Intervention and Planning and Duty and Assessment Teams.	373,016	59,548	60,548	61,548
A range of other, smaller, service pressures. The value shown is net of savings where possible. Future years pressures will be reviewed as part of budget preparation each year.	156,097	241,860	323,375	209,978
Home to school transport cost pressure as a result of rising Education and Health Care Plans	92,350	507,650	0	0
TOTAL	1,736,909	641,387	463,565	201,526

5.6.2 To help address the budget gap between 2022/23 and 2025/26, indicative savings proposals have been identified for the Children, Education and Safeguarding Committee. The committee are being asked to approve the savings programme for the next four years.

5.6.3 The full range of savings and/or income generation proposals within the Children, Education and Safeguarding Committee's area of responsibility can be seen in Appendix A. The table below provides a summary of these savings and income generation proposals.

5.6.4 It should be noted that future year (22/23 onwards) values are indicative at this stage and will be confirmed in the paper to this committee each year.

5.6.5 Where possible, the approach has been to propose savings through bringing in additional income and through back-office savings rather than reducing services, which could impact on the improvement to the quality of children's services and undermine the progress that has been made.

TABLE SHOWING SUMMARY OF SAVINGS

	2022/23	2023/24	2024/25	2025/26
Savings	£	£	£	£
Inflationary increases to third party contracts are built into the budget. These savings would be achieved by improving contract management and negotiating better rates across contracts including: secure accommodation, fostering support, and short breaks	(334,000)	0	0	0
Remodelling of placements to reduce number of children in high cost placements. Range of measures from increased recruitment of internal foster carers and supported lodgings hosts, developing in-house therapeutic provision to expanding lower cost internal semi-independent options	(392,055)	0	0	0
Savings delivered through reducing the number of agency workers by increasing Newly Qualified Social Work capacity for one year alongside a targeted international recruitment campaign to increase the number of permanent social work staff	(226,784)	0	0	0
Savings on the provision of Passenger Assistants for SEN transport through closer alignment with the SEN team and management efficiencies. This is the full year effect for a saving delivered in 21/22	(20,000)	0	0	0
Due to more than 0.07% of the child population in Barnet being Unaccompanied Asylum Seeking Children, an additional 25% enhanced rate per child is expected from the Home Office	(410,354)	0	0	0
There was an initial investment of £265,000 into additional staffing in the Barnet Education and Learning Service to support children with Special Education Needs and Disabilities to manage a peak in numbers. This would be the end of that investment.	0	(265,000)	0	0
Managing the demand on the Section 17 budget by reducing the number of families facing homelessness	(100,000)	0	0	0
In line with the Public Law Outline review, increase the use of pre-proceedings to address recognised needs and reduce the number of families going to court, which will reduce costs	0	(100,000)	0	0
Income Generation				
Additional income through the new Parenting Hub	0	(150,000)		
Remodelling of contact centre to create staffing savings and increase income generation by selling to other local authorities			(150,000)	(200,000)
Following Covid impact on income, move to full cost recovery for Traded Services, DofE and Finchley Youth Theatre in 23/24 and Newstead and Greentops in 24/25, as well as identifying other traded services opportunities.	0	(124,000)	(311,000)	0
TOTAL SAVINGS	(1,483,193)	(639,000)	(461,000)	(200,000)

5.7 Fees & Charges

5.7.1 Revised financial regulations approved in October 2021 require all changes to fees and charges to be included in the budget proposals submitted by theme Committees or the relevant committee to the Policy & Resources Committee. The budget recommended by Policy and Resources Committee to Full Council will incorporate the latest projection of income from fees and charges. Full Council will approve all fees and charges as part of the budget report in March 2021.

5.7.1 From April 2021, the following changes to fees and charges are proposed, these are listed in more detail in Appendix B:

- Increase in Greentops afterschool provision from £7 to £10 per session. This includes collection from school, a snack and provision through to 5.30pm. Other similar provisions charge £12-15. This has not been increased since 2018.

5.8 Recovery Plan

5.8.1 Following the lifting of Covid-19 restrictions by the government in July, CMT agreed to close down the Recovery Planning Programme. This was a result of most unlocking activities being completed and those still ongoing being reported on through other channels. In Children's and Family Services any ongoing impact of the pandemic is monitored through twice weekly SMT meetings.

5.8.2 Family Services and BELS will continue to focus on:

- Monitoring contacts into the MASH- levels are higher than pre pandemic although are now beginning to stabilise and we continue to work closely with schools and other partners to monitor and understand what is driving changes in demand.
- Offering a blend of virtual and in person approaches where this adds value to our work with children, young people and their families.
- Delivery of the Holiday Activities and Food Programme to vulnerable children and young people.
- Monitoring school attendance-following a successful return to school in the summer term attendance dropped in the first two weeks the Autumn term due to a spike in infections and is now increasing again with 94% secondary attendance and 95% primary.
- Delivering the Education Renaissance Programme.
- Supporting Public Health to implement vaccination programme for 12-15 year olds.
- Working with the NCL CCG and The Whittington NHS Trust on the recovery of the therapies service.
- Preparation for SEND Youth Offending Team inspections.

6. REASONS FOR RECOMMENDATIONS

- 6.1 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.
- 6.2 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.

7. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 7.1 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).

8. POST DECISION IMPLEMENTATION

- 8.1 If the Children Education and Safeguarding Committee approves Recommendation 1 made by this report, then the savings proposals will be referred to Policy and Resources Committee on 8th December 2020 as part of the council's Medium-Term Financial Strategy (MTFS). Public consultation on the MTFS will commence in December.

9. IMPLICATIONS OF DECISION

9.1 Corporate Priorities and Performance

- 9.1.1 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.
- 9.1.2 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
- 9.1.3 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.

9.1.4 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.

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

9.2.1 The Children Education and Safeguarding Committee savings programme will enable the council to meet its savings target as set out in the MTFS. 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.

9.3 Social Value

9.3.1 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.

9.4 Legal and Constitutional References

9.4.1 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.

9.4.2 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.

9.4.3 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.

9.4.4 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.

- 9.4.5 The Council's Constitution (Article 7, Article 7 – Committees, Forums, Working Groups and Partnerships) sets out the responsibilities of all council Committees. The responsibilities of the Children Education and Safeguarding Committee can be found here: <http://barnet.moderngov.co.uk/documents/s47983/08Article7CommitteesForumsWorkingGroupsandPartnerships.doc.pdf>. Responsibilities include:
- 1) 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.
 - 2) 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.
 - 3) To receive reports on relevant performance information and risk on the services under the remit of the Committee.
- 9.4.6 The council's Financial Regulations can be found at: <http://barnet.moderngov.co.uk/documents/s46515/17FinancialRegulations.doc.pdf>
- 9.4.7 In the Financial Regulations fees and charges should be included in the budget proposals and submitted to Policy and Resources Committee. They will be considered by Council subject to public consultation. .
- 9.4.8 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.
- 9.4.9 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).

9.5 Risk Management

- 9.5.1 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.

9.5.2 The allocation of budgets from contingency seeks to mitigate financial risks which have materialised.

9.6 Equalities and Diversity

9.6.1 Equality and diversity issues are a mandatory consideration in the decision making of the council.

9.6.2 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:

9.6.3 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.

9.6.4 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.

9.6.5 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.

9.6.6 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.

9.6.7 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

9.6.8 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.

9.6.9 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

9.6.10 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 C under 'Consultation'. Where necessary, proposals will not be implemented or agreed until members have fully considered the equality impacts and responses to any consultation.

9.6.11 The revenue savings sheet shown at Appendix A indicates that it is not anticipated that there will be a disproportionately adverse impact on a protected group from any of the proposals that requires mitigation.

9.6.12 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.

9.7 Corporate Parenting

9.7.1 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.

- 9.7.2 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.

9.8 Consultation and Engagement

- 9.8.1 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.
- 9.8.2 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.
- 9.8.3 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.
- 9.8.4 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.

- 9.8.5 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.

9.9 **Insight**

- 9.9.1 None in the context of this report

10. **BACKGROUND PAPERS**

[Agenda for Policy and Resources Committee on Thursday 30th September, 2021, 7.00 pm \(moderngov.co.uk\)](#)

[Agenda for Council on Tuesday 20th October, 2020, 7.00 pm \(moderngov.co.uk\)](#)

[022176 - BC2135 - BARNET Corporate plan 2021 - 2025 - FINAL \(1\).pdf](#)