

## Council Assembly Ordinary Meeting

Wednesday 24 March 2010  
7.00 pm  
Town Hall, Peckham Road, London SE5 8UB

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Councillors are summoned to attend a meeting of the Council to consider the business contained herein



Annie Shepperd  
Chief Executive

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### **Access to information**

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

#### **Babysitting/Carers allowances**

If you are a resident of the borough and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you could attend this meeting, you may claim an allowance from the council. Please collect a claim form at the meeting.

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#### **Contact**

Sean Usher or Lesley John on 020 7525 7228 or email: [lesley.john@southwark.gov.uk](mailto:lesley.john@southwark.gov.uk);  
[sean.usher@southwark.gov.uk](mailto:sean.usher@southwark.gov.uk)

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Date: 12 March 2010



# Council Assembly

Wednesday 24 March 2010  
7.00 pm  
Town Hall, Peckham Road, London SE5 8UB

## Order of Business

Item No.	Title	Page No.
	<b>PART A - OPEN BUSINESS</b>	
<b>1.</b>	<b>PRELIMINARY BUSINESS</b>	
	<b>1.1. ANNOUNCEMENTS FROM THE MAYOR, MEMBERS OF THE EXECUTIVE OR CHIEF EXECUTIVE</b>	
	<b>1.2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE MAYOR DEEMS URGENT</b>	
	<b>1.3. DISCLOSURE OF INTERESTS AND DISPENSATIONS</b>	
	<b>1.4. APOLOGIES FOR ABSENCE</b>	
<b>2.</b>	<b>MINUTES</b>	
	To approve as a correct record the open minutes of the council assembly meetings held on 27 January and 23 February 2010 (circulated separately).	
<b>3.</b>	<b>PETITIONS</b>	
	To formally receive any petitions lodged by members of the council.	
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<b>5.</b>	<b>PUBLIC QUESTION TIME</b>	
	There are no public questions.	
<b>6.</b>	<b>MEMBERS' QUESTION TIME</b>	3 - 8

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7.	<b>REPORT(S) FOR DECISION FROM THE EXECUTIVE</b>	
	<b>7.1. PROPOSED CHILDREN AND YOUNG PEOPLE'S PLAN 2010-13 (POLICY FRAMEWORK)</b>	9 - 50
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9.	<b>MOTIONS</b>	84 - 87

**10. AMENDMENTS**

A supplemental agenda containing any amendments will be circulated prior to the meeting.

**ANY OPEN ITEMS IDENTIFIED AS URGENT AT THE START OF THE MEETING**

**EXCLUSION MOTION (IF NECESSARY)**

The following motion should be moved, seconded and approved if the council wishes to exclude the press and public to deal with reports revealing exempt information:

“That under the access to information procedure rules of the Southwark constitution, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in section(s) 1 – 7 of paragraph 10.4 of the procedure rules.”

**PART B - CLOSED BUSINESS**

**ANY CLOSED ITEMS IDENTIFIED AS URGENT AT THE START OF THE MEETING**

Date: 12 March 2010

<b>Item No:</b> 4.	<b>Classification:</b> Open	<b>Date:</b> 24 March 2010	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Deputation request	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Strategic Director of Communities, Law & Governance	

## RECOMMENDATION

1. That council assembly considers whether or not to hear a deputation on the Children and Young People's Plan from young people from Southwark Youth Council.

## BACKGROUND INFORMATION

2. When considering whether to hear the deputation request, council assembly can decide:
  - to receive the deputation at this meeting or a future meeting; *or*
  - that the deputation not be received; *or*
  - to refer the deputation to the most appropriate committee/sub-committee.
3. A deputation shall consist of no more than six people, including its spokesperson. Only one member of the deputation shall be allowed to address the meeting for no longer than 5 minutes. After this time members may ask questions of the deputation for up to 5 minutes. At the conclusion of the questions, the deputation will be shown to the public gallery where they may listen to the remainder of the open section of the meeting.

## KEY ISSUES FOR CONSIDERATION

4. A deputation request has been received on the Children and Young People's Plan 2010-13, which can be found elsewhere on this agenda. The request is from young people from Southwark Youth Council. The young people wish to express their views on the children's and young person's plan priorities in relation to: action plans; raising education attainment; more for young people to do; teenage pregnancy; youth jobs; youth crime etc.

## SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

### Strategic Director for Children's Services

5. The members of the deputation were involved in consultation events in the development of the Children's and Young People's Plan; they are seeking information as to how the plan will affect young people and how the plan's priorities will be further developed.

**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Deputation Request File	Town Hall, Peckham Road, London SE5 8UB	Lesley John 020 7525 7228

**AUDIT TRAIL**

<b>Lead Officer</b>	Ian Millichap, Constitutional Team Manager		
<b>Report Author</b>	Lesley John, Constitutional Team		
<b>Version</b>	Final		
<b>Dated</b>	11 March 2010		
<b>Key Decision?</b>	No		
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>			
<b>Title</b>	<b>Comments sought</b>	<b>Comments included</b>	
Strategic Director of Communities, Law & Governance	No	No	
Strategic Director of Children's Services	Yes	Yes	
Finance Director	No	No	
Executive Member	No	No	
<b>Date final report sent to Constitutional Team</b>			11 March 2010

# Agenda Item 6

<b>Item No.</b> 6.	<b>Classification:</b> Open	<b>Date:</b> 24 March 2010	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Members' Question Time	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Strategic Director of Communities, Law & Governance	

## BACKGROUND INFORMATION

In accordance with council assembly procedure rule 2.8 members' question time shall not exceed 30 minutes. During this time, members may not question any one executive member or committee chair for longer than fifteen minutes.

Members are limited to one question at each meeting.

Questions to the leader will be taken first, followed by questions to other executive members and on the portfolio for education and school attainment. The order in which the different political groups ask questions of the leader will be rotated. Questions to executive members will be taken in the order of receipt and portfolio. The order of portfolios will be rotated at each meeting such that the executive member answering questions immediately after the leader will be the last executive member to answer any questions at the next meeting of council assembly.

Executive members and committee chairs have discretion to refer a question to another executive member if this is appropriate.

Responses to member's questions will be circulated on yellow paper around the council chamber on the evening of the meeting.

The Mayor will ask the member asking the question if they wish to ask one supplemental question to the member to whom the question was asked. The supplemental question must arise directly out of the original question or the reply. Therefore, supplemental questions to the leader or other executive members are not free ranging.

No question shall be asked on a matter concerning a planning or licensing application.

**Note:** In accordance with council assembly procedure rule 2.8 (12) & (13) (prioritisation and rotation by the political groups) the order in which questions to the leader appear in this report may not necessarily be the order in which they are considered at the meeting.

**1. QUESTION TO THE LEADER FROM COUNCILLOR JONATHAN MITCHELL**

In 1995 Tony Blair said “If the Labour government has not raised the living standards of the poorest by the end of its time in office, it will have failed.” Given the report of the National Equality Panel (January 2010) states “inequality in any dimension is wider in London than in any other region, and inequality in earnings and income has increased faster in London over the last decade than anywhere else” would it be fair to say that Labour have failed? And given that Southwark has a wide gap between rich and poor would it be fair to say Labour has particularly failed the people of Southwark?

**2. QUESTION TO THE LEADER FROM COUNCILLOR PETER JOHN**

Will the leader publish a list of all of the council tower blocks and estates that he would be willing to sell to private developers in exactly the same way he intends to sell Maydew House?

**3. QUESTION TO THE LEADER FROM COUNCILLOR COLUMBA BLANGO**

In 2006 the Liberal Democrats pledge to open three new secondary schools, in the north, centre and south of the borough – how has that commitment been fulfilled?

**4. QUESTION TO THE LEADER FROM COUNCILLOR VERONICA WARD**

Why has the executive member not yet produced his plans for the allocation of money from the government to build new school classrooms?

**5. QUESTION TO THE LEADER FROM COUNCILLOR RICHARD THOMAS**

Does the leader agree that it is indefensible that after 13 years of Labour government more than 20,000 children in Southwark are still living in poverty – enough to fill 66 primary schools?

**6. QUESTION TO THE LEADER FROM COUNCILLOR OLAJUMOKE OYEWUNMI**

How has his administration fulfilled its pledge to give more powers to wardens to crack down on anti-social behaviour and street drinking.? And what benefits are there for residents and businesses through a reduction in anti-social behaviour?

**7. QUESTION TO THE LEADER FROM COUNCILLOR HELEN JARDINE-BROWN**

According to the Joseph Rowntree Foundation there are now more households in significant poverty (where household incomes were below 40% of median income) than had ever been recorded in history. How does this square with Labour’s pledges to raise living standards for the poorest?

**8. QUESTION TO THE LEADER FROM COUNCILLOR JAMES BARBER**

In 2006 the Liberal Democrats pledged to double recycling – has this been achieved and what plans are there for further improvements to recycling over the next four years?

**9. QUESTION TO THE LEADER FROM COUNCILLOR BOB SKELLY**

It’s been estimated Labour’s failed Metronet public/private partnership schemes, has cost the taxpayer more than £400 million. What would this money have been better spent on?

**10. QUESTION TO THE LEADER FROM COUNCILLOR DENISE CAPSTICK**

How much so far has been raised by the Mayor's charity for Help for Heroes?

**11. QUESTION TO THE LEADER FROM COUNCILLOR MACKIE SHEIK**

On Monday 1 March, Nick Clegg spoke to the Salvation Army at their HQ on Newington Causeway in the inaugural Social Justice Lecture. What lessons were there for Southwark?

**12. QUESTION TO THE EXECUTIVE MEMBER FOR CULTURE, LEISURE AND SPORT FROM COUNCILLOR ALTHEA SMITH**

What assurances can the executive member give that Seven Islands Leisure Centre will be able to provide a full service for its users throughout 2010?

**13. QUESTION TO THE EXECUTIVE MEMBER FOR CULTURE, LEISURE AND SPORT FROM JANE SALMON**

Could the executive member outline the progress made towards refurbishing or replacing all of Southwark's leisure centres and upgrade them to 21st century standards.

**14. QUESTION TO THE EXECUTIVE MEMBER FOR RESOURCES FROM COUNCILLOR RICHARD LIVINGSTONE**

How much has the council paid out in "performance related pay for senior managers at the top two tiers" (written response to members question 17, council assembly 27/01/2010) since 2006?

**15. QUESTION TO THE EXECUTIVE MEMBER FOR RESOURCES FROM COUNCILLOR MARK GLOVER**

What ratio of members of staff to desks does the council require on each floor of the Tooley Street building to secure the efficiency savings that the executive have promised year after year? What are the current ratios of desk occupancy by floor?

**16. QUESTION TO THE EXECUTIVE MEMBER FOR RESOURCES FROM COUNCILLOR LORRAINE ZULETA**

In 2006 the Liberal Democrats promised to 'Keep council tax low – less than the London average' – how has he fulfilled that manifesto commitment?

**17. QUESTION TO THE EXECUTIVE MEMBER FOR RESOURCES FROM COUNCILLOR ANOOD AL-SAMERAI**

By how much did tenants rents and service charges rise in Southwark this year and how does this compare with Lambeth?

**18. QUESTION TO THE EXECUTIVE MEMBER FOR RESOURCES FROM COUNCILLOR DAVID HUBBER**

Given that more than half of all low income households are now paying full council tax, much higher than a decade ago what measures is the council taking to make sure the tax burden doesn't hit those least able to pay?

**19. QUESTION TO THE EXECUTIVE MEMBER FOR HEALTH & ADULT CARE FROM COUNCILLOR DORA DIXON-FYLE**



The Care Quality Commission's Independence, Wellbeing and Choice Report makes 18 recommendations for Southwark's adult social care services. Which of these does the executive member not intend to take action on?

**20. QUESTION TO THE EXECUTIVE MEMBER FOR HEALTH & ADULT CARE FROM COUNCILLOR ADE LASAKI**

With the proportion of people living in relative poverty in the UK almost twice that of the Netherlands, and one-and-half times that of France what challenges does this bring to the provision of health and social care?

**21. QUESTION TO THE EXECUTIVE MEMBER FOR HEALTH & ADULT CARE FROM COUNCILLOR JAMES GURLING**

Given the high numbers of Southwark residents in low paid employment, how did the withdrawal of the 10p tax rate impact on those with very low incomes and what impact does poverty have on local peoples' health?

**22. QUESTION TO THE EXECUTIVE MEMBER FOR HEALTH & ADULT CARE FROM COUNCILLOR ALISON MCGOVERN**

How many people does the executive member anticipate will not have been given the Freedom Pass they are entitled to by the deadline at the end of March?

**23. QUESTION TO THE EXECUTIVE MEMBER FOR REGENERATION FROM COUNCILLOR ABDUL MOHAMED**

When will a steering group consisting of residents (similar to the Aylesbury Regeneration Group - and as promised by Councillor Stanton at the last Walworth Community Council meeting) be set up to work on the regeneration of the Elephant and Castle?

**24. QUESTION TO THE EXECUTIVE MEMBER FOR REGENERATION FROM COUNCILLOR MARTIN SEATON**

It appears that Southwark failed to renew its registration of the website designed to provide information to local residents and others about the Elephant and Castle regeneration ([www.elephantandcastle.org.uk](http://www.elephantandcastle.org.uk)), meaning that it ceased to exist in February. What does say about the council's commitment to keeping the public informed about this regeneration?

**25. QUESTION TO THE EXECUTIVE MEMBER FOR REGENERATION FROM COUNCILLOR CAROLINE PIDGEON**

Transport for London are planning up to 82 weekend and early evening closures for the Northern Line. What impact will these have on businesses and residents who live near the Northern Line tube stations in Southwark?

**26. QUESTION TO THE EXECUTIVE MEMBER FOR REGENERATION FROM COUNCILLOR WILMA NELSON**

How many new affordable homes have been built or made available over the last four years?

**27. QUESTION TO THE EXECUTIVE MEMBER FOR REGENERATION FROM COUNCILLOR JELIL LADIPO**

What are the next steps on the Elephant and Castle regeneration?

**28. QUESTION TO THE EXECUTIVE MEMBER FOR REGENERATION FROM COUNCILLOR ROBERT SMEATH**

Could the executive member give details of precisely what development will take place in the Peckham Rye Central Area in 2010-11 according to the current plans of the Liberal Democrat and Conservative administration, and how the council plans to pay for this development?

**29. QUESTION TO THE EXECUTIVE MEMBER FOR CHILDREN'S SERVICES FROM COUNCILLOR ELIZA MANN**

In 1999 then Prime Minister, Tony Blair said in a speech at the Toynbee Hall "And I will set out our historic aim that ours is the first generation to end child poverty for ever, and it will take a generation, poverty should not be a birthright. Being poor should not be a life sentence. We need to break the cycle of disadvantage so that children born into poverty are not condemned to social exclusion and deprivation. It is a 20 year mission but I believe it can be done." He also pledged to halve child poverty by 2010 as an interim measure. How successful has Labour been in achieving this and what impact has it had on Southwark?

**30. QUESTION TO THE EXECUTIVE MEMBER FOR ENVIRONMENT FROM COUNCILLOR BARRIE HARGROVE**

Could the executive member for environment confirm that there currently is a three week waiting time for cremations? If this is the case could he please confirm how this situation arose which is forcing bereaved families to arrange services in other boroughs so that their loved ones can be laid to rest?

**31. QUESTION TO THE EXECUTIVE MEMBER FOR ENVIRONMENT FROM COUNCILLOR GORDON NARDELL**

2010 has so far seen two cyclists fatally injured in collisions with lorries on Southwark's roads, highlighting the threat that HGVs pose to cyclists. What measures does the executive member for environment propose to take to improve the safety of cyclists on those roads under Southwark Council's control?

**32. QUESTION TO THE EXECUTIVE MEMBER FOR ENVIRONMENT FROM COUNCILLOR LORRAINE LAUDER**

The road surface on East Street is still a hazard for stall holders on the market and shoppers, despite repeated assurances that it will be properly improved. When will East Street be resurfaced?

**33. QUESTION TO THE EXECUTIVE MEMBER FOR ENVIRONMENT FROM COUNCILLOR TOBY ECKERSLEY**

Would the executive member for the environment please outline the steps he, or other executive members, have taken to make common cause with other London boroughs concerned about the threat to through running northwards beyond Blackfriars of trains using the Thameslink Wimbledon loop; and would he give his views about the detriment to passengers using this service from Herne Hill and Elephant and Castle that termination at Blackfriars would cause, with particular reference to Crossrail.

**34. QUESTION TO THE DEPUTY LEADER AND EXECUTIVE MEMBER FOR HOUSING FROM COUNCILLOR IAN WINGFIELD**

A scrutiny sub-committee recently heard shocking evidence from tenants of the continued failings of the dysfunctional repairs service. These include homes left without power for four weeks, prospective tenants being asked to take possession of flats which are in unsanitary condition, workmen regularly turning up without tools and contractors over specifying for simple repairs. Is the executive member for housing prepared to continue to assert that the repairs service is providing an acceptable service to Southwark residents?

**35. QUESTION TO THE EXECUTIVE MEMBER FOR CITIZENSHIP, EQUALITIES & COMMUNITIES FROM COUNCILLOR TAYO SITU**

Will the executive member for citizenship, equalities and communities join me in condemning the decision by Conservative Mayor Boris Johnson to cut funding for Black History Month events from £132,000 to just £10,000? Will she commit to continued funding from Southwark Council for Black History Month?

**36. QUESTION TO THE EXECUTIVE MEMBER FOR COMMUNITY SAFETY FROM COUNCILLOR PAUL BATES**

Can the executive member detail the funding arrangements of the Aylesbury Community Reassurance project over the last year and then explain the funding arrangements for 2010-11 and 2011-12?

**37. QUESTION TO THE EXECUTIVE MEMBER FOR COMMUNITY SAFETY FROM COUNCILLOR JOHN FRIARY**

Recent statistics show that violent crime in Southwark is back on the rise. Is the executive member concerned that police cuts and CCTV cuts will only add to this trend and the fear of violent crime?

<b>Item No:</b> 7.1	<b>Classification:</b> Open	<b>Date:</b> 24 March 2010	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Proposed Children and Young People's Plan 2010-13 (Policy Framework)	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Strategic Director of Children's Services	

## RECOMMENDATIONS

1. To adopt the proposed new Children and Young People's Plan (CYPP) for 2010 to 2013 as Southwark Council's key policy framework document for children and young people, as recommended by Executive on 9 February 2010.
2. To note that the CYPP 2010-2013 will be subject to new statutory guidance, expected later this year, which may require revisions to these proposals.

## BACKGROUND INFORMATION

3. The report to the Executive in July 2009 set out the expected system-wide implications arising from changes to statutory guidance on children's trusts, CYPPs and for the lead member and director of children's services. The Apprenticeships, Skills, Children and Learning Act 2009, which received Royal Assent on 12 November 2009, amends the Children Act 2004 to enable the establishment of a children's trust board. It is therefore expected that, from April 2010, children's trusts will become a statutory body and the duty to cooperate will be further strengthened, including the addition of relevant partners, and requirements on the CYPP to set out local arrangements.
4. By April 2011, it is expected that the CYPP will need to meet new requirements as set out in draft statutory guidance, which is currently out for consultation. We anticipate that this guidance will require the CYPP, as the joint commissioning strategy of children's trust partners, to set out in detail how partners will cooperate to improve wellbeing for children, young people and their families. It will need to show how partners will commission services to address locally identified needs, integrate provision better and focus on early intervention, safeguarding and reducing the impact of child poverty on outcomes. The CYPP will be expected to set out what actions will be delivered by which partner or partnership and what resources they will commit. The CYPP set out in appendix 1 will form the strategy for these developments.
5. The CYPP also needs to inform a wider range of planning arrangements, including borough and council-wide strategic and partnership plans and those that impact on outcomes for children, such as our spatial plan and the PCT Strategic Commissioning Plan. It is expected that the plans of partners will form a complex array of inter-related strategic, commissioning and operational plans with their children and family aspects aligned through the CYPP and informing operational planning for frontline services. The CYPP will be central to future inspection arrangements of both the council and partners alike and is likely to have implications for the council's use of resources and capacity to improve outcomes, as well as direct implications for the planning arrangements of corporate, local strategic partnership, PCT, adult services and other significant council plans which will need to be aligned accordingly.

6. In addition, proposed Working Together to Safeguard Children guidance indicates that the children's trust, from April 2010, should draw on support and challenge from the local safeguarding children board. It is anticipated this will form the basis of a new annual safeguarding report from the safeguarding board to the children's trust board that will set out what improvements need to be made locally to improve safeguarding. In response, from April 2011, the CYPP is likely to need to set out what needs to be done by each partner to improve outcomes for safeguarding in a local area in line with the annual safeguarding report recommendations. This could impact on a range of council and partnership wide delivery arrangements in the future.

## **KEY ISSUES FOR CONSIDERATION**

7. Development of the proposed CYPP commenced in April 2009 and has been overseen by the children's trust at each stage. Development to date has included a wide range of council and children's trust partners, including key personnel from leisure, the PCT, housing, regeneration, community safety and the voluntary sector.
8. The evidence gathering included a comprehensive joint strategic needs assessment, and senior and strategic conversations across the five Every Child Matters (ECM) outcomes and cross-cutting themes including parenting, workforce and prevention to identify as a system what we are doing well, what we can build on and where we need to do it differently. This set the framework for stakeholder consultation through borough-wide storytelling events with children, young people, parents, carers and frontline staff with some 14 dedicated events from July to September 2009 and a wide range of workshops and programmes in schools, libraries and a youth festival. Some 1,000 stories have been collected and used to shape and inform priorities. Partners have collectively then reviewed the data, stories and views of strategic and senior stakeholders to make sense of it and develop priorities.
9. The resultant priorities and commitments form the basis of the proposed CYPP, as set out in Appendix 1. Also included in the plan is a statement of how the authority's budget will be used to contribute to the commitments in the plan, and a statement as to how the plan relates to the authority's performance management and review of services for children and relevant young persons, as required by statutory guidance.
10. Statutory guidance also requires the plan to include a joint strategic needs assessment against the five Every Child Matters outcomes. This assessment covers a wide range of data and analysis from a combination of sources. It is available to members as a background paper in the form of a set of analytical reports.
11. The current CYPP expires on 1 April 2010, and the proposed CYPP as set out in Appendix 1 meets current existing statutory requirements. The CYPP also anticipates the expected changes, which are currently out for consultation and due to come into effect in 2011. These changes are expected to require the CYPP to become the commissioning plan for services for children, young people and families from April 2011. In this context, commissioning means how we redesign services to better improve outcomes in line with local need using the range of resources available across children's trust and council partners.
12. The commitments outlined in Appendix 1 form the basis of the strategy and priorities for the proposed CYPP for 2010 to 2013. Once the CYPP has been agreed, these commitments will remain unchanged. In light of any revisions to meet the new guidance, it is anticipated these will have implications for the detail only, such as

financial obligations or service configurations resulting from partnership decisions, not strategy.

13. The commissioning framework has been developed with partners, children, young people and parents, and sets out how we as a children's trust wish to work, commission and deliver services. This will form the basis of all work in delivering the proposed CYPP. Central messages in the way we will work in improving outcomes for local children, young people and families are:

**Values:** ambition; high aspirations; shared responsibility and building social capital in our communities; building the capacity of families and communities to raise their children and solve their problems independently

**Principles:** needs-led, targeted early intervention; thinking creatively; being realistic about impact; jointly deciding what to do and stop doing; making better use of specialist resources; simplifying the local system; shared choices

**Accountability:** commitment to cooperate as partners; an equipped workforce and shared focus; responding to the inspection agenda; benchmarked, evidence-based practice; constructive challenge of each other's action and solutions

**Quality standards:** services need to make a difference, build capacity and resilience of families, improve independence and self sufficiency (i.e. do not facilitate a dependency culture), safeguard children, narrow the gap in outcomes, and use integrated working principles and tools.

14. Key to the implementation of the CYPP will be working through partners over the coming year to:
- Specify action based on the needs assessment of where we want to target resources and efforts and what we want to achieve through the CYPP. The transformed statutory landscape and the current harsh economic climate provide an opportunity to reshape the local marketplace and deliver the step change we require in how we commission and deliver provision to children, young people and their families
  - Understand the causal factors leading to dependency and poor outcomes. Identifying how as a council we can work together jointly to negate the interdependencies between different provision and its impact on improving outcomes, such as the effect of social housing and issues including domestic abuse on the life chances of children, young people and families
  - Identify the shared resources and jointly looking at how we can better use these across the system – making shared decisions about what to stop and where we will target for most impact against priority outcomes
  - Commission provision in partnership that supports reducing dependency both in terms of the type of provision provided and the behaviours of the workforce

### Policy implications

15. As highlighted in the previous section, the CYPP as a document has significant implications for the council and partners going forward. However, in particular

the Assembly may wish to consider the following implications arising from emerging priorities

16. **Thinking families** – families at the centre of all we do. Priorities within this area may have implications for:

- Future configuration of information and outreach services – a key message has been the difficulty parents face getting information on local provision. Improving this within children’s services will potentially impact on the development and future delivery of corporate models and potentially the use of the CSC across a range of channels
- Coordinating the range of activities on offer for children, young people and families across the council and partners, including how leisure, the sustainability agenda and cultural opportunities can be seen as part of a ‘core offer’. This will include considering how we can work together to improve provision for those with learning difficulties and disabilities so they and their families can better access mainstream provision and take up the range of opportunities available in the borough
- As we move forward in developing the ‘think family’ agenda, how we bring together family support and the continuum of provision that supports vulnerable families across the council and partners, and the use of resources and enforcement to support families that pose challenges for a range of different council services and provision. This is likely to include how we share information, identify our families in greatest need in the borough and redefining who we will target collectively in our local response to the agenda

17. **Narrowing the gap** – better life chances for all. Priorities within this area may have implications for:

- How as a borough we plan, commission and work differently across the range of provision available in health, children’s and other providers (such as GPs, poly clinics, children’s centres, local hospitals and one stop shops) to support better health outcomes for babies, infants and mothers
- How we work across the council and partners to raise aspirations of local families, improve conditions for family life and better tackle generations of worklessness and dependency

18. **Raising the bar** – high-quality provision that meets local needs. Priorities within this area may have implications for:

- As a council, how we work together to equip schools as hubs of our local community. Developing improved pathways to a range of support to better meet the wide range of needs of their students and community
- How we work across council services to support those groups within our community that are experiencing poorer outcomes across the board rather than addressing these only within service boundaries

19. **Succeeding into adulthood** – at-risk young people achieve wellbeing. Priorities within this area may have implications for:
- How we can use the range of partner expertise, provision and opportunities in the borough to improve skills and employability of young people. Utilising corporate relationships with the private sector to enable better pathways for young people to take up local learning and employment opportunities
  - How to utilise the range of resources available in the borough to better meet our corporate parent and statutory responsibilities in a joined-up way for care leavers and young offenders
20. **Working Together** – to safeguard children from harm. Priorities within this area may have implications for:
- How we work across the range of partners supporting vulnerable adults that are parents in safeguarding their children from harm, including shared assessment processes and support for those on a child protection plan
  - The future delivery of domestic abuse provision in the borough that is delivered in a joined-up way across all partners. This is a key risk factor for a range of services that are supporting families across the council

### **Community impact statement**

21. The work of the children's trust and the CYPP has wide-reaching implications for all children, young people and families, including the most vulnerable. A key underpinning principle will be to ensure it embeds considerations of equalities and human rights throughout its development, action and review. We are currently working to mainstream equalities in all aspects of the work such as the needs assessment, stakeholder engagement and performance review arrangements. The CYPP and children's trust will be underpinned by a range of equality impact assessments in line with the corporate model and approach.

### **Resource implications**

22. The CYPP is expected to require a statement of how the local authority's use of resources will contribute to the improvement of outcomes. Both the current statutory guidance and the revised guidance out to consultation note that detailed financial information is not required, but that the statement of resources should be sufficient to give confidence that the actions proposed by the CYPP are realistic, affordable and not merely a set of aspirations. This will need to be reflected in council budget setting processes.
23. By April 2011, it is expected that the CYPP will have to show how the budgets of local partners involved in preparing the plan, including the voluntary sector, will be used to contribute to the delivery of the plan. It should also set out progress on the pooling and aligning of budgets and how children's trust partners intend to integrate the use of assets, resources and new technologies in support of delivery. It is particularly important where joint actions are proposed without a pooled budget that partners set out clearly the level of resources committed to and how budgets will be aligned or



funding apportioned.

24. The quality of service provision is one of the most important factors in delivering overall improvement in outcomes. The challenging public sector financial context over the coming years makes it vital that services are evidence-based, cost-effective and efficient. The CYPP will be used as a driver to remove duplication where it exists across the children's system and target resources against the agreed set of priorities.

### **Consultation**

25. The proposed CYPP as set out in Appendix 1 has been considered and agreed by other children's trust partners, the PCT and the police, in line with statutory requirements. In addition, members have been involved and consulted through the Education and Children's Services Scrutiny Sub-Committee, Corporate Parenting Committee and the Executive, as well as an open members' seminar and open public consultation event to which all ward members were invited.
26. A programme of formal public consultation on the proposed CYPP ran from 9 February to 9 March 2010, and included the open public event as described in paragraph 25. There has been widespread involvement of partners and stakeholders, including children, young people, parents and frontline staff, throughout the development of the plan.

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Strategic Director of Communities, Law & Governance**

27. The Council Assembly is being asked to:
- i. agree the proposed new Children and Young People's Plan (CYPP) for 2010 to 2013 as Southwark Council's key policy framework document for children and young people.
  - ii. note that the CYPP meets current statutory requirements and that these are changing, with those changes expected to require a new plan to be published by 1 April 2011.
28. In accordance with the council's constitution agreement of the CYPP is a matter reserved for Council Assembly.
29. The report sets out that changes to the content of the CYPP are anticipated. However, the precise extent of these cannot be known until the guidance and regulations currently out to consultation, have been finalised. Although the proposed Plan is for 2010 to 2013, it is expected that a further plan will be brought back to Executive, as explained in the report.
30. The requirements of the CYPP are set out in the Children and Young People's Plan (England ) Regulations 2005 as amended, and require the plan to set out the improvements which the authority intend to make during the plan period to the well-being of children and relevant young persons so far as relating to—
- (a) physical and mental health and emotional well being;
  - (b) protection from harm and neglect;
  - (c) education, training and recreation;
  - (d) the contribution made by them to society; and
  - (e) social and economic well-being

31. The regulations set out specific matters which need to be covered in the plan. Most of these have been included in the plan. The report highlights at paragraph 10 that there are two components of the plan that are not appended to this report, due to their size, but nonetheless form part of the plan. The components are the needs assessment against outcomes and the statement as to how the plan relates to the authority's performance management and review of services for children and relevant young persons. These documents are available to be viewed if required.

### Finance Director

32. This report asks the Executive to note the priorities and partnership commissioning intentions to be included in the new CYPP, as well as the supporting vision and commissioning framework.
33. As required by current statutory guidance, the CYPP must include a statement of how the authority's budget will be used to contribute to the commitments in the plan. The information is contained in the proposed plan (in Appendix 1).
34. In the introduction to the plan it is recognised that the Children and Young People's Plan for 2010 to 2013 will need to be implemented in a transformed statutory landscape and the harshest economic climate seen in decades.
35. The Council and each of partners will undoubtedly be facing severe financial challenges over the life of the plan. As set out previously in reports to Executive relating to the Policy and Resources Strategy 2010/11 to 2012/13, the government has given no indication of revenue support grant for local government for 2011/12 and beyond and has not provided any assurance that the existing grant floor will continue to be in place for future years. The failure to set out future grant allocation makes it extremely challenging to plan with any certainty for future years.
36. Further, the Council services included within the CYPP currently rely on significant specific grant funding streams, including Area Based Grant (£10.8M) and Sure Start (£16.5M). The future of these funding sources is particularly uncertain and there is, for example, no commitment to continue any Sure Start funding beyond March 2011.
37. Given the above, it will be particularly important for the Council and its partners to explore every opportunity for achieving efficiency gains by creatively aligning budgets and by joint commissioning of services to deliver the CYPP priorities.

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Joint strategic needs assessment, as at January 2010	Southwark Council Strategy and Partnerships Children's Services 160 Tooley Street London SE1 2TZ	Gwen Sinnott 52808
Statutory Guidance on cooperation arrangements including the children's trust board and the children and young people's plan	Southwark Council Strategy and Partnerships Children's Services 160 Tooley Street London SE1 2TZ	Elaine Allegretti 53816

Background Papers	Held At	Contact
Young Southwark - Statutory Changes to Children's Trust Board Executive Report July 2009	Southwark Council Strategy and Partnerships Children's Services 160 Tooley Street London SE1 2TZ	Elaine Allegretti 53816
Children and Young People's Plan Guidance 2009 (January 2009)	Southwark Council Strategy and Partnerships Children's Services 160 Tooley Street London SE1 2TZ	Elaine Allegretti 53816
Children's Trust: Statutory Guidance on inter agency cooperation to improve wellbeing of children, young people and their families (November 2008)	Southwark Council Strategy and Partnerships Children's Services 160 Tooley Street London SE1 2TZ	Elaine Allegretti 53816

## APPENDICES

Appendix No.	Title
Appendix 1	Proposed Children and Young People's Plan 2010-2013

## AUDIT TRAIL

<b>Lead Officer</b>	Romi Bowen, Strategic Director of Children's Services	
<b>Report Author</b>	Elaine Allegretti, Head of Strategy and Partnerships	
<b>Version</b>	Final	
<b>Dated</b>	18 January 2010	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
<b>Executive Member</b>	Yes	Yes
<b>Date final report sent to Constitutional/Community Council/Scrutiny Team</b>		11 March 2010

## Appendix 1

**2010-2013**

# Children and Young People's Plan



## Welcome

We, the partners of Young Southwark, are pleased to introduce our Children and Young People's Plan for 2010 to 2013. It has been developed in an unprecedented environment, with a transformed statutory landscape and the harshest economic climate seen in decades.

We have not shied away from these challenges. We see them as a historic opportunity to reshape what services we offer to ensure they better meet the needs of the children, young people and families we serve.

This plan sets out how we will work together over the next three years to meet these challenges and improve the life chances of our children, young people and families. It was developed by involving those who have the biggest stake in our borough – our children, young people, parents, carers, staff and practitioners – and we are proud of how their voice has shaped it.

Now that we have agreed our priorities, we are committed to driving through the major changes we and our communities need. We will focus our efforts solely on the priorities identified in this plan, and will decide together how we will target our limited resources for maximum effect. Sometimes this means knowing what to stop as well as which new directions to take to make sure we get the best value and have the biggest impact.

We will ensure services are of the highest quality and based on evidence of need. We will focus on improving family life and ensuring that children are safe from harm. We recognise the importance of having a home and neighbourhood you enjoy living in, and will work to make sure vulnerable and disadvantaged children, young people and families have the best chances in life.

We are committed to acting early to try and prevent problems where we can, and on creating a workforce able to achieve our vision.

We aspire to shape the borough for the better, and call on everyone involved in the lives of children, young people and families in Southwark to work with us to ensure every child, young person, family and community thrives.

[Signatures of all Young Southwark executive members to be included: Cllr Lisa Rajan (chair), Romi Bowen, Terry Parkin, Kerry Crichlow, Mee-Ling Ng, Rory Patterson, Chris Sandford, Gwen Kennedy, Stephen Gaskell, Supt Steve Deehan, Keith Fox, Adrian Ward, Elaine Allegretti]

## How was the plan developed?

We are committed to making sure the views of children, young people, families and staff influence how services are designed and run. Their views are a central part of our assessment of needs and support our understanding of what is working well and where we need to change things.

To develop this plan, we completed a detailed analysis of the demand and performance of services, and talked to senior decision-makers. Then we went out into our communities and workforce, and asked them to tell us a story.

We organised more than a dozen events, which included Saturday family sessions, as well as activities specifically for children and young people in libraries, a festival and schools.

We were honoured and delighted that more than 1,000 children, young people, parents, carers, staff and practitioners responded. Their stories tell of the ups and downs of growing up in Southwark, of the challenges and celebrations of local families, of the difference we can make when we get things right, and where sometimes we are getting things wrong.

The stories told us about childcare and schools and activities for young people, about life with children with special needs, about crime and healthcare, about being a new parent, growing up or being a grandparent. Many spoke of pride of living or working in Southwark – all provided fresh insights into family life and gave us a powerful evidence base to inform this plan.

We also involved young people, parents and practitioners in helping us to make sense of the stories, particularly in identifying some of the themes and issues that cut across services and interpreting evidence such as data.

We are proud of our communities' contribution and have published a selection as a companion to this plan, alongside a summary of the comprehensive needs assessment used to shape it.

The involvement of children, young people, families and staff does not stop with the plan's publication. Just as they helped shape it, we will ensure they play an equally important role reviewing and challenging our progress. Together, we can shape the borough for the better.

## How does the plan fit with national priorities?

This plan sets out how we will improve the wellbeing of children and young people in regard to the five Every Child Matters outcomes:

- Be healthy
- Stay safe
- Enjoy and achieve
- Make a positive contribution
- Achieve economic wellbeing

This plan recognises and addresses the far-reaching implications of statutory changes to children's trusts, local safeguarding children boards, Children and Young People's Plans and the roles of lead members and directors of children's services, which came into force on 1 April 2010.

By April 2011, this plan, as the joint strategy of children's trust partners, will set out in detail how we will cooperate to improve the wellbeing of children, young people and their families. It will show how we as partners will commission services to address locally identified needs, integrate provision better and focus on early intervention, safeguarding and reducing the impact of child poverty on life chances. The plan will also set out what actions will be delivered by which partner or partnership, and what resources they will commit.

This plan informs a wider range of planning arrangements, including borough and council-wide strategic and partnership plans and those that impact on life chances for children. The plans of partners form a complex array of inter-related strategic, commissioning and operational plans with their children and family aspects aligned through the plan and informing operational planning for frontline services.

This plan is central to future inspection arrangements of both the council and partners alike. In addition, *Working Together to Safeguard Children* guidance has set out how the children's trust should draw on support and challenge from the Southwark Safeguarding Children Board. This work is ongoing and will form the basis of a new annual safeguarding report to the children's trust board, in which the safeguarding board will scrutinise the work of the children's trust.

## Our vision

“Every child, young person and family in Southwark leading independent, healthy lives, feeling safe and secure and achieving their full potential. We have high expectations for our communities and will work together to make a measurable difference in a way that helps overcome inequality and disadvantage, and strengthens families’ abilities to raise their children successfully.”

In order to achieve this vision, we will work in partnership across five priorities:

- **Thinking family** – families at the centre of all we do
- **Narrowing the gap** – better and more equal life chances for all
- **Raising the bar** – high-quality provision that meets local needs
- **Succeeding into adulthood** – at-risk young people achieve wellbeing
- **Working together** – children are safeguarded from harm and neglect



## **Our principles and values**

We, Southwark's Children and Families' Trust, agree to follow the principles outlined below when implementing this plan. They will inform how we commission services by and through the trust board, and be used to challenge the decisions of the partnership and all partners.

We will continue to work throughout the duration of this plan to ensure that these principles and values are shared and understood by all partners.

The principles fall into four categories:

- Our values for working together
- Our principles for redesigning services
- Our commitments to share accountability
- Our quality pledges for services

### **Our values for working together**

- We will be ambitious for our children, young people, their families and the community. Our starting point is that parents and carers are best placed to promote their child's wellbeing.
- We will share responsibility for achieving the priorities in this plan, working together to carry out the changes needed locally.
- We will prioritise and decide what action we need to take to address local priorities and issues.
- We will build social capital in our communities to help respond to local priorities.

### **Our principles for redesigning services**

- We will shape services to fit the needs of our communities. We will look to offer services as locally as possible and will always prioritise the use of resources on the commitments in this plan.
- We will work together to simplify the local system and improve its value for money, sustainability and effectiveness.
- We will ensure that keeping children and young people safe from harm or neglect will inform all actions overseeing and implementing the commitments in this plan, just as it has been central to the plan's development.

- We will make shared choices about where, when and how we narrow the gap in individual or group outcomes when redesigning services.
- We will think creatively and be open to opportunities of doing things in new ways.
- We will decide together what we are going to do differently or stop doing, when decisions impact on other partners.
- We will be clear and realistic about the impact we want to have when changing the way we do things.
- We will target early intervention and preventative services to help further strengthen and build capacity in universal services to meet needs earlier and more effectively.
- We will ensure specialist services help to support the development of strong universal and targeted services as the bedrock of local provision.
- We will use specialist services and non-statutory and community partners to ensure that resources are targeted at those most in need.

### **Our commitments to share accountability**

- We will maintain a clear and separate identity, as the children's trust board, while working within wider co-operation arrangements to improve the life chances of children, young people and families.
- We will work together to develop and equip a workforce that can deliver the changes needed at all levels across the partnership.
- We will strengthen our priorities and areas for service improvement with robust and systematic performance, risk management and evaluation systems.
- We will focus on improving the life chances for children, young people and families while recognising the need to respond to inspection and regulation requirements.
- We will make sure that we are clear about the roles, responsibilities and resources each partner brings to achieve the priorities in this plan.

- We will seek to continually improve as a local area and benchmark our performance against local and national best practice, and evidenced-based models.
- We will use our shared commitment to local priorities to challenge each other and the solutions we develop as a partnership.

### **Our quality pledge for services**

Every service will be measured for its impact against the following pledges:

- They are high quality and make a measurable positive difference to the lives of children, young people and families.
- They seek to build the ability and resilience of children, young people and their families to be independent:
  - We will make use of family, community and social networks, and ensure every staff member, agency and partner acts to support independence
  - Where children, young people and their families have additional needs, there will be clear pathways that they and practitioners can use, and where appropriate they are supported in their transition between services
- They ensure children and young people are safeguarded in all we do:
  - Each staff member, agency and partner will have the skills and knowledge to take appropriate action for those identified at risk of harm
  - We will ensure the system is fit to deliver the step change in local arrangements to protect children and young people from harm or neglect
- They work to narrow the gap and improve life chances for all:
  - We will recognise the importance of outreach and parental engagement in designing and providing services
- They support better ways of working together:
  - We will use local and national common tools and processes, and ensure information sharing and the role of the lead professional are central to how we deliver services in partnership with families and other agencies
  - We will recognise children and young people as part of families and ensure their family story is understood and respected when families interact with our services

## **Our priorities and the results we expect**

### **Thinking family – families at the centre of all we do**

- Simplifying how you access services and information about them
- Improving the quality, suitability and range of activities for children and young people
- Independence for children and young people with learning difficulties and/or disabilities, and their families
- Children and families being a healthy weight
- More effective support for families most in need

### **Narrowing the gap – better and more equal life chances for all**

- Better health for babies, infants and mothers
- Early years provision that meets the needs of vulnerable children
- Children in care achieving their educational potential
- Raising the achievement of those groups falling behind

### **Raising the bar – high-quality provision that meets local needs**

- Children are school ready and schools are child ready
- Every school and setting aspires to excellence
- Schools and settings are able to meet their students' needs
- Raising attainment at 19

### **Succeeding into adulthood – at-risk young people achieve wellbeing**

- More young people in education, employment or training
- Young people in care succeed as young adults
- Less crime by and against young people
- Lower rates of teenage conceptions

### **Working together – children are safeguarded from harm and neglect**

- Services that meet the needs of our children and community
- A stronger family-based approach to safeguarding
- Fewer children and families experiencing domestic abuse

## Thinking family – families at the centre of all we do

### *Our priority is...* **Simplifying how you access services and information about them**

*You can expect...* To find it easier to learn about and use universal services covering birth to adulthood. Age, culture or level of need or resources will not be a barrier because we will reach out in ways most appropriate to our diverse communities. You will also see more parents shaping services and participating in their community, empowered by strong local networks.

<b>We will commission services that...</b>	<b>As a result, we expect...</b>
<p>Put in one easily accessible place, information on what is universally available for children, young people and families with children up to aged 19</p> <p>Make better use of existing community providers of information and services to children, young people and families</p> <p>Better coordinate and target outreach and parental engagement activities to narrow the gap in life chances</p>	<p>Children, young people, parents and practitioners report a better experience when accessing information, advice and guidance</p> <p>A more streamlined information service and improved performance across a range of areas targeted by outreach activities</p> <p>A robust infrastructure which supports parental engagement at all levels and is central to how we improve services</p>

## Thinking family – families at the centre of all we do

***Our priority is...* Improving the quality, suitability and range of activities for children and young people**

*You can expect...* More children and young people choosing to play, volunteer, participate and be active in Southwark. More will be shaping services, being part of their community and participating in the decisions that affect their lives – and those who are vulnerable will find the support and opportunities they need to get back on track and realise their potential.

<b>We will commission services that...</b>	<b>As a result, we expect...</b>
<p>Bring together and better promote a borough-wide offer of good-quality play opportunities and activities for children and young people which also meets the needs of at-risk groups</p> <p>Provide young people with opportunities to be active citizens and participate in their local community</p>	<p>Improved quality and suitability of youth provision in the borough</p> <p>A well communicated and coordinated programme of activities for young people that meets a range of local needs</p> <p>More children and young people participating in activities such as volunteering, contributing to the decisions that affect their lives and involved in planning and evaluating youth work</p>

## Thinking family – families at the centre of all we do

### ***Our priority is...* Independence for children and young people with learning difficulties and/or disabilities, and their families**

*You can expect...* Services focused on building the capacity and skills of children and young people with learning difficulties or disabilities, and their families to be more independent and enable them to make better use of a wider range of local opportunities and services. You can also expect a more streamlined, consistent approach to transition between life stages or services.

<b>We will commission services that...</b>	<b>As a result, we expect...</b>
<p>Improve the experience of children, young people and their families moving from early years to school and from children's to adult services</p>	<p>A more streamlined, consistent approach to transition between services or life stages, and for children, young people and their families to report a better experience</p>
<p>Provide care and short break support to enable children, young people and their families to make the most of universal services such as local leisure facilities and childcare placements</p>	<p>More children, young people and families receiving care and short breaks outside the home and choosing to use a wider range of local facilities</p>
<p>Build the capacity of children, young people and families to live independent lives at all key stages of their development, from birth to young adulthood</p>	<p>Children, young people and their families with the skills to enable them to lead more independent lives and make better use of the range of opportunities available to them</p>

## Thinking family – families at the centre of all we do

### *Our priority is...* **Children and families being a healthy weight**

*You can expect...* Partners to be more active in encouraging children, young people and families to live healthy lifestyles and to improve how we identify those in need of support. Children, young people and families with unhealthy weights can expect effective tailored services that meet their needs by bringing together the right mix of advice, treatments and providers.

<b>We will commission services that...</b>	<b>As a result, we expect...</b>
<p>Enable children, young people and families to maintain a healthy weight through effective early intervention and prevention activity</p> <p>Target those at risk of an unhealthy weight through tailored advice and support, and help reduce the prevalence of overweight children, young people and families</p> <p>Develop a range of effective treatments for anorexia, obesity and other weight disorders through timely, multi-component, family-based interventions</p>	<p>Reduced rates of overweight children in key at-risk groups</p> <p>Lower rates of childhood obesity at year 6 and reception</p>



## Thinking family – families at the centre of all we do

### *Our priority is...* **More effective support for families most in need**

*You can expect...* More families breaking out of the cycle of disadvantage and becoming more independent because we will target the right kind of help when and where we see it is needed.

There will be a single front door to a better coordinated range of intensive support for families, and these will be tailored to meet families' needs and based on what works.

<b>We will commission services that...</b>	<b>As a result, we expect...</b>
Promote a shared understanding and common approach across partners to identifying and assessing families' strengths and needs	Families identified for additional support and challenge to tell their story once, are heard and get the help they need faster
Reshape what services are offered to families in need of additional help and create a single front door to intensive support programmes	More families are able to solve their own problems and develop independence, leading to better life chances
Are tailored to families' needs, based on evidence of what works and are provided through multi-agency teams working around the family	<p>Parents and practitioners are able to find out about and get access to intensive support programmes</p> <p>Services will be brought together and continually reviewed according to need and what works</p>

## Narrowing the gap – better and more equal life chances for all

### *Our priority is...* **Better health for babies, infants and mothers**

*You can expect...* Antenatal support that is high quality, coordinated and accessible, and more pregnant women using it earlier in their pregnancy. There will be fewer deaths in infancy and more babies will have good health. Practitioners will be working more closely with partners and better able to identify and take action to support families with additional needs.

<b>We will commission services that...</b>	<b>As a result, we expect...</b>
<p>Ensure women can access high-quality antenatal support at an earlier stage of pregnancy by coordinating provision of services</p> <p>Promote the health of children in their early years including improving joint working between health visitors and early years services to identify families in need of targeted support</p> <p>Establish effective pathways for practitioners working with families with additional needs</p> <p>A more efficient and effective approach to assessing a child's health needs</p>	<p>A reduction in infant mortality rates</p> <p>A higher percentage of women seeing a midwife or a maternity healthcare professional by 12 completed weeks of pregnancy</p> <p>Higher immunisation rates for those under 5, and a greater percentage of infants being breastfed at 6 to 8 weeks</p> <p>More children enjoying good health</p>

## Narrowing the gap – better and more equal life chances for all

### *Our priority is...* **Early years provision that meets the needs of vulnerable children**

*You can expect...* Settings have the necessary skills and access to appropriate expert support to ensure vulnerable children achieve better health, wellbeing and educational outcomes. Parents will get better support in understanding and dealing with their and their child's needs. Children's centres will be the hub of services, working with partners to provide seamless, effective support.

<b>We will commission services that...</b>	<b>As a result, we expect...</b>
<p>Meet the social and emotional needs of children and better support parents in the development of their child's social and emotional needs</p> <p>Provide suitable early years placements for vulnerable groups such as children with a child protection plan, children in need and those with learning difficulties and/or disabilities</p> <p>Support local developments and tackle needs in line with the revised Healthy Child Programme for those with additional needs</p>	<p>To narrow the gap in achievement at foundation stage profile for the lowest achieving 20%, and for PSED and CLLD scales and other vulnerable groups</p> <p>Better joined-up support for children and families through Sure Start children centre hubs across the network of early years practitioners, providers and settings</p>

## Narrowing the gap – better and more equal life chances for all

### *Our priority is...* **Children in care achieving their educational potential**

*You can expect...* More children and young people in care attending school, realising their educational potential and overcoming the gap in achievement with their peers. They can expect partners to be working together to maximise local expertise and provision, offer flexible, quality educational opportunities appropriate to their need, and support them when changing schools.

<b>We will commission services that...</b>	<b>As a result, we expect...</b>
<p>Better use the variety of expertise and services available across children's trust partners to help keep children in care in education and support them in achieving their educational potential</p> <p>Are flexible and able to respond to the educational needs of children in care wherever they are placed</p> <p>Manage the transition of children in care from one educational setting to another and from education to employment</p>	<p>Greater numbers of children in care achieving their learning and educational potential</p> <p>The gap in educational achievement between children in care and their peers further narrowing</p> <p>More children in care attending school or an equivalent setting appropriate to their needs</p>

## Narrowing the gap – better and more equal life chances for all

### *Our priority is...* **Raising the achievement of those groups falling behind**

*You can expect...* More children and young people reaching at least the educational achievement of their national peers. Their schools will be more strategic, coherent and effective in targeting underachievement and sharing good practice. The aspirations of children, young people and families will be higher, strengthened by a greater use of activities and services in and out of school.

<b>We will commission services that...</b>	<b>As a result, we expect...</b>
<p>Target cohorts of children and young people to help buck the trend of key underachieving pupils</p> <p>Ensure good practice and learning is spread across the whole system</p> <p>Be targeted in our approach to raising the aspirations of children, young people, their parents and the community through an improved range of coordinated in-school and out-of-school provision</p>	<p>Continued improvements in achievement and attainment up to the age of 19, to approach and exceed national figures</p> <p>A further narrowing of the gap between underachieving groups and their peers</p> <p>Schools share good practice and target pupil underachievement in a strategic, coherent and effective way</p> <p>An improved quality and range of provision both in and out of school, and greater take-up</p>

## Raising the bar – high-quality provision that meets local needs

*Our priority is...* **Children are school ready and schools are child ready**

*You can expect...* All children able to access high-quality early years settings which address their social, emotional, physical and learning needs so they are well prepared for the challenge of starting school. Schools will be better informed about the needs of their children and will be able to support them whatever stage of development the child has achieved.

<b>We will commission services that...</b>	<b>As a result, we expect...</b>
<p>Are high quality, age appropriate and help prepare children for school by supporting them to participate and achieve early learning skills</p> <p>Ensure there are sufficient school places to meet all the needs of local children irrespective of their developmental stage and where possible close to their home</p> <p>Better support the transition of children from early years to school settings so their social, emotional, physical and learning needs are met</p>	<p>More children to be able to access good-quality early years settings and to see improved achievement in the early years foundation stage and at KS1</p> <p>More children have access to places in local schools that meet their requirements</p> <p>Children are well prepared for the challenge of starting school</p>

## Raising the bar – high-quality provision that meets local needs

*Our priority is...* **Every school and setting aspires to excellence**

*You can expect...* More families choosing a Southwark school or setting because standards are higher, and more children and young people are realising their potential. Schools can expect quality services and strong leadership from the local authority and, as leaders too, will be working together and with partners to ensure every child, young person, family and community thrives.

<b>We will commission services that...</b>	<b>As a result, we expect...</b>
<p>Enable children and young people to reach their full potential through a consistent range of high-quality services that are based on need and delivered collaboratively across a range of providers</p> <p>Raise standards through sustainable, strong leadership at school and borough level</p> <p>Incorporate the voice of pupils, parents and the community, and encourage members of the community to be involved in school leadership</p>	<p>All aspects of provision judged good or better by Ofsted, and more schools and settings classified as 'outstanding'</p> <p>Schools to rate local authority services highly and for demand for local authority services to be high</p> <p>Schools to be making a major contribution to improving life chances children, young people and families, and to ensuring they are safe</p> <p>Increased pupil and parent satisfaction reported with Southwark schools, and fewer parents opting out of Southwark's schools and settings</p>

## Raising the bar – high-quality provision that meets local needs

*Our priority is...* **Schools and settings are able to meet their students' needs**

*You can expect...* Children and young people overcoming barriers to learning and achieving their full potential. They and their families can expect their school to be inclusive and have the capacity and skills to meet their social, emotional and additional learning needs. Schools, working together and with partners, can expect to access specialist support when appropriate.

<b>We will commission services that...</b>	<b>As a result, we expect...</b>
<p>Through consistent, high-quality services, build the capacity of universal settings to better identify and take targeted action to meet the social and emotional needs of vulnerable children, young people and their families</p> <p>Redesign how we provide community mental health support to children, young people and their families in mainstream settings, including when and how to access specialist provision</p> <p>Enable partners to make better use of the specialist learning skills and resources available in the borough</p> <p>Create and use a clearer framework of tiered support for children with additional learning needs</p>	<p>Greater numbers of young people with barriers to learning achieving higher, including less exclusions and improved attendance</p> <p>More children and young people feeling safe and fewer incidences of bullying</p> <p>Investment in early intervention to be according to need and evidence of what works, while building the capacity of families to solve their own problems</p> <p>Universal settings to be confident and equipped to meet their students' and families' needs</p> <p>A greater consensus about what works and how we can share expertise and best practice across the system, as well as more quality referrals and better use of specialist provision</p>



## Raising the bar – high-quality provision that meets local needs

### *Our priority is...* **Raising attainment at 19**

*You can expect...* More young people staying in education or training after 16, choosing to do this locally and achieving better qualifications. More will be making good choices about their future because they and their parents will be receiving quality careers and education advice, and the curriculum and opportunities on offer will meet their needs and those of local employers.

<b>We will commission services that...</b>	<b>As a result, we expect...</b>
<p>Develop a high-quality, broad, balanced curriculum for those aged 14 to 19, ensuring that it is both coordinated and meets the needs of our employers and young learners at levels one, two and three</p> <p>Provide good-quality careers and education advice and guidance that results in young people making good choices</p> <p>Build capacity with local employers to ensure there are better pathways for young people into employment</p>	<p>More young people choosing to take up appropriate provision locally</p> <p>Attainment at levels two and three to rise and the gap between Southwark and national figures to disappear</p> <p>Fewer young people dropping out post-16</p> <p>More young people continuing in education or taking up apprenticeships and work placements in the local area</p>

## Succeeding into adulthood – at-risk young people achieve wellbeing

### *Our priority is...* **More young people in education, employment or training**

*You can expect...* More young people choosing and remaining in a quality local education placement suitable to their needs. Parents and the community will have higher aspirations for their children, young people at risk of dropping out will have been identified and guided on to an appropriate path to employment, and those in need will be receiving tailored advice and support.

<b>We will commission services that...</b>	<b>As a result, we expect...</b>
<p>Work collaboratively to identify and target earlier young people not taking up education, employment or training, and support them to access a broad, balanced curriculum</p> <p>Provide quality advice to young people at an earlier age to reduce the likelihood of them not taking up education, employment or training</p> <p>Work with the community to increase aspirations and engage parents in supporting their child's post-16 choices</p> <p>Provide co-ordinated, tailored advice, guidance and support for those not in education, employment or training, to enable them to take up and remain in one of a range of quality local placements appropriate to their needs</p>	<p>More young people in education, employment or training including those at greater risk and with more complex needs</p> <p>A broader range of quality education, training and employment opportunities available to young people</p> <p>Parents having higher aspirations for their children and supporting them in making good choices about their future</p>

## Succeeding into adulthood – at-risk young people achieve wellbeing

### *Our priority is...* **Young people in care succeed as young adults**

*You can expect...* More young people in care living in a stable placement, taking up education, employment or training, and managing independent lives successfully. All partners will bring together their services to support those under 22 years of age into adulthood, and specialist expertise will be available to ensure the most vulnerable are safeguarded.

<b>We will commission services that...</b>	<b>As a result, we expect...</b>
<p>Consolidate what is on offer across council, children's trust and local strategic partnership partners for young people in care aged 16 to 21, to support them to move successfully into adulthood</p> <p>Provide tailored support for those that need it in order to help them succeed in adulthood and be independent</p> <p>Ensure a multi-agency response that draws on a range of specialist services and expertise for young people in care with very complex needs</p>	<p>More young people in care in education, employment or training</p> <p>More stability in placements</p> <p>More care leavers managing their lives successfully as young adults</p> <p>Better safeguarding of those at risk of harm to themselves and/or to others through improved specialist support</p>

## Succeeding into adulthood – at-risk young people achieve wellbeing

### *Our priority is...* **Less crime by and against young people**

*You can expect...* Fewer and less serious crimes being committed by young people and a fall in reoffending. There will also be fewer young people being victims or fearful of crime or antisocial behaviour. And more young offenders will be choosing to enter education, employment or training, living in suitable accommodation and leading a law-abiding lifestyle.

<b>We will commission services that...</b>	<b>As a result, we expect...</b>
<p>Target early intervention services at young people and their families who are at risk of involvement in crime as either victim or perpetrator</p> <p>Prevent reoffending and reduce the seriousness of crimes through a model of multi-agency, evidenced-based intervention and support</p> <p>Assist young offenders to engage positively in their community through supported opportunities to enter education, employment or training, live in suitable accommodation and develop law-abiding lifestyles</p>	<p>Fewer and less serious crimes being committed by young people</p> <p>Fewer young people becoming victims of crime and fewer being fearful of youth crime and antisocial behaviour</p> <p>More young people who have committed crimes desisting from reoffending, taking up education, employment or training opportunities and living in suitable accommodation</p>

## Succeeding into adulthood – at-risk young people achieve wellbeing

### *Our priority is...* **Lower rates of teenage conceptions**

*You can expect...* More young people, whatever their level of need, making positive choices about their sexual health and relationships, and more parents feeling able to guide their child's choices. Young people will be accessing quality advice and contraception as and when they need it, and there will be self-development opportunities for our vulnerable young people.

<b>We will commission services that...</b>	<b>As a result, we expect...</b>
<p>Ensure good-quality sexual health and relationship information, advice and guidance is available to all young people and their families</p> <p>Ensure young people have increased access to contraception as and when they need it</p> <p>Provide targeted information and support on a range of services including sexual health, educational and self-development opportunities to at-risk groups, including young offenders, young people in care and vulnerable parents</p>	<p>More young people are able to make positive choices around sexual health and relationships, and more parents feel able to guide and influence their child's choices</p> <p>A rise in the number of young people accessing contraception</p> <p>Reduced rates of teenage pregnancy, and more teenage parents in education, employment or training</p>

## Working together – children are safeguarded from harm and neglect

*Our priority is...* **Services that meet the needs of our children and community**

*You can expect...* More children to be safe because services are meeting their and the community's needs, and the workforce is able to recognise and respond quickly to potential signs of abuse and neglect. Partners, with the community, will work more effectively together to ensure children are protected from harm and to improve the quality of referrals when these are necessary.

We will commission services that...	As a result, we expect...
<p>Develop provision that responds to local community and safeguarding needs to keep children safe</p> <p>Improve the quality and consistency of contact and referrals to social care or to other agencies as appropriate</p> <p>Secure a well-trained workforce able to understand child development, and recognise and act, in a timely fashion, on potential signs of abuse and neglect</p> <p>Deliver the system-wide improvements to achieve the step change required by <i>Working Together to Safeguard Children</i> requirements</p> <p>Develop the positive relationship with the borough's communities to build their capacity to keep children safe</p>	<p>More children are safe and/or report they feel safe</p> <p>More good-quality and timely referrals to the most appropriate agency</p> <p>Improvements to frontline practice in line with serious case review recommendations, the Southwark Safeguarding Children Board annual report and <i>Working Together to Safeguard Children</i> requirements</p> <p>All agencies will be reviewing safeguarding performance and be reporting to the Southwark Safeguarding Children Board</p> <p>More voluntary, community and faith group involvement in keeping children safe</p>

## Working together – children are safeguarded from harm and neglect

### *Our priority is...* **A stronger family based approach to safeguarding**

*You can expect...* Partners to reshape services for children at risk of harm so they are more responsive, integrated and effective. You can expect us to bring together the widest range of knowledge and expertise to support children with a child protection plan, which will lead to less time on plans, fewer re-registrations and improved outcomes for the child and family.

<b>We will commission services that...</b>	<b>As a result, we expect...</b>
<p>Enable the holistic assessment of a child at risk of harm, recognising the difficulties being experienced in the household and drawing on evidence from all services involved with the family</p> <p>Reshape the way we support children with a child protection plan that builds on the wide range of knowledge and expertise of all the professionals involved with the family</p> <p>Improve the effectiveness of joint working to ensure there is appropriate multi-agency targeted, specialist support for a child on a plan and their family</p>	<p>Improved joint assessments and greater integrated working across the partnership</p> <p>More effective child protection plans, which will result in less time being spent on them, and more efficient use of resources</p> <p>Fewer hospital admissions caused by unintentional and deliberate injuries to children and young people</p>

## Working together – children are safeguarded from harm and neglect

*Our priority is...* **Fewer children and families experiencing domestic abuse**

*You can expect...* Lower rates of domestic abuse and repeat victimisation because we are working better together to ensure prevention, intervention and enforcement services are more coordinated and effective. Children in families experiencing domestic abuse will be safer and have better life chances, and more young people will choose to engage in positive relationships.

<b>We will commission services that...</b>	<b>As a result, we expect...</b>
<p>Develop a partnership-wide approach to prevention, intervention and enforcement activities to ensure a more integrated continuum of support for families experiencing domestic abuse</p> <p>Improve the coordination of support for children in families experiencing domestic abuse, both through greater integrated working by partners across the system and better training opportunities</p> <p>Ensure that information, guidance and support services for young people encourage positive relationships</p>	<p>Lower rates of domestic violence and repeat victimisation</p> <p>A fall in the negative impact of domestic abuse on children's safety and life chances</p> <p>Fewer sexual offences by and against young people, and more young people choosing to engage in positive relationships</p>



## **Review of needs, performance and stakeholder views**

This plan has been developed in collaboration with a wide range of children's trust partners at all levels, and has been overseen by the children's trust board at each stage.

The priorities and commitments identified in this plan are the result of detailed analysis of a comprehensive joint strategic needs assessment, extensive performance review and widespread stakeholder consultation, as follows:

### **Needs assessment**

We undertook a comprehensive joint strategic needs assessment across the five Every Child Matters outcomes and cross-cutting themes including schools, parenting, workforce and safeguarding to identify as a system what we are doing well, what we can build on and where we need to do it differently.

A summary of the needs assessment is available at [www.southwark.gov.uk/youngsouthwark](http://www.southwark.gov.uk/youngsouthwark) [from 1 April]. For the full datasets, contact [managementinformation@southwark.gov.uk](mailto:managementinformation@southwark.gov.uk) or call 020 7525 2808.

### **Performance review**

The second strand to the plan's development was a senior management review of our performance to date, to identify what we are doing well and what we can build on and where we need to do it differently. We are publishing this analysis alongside the needs assessment.

### **Views of children, young people and families in Southwark**

The needs assessment and performance review set a framework for stakeholder consultation through borough-wide storytelling events with children, young people, parents, carers and frontline staff. More than 1,000 stories have been collected, and were used to shape and inform priorities. In addition, a parent and child survey collected a further nearly 900 views on issues across the five Every Child Matters outcomes.

A selection of the stories has been published [in April 2010]. For more information, call 020 7525 3674, email [young.southwark@southwark.gov.uk](mailto:young.southwark@southwark.gov.uk) or go to [www.southwark.gov.uk/youngsouthwark](http://www.southwark.gov.uk/youngsouthwark)

## Use of resources

### Investing in outcomes for children, young people and families

We are committed to providing the resources needed to deliver effective services for children, young people and families, and to ensuring these resources are used efficiently

### Current expenditure plans

The finance and resource requirements arising from the Children and Young People's Plan can be divided between direct expenditure by the two core providers – children's services and health – and expenditure by other council departments, the police and the voluntary sector, which also impact on the outcomes sought by the plan.

The table below identifies only the direct expenditure for children's services, including schools, and health, as agreed through each partner's budget-setting processes.

<b>Expenditure plan</b>	<b>2009/10 £000</b>	<b>2010/11 £000</b>
Southwark Council	326,097	338,115
PCT	12,963	13,317
<b>Total</b>	<b>339,060</b>	<b>351,432</b>

The elements shown in the table, which include health visiting and school nursing services, the PCT provides a range of other services for all ages including GPs, mental health, dentistry, ophthalmology and pharmacy. It is not possible to allocate the costs of these services between children and adults on a consistent basis over time.

Figures beyond 2010/11 will be detailed over the coming year as we prepare to meet new statutory financial requirements for the CYPP. Future versions of this plan will be developed to include, where possible, expenditure incurred by other council departments and other agencies in the provision of services to children.

## Resources

The resources to fund the above expenditure comes from a variety of sources as follows:

<b>Funding source</b>	<b>2009/10</b>	<b>2010/11</b>
Southwark Council grants	326,097	338,115
PCT	12,963	13,317
<b>Total resources</b>	<b>339,060</b>	<b>351,432</b>

Some of the funding detailed above is one-off or subject to the national three-year spending review settlement. As 2010/11 is the last year of the current cycle, we cannot be certain about funding in future years. In the event of a significant variation in funding, it would be necessary to review proposed levels of spending at the annual review of the plan.

### **Directing resources to priority outcomes**

Because this plan has been developed in the harshest economic climate seen for decades, this strategy and its commissioning plan focus on identifying priorities, detailing what is achievable on current resource assumptions, and mapping the core resources available.

We will also use the priorities to identify system-wide priority and improve the use of resources by working to reduce duplication and better utilise a range of partnership-wide resources to deliver outcomes.

## What happens next?

### **Democratic, financial and procurement planning and governance**

The quality of service provision is one of the most important factors in delivering overall improvement in outcomes. The challenging public sector financial context over the coming years makes it vital that services are evidence-based, cost-effective and efficient. This plan is the driver to remove duplication where it exists across the children's system and target resources against our agreed set of priorities.

We have already begun developing a framework for the democratic, financial and procurement governance required to enable joint commissioning between local authority departments, the primary care trust and schools.

We intend to publish, in April 2011, financial information which details that the commitments in this plan are realistic, affordable and not merely a set of aspirations. The plan will also show how the budgets of local partners, including the voluntary sector, will be used to contribute to the delivery of the plan's commitments.

This includes setting out our progress on pooling and aligning budgets, and how children's trust partners intend to integrate the use of assets, resources and new technologies in support of delivery.

### **Supporting strategies**

We are developing a range of strategies which set out what we agree we need to do to ensure we meet the commitments set out in this plan – they are the plan's enablers or building blocks.

Collectively they will provide the vehicles for implementing the plan's priorities, be that through information sharing protocols, third sector involvement or ways to work in a more integrated way.

They will explain in more detail the scope and priorities for universal, preventative and specialist services, as well as addressing the needs of cross-cutting issues such as the involvement of the third sector and the community, our action to address child poverty and the development needs of our workforce.

We will publish these strategies in summer 2010.

**And so the work begins...**

Now we embark on achieving our priorities and making sure we create over the next three years the major changes we and our communities need.

We know that by working together, being of one mind, we will be more effective because we will jointly plan and apply the use of our resources and improve the services on offer.

And now that we have set our priorities, it is our workforce who will make them happen. We are confident we will meet the expectations and challenges you have told us matter because of our staff's skills and commitment to turning our aspirations into changes you see in your daily lives.

Above all, we must ensure that everything we do is focused on ensuring all children, young people and families have the best chances in life.

Although this plan is our strategic intentions for the whole borough, it should and will translate into changes to the services you use or work with – the schools, youth clubs, and antenatal services in your neighbourhood.

It aims to help families be more independent and able to solve their own problems. And for more children and young people to be healthier, happier, safer and achieving their full potential.

<b>Item No.</b> 8.1	<b>Classification:</b> Open	<b>Date:</b> 24 March 2010	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Constitutional Changes	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Strategic Director of Communities, Law & Governance	

**RECOMMENDATIONS**

That council assembly adopt the following constitutional changes, recommended to it by the constitutional steering panel:

**Annual and Local Elections 2010: Council Assembly Procedure Rules**

1. That council assembly procedure rule 1.1 (notice and summons of meetings) be amended as follows for the May 2010 annual meeting of council assembly if parliamentary and local elections are held on the same day in 2010:

Add new rule 1.1 (1b) to read:

‘In the event that the parliamentary and local elections are held on the same day, the chief executive will give notice to the public of the time and place of any meeting in accordance with the access to information rules. At least five clear working days before the meeting, the chief executive will send a summons signed by him or her by post to all members of the council or leave it at their usual place of residence. ....’

Renumber the existing rule 1.1 (1) as 1.1 (1a).

2. That the amendment be applied to the annual meeting in 2010 only.

**Article 10: Designation of scrutiny officer**

3. That Article 10 of the constitution be amended in accordance with the requirements of the Local Democracy, Economic Development and Construction Act 2009 by inserting a new section designating an officer as scrutiny officer to support the work of the overview and scrutiny committee. The detailed changes are set out in Appendix 1.

**Part 3M: Standards Committee - Politically restricted posts**

4. That the roles and functions of the standards committee in relation to politically restricted posts be amended in clause 14 as follows:

**Insert** ", hearing appeals" after "granting" to read

"To consider the granting, hearing appeals and supervision of exemptions from political restrictions".

See paragraphs 23-26 of the report.

### Community Council Procedure Rules

5. That revised community council procedure rules, within Part 4 of the constitution, be adopted as set out in Appendix 2 (see paragraphs 27-33).
6. That as a consequence of the above recommendation a set of committee procedure rules be approved, by deleting sections and references to community councils in the current committee and community council procedure rules.

### Consequential changes

7. That officers be authorised to undertake any consequential and cross referencing changes arising from changes to the constitution.

### BACKGROUND INFORMATION

8. In October 2009 the constitutional steering panel considered a change to the constitution concerning notice for the annual meeting in May 2010 in the event of parliamentary and local elections taking place on the same day. The panel agreed to recommend this change to council assembly, which is to be considered on 24 March 2010 – the last date that it can be considered. At the October meeting a timetable for a review of procedure rules as they apply to community councils was agreed. The constitutional steering panel on 2 March 2010 considered a set of draft community council procedure rules, which are recommended for approval. The constitutional steering panel in March also considered a number of other statutory changes to the constitution that have come to officers' attention as a result of legislative changes. Recommended changes on these areas are included in this report. The constitutional steering panel decided to recommend the changes to council assembly on 24 March 2010 for approval.
9. The ongoing objectives for making changes to the constitution is to ensure that it is easily understood and user friendly. In order to achieve this, the constitutional steering panel has taken into account that the constitution should be:
  - **Accessible** to all those who need to use it to understand their rights and obligations under it.
  - **Efficient:** supporting effective decision-making so that the business of the council can be delivered in line with best practice on corporate governance.
  - **Inclusive:** so that decision-making is open and transparent and involves local communities.
10. All constitutional changes are considered by constitutional steering panel, which then recommends changes to council assembly. Changes to the constitution are generally agreed by council assembly, unless another body or individual is authorised to do so – see Article 1.15.

### KEY ISSUES FOR CONSIDERATION

#### Introduction

11. The constitutional changes in this report do not constitute the full review, which will take place in May with the main focus on specific issues identified over the course of the year, including the impact of any government announcements.
12. The report sets out those elements which either have to be brought forward in March to meet statutory obligations, or which officers have been asked to bring forward in March by the CSP. Changes to the constitution are shown as follows:
  - Additions (shown as underlined);
  - Deletions (shown with a ~~striketrough~~).
13. The key issues requiring consideration are set out below:
  - Annual and Local Elections 2010 – Council Assembly Procedure Rules
  - Article 10 – Designation of scrutiny officer
  - Part 3M: Standards Committee - Politically restricted posts
  - Community Council Procedure Rules
  - Consequential changes

### **Community impact statement**

14. There will be no direct impact on local people of adoption of these changes to the council's constitution. However, providing for wide involvement of those using the constitution, including the local community where relevant, will enable people to understand the role that they can play in the decision making of the council and how the council will safeguard high standards of conduct amongst members and officers. Any specific issues relevant to each constitutional change are set out in the relevant section below.

### **ANNUAL AND LOCAL ELECTIONS 2010**

15. At a meeting of the constitutional steering panel on 6 October 2009 the strategic director of communities, law & governance outlined plans for the parliamentary elections in 2010. She explained that there was one scenario that would required a change to the constitution. A change would be required if the parliamentary elections were called on the same day as the local election, Thursday 6 May 2010.
16. Should the two elections be held on the same day the returning officer has indicated that the count for the parliamentary elections would start on the Thursday evening and carry on into Friday morning and a separate count for the local elections would be held on Friday 7 May 2010.
17. Annual council is due to meet on Wednesday 19 May 2010 and in accordance with council assembly procedure rule 1.1 (1) (set out below), the summons for the meeting must be dispatched seven clear working days in advance of the meeting, normally this would be Friday 7 May 2010. This could potentially be the same day as the count in the scenario.

Council assembly procedure rule 1.1 (1) states:

The chief executive will give notice to the public of the time and place of any meeting in accordance with the access to information rules. At least seven clear working days before the meeting, the chief executive will send a



summons signed by him or her by post to all members of the council or leave it at their usual place of residence. ....’

18. The summons for the council assembly meeting cannot be issued until the count is complete. If the count for the local election is undertaken on Friday 7 May 2010, the membership of the council will not be confirmed until later on that day. Following the announcement of the local election results officers need to prepare agenda documentation, update systems and the membership lists of the council used by the post room to establish the members drop. These processes might not be complete until Tuesday 11 May 2010, which would be after the existing deadline for dispatch of the annual council agenda.
19. It is therefore suggested that council assembly dispatch be reduced to five clear working days for the 2010 annual meeting of council assembly. This constitutional change would not necessitate a reprinting of the constitution as it is a one off event.
20. The constitutional steering panel recommended that a report outlining the need for a constitutional change be submitted to council assembly.
21. The council is responsible for approving its procedures for conduct of meetings. It has been customary for Southwark to summons meetings of council assembly seven clear working days in advance of the meeting. However, schedule 12 of the Local Government Act 1972 allows for less than the seven clear working days for the public notice of meetings of a principal council (and of its committees and sub-committees).

#### **ARTICE 10 – DESIGNATION OF SCRUTINY OFFICER**

22. The Local Government Act 2000 (“the 2000 Act”) requires local authorities operating executive arrangements to have an overview and scrutiny committee to scrutinise decisions made. The Local Democracy, Economic Development and Construction Act 2009 strengthened these arrangements by inserting a new section into the 2000 Act to make it a requirement to designate an officer as scrutiny officer to support the work of the overview and scrutiny committee. The proposed changes to Article 10 reflect these changes and set out the functions of the scrutiny officer and list the restrictions on which officers cannot be designated by Southwark as scrutiny officer.

The constitutional steering panel recommended that the detailed changes set out in Appendix 1 be submitted to council assembly for approval.

#### **PART 3M: STANDARDS COMMITTEE - POLITICALLY RESTRICTED POSTS**

23. The Local Government and Housing Act 1989 requires every local authority to prepare and maintain a list of politically restricted posts and identifies three categories of post deemed to be politically restricted on the basis of one or more defined characteristics. Local government officers who are politically restricted may not stand for election or take part in a range of political activities.
24. One of these characteristics was posts paid at or above a certain level (currently equivalent to spinal point 44 £36,730). The Local Democracy, Economic Development and Construction Act 2009 removed this characteristic. The remaining characteristics are more subjective so a procedure to deal with request has been developed.

25. The responsibility for the granting of exemptions from political restriction rests with standards committees with effect from 1 April 2008 and this change clarifies role in hearing appeals in these cases.
26. The constitutional steering panel recommended that the following amendment to the roles and functions of the standards committee in clause 14.

#### Recommended constitutional change

**Insert** ", hearing appeals" after "granting" to read:

"To consider the granting, hearing appeals and supervision of exemptions from political restrictions".

### COMMUNITY COUNCIL PROCEDURE RULES

27. Community councils have a dual role of community engagement and local decision making. In December 2009 and February 2010 the community council chairs and vice-chairs meeting considered the implications of separating the committee and community council procedure rules and examined the likely impact on the rules and practice of community councils. Currently the business is governed by a comprehensive set of rules which are common to all meetings together with some specific to community councils. The rationale for reviewing this was that as area committees, community councils should be subject to similar rules on the governance and decision making but that they need to reflect the less formal environment in which they operate. Overall chairs and vice-chairs were supportive of creating a separate set of rules for community councils. It was felt that the separation might provide greater clarity for the management of community councils business and for members, public and officers.
28. Although community councils have a more informal approach to the conduct of some business, particular in relation to community engagement, they are still decision making bodies for many important decisions. Here compliance with good governance is critical.
29. The chairs and vice-chairs meeting on 11 February 2010 considered the following aspects of the community council meetings:
  - Interaction and discussion at meetings
  - Notice and summons of meetings and the fixing of dates a year in advance
  - Quorum for the meeting
  - Recording of meetings
  - Formal voting on decisions
  - The order of business
  - Community participation / formally public speaking
  - Public question time
  - Deputations.
30. Along side the above the chairs and vice-chairs meeting considered the following general observations:
  - a) The procedure rules provide a framework for managing business: this is

- useful as something to fall back on in event of queries/issues.
- b) Community councils are formally established meetings of the council. For decision making the statutory provisions relating to good governance need to be complied with to ensure decisions are intra vires. Examples include: quorum, notice, voting. However it is important the decision making requirements do not constrain the community engagement role.
  - c) Community councils operate with different degrees of formality. Creating a set of uniform community council procedure rules might not reflect the different approaches adopted by different community councils.
  - d) The position and role of the chair in facilitating the kind of meetings members wish is important, particularly as the chair has scope to interpret the rules, subject to consultation with the monitoring officer's representative. The chair is also able to use considerable discretion in the application of rules: an obvious example is in allowing members of the public to speak, which can only happen with the consent of the chair. At the same time this places an obligation on the chair to create the appropriate environment for informal interaction and discussion.
  - e) The community councils' protocol agreed in May 2009 has created a new document that underpins good practice for community councils.
  - f) There are some rules that could benefit from some updating in light of experience and development of community councils. One example is public questions.
  - g) Notwithstanding the above there are some areas that could be reviewed with a view to reflecting the flexibility in approaches e.g. the rules of debate.
31. There was a consensus that community councils would benefit from a distinct identity therefore a more simplified and more concise set of rules covering community councils has been drafted and is attached at Appendix 2. The draft rules are based on the current committee and community council procedure rules. All additions of new text are shown as underlined and all deletions are shown with a ~~strike through~~. The draft rules include:
- A new section on conduct so everyone is clear of expectations
  - An enhanced rule dealing with the powers of the chair
  - A new section on public engagement bringing together issues of public speaking, public questions and deputations
  - Simplified structure and numbering
  - Removal of unnecessary rules e.g. some of the more specific requirements about whether a public question should be in writing, detailed rules on debate following deputations
  - A redrafting of the rules of debate to allow meetings greater flexibility when to apply them.
32. These draft rules seek to balance flexibility to promote innovation and engagement with the different approaches whilst providing a clear framework for formal decision making.
33. The constitutional steering panel recommended that the detailed changes set out in Appendix 2 be submitted to council assembly for approval.

### **Community impact statement**

34. Community councils are important council bodies for community engagement and local decision making. Any clarity that can be introduced should benefit public participation and transparency in local decision making.

### **CONSEQUENTIAL CHANGES**

35. As a result of the changes suggested within this report officers will be required to update the constitution. Therefore council assembly is requested to authorise officers to undertake any necessary consequential changes.

### **OTHER IMPLICATIONS**

#### **Legal implications**

36. This comment advises council assembly of the legal procedure relating to changes to the council's constitution.
37. Section 37 of the Local Government Act 2000 requires the council to "prepare and keep up-to-date" a constitution. Statutory guidance from the Department for Communities and Local Government states that constitutions "should be drafted as a flexible document" but leaves it up to local authorities to determine how the constitution is to be changed. It is also recognised that council constitutions cannot cover every eventuality.
38. Article 1 (1.5) (a) of Southwark's constitution states that any changes to the constitution which can only be approved by council assembly will require the prior consideration of the proposal by the constitutional steering panel.
39. Council assembly may approve any amendment to the constitution where the issue in general has previously been considered by the constitutional steering panel. Further, there is a distinction between changes to the constitution which clarify existing roles and functions and those which raise completely new matters which have not been considered in accordance with Article 1.

#### **Resource implications**

40. Any changes to the constitution must be contained within the budget.
41. The constitution is produced in binder form with loose leaf pages and dividers. This means that any additional costs arising from the reproduction of small sections of the constitution are reduced compared to the reprinting of the whole constitution. Therefore, it is anticipated that the cost can be contained within existing budgets.

### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Southwark's Constitution.	Southwark Council, 160 Tooley Street, London SE1 2TZ	Lesley John 020 7525 7228
Community councils chairs and vice chairs meetings December 2009 and 11 February 2010 – Community	As above	Tim Murtagh 020 7525 7187

Council procedure rules reports		
Community Council Procedure Rules – Feedback from chairs and vice chairs	As above	Tim Murtagh 020 7525 7187

## APPENDICES

Appendix No.	Title
Appendix 1	Article 10 – Designation of scrutiny officer - Constitutional amendments
Appendix 2	Draft Community Council Procedure Rules

## AUDIT TRAIL

<b>Lead Officer</b>	Deborah Collins, Strategic Director of Communities, Law & Governance	
<b>Report Authors</b>	Ian Millichap, Constitutional Manager Lesley John, Constitutional Officer	
<b>Version</b>	Final	
<b>Dated</b>	10 March 2010	
<b>Key Decision?</b>	No	
<b>Consultation with other officers / directorates / executive member</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Communities, Law & Governance	Yes	Incorporated
Finance Director	No	No
<b>Executive Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>	10 March 2010	

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## Article 10 – Designation of scrutiny officer Constitutional amendments

### Article 10 – Officers

#### 10.1 Management structure

- a) **General.** The council may engage such staff (referred to as officers), as it considers necessary to carry out its functions.
- b) **Chief officers.** The council will engage, on the advice of the head of paid service, persons for the posts designated as chief officers for prescribed service portfolios. The head of paid service will determine and publicise a description of the overall departmental structure of the council showing the management structure and deployment of officers.
- c) **Head of paid service, monitoring officer, and chief finance officer and scrutiny officer.** . The council assembly will designate the following posts as shown:

Post	Designation
Chief executive	Head of paid service
Strategic director of communities, law & governance	Monitoring officer
Finance director	Chief finance officer
<u>Head of overview and scrutiny</u>	<u>Scrutiny officer</u>

Such posts will have the functions described in article 10.02 – 10.04 below.

#### 10.2 Functions of the head of paid service

- a) **Undertaking duties of head of paid service.** The head of paid service shall undertake all duties designated under section 4 of the Local Government and Housing Act 1989. These are personal functions and must be undertaken by the head of paid service personally. Where the head of paid service is also the chief executive he/she may delegate other functions that are not included in section 4.

- b) **Discharge of functions by the council.** The head of paid service will report to council assembly on the manner in which the discharge of the council's functions is coordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.
- c) **Restrictions on functions.** The head of paid service may not be the monitoring officer but may hold the post of finance director if a qualified accountant.

### 10.3 Functions of the monitoring officer

- a) **Legal proceedings.** The monitoring officer is authorised to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the council or in any case where he/she considers that such action is necessary to protect the council's interests.
- b) **Maintaining the constitution.** 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.
- c) **Ensuring lawfulness and fairness of decision making.** After consulting with the head of paid service and finance director, the monitoring officer will report to the council assembly (or to the executive in relation to an executive function) if he/she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
- d) **Supporting the standards committee.** The monitoring officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the standards committee.
- e) **Receiving reports.** The monitoring officer will receive and act on reports made by ethical standards officers and decisions of the case tribunals.
- f) **Conducting investigations.** The monitoring officer will arrange for investigations into matters referred by the Standards Board for England and make reports or recommendations in respect of them to the standards committee.
- g) **Advising whether executive decisions are within the budget and policy framework.** The monitoring officer will advise whether decisions of the executive are in accordance with the budget and policy framework.
- h) **Providing advice.** The monitoring officer will provide advice on the scope of powers and authority to take decisions, maladministration, impropriety, probity, and budget and policy framework issues to all councillors and to officers. The monitoring officer shall also provide advice to officers and members in relation to personal and prejudicial interests.

- i) **Appointment of a deputy.** The monitoring officer shall appoint a deputy to act in his/her absence and when the monitoring officer is unable to act as defined in section 5 of the Local Government and Housing Act 1989.
- j) **Restrictions on posts.** The monitoring officer cannot be the finance director or the head of paid service.
- k) **Proper officer for freedom of information.** The monitoring officer will act as the “qualified person” for the purposes of freedom of information requests and application of the public interest tests.

#### 10.4 **Functions of the finance director**

- a) **Ensuring lawfulness and financial prudence of decision making.** After consulting with the head of paid service and the monitoring officer, the finance director will report to the council assembly or to the executive in relation to an executive function and the council’s external auditor if he/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) **Administration of financial affairs.** The finance director will have responsibility for the administration of the financial affairs of the council.
- c) **Contributing to corporate management.** The finance director will contribute to the corporate management of the council, in particular through the provision of professional financial advice.
- d) **Providing advice.** The finance director 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 finance director will provide financial information to the media, members of the public and the community.

#### 10.5 **Functions of the scrutiny officer**

- a) To promote the role of the authority's overview and scrutiny committee or committees.
- b) To provide support to the authority's overview and scrutiny committee or committees and the members of that committee or those committees.
- c) To provide support and guidance to:
  - members of the authority.
  - members of the executive of the authority, and



- officers of the authority,

in relation to the functions of the authority's overview and scrutiny committee or committees

- d) **Restrictions on functions.** The scrutiny officer may not be the head of paid service, monitoring officer or finance director.

10.6 **Duty to provide sufficient resources to the monitoring officer and finance director**

The council will provide the monitoring officer and director of finance with such officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.

## Draft Community Council Procedure Rules

**Note on Draft Rules** – The following rules are based on the current committee and community council procedure rules. All additions of new text are shown as underlined and all deletions are shown with a ~~strike through~~.

# ~~COMMITTEES AND COMMUNITY COUNCILS~~ PROCEDURE RULES

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- ~~1. GENERAL PROCEDURES APPLYING TO ALL COMMITTEES AND COMMUNITY COUNCIL MEETINGS~~
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- ~~8. ADDITIONAL RULES APPLYING TO URGENCY COMMITTEE~~

**Information to members of the public:**

Members of the public may attend any meeting of the council's committees, sub-committees and community councils subject to the business being considered at the meeting not being confidential or exempt under the provisions set out in the access to information rules.

**Suspension of ~~committee and~~ community councils procedure rule:**

The following will indicate when a certain rule may not be suspended:  
*"This rule cannot be suspended."*

## INTRODUCTION

The role of community councils is to promote the involvement of local people and to bring decision making closer to local people. Community councils take decisions about local matters and at present the council has delegated responsibility for decisions in the following key areas: local planning, the cleaner, greener, safer capital programme, traffic management, appointment of local education authority governors to local nursery and primary schools and agreeing schemes for the community project bank. Community councils also offer an important mechanism for formal consultation on council wide policies and strategies and as a focal point for discussion and consultation on matters that affects the area.

### Comment [i1]:

This section is taken from the main introduction to the constitution. Together with the paragraph on application of other parts of the constitution, these sections have been added to make the rules more of a standalone document.

Community councils are divided by geographical areas as follows:

- Bermondsey
- Camberwell
- Nunhead and Peckham Rye
- Rotherhithe
- Borough and Bankside
- Dulwich
- Peckham
- Walworth

The membership of community councils includes those councillors who are members for the electoral wards wholly or partly contained within the area of each community council. Councillors who are members of a community council have voting rights, with the exception of Livesey ward members who serve on Peckham community council as voting members and on Rotherhithe community council as voting members for planning functions and non-voting members for all other matters.

### Comment [i2]:

Additional clause recommended by the constitutional steering panel.

The community councils meet about every six weeks, with a separate planning meeting about every four weeks. Community councils meet in local venues.

### Comment [i3]:

The addition of the word "about" is to provide clarification.

## Application of other parts of the constitution

The constitutional framework is set out in Article 8 (composition etc), Part 3H (roles and functions) and Part 4 (procedure rules). Other parts of the constitution apply in generic terms i.e. access to information and the application of the code of conduct. A Community Councils Protocol sets out the roles of and relationships between members and officers for the effective operation of community councils and their associated meetings.

## ~~1. GENERAL PROCEDURES APPLYING TO ALL COMMITTEES AND COMMUNITY COUNCIL MEETINGS~~

### 1. NOTICE AND SUMMONS OF MEETINGS

*This rule cannot be suspended.*

1. The monitoring officer will give notice to the public of the time and place of any meeting in accordance with the access to information rules. At least five clear working days before a meeting, the chief executive will send a summons signed by him or her by post to every councillor who is a member of the relevant community council ~~member of the committee~~ or leave it at their usual place of residence. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

### Comment [i4]:

Additional clause recommended by the constitutional steering panel.

**Time and place**

2. Unless the meeting, or the chair, shall otherwise decide, all meetings shall commence at 7.00pm.
3. ~~The ordinary place of meeting for committees shall be Town Hall, Peckham Road, London SE5 unless otherwise specified in the summons. Community councils shall meet at local venues.~~
4. Meetings may only be convened at less than five clear working days notice where by reason of special circumstances, which shall be specified in the summons, the meeting is required to be called at that time as a matter of urgency.

**Dates and frequency of meetings**

5. Council assembly at its annual meeting shall fix the dates that all ~~council committees, sub-committees~~ and community councils shall meet for the municipal year.
6. The chair of a ~~committee, sub-committee~~ or community council, in consultation with the monitoring officer, may direct the chief executive to call a special meeting of the ~~committee, sub-committee~~ or community council at any time or in exceptional circumstances change the date and venue of a meeting.

**Comment [i5]:**

This additional wording is to provide clarification. Occasionally a meeting date or venue needs to be changed in exceptional circumstances, which is line with current practice for meetings. A similar change will be made to the committee procedure rules.

**Cancellation of meetings**

7. The chair, in consultation with the monitoring officer may cancel a meeting or direct that an ordinary meeting of the ~~relevant committee, sub-committee~~ or community council be not called.

**2 QUORUM**

*This rule cannot be suspended.*

4. No business shall be considered unless 25% of the voting councillor membership are present in the meeting room but no fewer than two, ~~except for the following meetings for which the quorum is:~~

- a) ~~Disciplinary appeals committee = three~~
- b) ~~Licensing sub-committees = three<sup>1</sup>~~
- c) ~~Standards committee = three including one independent member<sup>2</sup>.~~

If the chair considers the meeting to be inquorate, the meeting shall stand deferred for 15 minutes. If after 15 minutes' deferment there is still no quorum then the consideration of any business not transacted shall be held over to the next ordinary meeting of the committee, unless the chair fixes an alternative date.

**Quorum at start of meeting**

<sup>1</sup> ~~The procedures governing the proceedings of the licensing sub-committees are set by the licensing committee. The licensing committee agreed on May 17 2005 that the quorum of sub-committees shall be three members.~~

<sup>2</sup> ~~See committee and community council procedure rule 7(9) Standards committee quorum.~~

2. The meeting shall commence as soon as there is a quorum, following the time at which the meeting has been appointed to be held.

**Meeting becoming inquorate**

3. During the course of the meeting if there is no longer a quorum of voting councillors, the meeting may continue for the purposes of consultation/discussion only, at the chair's discretion subject to advice from the monitoring officer's representative. The meeting shall not take any decisions.

**3. CONDUCT**

**Equality and diversity**

- 3.1 Community Council shall conduct its business in a way that:

- a) Promotes equality of opportunity between individuals and treats all people with dignity and respect
- b) Avoids and eliminates discrimination of any kind.
- c) Promotes good relations within the community between members of different groups, and encourages the active participation of all.

**Conduct**

- 3.2 Everyone present at the Community Council meeting must:

- a) Treat other participants with courtesy and respect
- b) Be sensitive to the needs of those participants who are not used to speaking in public, or whose first language is not English.
- c) Conduct themselves in a way that does not cause offence to others or limits in any way others' ability to participate in meetings.
- d) Only speak when called on by the Chair and speak through the Chair.

Unacceptable conduct includes:

- i) Using abusive or unbecoming language or making comments of a personal nature about another person
- ii) Discriminatory or other derogatory remarks or actions
- iii) Behaviour that intimidates any person present at the meeting
- iv) Preventing others from expressing their views by interrupting or talking while they are speaking
- v) Attributing improper motives to others
- vi) Failure to comply with the procedure rules.
- vii) Treating council officers disrespectfully, either individually or as a group, when speaking to them, or about them
- viii) Ignoring or not accepting the authority of the chair.

**4. BREACHES AND THE PREVENTION OF DISORDERLY CONDUCT**

*This rule cannot be suspended.*

- 1.1 The chair, having taken the advice of the monitoring officer, will decide whether a person or persons have breached the rules on conduct. If there has been a breach, then the chair will point out to that person that their behaviour is not acceptable. If necessary the chair will consider taking the following action:

### **Councillors**

1. A councillor may be directed to discontinue speaking if the chair considers the councillor is being repetitive, irrelevant, using unbecoming language, or is in some other way breaching the order of the meeting.

If a member persistently disregards the ruling of the chair by behaving improperly or offensively or deliberately obstructs business, the chair having warned the councillor shall move that the councillor called by name leaves the meeting. The motion, if seconded, shall be put immediately to the vote without further debate and if carried the councillor shall leave immediately.

### **Public**

2. In the case of a member of the public disrupting the meeting or if there is a general disturbance, the chair may order the removal of a person or that the public areas be cleared. Re-admission shall be at the discretion of the chair.
3. In the event of a general disturbance making orderly business impossible, the chair may adjourn the meeting for as long as he/she thinks necessary for order to be restored.

### **5. POWERS OF THE CHAIR/VICE-CHAIR**

*This rule cannot be suspended.*

1. The chair shall decide, having taken the advice of the monitoring officer, all matters of order, competence, relevancy and interpretation of ~~committee~~ ~~and~~ community councils procedure rules relating to the conduct of the meeting.
2. The chair may:
  - i) Decide the order of speakers
  - ii) Limit the time that someone may speak
  - iii) Limit the time spent on a particular issue
  - iv) Alter the order of the agenda
  - v) Require that a motion be proposed and seconded before an issue is debated
  - vi) Permit discussion on an issue or report without first requiring a motion
  - vii) Adjourn the meeting for a short period.

In the absence of the chair and vice-chair those councillors present shall elect a councillor to preside from amongst their number.

### **6. PUBLIC ENGAGEMENT AT MEETINGS**

## 6.1 Admission of press and public

1. Members of the public who live or work in the community council area, and press shall be admitted to all meetings of committees, sub-committees and community councils. Attendance is subject to:
  - rule 1.4 (Prevention of disorderly conduct)
  - the access to information rules in part 4 of the constitution, which require ~~relates to~~ confidential issues to be considered in closed session, where the public and press will have to leave the room.

## 6.2 Public speaking at community councils

*This rule does not apply to planning applications where separate procedures exist.*

1. A member of the public may indicate their desire to speak by raising their hand, but shall only speak when called by ~~name~~ by the chair.
2. Only one person may speak at a time.
3. All remarks and discussion must be made through and with the permission of the chair.
4. Remarks should not be repetitive or irrelevant, or use unbecoming language.
5. Speakers may only speak on the agenda item under discussion.
6. All remarks shall not exceed three minutes, subject to the chair extending or limiting the time that someone may speak.
7. The public may also address a meeting in one of following ways:
  - Asking a public question (see rule 7)
  - As a spokesperson for a deputation submitted on a local issue (see rule 8)
  - Participating in workshops and discussions (see rule 6.2(8) below)
8. Participating in workshops and discussions. The chair has discretion to run public workshops, discussions etc in whatever way they consider appropriate, but preserving the formal voting rights for councillors only.

**Comment [i6]:**  
New section. See below.

**Comment [i7]:**  
New section. Brief descriptive clause to cover this area

## 7. PUBLIC QUESTIONS

### Public question time

1. The chair, in consultation with the monitoring officer, shall have discretion to include a public question time on the order of business and to determine the time allocation for public question time.
2. A resident ~~or business ratepayer~~ person working in of the borough may ask one question on any matter in relation to which the council has powers or duties. All questions shall be formally addressed to the chair.

**Comment [i8]:**  
The use of the phrase "business ratepayer" has been replaced with "person working in the borough...". This is consistent with the wording used in other clauses on Admission of the Public and Deputations.



The chair shall decide the most appropriate individual to respond or means to secure a response.

3. ~~Each question must provide the name and address of the questioner.~~
4. ~~Questions shall be dealt with in the order in which they are received. A copy of each question shall be given to the chair. The content of any answers shall be within the discretion of the appropriate chair. The chair shall intervene to prevent aggressive, repeated or vexatious questioning.~~

**Comment [i9]:**

Deleted. Different practices currently operate in community councils.

**Comment [i10]:**

Deleted. Different practices currently operate in community councils.

**Scope of questions**

5. The chair in consultation with the monitoring officer may reject a question if it:
- a) is not about a matter for which the council has powers or duties or which affects Southwark
  - b) is defamatory, frivolous or offensive
  - c) is substantially the same as a question which has been put at a meeting in the past six months
  - d) requires the disclosure of confidential or exempt information
  - e) concerns a planning or licensing application
  - f) raises a grievance for which there are other established processes for resolution
  - g) relates to an investigation by (whether completed or not), or ruling of, the ~~Standards Board for England, Southwark's~~ standards committee or the Adjudication panel, insofar as those comments relate to the behaviour or conduct of an individual member or members.

**Comment [i11]:**

Updated to reflect new name of Standards for England and role of the council's standards committee.

**8. DEPUTATIONS****Who may request a deputation?**

1. Deputations can only be made by a group of people resident or working in the community council area ~~borough~~.

**Composition of deputation**

2. The deputation shall consist of no more than six persons, including the spokesperson.

**Scope of deputations**

3. The chair in consultation with the monitoring officer may reject a deputation if it:
- a) is a request from a group of people who have alternative means of expressing their views through recognised channels e.g. employees of the authority, trade unions representing staff employed by the authority etc
  - b) is not about a matter for which the council has powers or duties or which affects Southwark
  - c) is defamatory, frivolous or offensive
  - d) ~~is substantially the same as an issue which has been put at a meeting in the past six months~~
  - e) requires the disclosure of confidential or exempt information
  - f) concerns a planning or licensing application
  - g) raises a grievance for which there are other established processes for resolution

**Comment [i12]:**

This proposed clause, which is not in the current rules, was supported at the chairs and vice chairs meeting in February 2010.

- h) relates to an investigation by (whether completed or not), or ruling of, the Standards Board of England, the Southwark's standards committee or the Adjudication panel, insofar as those comments relate to the behaviour or conduct of an individual member or members.

#### **Form of the deputation**

4. Each deputation request must provide the name and address of the persons/group requesting the deputation and a brief summary of the subject matter of their request.

#### **Deadline**

5. An application for a deputation to be heard shall be submitted by a representative of the deputation in writing seven clear working days before the meeting to the monitoring officer. Any written representations associated with a deputation should be submitted at the same time as the request for a deputation ~~and certainly no later than three clear working days before the day of the meeting.~~

#### **Late or urgent deputations**

6. To preserve the ability for deputations to take place in connection with late or urgent items added to the agenda after the normal deadline for deputations, the chair or in his/her absence the vice-chair shall at the meeting have the discretion to decide whether or not to accept a late and urgent deputation.

#### **Agenda**

- ~~7. Deputations shall be dealt with in the order in which they are received.~~
- ~~8. Subject to complying with the regulations herein, details of written deputations will be included on the agenda papers for the meeting.~~

#### **What happens at the meeting?**

9. Deputations shall be dealt with in the order in which they are received, unless the chair varies the order.
10. The monitoring officer shall report the request for the deputation to the meeting. The councillors present meeting, without debate, shall decide whether the deputation will:
- be received at this meeting or a future meeting
  - not be received
  - be referred to the most appropriate council body committee/sub-committee/community council.

The monitoring officer shall arrange for the attendance of any deputation. In doing so he/she shall inform the applicants that the meeting has discretion as to whether or not to receive the deputation.

#### **Speech on behalf of deputation**

11. Only one member of the deputation shall be allowed to address the meeting, her or his speech being limited to five minutes.

#### **Questions to the deputation and time limit**

#### **Comment [i13]:**

This additional wording provides clarification on the deadline which should assist in managing each agenda. At the same time chairs wanted flexibility to accept late and urgent deputations, which is provided with the addition of a new proposed rule on late or urgent deputations. This change was supported at the community councils chairs and vice chairs meeting in February 2010.

#### **Comment [i14]:**

This proposed clause is not in the current rules, but would provide chairs with flexibility. A similar clause can be found in executive procedure rules. It provides the option for the chair to accept late or urgent deputations if he or she wishes. This change was supported at the community council chairs and vice chairs meeting in February 2010.

12. ~~Councillors~~ Members of the meeting may ask questions of the deputation, which shall be answered by their spokesperson or any member of the deputation nominated by her or him for up to five minutes at the conclusion of the spokesperson's address.

#### **~~No debate during deputation~~**

13. ~~Members shall not debate any issues arising out of the deputation, or the item to which it relates, with any members of the deputation.~~

**Comment [i15]:**  
Deletion to simplify rules.

#### **~~Deputation to withdraw from the floor~~**

14. ~~As soon as the questions to the deputation have been concluded, the deputation shall withdraw from the floor and return to the public area where they may remain (subject to any resolution excluding the attendance of the public).~~

**Comment [i16]:**  
Deletion to simplify rules.

#### **~~Debate on deputations, motion and amendments~~**

15. ~~If more than one deputation is to be heard in respect of one subject there shall be no debate until each deputation has been presented. At the conclusion of the deputation(s), the chair will seek the consent of councillors to debate the subject. Councillors may move motions and amendments without prior notice if the subject does not relate to a report on the agenda. The meeting can decide to note the deputation or provide support if requested to do so. At the conclusion of the deputation(s) the subject of the deputation shall be then open to debate by the meeting. If the subject does not relate to a report on the agenda, members may move motions and amendments without prior notice. The community council shall not take any formal decision(s) on the subject raised unless a report is on the agenda.~~

**Comment [i17]:**  
This rule is a composite of rules 15-17.

#### **~~Debate on deputations concerning reports on the agenda~~**

16. ~~Having received the deputation(s) on a matter subject to a report on the agenda, the chair will seek the consent of the meeting for that item to be brought forward for immediate consideration. A vote on this matter is to be taken without debate. In the event of this motion being carried the report may then be considered. If the motion is lost, the subject matter will not be debated until the relevant item is reached on the order of business.~~

**Comment [i18]:**  
Deleted to simplify the rules. The chair can use his or her powers or take a procedural motion to vary the order of business to do this.

#### **~~Subject of deputation not on agenda~~**

17. ~~If the subject of the deputation does not relate to a report on the agenda, members may move motions and amendments without prior notice.~~

#### **~~Formal communication of the meeting's decision~~**

18. The monitoring officer shall, in writing, formally communicate the decision of the meeting to the person who submitted the request for the deputation to be received.

#### **~~Deputations concerning licensing or planning applications~~**

19. Deputations or representations received concerning licensing or planning applications will not be considered by ~~community councils committees of the council~~. Any such representations received should be forwarded to the appropriate proper officer(s) for consideration as part of the formal consultation on such applications.

## 9 RULES OF DEBATE

1. A councillor or member of the public or officer may indicate their desire to speak by raising their hand, but shall only speak when called by ~~name~~ by the chair.
2. ~~Councillors shall address the chair when speaking, and:~~
  - a) ~~refer to each other as Mayor, Deputy Mayor, leader, executive member, chair or councillor, as the case may be~~
  - b) ~~refrain from using unbecoming language~~
  - c) ~~refrain from comments of a personal nature about another councillor;~~
  - d) ~~not attribute improper motives to another councillor~~
  - e) ~~speeches must be directed to the matter under discussion or to a personal explanation or point of order.~~
3. ~~No debate shall be allowed except in relation to a motion or amendment under consideration. Only one motion or amendment may be considered at a time. A motion or amendment, once moved and seconded, may be withdrawn only by the mover and seconder with the consent of the meeting. No further debate shall take place on a motion or amendment once it has been withdrawn.~~

**Comment [i19]:**  
Included in new section on Conduct.

### **Application of rules of debate**

2. The chair shall use his or her powers, in consultation with the monitoring officer's representative, in applying the following rules of debate. The ruling of the chair will be final.
3. Points of order and points of personal explanation can be made at anytime by councillors.

### **Motion or amendment must be moved and seconded**

4. Every motion or amendment must be moved and seconded by a councillor. A councillor may not move more than one amendment or motion on the same subject.

#### **Secunder's speech**

5. When seconding a motion or amendment, the seconder may reserve their speech until later in the debate.

#### **Amendments to motions**

6. An amendment to a motion must be in writing, be relevant to the motion and will either be:
  - a) to refer the matter to an appropriate body or individual for consideration or reconsideration
  - b) to leave out words
  - c) to leave out words and insert or add others
  - d) to insert or add words.
7. Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been completely dealt with.

**Right of reply**

8. The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- ~~9. If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it. If an amendment is carried, the mover of the amendment shall hold the right to reply to any subsequent amendments and, if no further amendments are carried, at the conclusion of the debate on the substantive motion.~~
10. The mover of the amendment has no right of reply to the debate on his or her amendment.

**Motions which may be moved during debate**

11. When a motion is under debate, no other motion may be moved except the following procedural motions:
  - a) to withdraw a motion
  - b) to amend a motion
  - c) to proceed to the next business
  - d) that the question be now put
  - e) to adjourn a debate
  - f) to adjourn a meeting
  - g) to exclude the public and press in accordance with the access to information rules
  - h) to not hear further a member named under rule 1.4(1) or to exclude them from the meeting under rule 1.4(1).

The procedures governing closure motions (see 11 c), d), e) and f) above), which are contained in the council assembly procedure rules shall be followed.

**Point of order**

*This rule cannot be suspended.*

12. A councillor ~~member~~ may raise a point of order at any time during the meeting. The chair will hear them immediately. A point of order may only relate to an alleged breach of the committee and community councils procedure rules or the law. The councillor ~~member~~ must indicate the rule or law and the way in which he/she considers it has been broken. The ruling of the chair on the matter will be final.

**Personal explanation**

*This rule cannot be suspended.*

13. A councillor ~~member~~ may request to make a personal explanation at any time during the meeting. A personal explanation may only enable the member to refute or correct a statement attributed to him/her or any action he/she has taken.

The procedures governing personal explanations contained in council assembly procedure rule 1.12(28) shall be followed.

## 10. VOTING

### Majority

*This rule cannot be suspended.*

1. Only councillors are entitled to vote on formal decisions to be taken by the community council. Unless this constitution provides otherwise or it is required by statute, any matter will be decided by a simple majority of those ~~members~~ councillors voting and present in the room at the time the question was put to the vote.

### Chair's casting vote

*This rule cannot be suspended.*

2. If there are equal numbers of votes for and against, the chair will have a second or casting vote. There will be no restriction on how the chair chooses to exercise a casting vote.

### Show of hands

3. The chair will take the vote by show of hands, or if there is no dissent, by the affirmation of those councillors present at the meeting.

### Right to require individual vote to be recorded

*This rule cannot be suspended. This is a mandatory standing order under the Local Authorities (Standing Orders) Regulations 1993.*

4. Where any councillors ~~members~~ requests it immediately after the vote is taken, their vote will be recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

### Voting on **formal** appointments

*This rule cannot be suspended.*

5. If there are more than two people nominated for any formal position to be filled, the names will be put to the vote by councillors in alphabetical order and the name of the person with the least number of votes will be taken off the list and a new vote taken, if required. The process will continue until there is a majority of votes for one person.

#### Comment [i20]:

This rule applies to contested appointments such as the position of chair or vice-chair (if not made by council assembly), to appoint a chair to preside at a meeting and school governor places. This list is not exhaustive.

### **Other appointments**

6. Informal appointments can be made by an affirmation of those councillors present. The chair shall, in consultation with the monitoring officer, apply this clause as appropriate.

#### Comment [i21]:

The community council chairs/vice chairs discussed the issue of community appointments, which are handled more informally. An example given was the agreement of volunteers who would normally taken be from the floor. Officers have drafted a clause intended to deal with any informal community appointments, for example, the appointment of volunteers to serve on a local working group.

## 11. FORMAL RECORDS TO BE MAINTAINED

All meetings of the ~~council committees, sub-committees and~~ community councils are to be clerked by a representative of the monitoring officer, with minutes to be produced including details of each councillor member attending each meeting and details of decisions taken. Copies of all agendas and minutes are to be maintained by the monitoring officer.

**12 BROADCASTING AND RECORDING**

*This rule cannot be suspended.*

Electronic recording, photographing or filming of the proceedings of a committee, sub-committee or community council meeting by any member of the public, media or councillor shall only take place with the agreement of the meeting.

Any request shall be submitted to the monitoring officer. The chair, following consultation with the monitoring officer shall decide to:

- 1 Reject the request; or
- 2 Put the request to the meeting for approval.

∅f. The chair will make an announcement at the beginning of the meeting on the request and any proposed arrangements agreed and then seek the consent of a majority of the councillors present to any electronic recording, photographing or filming.

Any request to record, photograph or film a meeting shall ensure that appropriate arrangements are in place to respect the right of anyone present at the meeting not to be recorded, photographed or filmed.

No part of any meeting will be recorded, photographed or filmed after councillors have passed any resolution excluding the press and public.

**13. DECLARATION OF INTERESTS**

*This rule cannot be suspended.*

Councillors shall abide by the members' code of conduct. It is the responsibility of every councillor to declare an interest by the time the relevant item of business is reached.

**~~2. APPOINTMENT OF MEMBERS TO COMMITTEES~~****~~2.1 APPOINTMENT OF RESERVE/SUBSTITUTE MEMBERS OF COMMITTEES AND SUB-COMMITTEES~~****~~Powers and duties~~**

- ~~1. Substitute members will have all the powers and duties of any ordinary member of the committee but will not be able to exercise any special powers or duties exercisable by the person they are substituting.~~

**~~Substitution~~**

- ~~2. At the commencement of each meeting each political group shall announce whether any of the named voting members are to be substituted by a reserve or deputy. This substitution shall remain in effect for the whole of the meeting.~~

**~~2.2 PROPER OFFICER SHALL MAKE OR TERMINATE APPOINTMENTS IF NECESSARY~~**

- ~~1. Whenever an appointment of a voting member of a committee or sub-committee falls to be made in accordance with the wishes of a political group to whom the seat has been allocated, and whenever such an~~

**Comment [i22]:** The constitutional steering panel asked officers to redraft this clause to include the following: the consent of councillors is to be sought at the meeting prior to any recording, photographing or filming; everyone present is informed; and that individual rights not to be recorded, photographed or filmed are respected. This was considered important because of public involvement at community councils. This rule cannot now be suspended.

**Comment [i23]:** Additional wording on consultation with the monitoring officer has been included to provide consistency with other similar clauses.

**Comment [i24]:** Deleted as this section is not relevant to community councils. It can be found in the new committee procedure rules.

~~appointment falls to be terminated in accordance with such wishes, then the proper officer shall make or terminate the appointment accordingly and inform the appropriate committee or sub-committee at its next available meeting. The proper officer shall maintain a full list of committee and sub-committee memberships. In the event of the termination of an appointment, in accordance with the wishes of a political group, the proper officer is to inform the individual concerned, in writing, within three days of notice being received.~~

~~**Notification of appointments, resignations and termination of appointments**~~

- ~~2. All appointments to and resignations from the membership of committees and sub-committees must be submitted in writing to the monitoring officer. A minimum of five clear working days must elapse from the date of receipt of such notices before any appointments become effective. Any resignations or terminations become effective immediately.~~

~~**Independent and co-opted members' attendance at meetings**~~

- ~~3. In the event that an independent member of the standards committee or co-opted member does not attend a meeting of the committee on which they serve for a period of six consecutive months, without the approval of the council, they shall cease to be a member of the authority.~~

## 14 AGENDA AND MINUTES

### 14.1 ORDER OF BUSINESS AT COMMITTEE, SUB-COMMITTEE AND COMMUNITY COUNCIL MEETINGS

1. The order of business at every meeting shall be:
- to choose a person to preside if the chair and vice-chair are absent
  - apologies for absence
  - declarations of interest
  - to approve the minutes of the previous meeting, which shall then be signed by the person presiding
  - to receive reports of the officers
  - any other business specified in the summons.

The chair, in consultation with the monitoring officer, may vary the order or timings of business.

~~**Order of business Designation of executive or non-executive functions**~~

3. Agendas and notices for community councils meetings, which deal with both functions of the executive and functions that are not the responsibility of the executive, will state clearly whether an item relates to an executive or non-executive function.

**Comment [i25]:**  
This rule was previously included in additional rules for community councils. It has been renamed for clarification.



**3.2 VARIATION IN ORDER OF BUSINESS**

~~Business falling under paragraph 3.1a) and c) shall not be moved but, subject thereto, the order of business or the timing of the business may be varied:~~

- ~~b) by the chair in consultation with the monitoring officer  
e) by a resolution passed on a motion which shall be put without debate.~~

**Comment [i26]:**  
Clause deleted. Provision included in expanded rule on the powers of the chair and in 14.1 (2) above.

**14.2 MINUTES****Minutes**

1. The monitoring officer shall ensure that a record is made of the decisions taken at every meeting of the council. The minutes shall also include a record of the councillors in attendance, those absent and any apologies received. The declaration of any personal interest shall be recorded in the minutes of the meeting, including whether the councillor remained present or withdrew from the meeting for the duration of the discussion.

**Signing the minutes**

*This rule cannot be suspended.*

2. The chair will sign the minutes of the proceedings at the next suitable meeting. The chair will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

**No requirement to sign minutes of previous meeting at extraordinary meeting**

*This rule cannot be suspended. This is a mandatory standing order under the Local Authorities (Standing Orders) Regulations 1993.*

3. Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of schedule 12 to the Local Government Act 1972 (an extraordinary meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of schedule 12 relating to signing of minutes.

**3.3 ADMISSION OF PRESS AND PUBLIC**

- ~~1. Members of the public and press shall be admitted to all meetings of committees, sub-committees and community councils subject to the access to information rules in part 4 of the constitution or rule 1.4 (Prevention of disorderly conduct).~~

**Public speaking at committee**

~~*This rule does not apply to planning or licensing applications where separate procedures exist.*~~

- ~~2. Members of the public shall only address a meeting of a committee or sub-committee or community council as part of a deputation or at the discretion of the chair.~~

**Comment [i27]:**  
This section has been incorporated into a new section on public engagement at meetings.

## 15. RECORD OF ATTENDANCE

*This rule cannot be suspended.*

All members during the whole or part of a meeting must sign their names on the attendance sheets and their time of departure, if before the meeting ends, before the conclusion of any meeting to assist with the record of attendance.

## 4. DEPUTATIONS

**Comment [i28]:**  
Moved into section on public engagement.

### **Who may request a deputation?**

1. ~~Deputations can only be made by a group of people resident or working in the borough.~~

### **Composition of deputation**

4. ~~The deputation shall consist of no more than six persons, including the spokesperson.~~

### **Scope of deputations**

5. ~~The chair in consultation with the monitoring officer may reject a deputation if it:~~
- ~~i) is a request from a group of people who have alternative means of expressing their views through recognised channels e.g. employees of the authority, trade unions representing staff employed by the authority etc~~
  - ~~j) is not about a matter for which the council has powers or duties or which affects Southwark~~
  - ~~k) is defamatory, frivolous or offensive~~
  - ~~l) requires the disclosure of confidential or exempt information~~
  - ~~m) concerns a planning or licensing application~~
  - ~~n) raises a grievance for which there are other established processes for resolution~~
  - ~~o) relates to an investigation by (whether completed or not), or ruling of, the Standards Board of England, the standards committee or the Adjudication panel, insofar as those comments relate to the behaviour or conduct of an individual member or members.~~

### **Form of the deputation**

20. ~~Each deputation request must provide the name and address of the persons/group requesting the deputation and a brief summary of the subject matter of their request.~~

21. ~~An application for a deputation to be heard shall be submitted by a representative of the deputation in writing to the monitoring officer. Any written representations associated with a deputation should be submitted at the same time as the request for a deputation and certainly no later than three clear working days before the day of the meeting.~~

### **Agenda**

22. ~~Deputations shall be dealt with in the order in which they are received.~~
23. ~~Subject to complying with the regulations herein, details of written deputations will be included on the agenda papers for the meeting.~~

**What happens at the meeting?**

24. ~~The monitoring officer shall report the request for the deputation to the meeting. The meeting, without debate, shall decide whether the deputation will:~~

- d) ~~be received at this meeting or a future meeting~~
- e) ~~not be received~~
- f) ~~be referred to the most appropriate committee/sub-committee/community council.~~

~~The monitoring officer shall arrange for the attendance of any deputation. In doing so he/she shall inform the applicants that the meeting has discretion as to whether or not to receive the deputation.~~

**Speech on behalf of deputation**

25. ~~Only one member of the deputation shall be allowed to address the meeting, her or his speech being limited to five minutes.~~

**Questions to the deputation and time limit**

26. ~~Members of the meeting may ask questions of the deputation, which shall be answered by their spokesperson or any member of the deputation nominated by her or him for up to five minutes at the conclusion of the spokesperson's address.~~

**No debate during deputation**

27. ~~Members shall not debate any issues arising out of the deputation, or the item to which it relates, with any members of the deputation.~~

**Deputation to withdraw from the floor**

28. ~~As soon as the questions to the deputation have been concluded, the deputation shall withdraw from the floor and return to the public area where they may remain (subject to any resolution excluding the attendance of the public).~~

**Debate, motion and amendments**

29. ~~If more than one deputation is to be heard in respect of one subject there shall be no debate until each deputation has been presented. At the conclusion of the deputation(s) the subject of the deputation shall be then open to debate by the meeting. If the subject does not relate to a report on the agenda, members may move motions and amendments without prior notice.~~

**Debate on deputations concerning reports on the agenda**

30. ~~Having received the deputation(s) on a matter subject to a report on the agenda, the chair will seek the consent of the meeting for that item to be brought forward for immediate consideration. A vote on this matter is to be taken without debate. In the event of this motion being carried the report may then be considered. If the motion is lost, the subject matter will not be debated until the relevant item is reached on the order of business.~~

**Subject of deputation not on agenda**

31. ~~If the subject of the deputation does not relate to a report on the agenda, members may move motions and amendments without prior notice.~~

### **Formal communication of the meeting's decision**

32. ~~The monitoring officer shall, in writing, formally communicate the decision of the meeting to the person who submitted the request for the deputation to be received.~~

### **Deputations concerning licensing or planning applications**

33. ~~Deputations or representations received concerning licensing or planning applications will not be considered by committees of the council. Any such representations received should be forwarded to the appropriate proper officer(s) for consideration as part of the formal consultation on such applications.~~

## **~~5. ADDITIONAL RULES APPLYING TO AUDIT AND GOVERNANCE COMMITTEE~~**

### **Composition**

1. ~~The committee will consist of at least three councillors, and up to five councillors, including at least one member of each political group as defined by the Local Government and Housing Act 1989 and Regulation 8 of Local Government (Committees and Political Groups) Regulations 1990.~~
2. ~~No more than one member of the executive may be a member of the committee, and no executive member may chair the committee.~~
3. ~~No more than one member of the overview and scrutiny committee may be a member of the committee, and no overview and scrutiny committee member may chair the committee.~~
4. ~~The leader of the council may not be a member of the committee.~~

#### **Comment [i29]:**

Deleted as this section is not relevant to community councils. It can be found in the new committee procedure rules.

## **6. ADDITIONAL RULES APPLYING TO COMMUNITY COUNCILS**

### **Order of business**

4. ~~Agendas and notices for community councils meetings, which deal with both functions of the executive and functions that are not the responsibility of the executive, will state clearly whether an item relates to an executive or non-executive function.~~

#### **Comment [i30]:**

This rule has been included in the new rule on order of businesses for community councils.

### **Public question time**

5. ~~The chair, in consultation with the monitoring officer, shall have discretion to include a public question time on the order of business and to determine the time allocation for public question time.~~
6. ~~A resident or business ratepayer of the borough may ask one question on any matter in relation to which the council has powers or duties.~~
7. ~~Each question must provide the name and address of the questioner.~~
8. ~~Questions shall be dealt with in the order in which they are received. A copy of each question shall be given to the chair. The content of any answers shall be within the discretion of the appropriate chair.~~

#### **Comment [i31]:**

Moved into section on public engagement.

**Scope of questions**

9. The chair in consultation with the monitoring officer may reject a question if it:
- h) is not about a matter for which the council has powers or duties or which affects Southwark
  - i) is defamatory, frivolous or offensive
  - j) is substantially the same as a question which has been put at a meeting in the past six months
  - k) requires the disclosure of confidential or exempt information
  - l) concerns a planning or licensing application
  - m) raises a grievance for which there are other established processes for resolution
  - n) relates to an investigation by (whether completed or not), or ruling of, the Standards Board for England, the standards committee or the Adjudication panel, insofar as those comments relate to the behaviour or conduct of an individual member or members.

**Comment [i32]:**  
Moved into section on public engagement.

**7. ADDITIONAL RULES APPLYING TO STANDARDS COMMITTEE****Composition**

1. The committee will consist of:
- a) at least four and up to seven councillors, including at least one member of each political group as defined by the Local Government and Housing Act 1989 and Regulation 8 Local Government (Committees and Political Groups) Regulations 1990
  - b) up to six independent members, appointed in accordance with the Relevant Authorities (Standards Committee) Regulations 2001
  - c) reserve members for the councillor members of standards committee equal to the number of places each political group has on the committee.
2. The political balance rules in section 15 of the Local Government and Housing Act 1989 do not apply to the standards committee.
3. Independent members must make up at least 25% of the committee's total membership.
4. No more than one member of the executive may be a member of the committee, and no executive member may chair the committee.
5. The leader may not be a member of the standards committee.

**Comment [i33]:**  
Deleted as this section is not relevant to community councils. It can be found in the new committee procedure rules.

**Independent members – Voting**

6. Independent members may vote.

**Independent members – Term of office**

7. With six independent members, the terms of office of each member will be for four years with each member retiring at the end of their term. Members shall serve a maximum of two terms<sup>3</sup>.

<sup>3</sup> See also committee and community council procedure rule 2.2(3) Attendance at meetings. Committee and c-Community council procedure rules (Draft) Published: March 2010)

**Chair**

8. ~~The chair of the standards committee will be elected from among the independent members at the first meeting of the committee in each municipal year.~~

**Quorum**

9. ~~The quorum for the meeting of standards committee or its sub-committees is three members, including at least one independent member.~~

**Sub-committees**

10. ~~The committee is empowered to establish sub-committees to filter and review decisions, and hear complaints of misconduct against councillors (including co-opted and independent members). The membership for each sub-committee will be drawn from the pool of independent members and councillors on the committee, including reserve members.~~
11. ~~Sub-committees shall be composed of three members including at least one independent member. Rules 7.2, 7.4, 7.5, 7.6, 7.8 and 7.9 shall apply to sub-committee meetings.~~

**~~8. ADDITIONAL RULES APPLYING TO URGENCY COMMITTEE~~****~~Interim decision-making arrangements for the period between a municipal election and the council assembly (annual meeting)~~**

1. ~~During a year in which full council elections are held, in the period between the elections and the council assembly (annual meeting) following the elections, the leaders (or in their absence the deputy leaders or nominees) of the two largest political groups are empowered to act as an urgency committee in respect of any urgent decisions which are not reserved by law to council assembly for decision. It will be possible for one member of the urgency committee to refer any decision as a recommendation to a meeting of the council assembly.~~
2. ~~Urgency sub-committees shall be established by the council as set out in part 3N of the constitution.~~

**Comment [i34]:**

Deleted as this section is not relevant to community councils. It can be found in the new committee procedure rules.

**16. AMENDMENT OF THE COMMUNITY COUNCIL PROCEDURE RULES**

1. Proposals for amendments to these procedure rules require a change to the council's constitution. This can only be agreed by council assembly, following a recommendation from the constitutional steering panel.
2. Any proposed amendments should be sent to the monitoring officer who will report it to the appropriate body.

**Comment [i35]:**

New proposed rule. For clarification.

<b>Item No.</b> 9.	<b>Classification:</b> Open	<b>Date:</b> 24 March 2010	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Motions	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Strategic Director of Communities, Law & Governance	

### **BACKGROUND INFORMATION**

In accordance with council assembly procedure rule 1.12 (9), the member moving the motion may make a speech directed to the matter under discussion. This may not exceed five minutes without the consent of the Mayor.

The seconder will then be asked by the Mayor to second the motion. This may not exceed three minutes without the consent of the Mayor.

The meeting will then open up to debate on the issue and any amendments on the motion will be dealt with.

At the end of the debate the mover of the motion may exercise a right of reply. If an amendment is carried, the mover of the amendment shall hold the right of reply to any subsequent amendments and, if no further amendments are carried, at the conclusion of the debate on the substantive motion.

The Mayor will then ask members to vote on the motion (and any amendments).

### **IMPLICATIONS OF THE CONSTITUTION**

The constitution allocates responsibility for particular functions to council assembly, including approving the budget and policy framework, and allocates to the executive responsibility for developing and implementing the budget and policy framework and overseeing the running of council services on a day-to-day basis. Therefore any matters that are reserved to the executive (i.e. housing, social services, regeneration, environment, education etc) cannot be decided upon by council assembly without prior reference to the executive. While it would be in order for council assembly to discuss an issue, consideration of any of the following should be referred to the executive:

- to change or develop a new or existing policy
- to instruct officers to implement new procedures
- to allocate resources.

(Note: In accordance with council assembly procedure rule 2.9 (7) & (8) (prioritisation and rotation by the political groups) the order in which motions appear in the agenda may not necessarily be the order in which they are considered at the meeting).

**1. MOTION FROM COUNCILLOR NICK STANTON** (Seconded by Councillor Lewis Robinson)

Please note that, in accordance with council assembly procedure rule 2.9 (6), council assembly shall consider this motion.

**Labour's failure in tackling poverty and inequality**

Council assembly notes:

1. The promise made by former PM, Tony Blair in 1995 that "If the Labour government has not raised the living standards of the poorest by the end of its time in office, it will have failed."
2. The National Equality Panel, set up by Harriet Harman MP, whose report from January 2010 states:
  - 1) "inequality in any dimension is wider in London than in any other region, and inequality in earnings and income has increased faster in London over the last decade than anywhere else"
  - 2) "People's occupational and economic destinations in early adulthood depend to an important degree on their origins. Moreover rates of intergenerational mobility in terms of income are low in international terms and in terms of occupation are below the international average for men and the bottom of the range for women."
  - 3) "The top tenth of households having wealth above £853,000 and the bottom tenth having less than £8,800".
3. The Marmot Review 'Fair Society, Healthy Lives' (February 2010) that showed in England, people living in the poorest neighbourhoods, will, on average, die seven years earlier than people living in the richest neighbourhoods and the average difference in disability free life expectancy is 17 years. So, people in poorer areas not only die sooner, but they will also spend more of their shorter lives with a disability.
4. Statistics from the Joseph Rowntree Foundation 'poverty site' show in 2007-08, 13½ million people in the UK were living in poverty (defined as incomes below 60% of median income after deducting housing costs), representing (22%) of the population and an increase of 1½ million compared with three years previously. In addition more households were on incomes below 40% of median income than had ever been recorded in history with the proportion of people living in relative poverty in the UK almost twice that of the Netherlands, and one-and-half times that of France.
5. That after 13 years of Labour government more than 20,000 children (42% of all 0-15 years olds) in Southwark are still living in poverty – enough to fill 66 primary schools.

Council assembly believes:

6. It is clear by their own objectives on fighting poverty and raising living standards for the poorest that Labour in government has failed.



7. That this is due in no small part to Gordon Brown's economic policies which have:
- 1) over-centralised public sector budgets and social policy making.
  - 2) created a command and control ethos in Whitehall which impedes local authorities in both taking action or devising appropriate local strategies to tackle poverty and inequality.
  - 3) introduced an overly complicated tax and benefit system that has increased welfare dependency, made benefit take up more difficult – for example more than half of all low-income households are now paying full council tax, much higher than a decade ago – and directly hit those on very low incomes with the withdrawal of the 10p tax rate.
  - 4) wasted hundreds of millions of pounds on failed 'public/private partnership' schemes, such as Metronet estimated to have lost the taxpayer more than £400 million – more than enough to pay for the Cross River Tram.
8. That a change of government and direction is now long overdue.
9. A radically new and different approach from government to allow local authorities to more effectively tackle poverty and inequality and maximise employment, training and skills opportunities across the public, private and voluntary sectors should be introduced.
10. Continued improved opportunities for local young people to get a good education with investment in new schools and classrooms will build on the record GCSE results and primary school achievement.
11. The council must continue to use major regeneration schemes – particularly the Elephant and Castle – to provide opportunities to transform employment and training prospects for local people.

**Note:** If the motion is agreed, any proposals will be submitted to the executive for consideration.

**2. MOTION FROM COUNCILLOR JOHN FRIARY** (Seconded by Councillor Peter John)

Please note that, in accordance with council assembly procedure rule 2.9 (6), council assembly shall consider this motion.

**Tackling the fear of violent crime with CCTV**

1. Council assembly notes the CCTV strategy agreed by the executive earlier in the year. It notes the plan in that strategy to cut CCTV coverage across the borough.
2. Council assembly further notes that the same strategy admitted that CCTV makes people feel safer.
3. Council assembly notes the borough's continued problems with violent crime and believes that a cut in CCTV coverage would make residents feel less safe.

4. Council assembly calls on the executive to draw up plans for an expansion in CCTV coverage.

**Note:** If the motion is agreed, any proposals will be submitted to the executive for consideration.

### 3. MOTION FROM COUNCILLOR TAYO SITU (Seconded by Councillor Althea Smith)

Please note that, in accordance with council assembly procedure rule 2.9 (6), council assembly shall consider this motion.

#### Human Rights, Race and Equality

1. Council assembly notes the withdrawal of council funding from the Southwark Human Rights, Race and Equality Board (SHRREB).
2. Council assembly notes that there is no longer any independent organisation solely dedicated to scrutinising human rights and equality abuses in the borough.
3. Council assembly notes the concerns about the effectiveness of SHRREB but believes that the lack of an alternative body is deeply concerning.
4. Council assembly further believes that the Southwark needs an organisation with the avowed aims of the SHRREB, but which is effective, particularly given the council's failure to ever properly respond to the Ouseley Review and poor levels of staff training in equalities issues.

**Note:** If the motion is agreed, any proposals will be submitted to the executive for consideration.

#### BACKGROUND PAPERS

Background Papers	Held At	Contact
Member Motions	Town Hall Peckham Road London SE5 8UB	Constitutional Team 020 7525 7228

<b>Lead Officer</b>	Ian Millichap, Constitutional Team Manager
<b>Report Author</b>	Sean Usher, Constitutional Officer
<b>Version</b>	Final
<b>Dated</b>	5 March 2010



**COUNCIL ASSEMBLY AGENDA DISTRIBUTION LIST (OPEN) (FULL LIST)  
MUNICIPAL YEAR 2009-10**

**NOTE:** Original held by Constitutional Team; all amendments/queries to  
Lesley John Tel: 020 7525 7228

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<b>Councillors (All)</b>	1 each	<b>Officers</b>	<b>3</b>
<b>Political Assistants</b>		Ian Millichap	1
Dan Falchicov, Liberal Democrat Political Assistant	1	Sonia Sutton	1
John Bibby, Labour Group Political Assistant	1	Robin Campbell	1
<b>Libraries</b>	<b>6</b>	<b>Constitutional Team</b>	<b>40</b>
Albion / Dulwich / Newington / Local Studies Library	1 each	(6 copies to Lesley John , 2 <sup>nd</sup> Floor, Hub 4 Tooley Street and 34 copies to Lesley John, Town Hall Peckham)	
<b>Press</b>	<b>2</b>	<b>Trade Unions</b>	<b>9</b>
Southwark News	1	Roy Fielding, GMB	1
South London Press	1	Euan Cameron, Unison	1
<b>Corporate Management Team</b>	<b>6</b>	Tony O'Brien, UCATT	1
Deborah Collins	1	Michael Davern, NUT	1
Gill Davies	1	James Lewis, NASUWT	1
Richard Rawes	1	Pat Reeves, ATL	1
Romi Bowen	1	Miss Sylvia Morris, NAHT	1
Duncan Whitfield	1	Irene Bishop, ASCL	1
Susannah White	1	Mick Young TGWU	1
		<b>Local M.P.</b>	<b>1</b>
		Simon Hughes M.P.	
		<b>Others</b>	<b>2</b>
		Shahida Nasim, Audit Commission, Room 32, 2 <sup>nd</sup> Floor, Central House, Town Hall Complex	1
		Mr. Mark Roelofsen	1
		<b>Total:</b>	<b>139</b>