

Public Document Pack



MEETING:	Cabinet
DATE:	Wednesday, 19 April 2017
TIME:	10.00 am
VENUE:	Reception Room, Barnsley Town Hall

AGENDA

1. Declaration of pecuniary and non-pecuniary interests
2. Leader - Call-in of Cabinet decisions

Minutes

3. Minutes of the previous meeting held on 5th April, 2017 (Cab.19.4.2017/3)
(Pages 3 - 8)

Items for Noting

4. Decisions of Cabinet Spokespersons (Cab.19.4.2017/4) (Pages 9 - 12)

Petitions

5. Petitions received under Standing Order 44 (Cab.19.4.2017/5)

Items for Decision/Recommendation to Council

Deputy Leader

6. Smoke Free Town Centre Zones (Cab.19.4.2017/6) (Pages 13 - 24)

Corporate Services Spokesperson

7. Asset Management Plan - Planned Maintenance Programme 2017-2018
(Cab.19.4.2017/7) (Pages 25 - 40)
8. Equal Pay Review 2015/16 (Cab.19.4.2017/8) (Pages 41 - 76)

Communities Spokesperson

9. Core Infrastructure (Server Estate) - Replacement (Cab.19.4.2017/9)
(Pages 77 - 80)
10. Private Sector Housing Enforcement Policy (Cab.19.4.2017/10) (Pages 81 - 104)

Place Spokesperson

11. OFSTED Report Adult Learning (Cab.19.4.2017/11) (Pages 105 - 140)

To: Chair and Members of Cabinet:-

Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cheetham, Gardiner, Howard, Miller and Platts

Cabinet Support Members:

Councillors Cherryholme, Franklin, Frost, David Griffin, Lamb and Saunders

Chair of Overview and Scrutiny Committee
Chair of Audit Committee

Diana Terris, Chief Executive
Rachel Dickinson, Executive Director People
Matt Gladstone, Executive Director Place
Wendy Lowder, Executive Director Communities
Julia Burrows, Director Public Health
Andrew Frosdick, Executive Director Core Services
Alison Brown, Service Director Human Resources
Katie Rogers, Communications and Marketing Business Partner
Anna Marshall, Scrutiny Officer
Ian Turner, Service Director, Council Governance

Corporate Communications and Marketing
Labour Group Room – 1 copy

Please contact Ian Turner on 01226 773421 or email governance@barnsley.gov.uk

Friday, 7 April 2017



MEETING:	Cabinet
DATE:	Wednesday, 5 April 2017
TIME:	10.00 am
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cherryholme (for Cheetham), Gardiner, Howard, Miller and Platts

Members in Attendance: Councillors G. Carr, Ennis, Franklin, David Griffin, W. Johnson, Lamb, Saunders, Sheard and Shepherd

224. Declaration of pecuniary and non-pecuniary interests

There were no declarations of pecuniary or non-pecuniary interests.

225. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 22nd March, 2017 had been called in.

226. Minutes of the previous meeting held on 22nd March, 2017 (Cab.5.4.2017/3)

The minutes of the meeting held on 22nd March, 2017 were taken as read and signed by the Chair as a correct record.

227. Decisions of Cabinet Spokespersons (Cab.5.4.2017/4)

There were no Records of Decisions by Cabinet Spokespersons under delegated powers to report.

228. Action Taken Under Paragraph B6 of the Responsibility for Executive Functions - Officer Delegations Contained in the Council Constitution (Cab.5.4.2017/5)

RESOLVED that the action taken by the Director of Legal and Governance under Paragraph B6 of the Responsibility for Executive Functions – Officer Delegations, as detailed within the Appendix attached to the report now submitted, be noted, as follows:-

- (i) To enter into and from time to time revise all appropriate legal documentation to provide Community Use Agreements in respect of:
 - (a) Carlton Community College;
 - (b) Dearne ALC;
 - (c) Northern Education Trust;
 - (d) Penistone Grammar ALC;
 - (e) Springwell Special Academy;

- (f) Greenacre School;
 - (g) Outwood Academy Shafton;
 - (h) Horizon Community College;
 - (i) Holy Trinity; and
 - (j) Netherwood.
- (ii) To novate and from time to time revise such novated Community Use Agreement which relates to Greenacre School to the Wellspring Academy Trust.

229. Petitions received under Standing Order 44 (Cab.5.4.2017/6)

RESOLVED that the report notifying the receipt of the following petitions be noted and the recommended actions for responding to them be endorsed:-

- (a) Containing the signatures of 79 signatories, in respect of a request to reinstate access to the Swaithe playing fields across the site of the former Worsbrough High School.

Since the closure of Worsbrough High School in 2005, residents in the surrounding area have created an informal route across the site as a short cut to access the sports fields to walk dogs etc. However, the access has been closed off so that the land can be let on a grazing tenancy. The informal route is not included on the Definitive Map, and a claim for its inclusion is unlikely to be successful given that it has been in regular use for less than 20 years. Formalising the route would bring with it a maintenance liability on the Council and affect the letting of the site or any future proposals the Council may have for the site. As there is an alternative, albeit longer, definitive footpath available to the public to access the Trans Pennine Trail and other recognised public accessible routes, it is not recommended that this access be re-opened to the general public.

Overview and Scrutiny Reports

230. Task and Finish Group - Higher Level Skills and Jobs (Cab.5.4.2017/7)

Councillor W. Johnson attended the meeting to present the 'Higher Level Skills and Jobs' report regarding activity being undertaken to assist residents to obtain higher level skills; make suitable employment opportunities available; as well as consider what barriers may be faced in obtaining these jobs.

RESOLVED that the report be received and the Executive Director Place be requested to co-ordinate response to the recommendations in the report within 28 days.

231. Task and Finish Group - Fly Tipping (Cab.5.4.2017/8)

Councillor G. Carr attended the meeting to present the 'Fly-Tipping' report as a result of the continued work into reducing the high instances of fly-tipping in the Borough.

RESOLVED that the report be received and the Executive Directors Communities and Place be requested to co-ordinate response to the recommendations in the report within 28 days.

232. Task and Finish Group - Flooding (Cab.5.4.2017/9)

Councillor Ennis attended the meeting to present the 'Flooding' report as a result of the review of flooding in Barnsley.

RESOLVED that the report be received and the Executive Directors Core Services and Place be requested to co-ordinate a response to the recommendations in the report within 28 days.

Deputy Leader

233. Director of Public Health Annual Report 2016 (Cab.5.4.2017/10)

RESOLVED that the contents of the Director of Public Health's Annual Report for 2016, as detailed in the report now submitted, be noted.

234. Community Governance Review (Cab.5.4.2017/11)

RESOLVED that the Council undertakes a Community Governance Review under the terms of reference outlined in Appendix 1 of the report now submitted.

Communities Spokesperson

235. All Age Early Help Strategy (Cab.5.4.2017/12)

RESOLVED:-

- (i) that the All Age Early Help Strategy (2017-2020), as detailed in Appendix 1 of the report now submitted, be received and endorsed;
- (ii) that an annual position statement on the delivery of the All Age Early Help Strategy (2017-2020) and priorities for the coming year be agreed; and
- (iii) that the decision of the Health and Wellbeing Board to adopt the Strategy and for partners to sponsor its implementation within their organisation be noted.

Place Spokesperson

**236. Local Plan - Progress and Update of Local Development Scheme
(Cab.5.4.2017/13)**

RECOMMENDED TO FULL COUNCIL ON 25TH MAY, 2017:-

- (i) that the timescales in the current Local Development Scheme, as detailed in the report now submitted, be noted;
- (ii) that the Head of Planning and Building Control be delegated authority to amend the Local Development Scheme as required during the Local Plan examination and to reflect progress on a South Yorkshire Joint Waste Plan;
- (iii) that the Head of Planning and Building Control be delegated authority to make a formal request to the Inspector under section 20(7C) of the Planning and Compulsory Purchase Act 2004 (as amended) to recommend main modifications to ensure the Local Plan meets the tests of soundness;
- (iv) that approval be given to extend the Programme Officer post to the end of 2017/18; and
- (v) that following the Fixing our Broken Housing Market White Paper, the 20% increase in planning fees from July 2017 be implemented.

237. Barnsley Property Investment Fund 2 - Phase 1 (Cab.5.4.2017/14)

RESOLVED:-

- (i) that the capital allocation of £3,750,000 to fund the ongoing delivery of the Property Investment Fund and associated supporting procurement activity, as outlined in the report now submitted, be approved; and
- (ii) that a further report be provided recommending and seeking approval of preferred investments, costs and outputs.

238. Proposal to increase the charges and amend restrictions at Council controlled Parking Places (Cab.5.4.2017/15)

RESOLVED:-

- (i) that the proposals to vary the car parking charges, as set out in the report submitted, be advertised;
- (ii) that the proposals take cognisance of the ongoing construction works and the implications this has on people visiting or working in the town, and the free parking offer at weekends throughout the Glass Works construction period be maintained;
- (iii) that the Service Director Environment and Transport be authorised to implement the proposed changes to the parking charges following advertisement;

- (iv) that the proposal to revoke the short stay parking restrictions detailed in the report be advertised;
- (v) that any objections to the proposed revocation of the short stay parking restrictions be the subject of a further report; and
- (vi) that should there be no objections to the proposed revocation of the short stay parking restrictions; that the Interim Head of Highways, Engineering and Transportation and the Executive Director Core Services be authorised to make and implement the amendments to the Off-Street Parking Place Order and the Town Centre Parking Place and Car Parking Zone Order.

People (Achieving Potential) Spokesperson

239. Options Appraisal to Address Primary and Secondary School Pupil Place Planning Challenges (Cab.5.4.2017/16)

RESOLVED:-

- (i) that the options appraisal to address Primary and Secondary School pupil place planning challenges, detailed in the report now submitted be noted and further development of feasibility work on the preferred options be supported;
- (ii) that a two-phase approach to the issues outlined be recommended with the more urgent secondary issues addressed as Phase 1 and the primary issues as Phase 2, as detailed below:-

Phase 1

- Working in collaboration with a potential town centre based Secondary Multi-Academy Trust (MAT) to establish a new secondary free school as part of the Town Centre Regeneration project which will accommodate additional pupils entering secondary from the primary phase.
- Working in collaboration with a potential new West of town Secondary MAT to accommodate the remainder of additional pupils entering secondary from the primary phase.

Phase 2

- Working in collaboration with a potential new West of town MAT to potentially accommodate additional primary pupils on the mixed-use site (MU 1) should the site be allocated in the Local Plan.

240. Exclusion of Public and Press

RESOLVED that the public and press be excluded from the meeting during consideration of the following items, because of the likely disclosure of exempt information as described by the specific paragraphs of Part I of Schedule 12A of the Local Government Act 1972 as amended, as follows:-

<u>Item Number</u>	<u>Type of Information Likely to be Disclosed</u>
241	Paragraph 3

Corporate Services Spokesperson

**241. NPS Barnsley Ltd and Barnsley Norse Business Plans 2017-18
(Cab.5.4.2017/18)**

RESOLVED:-

- (i) that the NPS Barnsley Business Plan (at Appendix B of the report now submitted), be approved, subject to consultations with Scrutiny and other stakeholders;
- (ii) that the Barnsley Norse Business Plan (Appendix C of the report) be approved subject to consultation with Scrutiny and other stakeholders; and
- (iii) that the Service Director Assets, in consultation with the Cabinet Spokesperson for Corporate Services, be authorised to approve any final amendments or additions to the NPS Barnsley Business Plan and Barnsley Norse Business Plan that are required following any consultations.

.....
Chair

BARNSELY METROPOLITAN BOROUGH COUNCIL

CABINET SPOKESPERSONS' DECISIONS

Schedule of Decisions taken for week ending 31st March, 2017

<u>Cabinet Spokesperson</u>	<u>Item</u>	<u>Decisions</u>	<u>Contact Officer</u>
1. Place	Berneslai Homes Strategic Plan	<p>(i) that the updated draft versions of the 2017/18 appendices to the Berneslai Homes Strategic Plan 2016-21 be approved;</p> <p>(ii) that the Head of Housing, in consultation with the Cabinet Spokesperson for Place, be authorised to approve any minor final amendments or additions to the 2017/18 appendices as may be identified; and</p> <p>(iii) that once agreed the refreshed 2017/18 appendices be published on the Berneslai Homes website.</p>	S. Cartwright Tel. 787942
2. Place	Football Foundation Grant Award for Dorothy Hyman Artificial Grass Pitch	<p>(i) that the funding award of £367,648 from the Football Foundation in respect of the artificial grass pitch at Dorothy Hyman Sports Centre be accepted and that the Culture, Housing and Regulation Business Unit enters into a funding agreement with the Football Foundation and takes the role of Accountable Body for the funding; and</p> <p>(ii) that £250,000 of Section 106 monies previously earmarked for the Scheme be released so that the programme of work commences and completes within the agreed Football Foundation timescales.</p>	A. Devonport Tel. 773798

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BARNSLEY METROPOLITAN BOROUGH COUNCIL

CABINET SPOKESPERSONS' DECISIONS

Schedule of Decisions taken for week ending 7th April, 2017

<u>Cabinet Spokesperson</u>	<u>Item</u>	<u>Decisions</u>	<u>Contact Officer</u>
1. Place	Purchase of 4 Properties to bring back into Use	that approval be granted for the allocation of a further £40,000 of Section 106 funds for the purpose of bringing 4 long term empty homes back into use as set out at paragraph 4.1 of the report.	R. Kershaw Tel. 772534

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BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is not a Key Decision within the Council's definition and has not been included in the relevant Forward Plan

**Report of the Director of Public Health
5th April 2017**

Barnsley Smokefree Town Centre Zones

1. Purpose of report

- 1.1 The introduction of smokefree town centre zones was approved by Cabinet in July 2016 as part of a tobacco control programme of work to inspire a smokefree generation in Barnsley. This work builds on the success of the recently implemented smokefree play parks in the borough.
- 1.2 This report describes in detail the rationale and proposed implementation of voluntary smokefree zones in Barnsley town centre, starting with a proposal to designate the Barnsley Pals' Centenary Square outside the Town Hall as smokefree on 30th June 2017, to mark the 10 year anniversary of smokefree legislation. Other zones are also described and proposed as part of later phases in development.

2. Recommendations

- 2.1 Support the student-led social norms public consultation method described in order to gather data on public opinion about smokefree zones in the town centre.
- 2.2 Given an appropriate level of public support, approve the phased implementation of smokefree zones in the town centre, starting with the Pals' Centenary Square.

3. Introduction

3.1 Why smoking matters

More than 1 in 5 adults in Barnsley smoke¹. Whilst smoking prevalence in Barnsley is reducing, it remains high compared with regional and national averages, despite good quit rates. We have committed to reducing smoking prevalence as part of Future Council 2020 outcomes, and recently as part of the Barnsley Place-based Plan we have committed to the South Yorkshire and Bassetlaw ambition of reducing smoking prevalence to 10% by 2021.

Interventions with the biggest, quickest and most sustainable impact on smoking prevalence are those aimed at changing social norms, de-normalising tobacco use and stopping young people ever starting. The most obvious reason to try to reduce smoking prevalence is because of the considerable impact on health. 1

¹ Integrated Household Survey 2014, Smoking prevalence in Barnsley 22.3%

in 2 smokers will die of a smoking-related disease².

However, smoking matters to the local economy too³. Smoking costs the Barnsley economy £78.2 million per year (£1,862 per smoker). Every year, lives lost early due to smoking mean that we lose 1,161 years of productivity (costing £20.2 million). Smoking breaks cost Barnsley businesses £31m per year and they lose nearly 55,000 days of productivity due to smoking-related sick days (£4.9m). The costs to the economy of smoking are approximately twice the amount collected in duty tax (Barnsley smokers paid £38m in duty on tobacco in 2014/15).

There is obviously a large impact on the NHS with annual costs of £12.7m (£12.1m in direct treatment of smoking-related disease in smokers, and £609,293 in passive smoking-related conditions in non-smokers). The impact extends to social care costs; current or ex-smokers requiring care in later life as a result of smoking-related illness cost Barnsley an additional £8.4m per year, of which £4.6m will fall to the Local Authority and £3.8m to individuals to self-fund.³

Lastly, smoking impacts on our local environment. Smoking materials are a major contributor to accidental fires, and are estimated to cause 10 fires per year in Barnsley. Costs to the local economy from these fires are £965,000 per year (due to deaths, injuries and non-human costs). Smoking also accounts for a significant contribution to waste, and as the majority of cigarette filters are non-biodegradable these are disposed of in landfill. In Barnsley 169m filtered cigarettes (including filtered roll-ups) are smoked per year, which contributes 29 tonnes of waste. 7 tonnes of this is discarded as street litter and therefore needs to be collected by the Local Authority.³

3.2 Protecting children from smoking

Children need protection from the adverse effects of smoking role models. Research has shown that even pre-school children who observe their parents smoking have already learnt that smoking is appropriate or normative in social situations⁴. Children exposed to smoking are significantly more likely to take up smoking themselves and two thirds of smokers started smoking before they were 18 years old⁵. Therefore by changing the smoking behaviour of adults, we can have the biggest impact on reducing the numbers of children or young adults who ever take up smoking. Recent engagement activity with local residents in Worsbrough gained insight into an acceptance of smoking in pregnancy, despite awareness of health messages and adherence to other health messages about children and pregnancy. This demonstrated we still have significant progress to make in changing attitudes with regards to smoking and children in Barnsley.

As part of Barnsley's pledge to inspire a smokefree generation by 2025, we are requesting that adults choose not to smoke in key public areas where children are present. We have already launched smokefree play parks (Locke Park on 25th January), and are now working with the hospital to improve their smokefree grounds, and with schools. The smokefree town centre zones will support this

² BMJ. 2004 Jun 26; 328(7455): 1519. doi: 10.1136/bmj.38142.554479.AE

³ Local Costs of Tobacco model v5.7 Jan 2017, ASH: <http://ash.org.uk/category/information-and-resources/local-resources/>

⁴ Thorax 2011;66:847e855. doi:10.1136/thx.2010.153379

⁵ ASH: <http://ash.org.uk/information-and-resources/fact-sheets/young-people-and-smoking/>

work and make a significant contribution to changing the environments in which children and young people spend their time.

3.3 Changing adult smoking behaviour

In order to avoid smoking rates stabilising or increasing again, we must learn lessons from the pioneering tobacco control work in New York and keep continuing to implement a range of measures and initiatives which support quit attempts and reduce smoking initiation⁶. There are a range of measures shown to be effective in tobacco control and these are most effective when all used together; for example, high taxation on cigarettes, bans on advertising and price promotions, plain packaging, age of sale restrictions, tackling illegal and counterfeit sales, and the provision of stop smoking support.

Smokefree places are also an effective measure in tobacco control. When smoking is made less visible, it is also made less convenient and less normal⁷. Given that at any point in time two thirds of smokers want to quit, supporting that intention by changing the environment and offering quit support can encourage quit attempts⁸. The implementation of smokefree legislation in the UK in July 2007 banned smoking in indoor workplaces, most notably in pubs and restaurants. This not only had a significant and measurable impact on improving the health of the general population through reducing exposure to second-hand smoke⁹, but has also changed and influenced public opinion on the appropriateness of smoking behaviour in public.

There has been an increase in support for smokefree outdoor spaces over time and this is greatest where children are referenced¹⁰. The UK is behind other countries in designating smokefree outdoor spaces. Chandigarh in India implemented extensive smokefree legislation in 2007 covering parks, markets and other outdoor public places as well as indoor public places. New York City has had smokefree parks, beaches and pedestrian plazas since 2011 and there are similar schemes in other US cities, such as Chicago, Los Angeles, Santa Monica and Seattle. Melbourne in Australia has an extensive smokefree zone across the city where smoking is only allowed in designated shelters.

Where countries or states have aggressively implemented a wide range of tobacco control policies, such as taxation, restrictions on advertising and smokefree legislation, they have seen the greatest impact on smoking prevalence. From 2009 to 2013, the prevalence of adult smoking in New York declined by 21% compared with 14% nationally, dropping to 16.6% in 2013¹¹. In Australia, the government have committed to reducing the national adult daily smoking rate to 10% by 2018. Smoking rates there have almost halved in the last 20 years, from 1993 to 2013, for daily smokers aged 18 years or older, from 26.1% to 13.3%¹².

⁶ Lord Darzi, in Research briefing for House of Commons, March 2015

⁷ Leo Benedictus, The Guardian: <https://www.theguardian.com/society/2015/feb/07/is-bristols-outdoor-smoking-ban-last-gasp>

⁸ ASH fact sheet: <http://ash.org.uk/category/information-and-resources/fact-sheets/>

⁹ BMJ 2010; 340 doi: <https://doi.org/10.1136/bmj.c2161> and Cochrane Database of Systematic Reviews 2016, Issue 2. Art. No.: CD005992. DOI: 10.1002/14651858.CD005992.pub3.

¹⁰ Nicotine and Tobacco Research 2009;11,6,584-590. doi: 10.1093/ntr/ntp046

¹¹ https://www.health.ny.gov/prevention/tobacco_control/docs/2014_independent_evaluation_report.pdf

¹² <http://www.health.gov.au/tobacco>

In the UK it was February 2015 before Bristol became the first city to designate voluntary smokefree outdoor areas in 2 privately owned city centre squares. Since then smokefree outdoor events have taken place in Nottingham, and in 2016 a beach in Pembrokeshire and another in Swansea were the first UK beaches to be designated voluntary smokefree areas. Smokefree play areas are becoming more common across the country. A survey of 1,300 people in the North West found that 83% of people supported smokefree outdoor spaces aimed at children and families.¹³

The team implementing the smokefree city squares in Bristol carried out some general opinion surveys. They found that smokers would prefer a polite but persuasive voluntary request to refrain from smoking rather than a formal enforced ban. In June 2014 they asked 300 people, 150 of whom were smokers about smokefree high streets, and 72% of smokers said it would not be a problem. More than half of smokers surveyed also felt it was antisocial to smoke where people were eating and drinking. Following the smokefree signage at the Bristol squares, a third of smokers stated they had changed their behaviour as a result and were more conscious of smoking away from children, such as at family events. Smoking does still occur in the square, but it is more likely to be in an evening, and there have been no known issues resulting from the implementation. The initial 6 month trial period which was to appease business owners on the square, has been allowed to roll on indefinitely.¹⁴

3.4 Social norms

'Social norms' is a technique that has been shown to influence and change behaviour¹⁵. Sometimes lifestyle behaviours, such as smoking, drinking alcohol, and sexual activity, are driven by our perception of what we think others think or do. Where perception of how much other people do a particular activity is actually greater than reality, behaviour can be changed by just sharing the true facts. For example, this has been used as a technique to modify student drinking behaviour¹⁶. This technique is now being widely used in smokefree work to demonstrate widespread acceptability of requests to refrain from smoking, e.g. '99% of patients, staff and visitors keep our hospital entrances free from cigarette smoke'¹⁷. The Barnsley smokefree town centre work will include surveys to determine users' perceptions and preferences, so that we can use this information to specifically tailor the implementation and signage materials.

¹³ Healthier futures survey: <http://www.healthierfutures.org/our-work/campaigns/smokefree-outdoor-spaces>

¹⁴ Public Health Action: <http://smokefreesouthwest.org.uk/what-we-do/smokefree-outdoor-space/towns-and-cities.html>

¹⁵ Berkowitz AD. An overview of the social norms approach. In: Lederman LC, Stewart LP editor(s). *Changing the Culture of College Drinking: A Socially Situated Health Communication Campaign*. Cresskill, NJ: Hampton Press, 2005.

¹⁶ Moreira MT, Smith LA, Foxcroft D. Social norms interventions to reduce alcohol misuse in University or College students. *Cochrane Database of Systematic Reviews* 2009, Issue 3. Art. No.: CD006748. DOI: 10.1002/14651858.CD006748.pub2

¹⁷ Pinderfields Hospital, Wakefield, smokefree grounds materials 2012

4. Proposal and justification

4.1 Aims of smokefree town centre zones

The aim of the smokefree town centre zones is to create family friendly town centre areas which Barnsley can be proud of.

The benefits of achieving this are:

- Demonstrating explicitly that most people prefer a smokefree environment.
- Expanding the number of places where smoking is not seen.
- Implicitly portraying the message that smoking is harmful to health, that our children should be protected and countering perceptions of smoking being socially acceptable.
- Thereby supporting both children and adults to view 'not smoking' as the norm, encouraging quit attempts, changes in smoking behaviour and reducing the likelihood children take up smoking.
- Reducing cigarette litter, making our environment cleaner and safer.

As the number of zones is expanded in future phases, we hope to become the first place in the UK to have a smokefree high street, thereby proudly putting Barnsley in a positive position as a fore-runner nationally. This will send an implicit positive message about economic regeneration in Barnsley and highlight the future plans for the town centre.

4.2 Smokefree zones in this phase

The main zone proposed for the first phase of the project is the outdoor space around the Town Hall, namely Barnsley Pals' Centenary Square. We are also in discussion with The Civic regarding Mandela Gardens, to determine how we can phase this public space as another smokefree zone.

We know that smokefree outdoor spaces are most acceptable to smokers and the general public when they are spaces that children frequent. This work supports and expands existing smokefree play parks and school gates. The Town Hall square is an area frequented by families, visiting the museum and enjoying the fountains. Mandela Gardens is another key public space in the town centre, where families gather outside The Civic Theatre.

4.3 Voluntary social norms informed implementation

We know from previous research that there is public preference for polite voluntary requests for smoking to be refrained from, rather than enforced bans. This has the benefits of also being a less aggressive and paternalistic approach to public freedoms and reduces the need for legal processes and the cost of enforcement. However, litter fines will continue to be relevant and will continue to act as a deterrent to smokers.

4.4 E-cigarettes

The other UK voluntary smokefree outdoor areas have included e-cigarettes. The public health messaging around e-cigs is complex, as they are reasonably new onto the market and as such evidence about harms to health is largely unknown. From a harm reduction perspective, it is of significant benefit to health for smokers to swop to e-cigs and many are using this method to support

quit attempts, which should be supported and encouraged. However, allowing e-cig use in a smokefree zone complicates the message, is potentially confusing to children who may not understand the difference, and dilutes the impact of a smokefree norm. On balance it is felt that the smokefree zone should therefore request refraining from use of e-cigs, though perceptions on this will be sought in the consultation surveys.

4.5 Future phases – expanding to pedestrian shopping areas

In the longer-term it is hoped that Barnsley could become the first place in the UK to have a smokefree high street, thereby proudly putting Barnsley in a positive position as a fore-runner nationally.

The proposed future smokefree town centre zones would include the pedestrian shopping high streets:

- Queen Street and Cheapside running up to the Alhambra Shopping Centre
- plus across to the May Day Green temporary market
- Market street and the link to Cheapside via Albert Street East
- Peel Square

These zones chosen are all pedestrian areas. This is for 3 main reasons:

- They are easily defined and demarcated – you know if you are in a zone without the need for excessive signage.
- They are areas where people spend more time and are places where there is large foot-fall.
- By choosing pedestrian areas, as the layout of the town changes during all the ongoing developments, the concept of pedestrian areas remains and public space is expanded and these can remain smokefree zones.

Many shoppers are accompanied by children at weekends, and during the week by pre-schoolers who, as already mentioned, are already learning about the world around them from their observations. As the re-developments progress and the temporary market becomes a public square next to the library, squares in the town will already have precedent as smokefree pedestrian areas for families.

A longer time scale for this phase will enable work with planning and regulations colleagues to investigate issues, such as those relating to outdoor seating areas currently used by smokers at premises with relevant licenses, and to dovetail smokefree zones into economic regeneration plans. Survey data will be collected on opinions relating to a smokefree high street during the public consultation.

In general there is little information about the impact of outdoor smokefree zones on businesses. However, surveys in Wellington, New Zealand where businesses along the Golden Mile shopping street were asked about proposals to make the shopping street smokefree, 83% felt it would have a positive or negligible impact. Non-food businesses were the least concerned about smokefree high streets¹⁸.

¹⁸ Nicotine and Tobacco Research 2013;15,1,287-290. doi: 10.1093/ntr/nts115

4.6 Preparation and consultation

An important aspect of this first phase of the smokefree town centre zones work is a public survey with users of the town hall square, Mandela gardens, the markets and shopping high streets. This will test the public appetite for the proposals and gather useful data that can be shared as part of the marketing materials and signage, such as the percentage of shoppers preferring a smokefree environment. If public opinion is not as positive as we would hope, it will provide us with information to inform decisions about whether we re-consider the zones, do further community work to drive forward change, or decide to launch as a pilot project as part of the regeneration works.

Where appropriate signage provision for town centre zones will be supported by our in-house team at Smithies Lane depot. Careful consideration will be given to signage and other communication and marketing methods to determine how best to ensure a high profile of the smokefree designation of the Pals' Centenary Square without impacting on the aesthetics of the square. Visitors to the Town Hall will be reminded about or made aware of the smokefree zone outside, such as through information at the reception desk.

Communication materials will also be tested, ensuring an appropriate image is developed which appeals to families and shoppers and encourages smokers to adhere. 'Vox pops' or case studies will be collected from members of the public, as appropriate, so that these can be used to promote and launch the smokefree zones.

4.7 Barnsley College

Public consultation surveys and where appropriate communications design work will be undertaken by students at Barnsley College and Barnsley Sixth Form College. Teaching around social norms and behaviour change with respects to healthy lifestyles will be delivered to students and students will then take part in competitions to design and collect survey data, collate marketing insight and develop communication materials for signage. Students will also be able to contribute to the launch and dissemination of the messages through social media and other communication channels.

Barnsley College have proposed that they also launch their own smokefree zone encompassing the Urban Space at their main college building. This currently hosts a smoking shelter, which sends conflicting messages to students about the appropriateness of smoking. The Student Council have been proposed as the mechanism to take forward this element of the project, but it is intended that it would be run and launched in the same time frame as the first town centre zones.

4.8 First launch event

The first phase of the smokefree town centre zones will be launched on 30th June 2017 to mark the 10 year anniversary of the national smokefree legislation. It is envisaged that there will be significant local press coverage. The Bristol smokefree squares attracted significant national press with a total estimated PR value of over £1m. It will therefore be essential that Members and officers are appropriately prepared and that as part of the consultation process we identify members of the public who would also be happy to play a role.

In the longer-term, launching a smokefree shopping high street would drive significant local and national media coverage and provide a unique opportunity to showcase our regeneration work and promote family friendly shopping and activities in the town centre.

4.9 Maintenance of smokefree zones

It is envisaged that in order to maintain a significant profile and encourage adherence, the smokefree areas will need repeated media and communications attention. As part of the development of the marketing materials, we will ensure that some of the materials created are appropriate for future reminders, such as for social media coverage.

The redevelopment of the town centre and launching smokefree zones in a phased approach provides an excellent opportunity to draw attention to the smokefree areas. Whenever a new development area is changed or opened, this gives an opportunity to highlight expectations. The opening of the public square following the relocation of the market back from the temporary site provides a fantastic opportunity to launch more smokefree zones with newly placed signs, to raise awareness again and to promote the family friendly public square.

4.10 Outcomes and evaluation

Predicting the outcome of the implementation of the smokefree town centre zones is not easy, given that it has not been regularly attempted before in the UK. However, as already stated, there appears to be a majority of public opinion in favour of outdoor smokefree zones, especially where they are of relevance to children. As already stated, in Bristol 72% of smokers surveyed were happy with the proposal for smokefree high streets and prior to our launch of these areas, we will have collected our own survey data from Barnsley shoppers.

We can expect high press coverage and the inclusion of descending opinions from Forest campaigners. Their responses to outdoor smokefree zones have previously focussed on the lack of evidence for harm from second-hand smoke in outdoor settings. However, this is not the intended purpose of this proposal; we are aware of conflicting evidence of the impact of second-hand smoke outdoors in exposed areas and this proposal is based on clearly defined benefits which do not include the health impact of second-hand exposure to cigarette smoke in the streets. The other main argument used by Forest tends to be the impact on personal freedoms; which is negated by this being voluntary and not a ban.

We can expect not everyone to adhere to the signage, due to lack of awareness and deliberate choice. However, surveys from Bristol showed that a third of smokers did modify their behaviour voluntarily and that it had changed the way they smoked when children were present.

Evaluation will form an integral part of the project. This will be used to compare preferences and opinions on smoking in the different proposed smokefree zones. Data will be collected on reported behaviour and actual counts of smoking occurrences in the town centre zones launched in this phase before

and after the implementation of signage in the squares.

5. Consideration of alternative approaches

- 5.1 This project and the wider smokefree programme are informed by public health research and a strong evidence base. Smokefree zones is an integral part of wider tobacco control work.
- 5.2 The town centre zones and the phases described have been chosen primarily because of their relevance to families, and therefore potential to impact on promoting the non-smoking norm perceived by children. Practical considerations, such as premises with pavement licenses and economic regeneration building works, have impacted on the phasing of zones. Testing of zone proposals forms a key part of the public consultation survey work.
- 5.3 Other options, such as temporary smokefree zones for town centre based outdoor family events have been implemented elsewhere. Such as in Nottingham where for example in 2016 they promoted smokefree events including their summer beach and Lord Mayor's Parade. Temporary smokefree events could also be considered in Barnsley.

6. Implications for local people / service users

- 6.1 This smokefree proposal will support BMBC and partners in their ambition to inspire a smokefree generation and give every child the best start in life. As already described, local students will be involved in the learning about the social norms approach in public health and in designing and carrying out surveys and communications work. Shoppers and visitors using the town centre will be involved in the public consultation through surveys.

7. Financial implications

- 7.1 There are no significant financial implications associated with this report. A small budget for rewarding student contributions through competition prizes, and for signage materials where appropriate has been identified within existing public health resource.

8. Employee implications

- 8.1 There are no direct employee implications associated with this report.

9. Communications implications

- 9.1 A communications plan is in development for this report and will be informed by the public consultation findings from the survey work. The communication plan will incorporate promotion of the first and future zone launches with the media, and also longer-term reinforcement of the smokefree zones, such as through social media.

10. Consultations

- 10.1 As described in 4.7, college students will design and carry out a survey which will incorporate public consultation. Work is ongoing with Barnsley College and The Civic. Links have been made with Place Directorate colleagues and other

key colleagues and partners will continue to be involved through existing arrangements, such as the Town Centre Programme Board and Barnsley Smoke Free Alliance.

11. The Corporate Plan and the Council's Performance Management Framework

11.1 This project has been developed in line with Barnsley Council's Corporate Plan and Performance Management Framework. It is relevant to all three of our main priorities and in particular to the outcomes: developing a vibrant town centre, strengthening our visitor economy, people are healthier, happier, independent and active, and people volunteering and contributing towards stronger communities.

11.2 Smoking prevalence is an indicator in the Council's Performance Management Framework. As previously stated in 3.1, we have committed to reducing smoking prevalence as part of Future Council 2020 outcomes. Recently as part of the Barnsley Place-based Plan we have committed to the South Yorkshire and Bassetlaw ambition of reducing smoking prevalence to 10% by 2021.

12. Promoting equality, diversity, and social inclusion

12.1 The principles underpinning this smokefree project are to give every child the best start in life and improve health outcomes for all our residents wherever they live and whoever they are.

12.2 This programme of work does not prevent us in any way from meeting our equality and diversity duties.

13. Tackling the Impact of Poverty

13.1 When net income and smoking expenditure is taken into account, 8326 (32%) households with a smoker fall below the poverty line in Barnsley. If these smokers were to quit, 2140 households would be elevated out of poverty and these households include around 1707 dependent children¹⁹. Supporting smokers to quit can therefore have a significant impact on reducing poverty.

14. Tackling health inequalities

14.1 Smoking has been identified as the single biggest cause of inequality in death rates between rich and poor. Smoking accounts for over half of the difference in risk of premature death between social classes.²⁰ Reducing smoking prevalence, particularly in more deprived communities where it is highest, would make a significant impact in reducing health inequalities.

15. Reduction of crime and disorder

15.1 Smokefree zones will be managed through a voluntary code with no

¹⁹ ASH Estimates of poverty in England adjusted for expenditure on tobacco, October 2015: <http://ash.org.uk/information-and-resources/health-inequalities/health-inequalities-resources/smoking-and-poverty-calculator/>

²⁰ Jarvis MJ, Wardle J. Social patterning of individual health behaviours: the case of cigarette smoking. In: Marmot M, Wilkinson RG, editors. Social determinants of health. 2nd ed. Oxford: Oxford University Press; 2006. pp. 224–37.

enforcement action. However, it is hoped that through media coverage and promotion of family-friendly activities and places in the town centre, this will help to make a contribution towards reducing and combatting incidents of antisocial behaviour, crime and disorder.

16. Risk management issues

16.1 A risk log has been developed for this project. All risks are considered low.

17. Health, safety, and emergency resilience issues

17.1 There are no identified issues.

18. Compatibility with the European Convention on Human Rights

18.1 There are no known issues. Smokefree zones will be managed through a voluntary code and there will be no enforcement action.

19. Conservation of biodiversity

19.1 There are no identified issues.

20. Glossary

20.1 None applicable.

21. List of appendices

21.1 None applicable.

22. Background papers

22.1 Inspiring a smoke free generation in Barnsley, Cabinet paper 27/07/16
<http://barnsleymbc.moderngov.co.uk/mgAi.aspx?ID=6495>

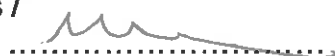
Officer Contact: Gilly Brenner, Public Health Registrar

Telephone No: 01226 767192

Date: 29/03/2017

Financial Implications /
Consultation

*(To be signed by senior Financial Services officer
where no financial implications)*



BARNSELEY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan

Report of the Executive Director Core Services

ASSET MANAGEMENT PLAN - PLANNED MAINTENANCE PROGRAMME 2017-2018

1. Purpose of Report

- 1.1 To obtain approval to the 2017-2018 Asset Management Plan Planned Maintenance Programme, delegated authority to vary the programme, and invoke Contract Standing Order 3.2(b) in respect of identified building services schemes at key corporate buildings.

2. Recommendations

- 2.1 That the list of schemes identified as priorities for each Service be agreed and that NPS Barnsley Ltd, in conjunction with the Service Director Assets, be authorised to place orders for the work.
- 2.2 That the Service Director Assets be authorised, in consultation with the relevant Service and the Cabinet Spokesperson for Corporate Services, to vary the programme within the overall financial approval.
- 2.3 That, in accordance with Contract Standing Order 10.1(h), Contract Standing Order 3.2(b) be invoked to allow single tenders to be received from the NPS Works Planning and Delivery, subject to these being checked for value for money against previously tendered works, such an exception being justified on the grounds set out in Section 4.
- 2.4 That, in the event that the planned maintenance budget for 2017-2018 is not fully expended, the value of any committed works be rolled forward in addition to next year's planned maintenance allocations.

3. Introduction

- 3.1 The 2017-2018 programme is based on the principles of good asset management practice. The Service Director Assets has instigated an asset management planning system in accordance with Government and RICS guidelines.

- 3.2 The compilation and prioritisation of the Planned Maintenance Programme takes place by identifying service priorities and reviewing them against the business units business plans in relation to service need of that property. Following this the Council's Asset Management Team and Service Managers of the Council jointly produce a schedule of maintenance priorities originating from Service Plans. This year's consultations are set out in Appendix B, along with projections for a further 4 years based on current service needs.
- 3.3 NPS Barnsley Ltd, in conjunction with the Service Director Assets, then undertakes the following:
1. Produces a comprehensive list of the Authority's priorities by collating the service lists. Due to the scale of the Council's maintenance backlog, this list always exceeds the resources available.
 2. Uses a risk management system to prioritise the maintenance proposals against the available resources, i.e. worst first. Some items are prioritised by services alone because they are urgent health and safety risks.
 3. Assess the available condition data to globally prioritise all identified maintenance needs for the Authority across the four priority bands, however this is a snapshot of the condition of the assets, and in some cases is now a number of years old. Data from more recent surveys and inspections now takes priority in terms of identifying the maintenance need of the asset.

Following the undertaking of the tasks identified above, a priority description is then attached to the identified works to be undertaken.

The Priority Description that is utilised is assigned as follows:

1. Urgent works that will prevent immediate closure of premises and/or address an immediate high risk to the health and safety of occupants and/or remedy a serious breach of legislation.
2. Essential work required within 2 years that will prevent serious deterioration of the fabric or services and/or address a medium risk to the health and safety of occupants and/or remedy a less serious breach of legislation.
3. Desirable work required within three to five years that will prevent deterioration of the fabric or services and/or address a low risk to the health and safety of occupants and/or remedy a minor breach of legislation.
4. Long-term work required outside the five year planning period that will prevent deterioration of the fabric or services.

- 3.4 A full review of cyclical maintenance in Council buildings is carried out annually, to ensure that the Council is meeting statutory and insurance obligations. A key benefit of a comprehensive cyclical maintenance programme is that by maintaining stock effectively, efficiency will be maximised and the life of components within buildings will be prolonged. The cost of carrying out cyclical maintenance is mainly met from the repairs and maintenance budget.
- 3.5 The Council approved an overall Planned Maintenance budget of £1.466 million for 2017-2018.
- 3.6 This financial year £376,500 has been allocated for buildings managed by the Barnsley Premier Leisure Trust. This is to ensure that the premises are functionally satisfactory and that the Council's Landlord obligations under the lease to Barnsley Premier Leisure are met. This predominantly involves external repairs, such as roofing and windows and plant and machinery.
- 3.7 A further £275,000 will be "top sliced" from the remaining budget for statutory and legislative measures such as legionella prevention (water hygiene management) - £40,000 and asbestos contingency measures - £50,000. In addition £50,000 will be allocated to meet leasing obligations within properties both with the Council acting as landlord and tenant.
- 3.8 The Council undertake a 5 year electrical testing programme and £40,000 will be allocated for this to take place. These amounts will be held centrally and allocated to services based on service cycles, annual service contracts and service reports. A £10,000 allowance has also been made for property fire risk assessments. Finally, professional fees of £85,000 will be payable to NPS Barnsley Ltd for managing the Planned Maintenance Programme. This will leave a remaining balance of £814,500 for allocation on identified schemes as detailed in the process reported in paragraph 3.2 and 3.3.
- 3.9 The water hygiene management programme has been developed and is now a holistic programme that links testing with remedial and preventative works. A programme of risk assessments is now in place on all corporate property and bespoke monitoring regimes are being developed following the risk assessment on the individual properties. A specific budget has now been earmarked for the risk assessments and the monitoring through planned maintenance. As remedial work is identified this will be delivered from the planned maintenance budget. This budget will be reviewed on an annual basis to ensure that the legislative nature of this work is adequately financed.
- 3.10 From time to time the Council is able to access funding streams such as SALIX which provides match funding for proven technologies which are cost effective in saving CO2 and will enable any further energy saving technologies. Therefore where schemes of work are to be undertaken on assets that meet the SALIX criteria, BMBC are proposing to access this funding to provide further value for money. Wherever possible in addition other capital allocations schemes are sought to "top up" existing planned works and improve value for money

4. Proposal and Justification

- 4.1 There are a number of works that are given as a single tender to NPS Barnsley as the Council's strategic property partner. This supports the partnership and specifically enables them to continue the capacity to provide an emergency building services out of hours capacity.
- 4.2 It is proposed that the NPS Barnsley Ltd Works Planning and Delivery Service, who have the capacity, technical capability and knowledge of corporate building services, are commissioned to deliver named building services schemes, valued at £403,000 under an arrangement based on best value principles. The schemes are identified at Appendix B, subject to these being checked for value for money against previously tender works. The cost of evaluating value-for-money will be met by NPS Barnsley.
- 4.3 Therefore, the report seeks to invoke Contract Standing Order 3.2(b) to allow single tenders to be received from NPS Barnsley Ltd Works Planning and Delivery Section, in order that the Council's partner NPS Barnsley's resources are engaged to optimum capacity on service schemes to the value of £403,000 in 2017/18 (see items 5.1 and 5.2).
- 4.4 The benefits for allowing NPS Barnsley's works team to undertake the works are:-
- Ensuring/checking regulatory and statutory systems compliance while undertaking planned maintenance.
 - Reducing procurement process and transaction costs.
 - Improving project, contract and asset management.
 - Value for money gains will be realised in price savings and higher quality in the form of:-
 - NPS Barnsley Ltd Works Planning and Delivery input into pre-planning, value engineering and early ordering of long-lead-in items.
 - Avoiding waste and abortive costs associated detailed knowledge of plant, equipment and systems.
 - Shorten timescales and reduce preliminaries.
 - Single line of responsibility, clarity of roles and communication with building managers and users.
 - Single point of contact.
 - Risk avoidance – NPS Barnsley Ltd Works Planning and Delivery control over checking regulatory and statutory systems compliance.
 - Price avoidance - reduced set up costs and preliminaries.
- 4.5 The remaining schemes will be put out to the market to give local and regional providers an opportunity to deliver the work packages.

It is difficult to determine with any certainty the extent of which particular works will incur professional fees. A fixed budget, therefore, for Professional and CDM Regulation Fees (£85,000) is used to deliver the full Planned Maintenance Programme in terms of planning the programme, procuring and overseeing the works undertaken.

- 4.6 Members have the option of varying the allocations between Services, where not committed, or to vary individual schemes.
- 4.7 The schemes proposed for this 2017-2018 programme are shown at Appendix B attached.
- 4.8 From time to time, it is necessary to revise the programme where priorities arise, for example, failure of boiler plant, and it is recommended that NPS Barnsley Ltd, in conjunction with the Service Director Assets, be authorised to vary the programme, in consultation with the Cabinet Spokesperson for Finance, Property and Information Services, within the overall financial approval. Changes agreed in this way will be reported to Cabinet.
- 4.9 In the event that the Planned Maintenance budget for 2017-2018 is not fully expended, special consideration is given to roll forward the value of any committed works. The reasons for this include inclement weather, urgent response works from both the Service Director Assets and NPS Barnsley Ltd Works Planning and Delivery. Failure to carry forward these items results in a negative effect on next year's allocations as Service Areas already have committed funds against their allocations.

5. Consideration of Alternative Approaches

Alternative approaches are as follows:

- 5.1 Do Nothing – This approach would increase the risk of third party claims, not meet statutory compliance, building stock would continue to deteriorate, resulting in asset value depreciating.
- 5.2 Transfer of budget to reactive repairs and maintenance budget – this would limit the ability to manage the budget and the potential to package works and procure in the most cost effective way. Operationally, it would be more likely that this would result in closure of facilities and potentially impact on service delivery, impacting on BMBC's resilience as a result of non-planned breakdowns or failures.

6. Implications for local people/ service users

- 6.1 The investment in the buildings through the Planned Maintenance Programme will make the buildings more sustainable in the longer term and provide better accommodation for those who use the buildings.
- 6.2 The proposed programme of works on the properties detailed in this report and the investment in the planned maintenance will have a significant impact on the people using these properties and the local areas

7. Financial Implications

- 7.1 Total resources of £1.466 million are available for the Planned Maintenance Programme incorporating works and fees. This is funded by previously agreed budgets.
- 7.2 Should there be any slippage from the 2016-2017 Planned Maintenance Programme, related to works committed but not yet completed, then it is proposed to put this forward as an earmarking seeking approval as part of the 2016/17 final accounts process, to be submitted to Cabinet.
- 7.3 The Planned Maintenance Programme for 2017/18 will have partial VAT exemption implications for the council but these can be contained within the de minimus limit for 2017/18
- 7.4 The financial implications are detailed in the attached Appendix A

8. Employee Implications

- 8.1 A number of the proposed schemes will improve the working conditions for employees. Examples of this include boiler or roof renewals, internal decorations and toilet refurbishments. A full list of schemes can be seen in Appendix B.

9. Communications Implications

- 9.1 Close working with services will ensure that, where operations within buildings are affected by works carried out as part of this programme, this is effectively communicated to stakeholders.

10. Consultations

- 10.1 In preparing the draft planned maintenance programme, the Strategic Maintenance Manager has collaborated with the following Service Managers and/or their representatives:
- Barnsley Premier Leisure: Mick Daley, Joanie Milthorpe and Lee Brown.
 - BMBC: Tony Taylor, Lynn Dunning, Ann Untisz, Anthony Devonport, Mick Clegg, Jo Birch, Julie Hammerton, Claire Gilmore, Neal Weldon, and Kathryn Green

11. The Corporate Plan and the Council's Performance Management Framework

- 11.1 The planned maintenance programme supports our Future Council characteristics as follows:
Clear vision and values
Collaboration with services throughout the development of the programme is open and transparent, with a team approach to identifying priorities.

Customer focus

The works identified ensure BMBC buildings are accessible to all. All affected BMBC services are consulted during programme development and prioritisation.

Commercial and business acumen

As detailed in clause 4.1, all works will be procured in accordance with BMBC contract standing orders with the exception of works directly awarded which will be subject to value for money check and comparison with benchmarking data.

Effective delivery of projects and programmes

Services will be consulted on how the works will affect stakeholders and the works subsequently programmed to minimise disruption. A programme of works will be prepared accordingly and regular meetings will take place to continuously monitor the delivery of the programme.

Innovative and managed risk taking

A risk management system is utilised to prioritise the maintenance proposals against the available resources, i.e. worst first, taking into account potential for third party claims and property dilapidation. Consultation with Risk Management takes place where programme works dictate.

Learning organisation

A third of the works programme will be delivered by NPS Barnsley, who have signed up to the apprentice programme. Existing information retained by BMBC relating to the asset portfolio will be used to inform on the condition of buildings and assist in the allocation of funds for planned maintenance.

Leaders at every level

Programme delivery officers work towards the successful execution of the plan and are authorised to make decisions as appropriate.

Flexible workforce

To minimise disruption to services located in affected buildings, out of hours working will be employed as required.

Working with our partners, communities and residents

Services will be consulted on how the works will affect stakeholders and the works subsequently programmed to minimise disruption.

12. Promoting Equality and Diversity and Social Inclusion

- 12.1 The Planned Maintenance Programme will offer practical assistance, in the form of physical improvements to public buildings, to overcome social exclusion in respect of access to Council services.

13. Tackling health inequalities

- 13.1 The planned maintenance programme will offer practical assistance, in the form of physical improvements to public buildings (eg lift maintenance), to overcome exclusion on health grounds in respect of access to Council services.

14. Reduction of Crime and Disorder

- 14.1 In investigating the options set out in this report, the Council's duties under Section 17 of the Crime and Disorder Act have been considered.
- 14.2 Planned maintenance works have been identified and prioritised by services to provide an effective contribution to crime and disorder reduction; in particular, antisocial behaviour and property related crimes such as graffiti and vandalism. As well as crime and disorder reduction, these are a key influence on the need to spend on responsive repairs, e.g. security measures such as boarding up. Where there is evidence of antisocial property crime, planned maintenance activities will be directed to support the work of Safer Neighbourhood Teams.

15. Risk Management issues

- 15.1 The planned maintenance programme is based on a Risk Management System that ensures resources are targeted where they are most needed. This process and how a risk rating is applied to the works to establish a priority ranking is set out in Section 3 of this report.

16. Health, safety and emergency resilience issues

- 16.1 The planned maintenance programme takes into consideration planned works to ensure buildings can continue to operate in the event of component failure eg installation of back up plant, improving business resilience of council services.
- 16.2 Recommendations from the buildings health and safety risk assessments prepared by the BMBC Health and Safety Unit are factored into the planned maintenance programme.
- 16.3 The Construction (Design and Management) Regulations 2007 (CDM) Notification will apply to some projects. The purpose of CDM is to ensure that the health and safety is co-ordinated and managed throughout all stages of a construction project in order to help reduce accidents, ill-health and costs. The Council will have 'client' duties defined by CDM. The CDM Section of NPS Barnsley Ltd will carry out the CDM Co-ordinator duties.

17. Conservation of Biodiversity

- 17.1 Consultations with the appropriate agencies will be undertaken for all applicable schemes.

18. Glossary

18.1 Not applicable.

19. List of Appendices

19.1 Appendix A – Financial Implications.

19.2 Appendix B – Prioritised Schemes by Service.

20. Background Papers

20.1 Premises Files plus Project Files *

*Contain Exempt Information - Not available for inspection.

Office Contact: Jeremy Sykes Tel: 774607

Date: March 2017

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**APPENDIX A
Report of the Executive Director Core Services**

FINANCIAL IMPLICATIONS

PLANNED MAINTENANCE 2017-18


i) <u>Capital Expenditure</u>	<u>2017/18</u> £	<u>2018/19</u> £	<u>2019/20</u> £	<u>Total</u>
	<hr/>	<hr/>	<hr/>	<hr/>
	0	0	0	0
To be financed from:				
	<hr/>	<hr/>	<hr/>	<hr/>
	0	0	0	0

ii) <u>Revenue Effects</u>	<u>2017/18</u> £	<u>2018/19</u> £	<u>2019/20</u> £	<u>Later Years</u> £
Planned Maintenance	1,466,000			
	<hr/>	<hr/>	<hr/>	<hr/>
	1,466,000	0	0	0

To be Financed from:

There is no impact on the Medium Term Financial Strategy, funding will be contained within the current corporate resource envelope already built into the Council's 4 year financial planning

<u>Impact on Medium Term Financial Strategy</u>				
This report has no impact on the Authority's Medium Term Financial Strategy.				
	<u>2016/17</u> £m	<u>2017/18</u> £m	<u>2018/19</u> £m	<u>2019/20</u> £m
Current forecast budget gap	0.000	0.000	0.344	-1.047
Requested approval	0.000	0.000	0.000	0.000
Revised forecast budget gap	0.000	0.000	0.344	-1.047

Agreed by:  behalf of the Executive Director Core Services

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ASSET MANAGEMENT PLAN -PLANNED MAINTENANCE PROGRAMME 2017-2018
APPENDIX B - PRIORITISED SCHEMES BY SERVICE

Premise	Recommendation	Priority 1-4					
			2017/18	2018/19	2019/20	2020/21	2021/22
ADMIN BUILDINGS							
18 Regent Street	Window replacement	3	£ -	£ 50,000.00	£ 50,000.00	£ -	£ -
Barnsley Town Hall	Replacement carpets to council chamber and installation of power to seating	3	£ 20,000.00	£ -	£ -	£ -	£ -
Barnsley Town Hall	Replacement of webcasting screens to council chamber	3	£ 10,000.00				
Barnsley Town Hall	Decoration of high footfall areas	3	£ 6,000.00	£ 6,000.00	£ 6,000.00	£ 6,000.00	£ 6,000.00
Barnsley Town Hall	Replacement of wireless fire alarm batteries	3	£ -	£ -	£ 3,000.00	£ -	£ -
Barnsley Town Hall	LED lighting replacement SALIX	3	£ 30,000.00	£ -	£ -	£ -	£ -
Barnsley Town Hall	Replacement flooring to commercial kitchen	3	£ 5,000.00	£ -	£ -	£ -	£ -
Barnsley Town Hall	Remedial works to steps, walls and ironwork	3	£ 10,000.00	£ 10,000.00	£ 10,000.00	£ 10,000.00	£ 10,000.00
Barnsley Civic Phase 1	Decoration	3	£ 10,000.00	£ -	£ -	£ -	£ -
Commerce House	Replacement of carpet tiles in high traffic areas	3	£ 8,000.00	£ -	£ -	£ -	£ -
Digital Media Centre	Replacement flooring/decoration	3	£ 15,000.00	£ 15,000.00	£ 15,000.00	£ 15,000.00	£ 15,000.00
Digital Media Centre	Install second gas boiler	1	£ 30,000.00	£ -	£ -	£ -	£ -
Digital Media Centre	Install pigeon spikes/netting to roof and lift lobby	3	£ 8,000.00	£ -	£ -	£ -	£ -
Digital Media Centre	LED lighting replacement SALIX	3	£ 20,000.00	£ -	£ -	£ -	£ -
Penistone Town Hall	Toilet refurbishment	3	£ 12,000.00	£ -	£ -	£ -	£ -
Penistone Town Hall	DDA access improvements	3	£ 5,000.00	£ -	£ -	£ -	£ -
Westgate Plaza	Replacement carpets in highfootfall & corridors	3	£ 25,000.00	£ 30,000.00	£ 30,000.00	£ 30,000.00	£ 30,000.00
Westgate Plaza	Additional security measures	3	£ 15,000.00	£ -	£ -	£ -	£ -
Gateway/Westgate	Decoration of office buildings	3	£ 15,000.00	£ 15,000.00	£ 15,000.00	£ 15,000.00	£ 15,000.00
Various Admin Buildings	LED lighting replacement SALIX	3	£ -	£ 40,000.00	£ 40,000.00	£ -	£ -
Total			£ 244,000.00	£ 166,000.00	£ 169,000.00	£ 76,000.00	£ 76,000.00
LIBRARIES							
Worsbrough Library	Repair/replace large windows.	3	£ -	£ 16,000.00	£ -	£ -	£ -
Total			£ -	£ 16,000.00	£ -	£ -	£ -
ADULT SOCIAL SERVICES							
Laithes Day Centre	Repair uneven surfacing to various locations around site	1	£ 7,000.00	£ -	£ -	£ -	£ -
Total			£ 7,000.00	£ -	£ -	£ -	£ -
CHILDRENS SOCIAL CARE AND SAFEGUARDING							
35 Newsome Avenue	Refurbish bathrooms/shower rooms	3	£ 5,000.00	£ 5,000.00	£ 5,000.00	£ -	£ -
35 Newsome Avenue	Replacement of PVCu single glazed elevation in hall facing external playground	3	£ -	£ -	£ -	£ 4,000.00	£ -
35 Newsome Avenue	Replacement of PVCu single glazed entrance porch	3	£ -	£ -	£ -	£ 6,000.00	£ -
Total			£ 5,000.00	£ 5,000.00	£ 5,000.00	£ 10,000.00	£ -
FAMILY CENTRES							
All Childrens Centres	Replacement carpets/decoration	3	£ 8,000.00	£ 8,000.00	£ 8,000.00	£ 8,000.00	£ 8,000.00
All Childrens Centres	Repair/replace external surfacing	2	£ 5,000.00	£ 5,000.00	£ 5,000.00	£ 5,000.00	£ 5,000.00
Total			£ 13,000.00	£ 13,000.00	£ 13,000.00	£ 13,000.00	£ 13,000.00

ASSET MANAGEMENT PLAN -PLANNED MAINTENANCE PROGRAMME 2017-2018
APPENDIX B - PRIORITISED SCHEMES BY SERVICE

Premise	Recommendation	Priority 1-4					
			2017/18	2018/19	2019/20	2020/21	2020/21
YOUTH CENTRES							
Cudworth Youth Centre	Replacement high level windows to rear elevation	3	£ 7,000.00	£ -	£ -	£ -	£ -
Cudworth Youth Centre	Replacement porch	3	£ 3,500.00	£ -	£ -	£ -	£ -
Athersley Youth Centre	Replacement windows and fire doors	3	£ -	£ 30,000.00	£ -	£ -	£ -
Wombwell Resource Centre	Repair/replacement of roof coverings	2	£ -	£ 100,000.00	£ -	£ -	£ -
Total			£ 10,500.00	£ 130,000.00	£ -	£ -	£ -

LEARNING CENTRES AND BUSINESS CENTRES							
Mount Osborne	Remedial works to uneven flooring in reception	1	£ 1,500.00	£ -	£ -	£ -	£ -
Acorn Centre Phase 1	Remedial works to uneven flooring in various areas	1	£ 5,000.00	£ -	£ -	£ -	£ -
Acorn Centre Phase 1	Replacement gutters and downpipes and roof repairs	2	£ 5,000.00	£ -	£ -	£ -	£ -
Various Business Centres	Replacement external lighting SALIX	1	£ 30,000.00	£ -	£ -	£ -	£ -
Total			£ 41,500.00	£ -	£ -	£ -	£ -

DEPOTS							
Smithies Depot	Energy efficiency works to workshop	3	£ -	£ 250,000.00	£ -	£ -	£ -
Smithies Depot	Car park resurfacing and upgrade of external lighting	2	£ -	£ 120,000.00	£ -	£ -	£ -
Smithies Depot	Remedial works to stores	3	£ -	£ 33,000.00	£ -	£ -	£ -
Smithies Depot	Electrical rewire	1	£ 65,000.00	£ 235,000.00			
Springvale Depot	Replacement of rear chain link fencing with security fencing.	2	£ 10,000.00	£ -	£ -	£ -	£ -
Springvale Depot	Replacement drains	2	£ 2,500.00	£ -	£ -	£ -	£ -
Springvale Depot	Security works	2	£ 8,000.00	£ -	£ -	£ -	£ -
Total			£ 85,500.00	£ 638,000.00	£ -	£ -	£ -

PARKS							
Various locations	Footpath/surfacing repairs	2	£ 20,000.00	£ 20,000.00	£ 20,000.00	£ 20,000.00	£ 20,000.00
Various locations	Car park repairs	3	£ 45,000.00	£ -	£ -	£ -	£ -
Various locations	Footbridge repairs	2	£ 20,000.00	£ -	£ -	£ -	£ -
Various locations	Wall/Fencing repairs	2	£ 20,000.00	£ 20,000.00	£ 20,000.00	£ 20,000.00	£ 20,000.00
Elsecar Park	Repairs to dam wall at Elsecar Reservoir	3	£ 40,000.00	£ -	£ -	£ -	£ -
Elsecar Park	Repairs to Bandstand	3	£ 3,000.00	£ -	£ -	£ -	£ -
Elsecar Park	Toilet Refurbishment	3	£ 20,000.00	£ -	£ -	£ -	£ -
Darton Longfields Pavilion	Replace distribution board	1	£ 3,000.00				
Total			£ 171,000.00	£ 40,000.00	£ 40,000.00	£ 40,000.00	£ 40,000.00

ASSET MANAGEMENT PLAN -PLANNED MAINTENANCE PROGRAMME 2017-2018
APPENDIX B - PRIORITISED SCHEMES BY SERVICE

Premise	Recommendation	Priority 1-4					
			2017/18	2018/19	2019/20	2020/21	2020/21
BARNESLEY PREMIER LEISURE							
Metrodome	Treatment to external metal cladding and gutter replacement	2	£ 50,000.00	£ 60,000.00	£ 60,000.00	£ -	£ -
Metrodome	Resurfacing/remedial works to uneven car park surface	1	£ 30,000.00	£ 20,000.00	£ 20,000.00	£ 20,000.00	£ 20,000.00
Metrodome	Replace circulation pumps with more energy efficient units SALIX	3	£ 50,000.00	£ -	£ -	£ -	£ -
Metrodome	Upgrade/replace switchgear	2	£ 8,000.00	£ -	£ -	£ -	£ -
Metrodome	Repair/replace fire escape doors	1	£ 3,500.00	£ -	£ -	£ -	£ -
Hoyland Leisure Centre	Renew external door and windows	2	£ 32,000.00	£ 50,000.00	£ 40,000.00	£ -	£ -
Hoyland Leisure Centre	Upgrade/replace switchgear	2	£ 12,000.00	£ -	£ -	£ -	£ -
Hoyland Leisure Centre	Replace roof fan and associated works	2	£ 2,000.00	£ -	£ -	£ -	£ -
Hoyland Leisure Centre	Replace boilers	2	£ 65,000.00	£ 50,000.00		£ -	£ -
Dearnside Leisure Centre	Replacement Heating system	1	£ 40,000.00	£ -	£ -	£ -	£ -
Dearnside Leisure Centre	Replacement pool cover SALIX	2	£ 6,000.00	£ -	£ -	£ -	£ -
Dorothy Hyman Sports Centre	Repair external fire exit doors and three escape staircases	2	£ 12,000.00	£ -	£ -	£ -	£ -
Dorothy Hyman Sports Centre	Gutter replacement to rear of stand	3	£ 4,000.00	£ -	£ -	£ -	£ -
Royston Leisure Centre	Replace water mains feed pipe	1	£ 4,500.00	£ -	£ -	£ -	£ -
Royston Leisure Centre	Remedial works to areas affected by damp	2	£ 8,500.00	£ -	£ -	£ -	£ -
All sites	Contingency Sum to cover various plant items	2	£ 45,000.00	£ 45,000.00	£ 45,000.00	£ 45,000.00	£ 45,000.00
All sites	Work in association with TREND	2	£ 10,000.00	£ 10,000.00	£ 10,000.00	£ 10,000.00	£ 10,000.00
Total			£ 382,500.00	£ 235,000.00	£ 175,000.00	£ 75,000.00	£ 75,000.00
BEREAVEMENT AND SPORT SERVICES							
Ardsley Crematorium	Relining of cremators and repair hearth	2	£ 30,000.00	£ 30,000.00	£ 30,000.00	£ 30,000.00	£ 30,000.00
Ardsley Crematorium	Decoration of crematorium buildings	3	£ 15,000.00	£ 3,000.00	£ 3,000.00	£ 3,000.00	£ 3,000.00
Ardsley Crematorium	Relocation of generator from Computer Centre	2	£ 20,000.00	£ -	£ -	£ -	£ -
Ardsley Crematorium	Install gas back up boiler and alterations to heating system	1	£ 25,000.00	£ -	£ -	£ -	£ -
Various Sites	Wall/fencing repairs	3	£ 20,000.00	£ 10,000.00	£ 10,000.00	£ 10,000.00	£ 10,000.00
Various Sites	Footpath/surfacing repairs	1	£ 20,000.00	£ 20,000.00	£ 20,000.00	£ 20,000.00	£ 20,000.00
Bolton on Dearne Cemetery	Demolition of Building to create burial ground	3	£ 5,000.00	£ -	£ -	£ -	£ -
Total			£ 135,000.00	£ 63,000.00	£ 63,000.00	£ 63,000.00	£ 63,000.00
MARKETS							
Penistone Market	Replace pigeon netting	3	£ 3,500.00	£ -	£ -	£ -	£ -
Total			£ 3,500.00	£ -	£ -	£ -	£ -

ASSET MANAGEMENT PLAN -PLANNED MAINTENANCE PROGRAMME 2017-2018
APPENDIX B - PRIORITISED SCHEMES BY SERVICE

Premise	Recommendation	Priority 1-4					
			2017/18	2018/19	2019/20	2020/21	2020/21
CULTURE							
Cannon Hall	Monitoring/maintenance of kitchen ranges & boiler flues	2	£ 2,500.00	£ 2,500.00	£ 2,500.00	£ 2,500.00	£ 2,500.00
Cannon Hall	Replacement of wireless fire alarm batteries	3	£ -	£ -	£ 3,000.00		
Cannon Hall	Replacement/refurbishment of external windows	2	£ 12,000.00	£ 12,000.00	£ -	£ -	£ -
Cannon Hall	Decoration	3	£ 5,000.00	£ 5,000.00	£ 5,000.00	£ 5,000.00	£ 5,000.00
Cannon Hall	Repair/replacement of external lighting	2	£ 12,000.00	£ -	£ -	£ -	£ -
Cannon Hall	Replacement bin store	3	£ -	£ 1,500.00	£ -	£ -	£ -
Cooper Gallery	Replacement flooring	3	£ 2,500.00	£ -	£ -	£ -	£ -
Elsecar Heritage	Improvement works to site drainage	2	£ 12,000.00	£ -	£ -	£ -	£ -
Elsecar Heritage	Repair uneven surfacing to various locations around site	2	£ 5,000.00	£ 5,000.00	£ 5,000.00	£ 5,000.00	£ 5,000.00
Elsecar Heritage	Refurbishment/replacement of roller shutters	2	£ 4,500.00	£ -	£ -	£ -	£ -
Elsecar Heritage	External site painting	3	£ 5,000.00	£ 5,000.00	£ 5,000.00	£ 5,000.00	£ 5,000.00
Elsecar Heritage	Scheme development for energy efficient lighting/heating to various locations across the site	3	£ 5,000.00	£ -	£ -	£ -	£ -
Elsecar Heritage	Gutter/rainwater pipe replacement	2	£ 9,000.00	£ 9,000.00	£ 9,000.00	£ 9,000.00	£ 9,000.00
Worsbrough Mill	Maintenance of Mill Machinery	3	£ 3,000.00	£ 3,000.00	£ 33,000.00	£ 3,000.00	£ 3,000.00
Total			£ 77,500.00	£ 43,000.00	£ 62,500.00	£ 29,500.00	£ 29,500.00
GENERAL							
Various Sites	Gutter/Drainage Clearing and Maintenance	2	£ 15,000.00	£ 15,000.00	£ 15,000.00	£ 15,000.00	£ 15,000.00
Total			£ 15,000.00	£ 15,000.00	£ 15,000.00	£ 15,000.00	£ 15,000.00
			2017/18	2018/19	2019/20	2020/21	2020/21
Total PM Programme			£ 1,191,000.00	£ 1,364,000.00	£ 542,500.00	£ 321,500.00	£ 311,500.00

PRIORITY RATING

1	Urgent works that will prevent immediate closure of premises and/or address and immediate high risk to the health and safety of occupants and/or remedy a serious breach of legislation.
2	Essential work required within 2 years that will prevent serious deterioration of the fabric or services and/or address a medium risk to the health and safety of occupants and/or remedy a less serious breach of legislation
3	Desirable work required within three to five years that will prevent deterioration of the fabric or services and/or address a low risk to the health and safety of occupants and/or remedy a minor breach of legislation
4	Long term work required outside the five year planning period that will prevent deterioration of the fabric or services.
	Works to be directly awarded to NPS (cabinet report paragraph 5.1)

BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is not a Key Decision within the Council's definition and has not been included in the relevant Forward Plan.

Report of the Service Director - Human Resources & Business Support

Equal Pay Review 2015/16

1. Purpose of the Report

- 1.1 The purpose of this report is to provide information on the findings of the Equal Pay Review for the year 2015/16.

2. Recommendations

- 2.1 **That Cabinet receives the report and note that there are no significant equal pay gaps identified within any individual grade in relation to gender, age, disability, ethnicity and religion across the Council.**
- 2.2 **That Cabinet notes the Key Findings at Section 5 below.**
- 2.3 **That Cabinet notes the Action Plan at Appendix B.**
- 2.4 **That Cabinet notes that the current Equal Pay Policy and Code of Practice is being reviewed to reflect mandatory gender pay gap reporting for public sector employers and any amendments will be presented to Cabinet alongside the 2016/17 Equal Pay Review findings.**

3. Background

- 3.1 A series of government initiatives are being undertaken in order to address the gender pay gap in the UK workforce. The Equality Act 2010 is the main legislation in the UK governing equal pay.
- 3.2 The Equality Act gave the government powers to introduce more detailed regulations requiring employers to publish their gender pay gap statistics.
- 3.3 Under this section of the Act, public authorities with more than 150 employees were required to publish annual details of their pay gap and ethnic minority and disability employment rates from 2011. Outside the public sector, businesses were asked to undertake gender equality analysis and reporting on a voluntary basis.

- 3.4 The voluntary approach attempted from 2011 onwards was unsuccessful as very few employers published their gender pay gaps voluntarily. Therefore in March 2015, the government confirmed it would exercise its powers under the Act to require mandatory reporting.
- 3.5 The Government has published the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 which will implement the mandatory gender pay gap reporting requirement for public sector employers with 250 or more employees. Public sector bodies will be required to publish details of their gender pay gap using pay as of 31 March 17 no later than 30 March 2018.
- 3.6 Following the consultation process, the Government confirmed that, for the purposes of mandatory gender pay gap reporting, employees of English local authority maintained schools would be considered to be employees of the governing body of that school. The council is therefore not required to include employees of maintained schools in its reporting arrangements.
- 3.7 As a result of these changes the current Equal Pay Policy and Code of Practice is being reviewed to reflect mandatory gender pay gap reporting for public sector employers and any amendments will be presented to Cabinet alongside the Equal Pay Review findings to be published as part of mandatory gender pay gap reporting.
- 3.8 In addition to legislative requirements detailed above, since 2007 the Council has been obliged to undertake an Equal Pay Review as a result of the National Joint Council for Local Government Services (NJC) Agreement of Pay and Conditions of Service (Green Book) Part 4.10. The Council has subsequently undertaken a pay review each year.
- 3.9 This is the seventh Equal Pay Review to be carried out following the implementation of the 2008 pay structure. Findings of previous reviews have been reported to Cabinet as below:

Year	Cabinet Ref
2008/9	9.6.2010/13
2009/10	16.2.2011/9.1
2010/11	7.12.2011/8.2
2011/12	27.3.2013/8.2
2012/13	4.6.2014/7.7
2013/14	22.10.2014/6.3
2014/15	27.1.2016/7

- 3.10 The data used for the Equal Pay Review has been collected from the Councils SAP Enterprise Resource Management System. The information used in the review is the employee's basic salary (adjusted pro rata for part time employees), gender, date of birth, start date within current grade, ethnicity, disability status, religion, sexual orientation, permanent or fixed-term contract status and hours of work together with details of any honoraria or market supplement (recruitment and retention) payments.
- 3.11 The following groups of employees have not been included in this review as they are employed on NJC grades but non-standard terms and conditions:
- Relief and casual (zero-hours) employees
 - School Catering Employees (both centrally employed and directly employed by schools) (salaries are abated due to receipt of lunches)
 - Nursery Nurses (FTE hours are less)
- 3.12 In addition, the following groups of employees are not included as both their pay and conditions are determined externally to the council:
- School Teachers and Adult Education Lecturers
 - Employees on Soulbury pay and conditions (Education Improvement Professionals and Psychologists)
 - Employees on Youth and Community Workers pay and conditions
- 3.13 Other than those exceptions listed in paragraphs 3.11 and 3.12, non-teaching support staff appointed by voluntary controlled and community schools (where the Council is the legal employer) are included in this review. However please see paragraph 6.11 for expected future developments. Employees of Academies (who are independent of the Council) are not included.
- 3.14 In line with the Council's Equality Scheme this equal pay review has looked at pay data in relation to disability, ethnicity, age, religion and part time employees, as well as gender.
- 3.15 Information relating to ethnicity, disability and religion are based both on what individual employees have chosen to disclose and whether the data record is complete. The information in this review consequently may not reflect the full range of characteristics within the Council. A distinction has been drawn in the data between where an employee has preferred not to disclose their personal information and where the record is incomplete.
- 3.16 For this review, information related to employee's sexual orientation has been assessed, as recommended by the Equality and Human Rights

Commission (EHRC) guidance. However, there is insufficient data held to be able to carry out any meaningful analysis, a situation that has remained largely unchanged over a number of years. This will be addressed in future reviews as and when more data becomes available.

- 3.17 The Council's policy and code of practice on Equal Pay is based on the EHRC Statutory Code of Practice and Toolkit and the National Joint Council Guidance 'Equal Pay Audit'.
- 3.18 The EHRC toolkit recommends that Equal Pay Reviews cover an employee's whole remuneration package. Accordingly, for this review the following have been analysed and reported. These are:
- basic pay
 - starting pay
 - pay on promotion
 - honoraria payments
 - market supplements
 - length of time in current grade
- 3.19 The EHRC advocates that where a pay differential is less than 3%, no action is necessary. Where the difference is greater than 3% but less than 5% the position should be regularly monitored and for pay gaps of more than 5%, action is needed to address the issue and close the gap.
- 3.20 The Council has now settled all Equal Pay claims lodged with the Employment Tribunal and the High/County Court. Case law relating to historic equal pay claims continues to evolve and the Council must remain vigilant to ensure no new risks develop and ensure the proper procedures relating to job evaluation are applied as this remains the Council's principal defence to equal pay claims.
- 3.21 The Council implemented the Living Wage with effect from 1 April 2014. This was achieved by applying a supplement to increase the hourly rate of pay for all employees within the Council earning less than this amount. The Living Wage rate is set according to an independent review body and the rate since 2014 has been:

Date	Living Wage Rate
1 April 2014	£7.65
1 April 2015	£7.85
1 April 2016	£8.25
1 April 2017	£8.45

- 3.22 Although the grading structure remains unchanged, this now effectively overlaps spinal column points 6 – 12 (all of Grade 1 and most of Grade 2). Detailed findings are given in Appendix A. The Living Wage is not the same as the National Living Wage (the replacement for the National Minimum Wage) see paragraphs 6.8 – 6.10.
- 3.23 For voluntary controlled and community schools where the Council is the legal employer of staff, decisions on pay and grading are taken by the respective governing bodies. Data from this review shows that 86% of eligible employees within schools received the Living Wage as those governing bodies had taken the decision to implement. This is an increase from the 80% of eligible employees who received the payment in 2014/15.
- 3.24 On 1 April 2015, a major reorganisation took effect, creating the Future Council. Corporate design principles have been implemented to manage the change. This is the first equal pay review to incorporate data relating to Future Council.

4. Consideration of Alternative Approaches

- 4.1 Two statistical measures of ‘average pay’ have been used throughout the report.
- 4.2 **Average (mean) pay** is calculated by adding individual salaries and dividing by the total number of individual employees within that group. This is the measure recommended by the EHRC Toolkit. It is also easier to use for statistical analysis and is more generally understood.
- 4.3 However, where the data is unevenly distributed or there are particularly large or small values within the data, the mean figure can be ‘skewed’.
- 4.4 The mean average has been used to calculate the ‘average’ pay for each group of employees within a particular grade.
- 4.5 **Median (mid-point) value** is an alternative method of calculating the average, by putting all salaries in numerical order and selecting the mid-point. This avoids the issue of data skewing by uneven data spread or particularly low or high values.
- 4.6 The overall pay gap within the Council has been calculated using both the mean average and median salaries. Externally published data may use either measure so it is important to have both available for comparative purposes. Where a difference occurs this has been explained within the relevant section.

5. Key Findings

- 5.1 The complete findings of the Equal Pay Review are available from Human Resources upon request.
- 5.2 Significant findings from this report are as summarised in sections 5.3 – 5.22 below. More detailed explanations behind these findings are listed in Appendix A.

5.3 Finding One – Overall workforce composition 2015/16

- 5.4 The organisation overall has significantly more female employees than male (77.0% female). The gender distribution of male and female employees between grades is not even – female employees make up 84.8% of the three lowest grades but only 48.0% of the highest grades. However, the gender distribution of the senior management team is 75% female and 25% male which closely reflects the overall workforce composition. Please see Appendix A section 1, page 4 for further explanation.

5.5 Finding Two – A Changing Council 2015/16

- 5.6 The Council has reduced significantly in size between 2008/09 and 2015/16. The size of the workforce that falls under the scope of the Equal Pay Review has decreased by 33%. Within this, the group of employees that has reduced the most is Grades 1-3 (43.6% reduction). This is likely to be as a result of changing service delivery models and increasing use of technology to replace manual processing. Please see Appendix A section 2, page 6 for further explanation.

5.7 Finding Three – Appointment of New Employees 2015/16

- 5.8 In order to improve the gender balance of the organisation, a greater percentage of new male employees are required. However, amongst new employees recruited in 2015/16, 89.6% were female. Given that the overall workforce is already 77.0% female, this is likely to increase the gender imbalance even further. Please see Appendix A section 3, page 8 for further explanation.

5.9 Finding Four – Grade Changes in 2015/16

- 5.10 The number of grade changes in 2015/16 was significantly greater than that in 2014/15. In 2015/16 577 employees changed their grade (10.0% of the overall workforce) compared to 2014/15 when 188 employees changed their grade (3.5% of the overall workforce). This is likely to be at least in part due to the Future Council reorganization which took place on

1 April 2015. Please see Appendix A section 4, page 10 for further explanation.

5.11 Finding Five – Overall gender pay gap (basic pay only) 2015/16

5.12 An average female employee earns either 21.8% less or 15.8% less than an average male employee according to the measurement chosen. The overall gender pay gap for Barnsley has remained largely unchanged since 2008/09. Please see Appendix A section 5, page 11 for further explanation. The mean and median are defined at section 4, page 5 of this report.

5.13 Finding Six – Full-time gender pay gap (basic pay only) compared to other local authorities 2014/15

5.14 Data taken from LG Inform reveals that the pay gap between full-time male and female employees in Barnsley Council is significantly smaller than for local authorities in the Yorkshire & Humber region and England overall. Please see Appendix A section 6, page 13 for further explanation.

5.15 Finding Seven - Living Wage 2015/16

5.16 The Living Wage (see paragraph 3.19) implemented by the Council and some schools on 1 April 2014 has increased the basic hourly rate to £8.25 per hour (due to increase to £8.45 on 1 April 2017). This has benefited 51 employees within the Council (100% of those eligible) and 559 employees within schools (88% of those eligible), where those governing bodies have taken the decision to implement. The proportion of employees in schools receiving the payment has increased from 80% in 2014/15 to 88% in 2015/16. Please see Appendix A section 7, page 15 for further explanation.

5.17 Finding Eight – Average Length of time in Grade (2015/16)

5.18 Length of time spent within a particular grade can be interpreted in a number of ways. It might represent satisfaction with a particular role / working arrangement and no inclination to change these. It might indicate lack of opportunities to progress to a more highly paid role. Shorter length of time within a particular role should be looked at in conjunction with data relating to grade changes. Not all grade changes are voluntary or desired, some might represent a decrease in grade, either voluntary or compulsory via redeployment. Please see Appendix A section 8, page 17 for further explanation.

5.19 The data indicates that employees in Grades 1-3 spend longer than the average employee within their grades. There is no significant difference

between male and female employees within Grades 1-3. This might represent a lack of promotion opportunities, a level of satisfaction with the status quo, or that those jobs suit the individual's out of work commitments at that time. As a significant proportion of Grade 1-3 jobs are part time, it might also reflect a lack of flexible working options in higher graded roles.

5.20 The data indicates that BME and Disabled employees of all grades spend longer than the average employee within their grade. Further work to explore career progression for particular cohorts of individuals would be beneficial to be able to draw conclusions and plan as required.

5.21 Finding Nine – Pay gaps by equality characteristic 2008/09 to 2015/16

5.22 Overall results are positive as there are no pay gaps which the EHRC would classify as significant (as outlined at paragraph 3.19). This is an improvement on the position in 2008/9 where several pay gaps existed which required investigation and monitoring. Please see Appendix A section 9, page 19 for further explanation.

5.23 Other Findings

5.24 Job evaluation appeals increased from the previous year both in total number and as a percentage of all jobs evaluated although in comparison with the overall number of jobs evaluated appeal rates remain low. The outcomes of the appeals affected 184 employees as one appeal involved a large multiple jobholder group. 21 employees had grade increases, 161 grade unchanged and 2 withdrew to review their job profiles. There were no decreases in grade. It is likely that the corporate job profiles project and Future Council led to the large increase in job evaluation appeals. 87.5% of all appeals submitted resulted in no change of grade.

Financial Year	Total Appeals	Total Evaluations	%
2013/14	12	553	2.2
2014/15	8	783	1.0
2015/16	26	606	4.3

5.25 Numbers of employees from Black and Minority Ethnic (BME) groups within senior manager grades (12-17 and SMT) are low (three out of 99 or 3.1%). However, the proportion of BME employees within the overall workforce in 2015/16 was 2.6%. Representation of BME employees within senior manager grades has been consistently higher than within the overall workforce since 2008/09.

5.26 In 2015/16, there were no employees with a disability within senior manager grades (reduced from 5 in 2008/9 and 1 in 2014/15). As 3.1% of

the overall workforce within the scope of this review has a disability, disabled employees are under-represented within senior manager grades.

- 5.27 Employees in grades 12-17 and SMT are mainly from the age groups 40-49 and 50-59. This largely reflects the experience required to undertake a senior role. There were no employees aged 60 or above or below 30 within senior manager grades.
- 5.28 Numbers of part-time employees (working less than 30 hours) have been consistently low amongst senior manager grades. In 2015/16 only 1 out of 99 senior managers worked part-time.

6. Future Developments and Action Plan

- 6.1 Human Resources are currently planning the next pay review taking into account requirements of mandatory gender pay gap reporting as outlined at paragraph 3.5 of this report and action 9 of appendix B and this will be reported to members once complete.

- 6.2 The council is committed to equality of opportunity for its workforce. The Equality Scheme for 2015-18 has continued to guide this review.

- 6.3 The Equality Scheme Action Plan details areas that the Council is currently addressing on equal pay. In particular:-

More equal pay distribution of all sections of the workforce.

Before we can address any inequalities in pay of different sections of the workforce we must first have a better understanding of the causes of the problem.

To achieve this we will:

- Assess whether (and extent to which) occupational gender-segregation or gender imbalance in promotional opportunities are part of the cause for the over-representation of women on pay grades 1 to 3.
- Investigate whether there are any barriers to promotion for female employees into grade 12 to 17 posts.
- Develop action plan accordingly to address gender inequalities in pay profile.

- 6.4 The findings of this and future Equal Pay Reviews will assist with achieving the objectives within the Equality Scheme, where action is required to address any problems that may be identified. The Equal Pay Action Plan is attached at Appendix B.

- 6.5 The Equality Scheme will continue to inform the Equal Pay Review so that relevant information can be monitored and necessary actions undertaken. The Pay & Reward and Equalities & Inclusion teams within Core Services have worked collaboratively on this and previous reviews and will undertake

further joint working to identify key issues and make improvements to existing policies and procedures.

- 6.6 The council's job evaluation process is well-established and is the main defence against future equal pay claims. The annual equal pay review complements the job evaluation process and acts as an additional safety check, ensuring that any structural inequalities are identified to prevent them creeping back into the pay structure.
- 6.7 A review of market supplement (recruitment and retention payment) procedures was undertaken and a new policy was agreed by Members (Cab.27.7.2016/11), giving more flexibility to managers to recruit and retain employees. A replacement salary benchmarking system has been procured to better assess market rates of pay to improve potential recruitment/retention issues.
- 6.8 The National Living Wage (formerly termed the National Minimum Wage) is set to rise to £7.50 per hour for employees aged 25 and over from 1 April 2017. This is different to the Living Wage (an independently set, voluntary rate, currently £8.25) already paid by the Council. The NLW is compulsory and enforced by legislation.
- 6.9 There have already been some limited changes to the national NJC pay spine, deleting salary points from the bottom of the scale, as levels of national pay awards have failed to keep pace with increases to the NLW.
- 6.10 The NLW is targeted to exceed £9 per hour by 2020. This would eliminate a significant part of the bottom of the national NJC pay spine. Council officers are contributing to regional consultations on a more radical long-term review of the NJC pay spine with findings due to be reported by summer 2017 to be implemented by April 2018.
- 6.11 As detailed in paragraph 3.7 the Government has confirmed that local authorities should not include employees of maintained schools within their published gender pay gap data. Although this regulation specifically relates to mandatory gender pay gap reporting, the council has extended this principle to include the overall equal pay review process. Employees of voluntary controlled and community schools (maintained schools) will therefore not be included in the equal pay review process with effect from 1 April 2017.

7. Implications for local people / service users

- 7.1 None arising from this report

8. Financial Implications

9.1 None arising from this report.

10. Communications Implications

10.1 The detailed findings of the Equal Pay Review will be made available upon request.

11. Consultations

11.1 The Senior Management Team has been consulted.

11.2 The Equalities and Inclusion Team has been consulted and contributed significantly in the refocusing of this Equal Pay Review and will continue to do so in the future.

11.3 The Research and Business Intelligence Team has been consulted and contributed to discussions on the reporting of data and statistics.

11.4 The Trade Unions have been informed.

12. Promoting Equality and Diversity and Social Inclusion

12.1 By carrying out the Equal Pay Review not only for gender but for disability, ethnicity, age and religion we are assured that our policies and procedures are free from any significant form of bias towards the under-represented groups of employees within the Council. This will be monitored on an annual basis to ensure this continues.

This report directly supports the Council's Equality objectives:

- **An improved and more equal experience of employees working for the Council.**
- **More equal pay distribution for all sections of the workforce.**

13. Risk Management Issues

13.1 Pay and grading arrangements will always have an element of risk attached to them particularly with regard to equal pay. However, undertaking an annual Equal Pay Audit is in itself a tool to mitigate the risk of pay inequality, along with the Council's job evaluation process.

14. List of Appendices

- 14.1 Appendix A – Equal Pay Review 2015/16 Key Findings
- 14.2 Appendix B - BMBC Equal Pay Action Plan 2009-2017


15. Background Papers

- 15.1 Equal Pay Review Kit and Equal Pay Statutory Code of Practice available from Commission for Equality and Human Rights website www.equalityhumanrights.com
- 15.2 Local Authority gender pay gap statistics taken from the Local Government Earnings Survey 2014/15. This is available on LG Inform.
- 15.3 Equality Scheme 2015-2018 available on the council intranet or from the Equalities and Inclusion team
- 15.4 All background and working papers are available for inspection in the Human Resources and Business Support Business Unit.

Officer Contact: Alison Brown Service, Service Director Human Resources and Business Support

Tel: 773304 **Email:** alisonbrown@barnsley.gov.uk

Date: 16 March 2017

Financial Implications /  Consultation

Equal Pay Review

2015/2016

Key Findings

Equality Profile of Barnsley Council on 31 March 2016

Gender Profile (Council and Schools) 31 March 2016

Female				Male				Total
Council	Schools	Total	%	Council	Schools	Total	%	
1870	1790	3660	77.0	936	156	1092	23.0	4752

Disability Profile (Council and Schools) 31 March 2016

Disabled				Non-disabled				Total	Data unav- ailable
Council	Schools	Total	%	Council	Schools	Total	%		
102	2	104	4.3	2273	1007	3280	95.7	3384	1368

Ethnicity Profile (Council and Schools) 31 March 2016

Other Ethnicity				White UK				Total	Data unav- ailable	Prefer Not to say
Council	Schools	Total	%	Council	Schools	Total	%			
53	16	69	2.3	2145	843	2988	97.7	3057	1368	327

Full-time / Part-time Profile (Council and Schools) 31 March 2016

Part-time (1 - 29 hrs)				Full-time (30 – 37 hrs)				Total
Council	Schools	Total	%	Council	Schools	Total	%	
778	1351	2129	44.8	2028	595	2623	55.2	4752

Contract Status Profile (Council and Schools) 31 March 2016

Permanent				Fixed-term/Temporary				Total	Data unav- ailable
Council	Schools	Total	%	Council	Schools	Total	%		
2313	1430	3743	89.0	241	223	464	11.0	4207	545

Religion Profile (Council and Schools) 31 March 2016

Christian				Other Religion				No Religion				Total	Data Unavailable	Prefer not to say
Council	Schools	Total	%	Council	Schools	Total	%	Council	Schools	Total	%			
1634	700	2334	74.6	36	11	47	1.5	600	148	748	23.9	3129	1370	253

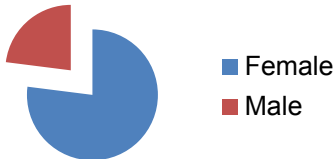
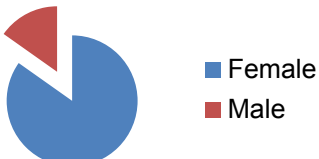
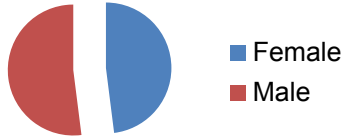
Sexual Orientation Profile (Council and Schools) 31 March 2016

Heterosexual/ Straight		Bisexual		Lesbian/Gay woman		Gay man		Data not available		Total
	%		%		%		%		%	
1216	25.6	4	0.08	6	0.1	7	0.1	3519	74.1	4752

Age Profile (Council and Schools) 31 March 2016

	16-29		30-39		40-49		50-59		60+		Total
		%		%		%		%		%	
Council	307	10.9	559	19.9	781	27.8	950	33.8	209	7.4	2806
Schools	264	13.6	323	16.6	574	29.5	601	30.9	184	9.5	1946
Total	571	12.0	882	18.6	1355	28.5	1551	32.6	393	8.3	4752

1 Overall workforce composition in 2015/6 (Council and Schools)

	Female Employees ♀	Male Employees ♂	
All NJC grades	77.0% of workforce 3660 employees (2014/15: 77.9% / 4136 employees) (2008/09: 79.0% / 6604 employees)	23.0% of workforce 1092 employees (2014/15: 22.1% / 1176 employees) (2008/09: 21.0% / 1755 employees)	
Grades 1-3	84.8% of workforce 1861 employees (2014/15: 85.2% / 2336 employees) (2008/09: 88.5% / 4122 employees)	15.2% of workforce 334 employees (2014/15: 14.8% / 466 employees) (2008/09: 11.5% / 535 employees)	
Grades 12-17 and SMT	48.0% of workforce 47 employees (2014/15: 48.2% / 40 employees) (2008/09: 37.5% / 51 employees)	52.0% of workforce 51 employees (2014/15: 51.8% / 43 employees) (2008/09: 62.5% / 85 employees)	

The organisation overall has significantly more female employees than male (more than three quarters female). **The gender distribution between grades is not even.** Female employees make up **approximately 85%** of the three lowest grades but **less than half** of the highest grades.

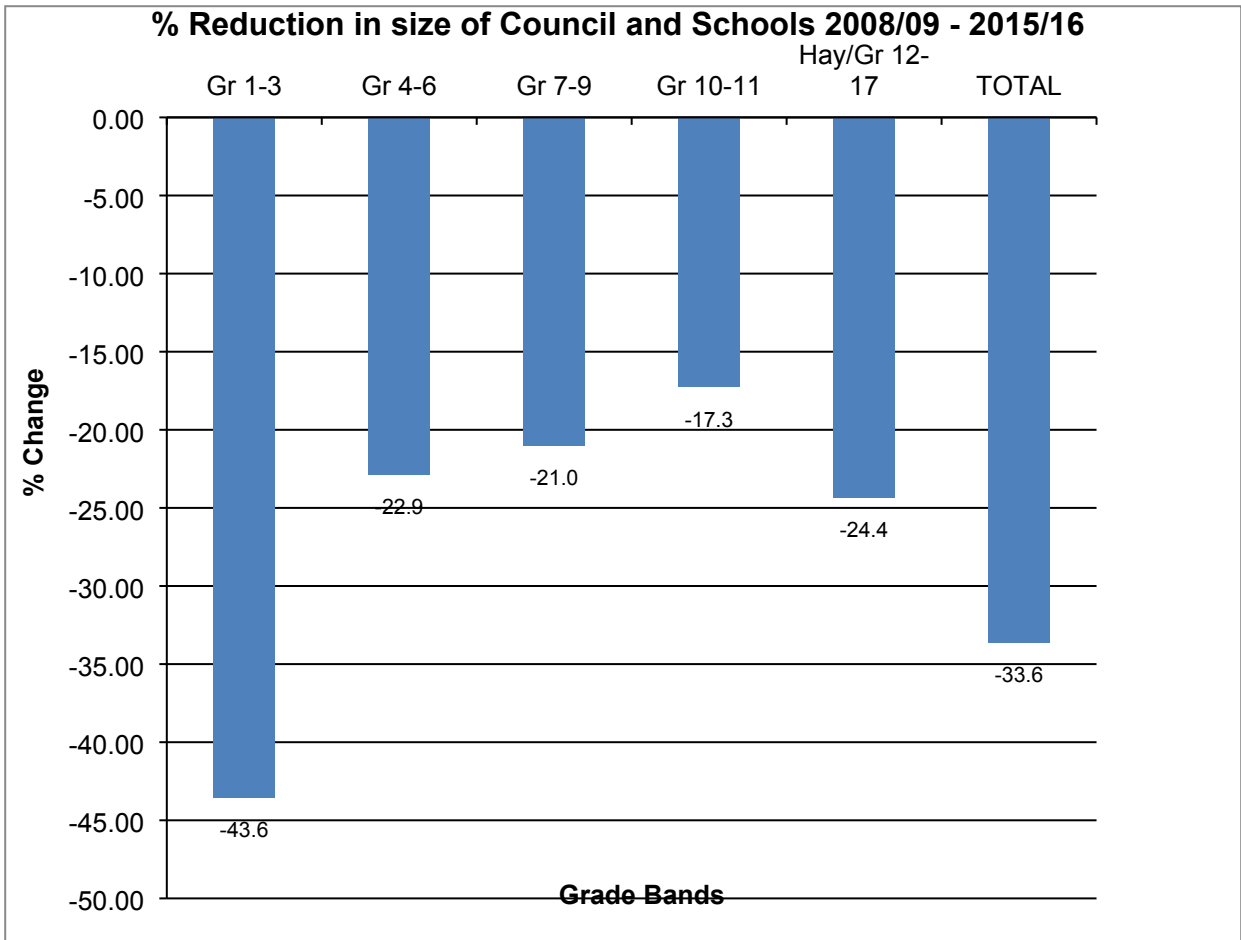
However, the gender distribution of the Senior Management Team is 75%

female and 25% male which closely reflects the overall workforce composition.

The proportions of male employees overall are increasing, if only slightly, since the first pay audit in 2008/9. In 2014/15 male employees made up 22.1% of the workforce. In 2015/16, this had increased to 23.0%.

2 A Changing Council 2008/09 – 2015/16 (Council and Schools)

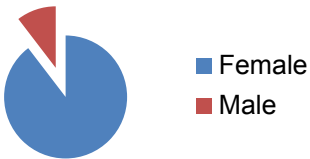
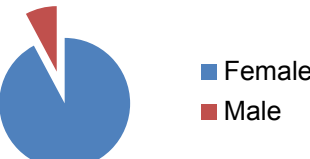
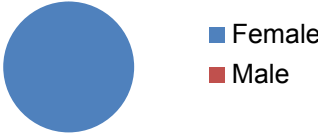
	Gr 1-3	Gr 4-6	Gr 7-9	Gr 10-11	Hay / Gr 12-17	TOTAL
2008/09	3890	1767	1019	353	119	7148
2015/16	2195	1363	805	292	90	4745
% Reduction	43.6	22.9	21.0	17.3	24.4	33.62



The Council has reduced significantly in size between 2008/09 and 2015/16. The size of the NJC workforce within the scope of the Equal Pay Review has decreased by 33%

during that time. The group that has decreased by the greatest amount is those in Grades 1-3 (43% reduction), followed by senior managers (24% reduction). The group that has decreased the least is grades 10-11 (17% reduction). The reduction of roles in grades 1-3 is related to changing service delivery models and increasing use of technology, which is likely to continue as new working methods develop and budgets are constrained.

3 New employees (appointed since 1 April 2015, Council and Schools)

	Female Employees ♀	Male Employees ♂	
All NJC grades (new employees)	88.4% of new appointees 153 employees (2014/15: 82.2% / 153 employees) (2011/12: 80.4% / 341 employees)	11.5% of new appointees 20 employees (2014/15: 17.8% / 33 employees) (2011/12: 19.6% / 83 employees)	
Grades 1-3 (new employees)	92.2% of new appointees 107 employees (2014/15: 89.7% / 113 employees) (2011/12: 86.7% / 280 employees)	7.8% of new appointees 9 employees (2014/15: 10.3% / 13 employees) (2011/12: 13.3% / 43 employees)	
Grades 12-17 and SMT (new employees)	100.0% of new appointees 1 employee (2014/15: 83.3% / 5 employees) (2011/12: 0% / 0 employees)	0% of new appointees 0 employees (2014/15: 16.7% / 1 employee) (2011/12: 0% / 0 employees)	

In order to balance the workforce, a greater percentage of male employees would need to be recruited. However, in 2015/16 **a significantly greater percentage of female**

employees were recruited (89.6% compared with 77.0% of the overall workforce).

The percentage of new female employees has increased each year since 2011/12.

There was only one new employee appointed within Grade 12-17 and SMT in 2015/16.

The employee was female.

4 Grade Changes in 2015/16 (Council and Schools)

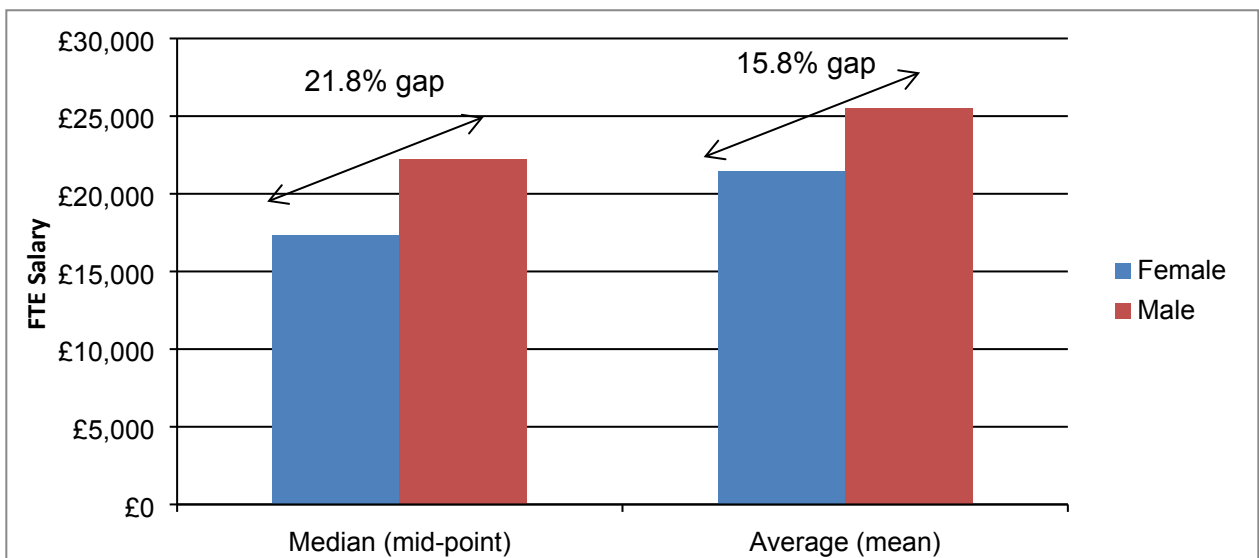
	Female Employees ♀	Male Employees ♂										
Overall Grade Decreases ↓	143 (3.9%) of female workforce (2014/15: 1.0% / 41 employees)	46 (4.2%) of male workforce (2014/15: 3.8% / 45 employees)	<table border="1"> <caption>Grade Decreases Data</caption> <thead> <tr> <th>Gender</th> <th>2014/15 (%)</th> <th>2015/16 (%)</th> </tr> </thead> <tbody> <tr> <td>Female</td> <td>1.0</td> <td>3.9</td> </tr> <tr> <td>Male</td> <td>3.8</td> <td>4.2</td> </tr> </tbody> </table>	Gender	2014/15 (%)	2015/16 (%)	Female	1.0	3.9	Male	3.8	4.2
Gender	2014/15 (%)	2015/16 (%)										
Female	1.0	3.9										
Male	3.8	4.2										
Overall Grade Increases ↑	250 (6.8%) of female workforce (2014/15: 2.2% / 92 employees)	103 (9.4%) of male workforce (2014/15: 2.9% / 34 employees)	<table border="1"> <caption>Grade Increases Data</caption> <thead> <tr> <th>Gender</th> <th>2014/15 (%)</th> <th>2015/16 (%)</th> </tr> </thead> <tbody> <tr> <td>Female</td> <td>2.2</td> <td>6.8</td> </tr> <tr> <td>Male</td> <td>2.9</td> <td>9.4</td> </tr> </tbody> </table>	Gender	2014/15 (%)	2015/16 (%)	Female	2.2	6.8	Male	2.9	9.4
Gender	2014/15 (%)	2015/16 (%)										
Female	2.2	6.8										
Male	2.9	9.4										
Overall Grade Changes	425 (11.6% of female workforce) (2014/15: 2.7% / 113 employees)	152 (13.9% of male workforce) (2014/15: 6.4% / 75 employees)	<table border="1"> <caption>Overall Grade Changes Data</caption> <thead> <tr> <th>Gender</th> <th>2014/15 (%)</th> <th>2015/16 (%)</th> </tr> </thead> <tbody> <tr> <td>Female</td> <td>2.7</td> <td>11.6</td> </tr> <tr> <td>Male</td> <td>6.4</td> <td>13.9</td> </tr> </tbody> </table>	Gender	2014/15 (%)	2015/16 (%)	Female	2.7	11.6	Male	6.4	13.9
Gender	2014/15 (%)	2015/16 (%)										
Female	2.7	11.6										
Male	6.4	13.9										

The number of grade changes in 2015/16 was significantly greater than that in 2014/15. In 2015/16 577 employees changed their grade (10.0% of the overall workforce) compared to 2014/15 when 188 employees changed their grade (3.5% of the overall workforce). This is likely to be at least in part due to the Future Council reorganization which took place on 1 April 2015.

35 of the 577 employees who changed their grade were as a result of changes to terms and conditions.

5 Gender Pay Gap 2015/16 for Basic Pay only (Council and Schools)

	Female Employees ♀	Pay Gap	Male Employees ♂	
Basic Pay Median (mid- point)	£17,372 (top of Gr 3) ←	which is 78.2% of (or 21.8% less than)	£22,212 → (top of Gr 5)	The pay gap has not changed in 4 years.
Basic Pay Average	£21,486 (mid Gr 5) ←	which is 84.2% of (or 15.8% less than)	£25,539 → (top of Gr 6)	



These demonstrate two different measures of average pay. The median (mid-point) shows the middle value of all results and is not skewed by particularly high or low values, unlike the standard (mean) average. In this case, the choice of average makes a 6% difference to the overall pay gap.

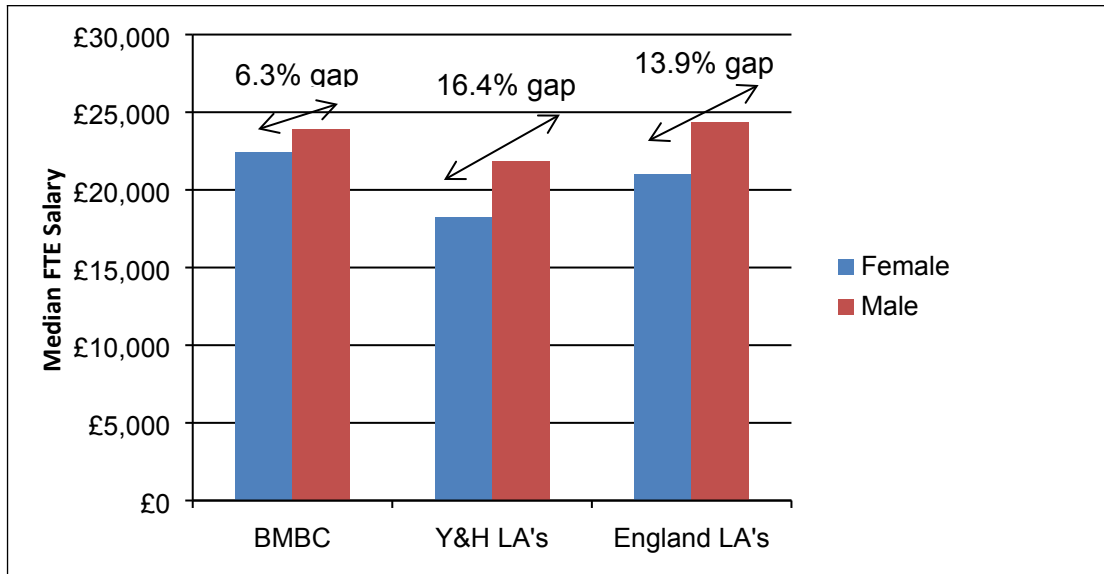
An average female employee earns either 21.8% less or 15.8% less than an average male employee according to the measurement chosen. The overall gender pay gap for Barnsley has remained largely unchanged since 2008/09.

The majority of female employees are clustered within the bottom three grades (**occupational gender segregation**). Jobs available within these grades are popular with female employees, either because of the type of work involved or because a large number of the job roles are part-time, which can be balanced against out of work responsibilities. This pattern is observed across the whole of the UK workforce and is a result of deep-rooted gender hierarchies in the labour market and is influenced by stereotypical thinking around “male” and female” occupations.

6 Full-time Gender Pay Gap 2015/16 for Basic Pay only compared with other local authorities (Council and Schools) (data taken from LG

Inform)

	Female Employees ♀		Pay Gap		Male Employees ♂
Barnsley Council Basic Pay Median (mid-point)	£22,443 ←		which is 93.7% of (or 6.3% less than)		£23,945 →
Yorkshire & Humber Region authorities Median (mid-point)	£18,245 ←		which is 83.6% of (or 16.4% less than)		£21,833 →
All English authorities Median (mid-point)	£21,006 ←		which is 86.1% of (or 13.9% less than)		£24,397 →



The 2014/15 Local Government Earnings Survey (the most recent figures available) reveals that the **pay gap between full-time male and female employees in Barnsley Council is significantly smaller than for local authorities in the Yorkshire & Humber region and England overall.**

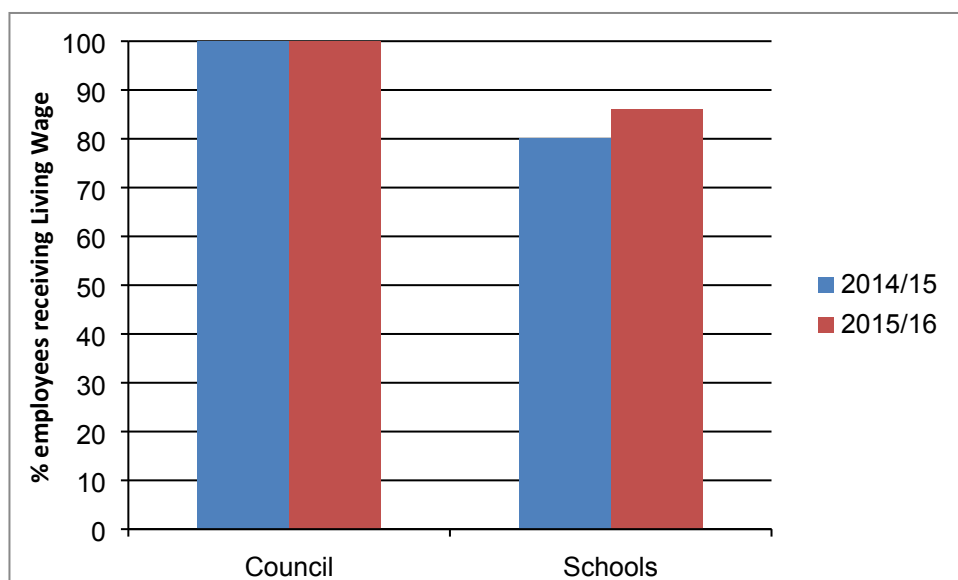
This does not reflect the full picture. Data for part-time employees from the same source is not considered to be a reliable comparison to data held locally and so has not been used. There is strong correlation between part-time work and lower pay linked to occupational gender segregation, which increases overall pay gaps between males and females.

7

Living Wage and the Gender Pay Gap 2015/16 (Council and Schools)

Eligible Employees receiving the Living Wage in the Council only								
	Female ♀		Male ♂		Total		%	
	Yes	No	Yes	No	Yes	No	Yes	No
Grade 1	8	0	13	0	21	0	100	0
Grade 2	19	0	11	0	30	0	100	0
Total	27	0	24	0	51	0	100	0

Eligible Employees receiving the Living Wage in Schools only								
	Female ♀		Male ♂		Total		%	
	Yes	No	Yes	No	Yes	No	Yes	No
Grade 1	442	71	10	1	452	72	86	14
Grade 2	93	15	14	1	107	16	87	13
Total	535	86	24	2	559	88	86	14



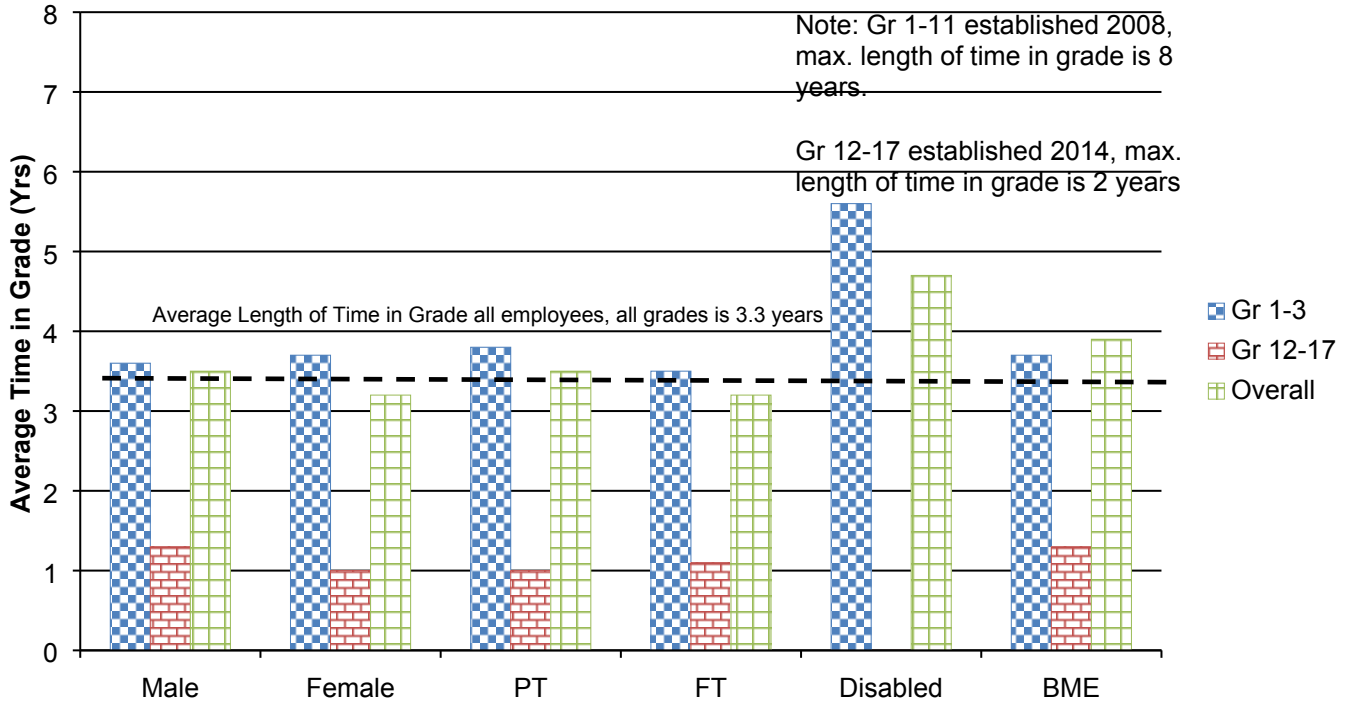
The Living Wage was implemented by the Council on 1 April 2014. It is paid as a supplement to basic pay. The Living Wage is an hourly wage rate set independently by the Centre for Research in Social Policy (CRSP) and is updated annually in November each year. For 2015/16 the hourly rate outside of London was £7.85 per hour. It is separate to the National Living Wage, which is set by the government and which replaces the National Minimum Wage from April 2016. **51 employees within the Council benefited from this hourly rate of £7.85, which was 100% of those eligible to receive the payment.**

Within schools, decisions regarding pay and grading are taken by the respective governing bodies with strategic advice provided by the Council. **In 2015/16, 559 employees within schools received the Living Wage, which was 86% of those eligible to receive the payment. This is compared to 678 employees who received the payment in 2014/15 (80% of those eligible).**

8

Average Length of Time in Grade 2015/16 (Council and Schools)

Table 8.1: Average Length of Time Spent in Grade (Council and Schools) 2015/16



Length of time spent within a particular grade can be interpreted in a number of ways. It might represent satisfaction with a particular role / working arrangement and no inclination to change these. It might indicate lack of opportunities to progress to a more highly paid role. Shorter length of time within a particular role should be looked at in conjunction with data relating to grade changes. Not all grade changes are voluntary or desired, some might represent a decrease in grade, either voluntary or compulsory via redeployment.

Taking this into account, the data above indicates that employees in Grades 1-3 spend longer than the average employee within their grades. There is no significant difference between male and female employees within Grades 1-3. This might represent a lack of promotion opportunities, a level of satisfaction with the status quo, or that those jobs suit the

individual's out of work commitments at that time. As a significant proportion of Grade 1-3 jobs are part time, it might also reflect a lack of flexible working options in higher graded roles.

The data indicates that BME and Disabled employees of all grades spend longer than the average employee within their grade. Further work to explore career progression for particular cohorts of individuals would be beneficial to be able to draw conclusions and plan as required.

9 Pay gaps by equality characteristic 2014/15 to 2015/16

Some pay gaps do exist within all the areas reviewed. A summary is provided below according to the category rating (red, amber, green). **None of these currently exceed 3%, which is the level at which the Equality and Human Rights Commission recommend that further investigation is required.**

Summary of equality characteristics reviewed (gender, disability and religion) <small>*other equality characteristics to be reviewed on a rolling basis in future reviews</small> Grades 1-17 (2014/15 vs 2015/16) (Grades 1-11 and Hay Grades 1-7 in 2008/09)			
Number of Pay Gaps	Red (requires attention) $>\pm 5\%$	Amber (no major cause for concern) $(\pm 3\% \text{ to } \pm 5\%)$	Green (no pay gap) $< \pm 3\%$
2008/09	0	3	29
2014/15	0	0	46
2015/16	0	0	45
Direction of Travel	↔	↓ ✓	↑ ✓

There are no red or amber pay gaps requiring attention or action across any equality characteristics in 2015/16. This is an overall reduction since 2008/9. This only applies to individual grades. The overall pay gap between male and female employees is discussed in sections 5 and 6 of this document.

Gender of employees - Total pay gaps (2008/09 vs 2014/15 vs 2015/16) Grades 1-17 (Grades 1-11 and Hay Grades 1-7 in 2008/09)			
Number of Pay Gaps	Red (requires attention) >± 5%	Amber (no major cause for concern) (±3% to ±5%)	Green (no pay gap) < ±3%
2008/09	0	2	16
2014/15	0	0	17
2015/16	0	0	17
Direction of Travel	↔	↓ ✓	↔

The number of pay gaps between 3-5% has decreased since 2008/09. No significant pay gaps in 2015/16 report.

Disability status of employees - Total pay gaps (2008/09 vs 2014/15 vs 2015/16) Grades 1-17 (Grades 1-11 and Hay Grades 1-7 in 2008/09)			
	Red (requires attention) >± 5%	Amber (no major cause for concern) (±3% to ±5%)	Green (no pay gap) < ±3%
2008/09	0	1	13
2014/15	0	0	12
2015/16	0	0	11
Direction of Travel	↔	↓ ✓	↔

No significant changes to report.

Religion of employees - Total pay gaps (2008/09 vs 2014/15 vs 2015/16) Grades 1-17 (Grades 1-11 and Hay Grades 1-7 in 2008/09)			
	Red (requires attention) >± 5%	Amber (no major cause for concern) (±3% to ±5%)	Green (no pay gap) < ±3%
2008/09	Data not available		
2014/15	0	0	17
2015/16	0	0	17
Direction of Travel	↔	↔	↔

No significant changes to report.

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**Equal Pay Review
Action Plan 2015/16**

Date Added	Action No	Designated Action	Date Reviewed	Progress Made	Date Completed	Status
March 2014	1	To review government guidance on compulsory publishing of gender pay gaps on internet or equivalent	Feb 2017	Equality Act Regulations incorporated into Equal Pay Policy and Code of Practice	Feb 2017	Complete
January 2016	2	Monitor pay gap between 40-49 and 50-59 age groups at Gr 2 as over 3%.	Feb 2017	Anomalous result based on one year's isolated findings	Feb 2017	Complete
January 2016	3	Review and recategorise R-A-G rating system	Feb 2017	Included in 2015/16 report	Feb 2017	Complete
January 2016	4	Review whether to continue to present merged Council and Schools data given key differences in governance, organisation shape and practices. Potential to present Council data and monitor schools information/report critical info only.	Feb 2017	Recommendation to no longer incorporate schools data following Equality Act Regulations, included in Equal Pay Policy and Code of Practice	Feb 2017	Complete
January 2016	5	Working group to consider scope, size, and resource requirements of future Equal Pay Audits with a focus on key/headline findings, trends over time linked to Council's Equality objectives.	Aug 2016	Feedback received from Equality and Inclusion / Research and Business Intelligence Managers and suggestions incorporated into work plan	Feb 2017	Complete
January 2016	6	Where categories are stable over long periods of time, consider reviewing those categories every three years rather than annually	Feb 2017	Equality Characteristics other than gender will be reviewed on a rolling basis rather than annually	Feb 2017	Complete
January 2016	7	Review best practice on age categorisations, particularly if further categories needed above 60 given changes to retirement patterns.	Feb 2017	Include as part of 2016/17 Review process		In progress
January 2016	8	Investigate how Equal Pay Audit findings can support improving gender pay profile e.g. interviews with female employees, positive action statements in recruitment, links between different HR functions and the business.	Jan 2016	Recommend further joint working with Equality and Inclusion and other HR functions		In progress

**Equal Pay Review
Action Plan 2015/16**

Date Added	Action No	Designated Action	Date Reviewed	Progress Made	Date Completed	Status
February 2017 NEW	9	Full review of Equal Pay Audit including Policy and Code of Practice to reflect mandatory reporting arrangements to ensure that statutory requirements are given priority above 'nice-to-haves' and efficiencies are brought into the process to reflect resource reductions in Pay and Reward function	New			In progress
February 2017 NEW	10	Investigate use of Infographics as an aid to presentation of statistics using in-house expertise within Business Performance and Improvement team	New			In progress
February 2017 NEW	11	Investigate lack of data recorded on disability & ethnicity. 30% increase in records with no data recorded	New			In progress

BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is not a Key Decision within the Council's definition and has not been included in the relevant Forward Plan

Report of the Executive
Director - Communities

Core Infrastructure (Server Estate) Replacement

1. Purpose of report

The purpose of this report is to seek approval to a capital scheme to replace the council's virtual server estate.

2. Recommendations

It is recommended that capital funding totalling £0.650M is released in order to undertake the scheme to replace the council's virtual server estate.

3. Introduction

The current IT hardware utilised by the authority was designed, maintained and supported by TCL. Subsequent to the end of the IT outsourcing contract significant investigations into the technical health of key assets has been undertaken. This process has identified that the virtual server estate:

- Lacked investment for a number of years;
- Was operating on slow storage, restricting application performance and utilisation of high intensity systems;
- Is close to capacity preventing the delivery of large scale systems;
- Approaching end of life;
- Has restrictions on clustering which prevents large / critical systems from being able to operate over additional servers, increasing their resiliency;
- Requires domain experts in multiple fields to provision servers which increases total cost of ownership;
- Have a high running cost both in fundamental software used and the associated operational running costs; and
- Has a minor public cloud presence operating at significant cost.

If the council allows the equipment to become unsupported by the manufacturer a significant proportion (around 80%) of the applications operated by the council will no longer be PSN compliant.

4. Proposal and justification

It is proposed to replace the virtual server infrastructure with modern, hyper-converged technology which gives the following benefits:

- Modernised virtual server provision giving the benefit of being supported by the manufacturer for the foreseeable future;
- Replace the supervising software with the Microsoft offering which is already licensed by the council giving a cash saving of approx. £0.084M per annum
- Remove cloud provision of mobile gateway servers giving a cash saving of approx. £0.060M per annum;
- Give the council improved High Availability across the server estate resulting in improved availability of hardware and applications;
- More processing power and storage, and modular way of adding increases to capacity;
- Disaster Recovery capabilities;
- Savings in power consumption in the data centre due to the smaller physical footprint of the equipment

5. Consideration of alternative approaches

Other options considered were:

Do Nothing

This option was ruled out as none of the above benefits will be realised and the council will be in breach of its PSN obligations when the equipment becomes unsupported.

Augment and Expand Existing Infrastructure

Short term requirements could be met by further investment in the existing infrastructure. This does not, however, meet the medium / long term requirements of the council and will lead to compliance issues as equipment becomes unsupported. In addition, this will not release cashable savings from transferring the supervisor software to Microsoft.

6. Implications for local people / service users

There are no implications of the report to local people / service users.

7. Financial implications

The total cost of the capital scheme is £0.650M. This has been agreed by the Capital Oversight Board as to be funded from reserves and has been included within the Future Council Capital Programme (Cab 8.2.2017/17).

8. Employee implications

There are no employee implications arising from this report.

9. Communications implications

There are no communications implications arising from this report.

10. Consultations

Consultations have taken place with the Enterprise Architect, Corporate Procurement and appropriate technical staff within the IT Business Unit.

11. The Corporate Plan and the Council's Performance Management Framework

The scheme has been approved by the Capital Oversight board and as such monitoring information will be provided to the Board as required.


12. Glossary

Virtual server- A virtual server is a server that shares hardware and software resources with other operating systems (OS), versus dedicated servers

PSN – Public Services Network is the government's high-performance network, which helps public sector organisations work together, reduce duplication and share resources.

Officer Contact David Robinson
Telephone No 01226 787514
Date 20 March 2017

Financial Implications /



Consultation
(To be signed by senior Financial Services officer
where no financial implications)

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BARNSLEY METROPOLITAN BOROUGH COUNCIL

This matter is not a Key Decision within the Council's definition and has not been included in the relevant Forward Plan

**Report of the Executive
Director - Communities**

PRIVATE SECTOR HOUSING ENFORCEMENT POLICY

1. Purpose of report

- 1.1 The purpose of the report is to seek Members approval to formalise and implement the Private Sector Housing Enforcement Policy.

2. Recommendations

- 2.1 **To approve the implementation of the Private Sector Housing Enforcement Policy with effect from 26 April 2017.**

3. Introduction

- 3.1 Good quality housing makes a significant contribution to peoples health and wellbeing. Conversely, poor quality housing can cause physical and mental health issues and also cause serious accidents. It can also have a negative effect on the environment and been associated with anti-social behaviour.
- 3.2 The effective and proper enforcement of housing enforcement legislation is therefore essential to protect the health and wellbeing of residents and to maintain environmental standards for communities.
- 3.3 Over recent years the proportion of housing tenure types in Barnsley MBC has changed. In particular there has been a significant increase in the number of dwelling in the private rented sector.
- 3.4 It is recognised that there is a need for a formally adopted Private Sector Housing Enforcement Policy in order to enable officers to make decisions about private sector housing enforcement issues in a consistent and informed manner and to enable a structured approach to the process.

4. Proposal and justification

- 4.1 The purpose of this policy is therefore to detail the Council's approach to the enforcement of private sector housing issues within the borough. In the past no

such policy has been formalised. It is therefore officer opinion that such a policy is necessary in order to discharge the Council's responsibilities with respect to transparency, accountability and consistency.

- 4.2 There is a need to implement the policy in order to give guidance and direction to employees that deal with private sector housing enforcement work.
- 4.3 The policy will inform residents and businesses in and outside the borough, including private sector housing landlords and tenants, as to how private sector housing issues will be addressed.
- 4.4 Effective operation of the policy will support the Council's priority to promote strong and resilient communities and to enable people to achieve their potential by protecting the borough for future generations.
- 4.5 The proposal is to implement the Private Sector Housing Enforcement Policy as soon as practicable.

5. Consideration of alternative approaches

- 5.1 The only alternative approach available is not to adopt and implement a policy, which is not recognised as good practice and could leave the Council open to challenge. The council also has a responsibility to be transparent and accountable in its actions.

6. Implications for local people / service users

- 6.1 The policy will provide information for local people and service users with respect to how the housing enforcement function will be applied.

7. Financial implications

- 7.1 There are no additional financial implications arising from this report.

8. Employee implications

- 8.1 Employees who deal with housing enforcement issues will be better informed and directed as to how to address housing enforcement issues.

9. Communications implications

- 9.1 The Policy will be placed on the Councils web site for the public to view.

10. Consultations

Consultation has taken place with the Head of Regulatory Services, the Head of Housing and Environment and the Equalities and Inclusion Unit.

Informal consultation to take place with local landlord and tenant groups.

11. The Corporate Plan and the Council's Performance Management Framework

11.1 The implementation of the Private Sector Housing Enforcement Policy will support the delivery of the following strategic priorities:

People achieving their potential

- Children and adults are safe from harm.
- Early targeted support for those that need it.

Strong and resilient communities

- Protecting the borough for future generations.

12. Promoting equality, diversity, and social inclusion

12.1 The policy recognises the Council's commitment to promoting equality, diversity and social inclusion. An Equality Impact Assessment has been undertaken.

13. Tackling the Impact of Poverty

13.1 The policy adapts a risk-based approach to intervention to assist the most vulnerable individuals in our communities. This should have a positive impact on those living in poverty.

14. Tackling health inequalities

14.1 Those in need of housing enforcement intervention are often in sections of the community which are at risk, vulnerable or isolated. Related interdependencies will be identified by officers to ensure a holistic approach to health and wellbeing. By assisting and supporting the vulnerable members of our community, health inequalities will be addressed.

15. Reduction of crime and disorder

15.1 A clear policy will reduce the risk of crime and disorder in communities by enabling a clear intervention framework to housing enforcement issues.

16. Risk management issues

16.1 Failure to formally adopt and implement a clear housing enforcement policy may expose the Council to criticism about inconsistencies in approach.

17. Health, safety, and emergency resilience issues

17.1 No health and safety or emergency resilience issues are apparent from this report.

18. Compatibility with the European Convention on Human Rights

18.1 All legislation cited in this report and how it will be discharged will be compliant with the European Convention on Human Rights.

19. Conservation of biodiversity

19.1 None directly arising from this report.

20. List of appendices

20.1 Proposed Housing Enforcement Policy.

21. Background papers

21.1 Equality Impact Assessment.

Officer Contact: Paul Brannan

Telephone No: 7477

Date: 13/02/17

Financial Implications /



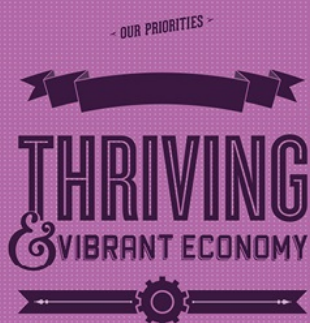
Consultation
*(To be signed by senior Financial Services officer
where no financial implications)*

Private Sector Housing Enforcement strategy 2017 - 2020

Version 1

Implementation date: Friday 7 April 2017

Review date: Tuesday 7 April 2020



ONE
COUNCIL

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Foreword

This document sets out the Council's Private Sector Housing Enforcement Policy and needs to be read in conjunction with other policies that also include the Council's role in private sector housing. The Community Safety and Enforcement Service aims to maintain and improve the housing conditions in privately owned properties in Barnsley and improve neighbourhoods. Where an informal approach fails or it is necessary to protect the health, safety and welfare of people or the environment, the service will take the necessary enforcement action.

This policy aims to promote efficient and effective approaches to regulatory inspection and enforcement to improve regulatory outcomes without imposing unnecessary burdens on businesses. It takes into account the Council's approach to better enforcement as a result of the Government's Better Regulation Agenda and sets out the Community Safety and Enforcement Service's transparent approach to enforcement so that people understand how they will be dealt with by the Council.

Introduction

The Council has a statutory duty to regulate and enforce the Housing Health and Safety Rating System (HHSRS) and to license certain Houses in Multiple Occupation (HMOs). Regulation consists of carrying out inspections, processing licences and undertaking any necessary enforcement action in relation to defective and unsafe properties.

1.0 Aim & Objectives of the Policy

1.1 The aim of the policy is to set out the legal responsibilities, policies, principles and priorities that the Community Safety and Enforcement Service will follow when enforcing legislation.

1.2 The policy objectives include:

- Helping to provide safer and healthier private housing and communities.

- Increasing public confidence in the quality of accommodation leading to a vibrant private rented sector in Barnsley.
- Raising the profile and increase transparency of enforcement in the private rented sector.

1.3 This policy supports the Council's key priorities of creating stronger and resilient communities, people achieving their potential, and a thriving and vibrant economy, so that people can be proud of and enjoy a good quality of life in their neighbourhood.

2.0 Enforcement & Legislation

Enforcement is an action carried out in exercise of or against the background of statutory enforcement powers. This is not limited to formal enforcement action such as prosecution or service of legal notices. It includes inspections or investigations related to property or land and any relevant person where the purpose is checking compliance with legislation or to give advice to help comply with the law.

The principal piece of legislation is the Housing Act 2004. However, there are circumstances where other pieces of legislation may be more appropriate in dealing with an identified problem. Officers will be expected to use professional judgement to determine the most appropriate piece of legislation to use. In some cases it may be appropriate to use a variety of enforcement tools.

2.1 Housing Act 2004

The Act places a duty on the Council to take action where a category 1 hazard has been identified. There is a discretionary power to deal with category 2 hazards.

The Act also provides a range of enforcement tools:-

- **Improvement Notices** – section 11 can be used for category 1 hazards, section 12 is used for category 2 hazards. An improvement notice should be used where reasonable remedial works can be carried out to reduce the hazard sufficiently.

- **Prohibition Orders** – section 20 can be used for category 1 hazards and section 21 is used for category 2 hazards. An order may prohibit the use of part or all of a property for some or all purposes, or for occupation by a particular number or description of people. An Order may be appropriate where conditions present a risk but remedial action is unreasonable or impractical. It may also be used to limit the number of persons occupying a dwelling, or prohibit the use of the dwelling by specific groups.
- **Hazard Awareness Notices** – section 28 can be used for category 1 hazards and section 29 is used for category 2 hazards. This is used where a hazard has been identified but it is not necessarily serious enough to take formal action. It is a way of drawing attention to the need for remedial action. This notice should not be used if the situation is considered serious enough for follow-up inspections to be made. This notice is not registered as a land charge as with other notices and has no appeal procedure.
- **Emergency Remedial Action** – section 40 can be used when there is an imminent risk of serious harm and the hazard must rate as a category 1 hazard. The authority must enter the premises and undertake any necessary remedial works that are required to reduce the immediate risk. A warrant to enter the premises in order to carry out the work may be granted by a Magistrate where they are satisfied that the authority would not be granted admission to a premises.
- **Emergency Prohibition Order** – section 43 can be used where there is an imminent risk of serious harm, the hazard rates as a category 1 and where it is not practicable to carry out the remedial works as in section 40. It can prohibit the use of all or any part of the premises with immediate effect.
- **Demolition Order** – this can only be used in response to category 1 hazards, but not if the building is listed. It must take into account availability

of accommodation for re-housing, demand for accommodation, and the possible future use of the cleared site.

- **Clearance Area** – all residential buildings in the proposed area must have at least one category 1 hazard. It must take into account availability of accommodation for re-housing, demand for accommodation, and the possible future use of the cleared site.
- **Suspended Improvement Notices or Prohibition Orders** – these notices may be suspended where enforcement action can be safely postponed until a specified event or time. This can be a period of time or a change in occupancy. Current occupation and wishes must be taken into account. These may also be used where there is programmed maintenance. The suspensions must be reviewed at the very least every 12 months. The advantage of suspending a notice is that there is a record of the Council's involvement and the situation must then be reviewed. It is also recorded as a land charge.
- **Additional and Selective Licensing** – powers to designate an area or areas within their borough specifically to assist in addressing neighbourhood housing standards of low demand, moderating anti-social behaviour of tenants and those visiting the property, dealing with crime, deprivation, economic migration and poor property conditions. By introducing a scheme or schemes of Additional and Selective Licensing either in isolation to each other or combined as a tool, areas can be designated to specifically target these issues, subject to a robust consultation and data analysis exercise.

2.2 The Housing Health and Safety Rating System (England) Regulations 2005

Where officers have reason to enter a dwelling they will inspect the whole property (including associated garden/yard areas) using the Housing Health and Safety Rating System (HHSRS). This system has been adopted by Regulations as the prescribed methodology for assessing housing conditions. The aim is to identify deficiencies within dwellings that may lead to a hazard. Each hazard is assessed and assigned a

band. These bands are translated into either a category 1 or category 2 hazard.

2.3 Supporting Legislation

- **Environmental Protection Act 1990 section 80**

Notices can be served if the Officer is of the opinion that there is a statutory nuisance at the premises. The premises must be deemed prejudicial to health or a nuisance.

- **Building Act 1984 section 59/60**

Used to deal with defective drainage issues in existing buildings.

- **Building Act 1984 section 64/65**

Used where sanitary conveniences are insufficient or in need of replacement and are considered prejudicial to health or a nuisance.

- **Building Act 1984 section 76**

Used where the property is so defective so as to be prejudicial to health. This notice notifies the person responsible of the local authority's intention to remedy the problem (similar to work in default).

- **Public Health Act 1936 section 45**

Used where there are defective sanitary conveniences due to their repair and/or cleansing ability. They must be in such a state as to be prejudicial to health or a nuisance.

- **Public Health Act 1961 section 17**

Where any drain, private sewer, water closet, waste pipe or soil pipe has not been maintained and can be repaired for less than £250.

- **Local Government (Miscellaneous Provisions) Act 1976 section 33**

Used where services such as the water supply are due to be, or have been, cut off to a domestic property.

- **Prevention of Damage by Pests Act 1949 section 4**

Used where there is evidence of, or harbourage of pests at a property.

- **Housing Act 1985 (as amended)**

Some provisions within the 1985 Act have not been revoked and may be appropriate to use in some circumstances. In particular the overcrowding provisions are still available for use where appropriate.

- **Local Government (Miscellaneous Provisions) Act 1976 section 16**

Used to formally request information about a premises or a person.

- **Police and Criminal Evidence Act 1984, Criminal Procedures and Investigation Act 1996, Regulation of Investigatory Powers Act 2000**

Used in relation to interviews under caution, prosecution and gathering evidence.

3.0 Enforcement Procedure

3.1 Enforcement Concordat & Regulators' Codes

Officers will be expected to follow the principles of the Enforcement Concordat as well as the Regulators' Code in accordance with section 23 of the Legislative and Regulatory Reform Act 2006. In terms of private sector housing enforcement, the Service will apply the general principles of the code. The Code has been introduced to embed a risk-based, proportionate, targeted and flexible approach to regulatory inspection and enforcement, ensuring that regulators are efficient and effective in their work, without imposing unnecessary burdens on those they regulate.

The principles of the Enforcement Concordat will continue to be embraced in respect of openness, helpfulness, a balanced approach, consistency, suitable action, human rights and equalities. However this policy must take into account prescriptive obligations imposed by the Regulator's Code. The main changes introduced as a consequence of the statutory code concern obligations for staff carrying out enforcement duties to:

- Recognise that a key element of regulation will be to allow or encourage economic activity and only intervene when there is a case for protection.
 - Use comprehensive risk assessment to concentrate resources in the areas that need them most.
 - Provide authoritative, accessible advice easily and cheaply.
 - Not undertake inspection without reason.
 - Not require unnecessary information or give the same piece of information twice. This is existing good practice and promotes information sharing and good working practices between internal and external service providers.
 - Be accountable for the efficiency and effectiveness of their activities, while remaining independent in the decisions they take. This is existing good practice based on openness and transparency, with decisions being subject to scrutiny.

3.2 Informal Action

One of the aims of the Service is to improve the housing conditions in the private sector by use of advice and education. When using Housing Act 2004 powers, in most circumstances the Council will consider taking informal action prior to formal enforcement (although there are certain circumstances where officers will take formal action in the first instance). However, where alternative legislative powers are being used it may not be appropriate to consider taking informal action and a formal notice will be served e.g. where conditions prejudicial to health exist.

All remedial work that is required must be sufficient to remove any risks but not so excessive as to be burdensome. In order to satisfy these principles it is expected that officers in the first instance will make contact with the person responsible for the property containing the hazard with a view to taking informal action. Informal action may take a variety of forms including verbal requests, letters, e-mails and schedules of work. It is anticipated that in many cases an informal approach will achieve the desired outcomes.

Informal action cannot however be allowed to continue indefinitely and there must

be a limit attached to the informal action. Therefore, a response is required within 14 days of the date of the first informal letter. If a response is received and a timescale for completion of the works is agreed then it may not be necessary to serve a legal notice.

If remedial works have not been started or fully completed within the agreed time, the officer will revisit and then a notice will be served with reasonable timescales.

The delays incorporated within the informal approach are satisfactory where there is not a high risk posed or the agreed timescales for completion are short.

However, where there is a serious hazard or where there are conditions prejudicial to health or where the informal procedure would result in an unacceptable delay, a formal notice will be served as soon as possible.

3.3 Formal Enforcement Action

Circumstances where it is appropriate to take formal action include where:

- A person refuses to carry out the work informally.
- There is an actionable risk to health and safety, for example:
 - no heating in cold weather,
 - no hot water to wash or prepare food safely,
 - exposure to damaged asbestos insulation board which means occupiers are likely to inhale or ingest asbestos fibres,
 - exposed live electrical wiring which people are likely to make contact with,
 - raw sewage surcharging into a neighbour's property.
- There is history of failure to meet requests to carry out legally required works.
- There is history of failure to manage a property in line with legal requirements.
- There is a record of criminal convictions for failure to comply with housing related offences (including offences that are likely to affect housing management) in the last five years or a Simple Caution has been issued in the last two years.

- It is necessary to safeguard and protect health and safety in the future.

The above is not intended to be an exhaustive list. Each case will be considered on its individual merits.

An internal and external inspection of an entire property must be carried out and the deficiencies noted. As the principal piece of legislation, the Housing Act 2004 will be considered to assess whether there are category 1 or category 2 hazards within the property. Having made this assessment and dependent on the problems within the property, consideration will be given to the most appropriate course of action to reduce the hazards to an acceptable level.

The most appropriate legislation must be identified for dealing with the hazard. Officers will have regard to all available guidance. Consideration must also be given to whether consultation is required with other enforcing agencies or other services in the Council.

The Council may charge and recover the reasonable costs incurred in taking formal enforcement action. The person upon whom the notice is served will be responsible for the expenses incurred by the Council in serving the notice. All outstanding charges will be actively pursued and will also remain as land charges and accrue interest until paid in full.

The Housing Act 2004 requires that officers give 24 hours written notice to those with an interest in a property when exercising their formal enforcement powers. When using other legislation however the Council has the power to gain entry to a building without giving the relevant notice. This will be dependant on the piece of legislation being utilised.

Although formal action can be taken against owner occupiers, the Council considers that owner occupiers are usually in a position to take informed decisions concerning maintenance or safety issues to properties that they own or reside in. The Council will therefore rarely take formal action against home owners for

hazards identified in their homes. We aim to provide owner occupiers with appropriate advice and recommendations of how they can mitigate any hazards identified.

The Council however will always consider enforcement action against owner occupiers where there is an imminent risk to the health and safety of occupants or the wider public.

Tenants within rented accommodation do not have the same level of control that owner occupiers benefit from and are reliant on landlords to adequately maintain their homes. The Council will therefore take enforcement action where necessary against landlords who are putting the health and safety of their tenants at risk.

Registered Providers exist to provide social housing and their performance is scrutinised by the Homes and Communities Agency and the Housing Ombudsman. The Council will not normally take formal enforcement action against a Registered Provider without informal contact unless it is satisfied that the problem in question has been properly reported to the Registered Provider and they have failed to take appropriate action. The Council will always however consider formal enforcement action against Registered Providers where there is an imminent risk to the health and safety of tenants and/or the wider public.

3.4 Section 8 Statement of reasons

Under section 8 of the Housing Act 2004, a statement must be prepared detailing which notice provisions are being considered. The statement must also include why the other options have been discounted at this stage. In making these decisions regard must be had to:

- the seriousness of the situation and the imminent risk to health and safety,
- the type of hazard,
- the current occupation and the impact the decision may have on the social exclusion of certain groups of people,
- the turnover of tenants or occupants to the property,

- the management of the property,
- the occupants' views,
- the owners' views,
- the number of hazards within the property and whether they are category 1 or category 2,
- the enforcement policy and procedures and the Housing Strategy.
- the decent homes standard.

Where there are only category 2 hazards consideration must be given to the overall effect of the multiple hazards and whether they are indicative of a run-down property.

Once a decision has been made the appropriate notice procedure must be followed. When taking any form of action a covering letter and the statement of reasons under section 8 must also accompany the notice and the schedule of work.

4.0 Priorities

The Housing Act 2004 and HHSRS Regulations 2005 have identified a number of hazard categories that have been found within the home. There are 29 hazards that arise from disrepair, lack of maintenance or poor design. The health effect from these hazards range from death to mental stress and the HHSRS provides the opportunity to compare unrelated hazards such as fire with other hazards such as damp and mould growth. This is done through the calculation of a hazard score. The higher the score the greater the risk posed by the hazard.

When a complaint is received the officer will prioritise the complaint based on the information provided by the complainant.

Using professional judgement and knowledge of the HHSRS the Officer will further prioritise the complaint. Where it appears to the Officer that serious hazards are

present the officer would aim to visit within 3 working days. For any other complaints the officer will visit within 5 working days.

In times of high service demand it may not be possible to adhere to these timescales. The complainant should be kept informed as to the potential delay.

5.0 Decent Homes Standard

The Government has identified a minimum standard that homes must achieve in order to be considered decent. As part of the standard a home must not contain category 1 hazards, must be in a reasonable state of repair, must have reasonably modern facilities and services and must provide a reasonable degree of thermal comfort. Each of these aspects can be covered by hazard categories within the HHSRS and therefore it is expected that Officers will have regard to this standard when considering any action.

Free from category 1 hazards – following an assessment under the HHSRS the property is only decent where there are no category 1 hazards.

Reasonable state of repair - where one or more key building components (structural elements) are old and in such a condition they need replacement or repair then the property is not decent. Alternatively, if two or more components (not key components) are old and in such a condition as to need replacement or repair and together are indicative of disrepair then the property is not decent. [A key component is defined in: A Decent Home: Definition and Guidance for Implementation June 2006].

Reasonably modern facilities – to be considered non-decent the property must lack at least three of the following amenities: a kitchen which is less than 20 years old, a kitchen with adequate space and layout, a bathroom which is less than 30 years old, a suitably located bathroom and toilet, adequate external noise insulation, adequate size and layout of the entrance to blocks of flats.

Reasonable degree of thermal comfort – the property must have an efficient heating system such as gas or oil, electric storage heaters where other options are not possible, under floor/warm air systems and effective insulation in order to be considered decent.

6.0 Level of remedial works required

As a minimum, category 1 hazards must be reduced to a category 2.

Where this is not possible all reasonable steps must be taken to reduce the hazards as far as reasonably practicable. In some cases, such as listed buildings, category 1 hazards may remain.

When deciding on the remedial works, regard must be had to the seriousness of the hazard, the ideal that the property should achieve, and the level of work required that is reasonable to reduce the hazard significantly without incurring excessive cost.

Where any works for either a category 1 or 2 hazard are needed, the Council will require works to a standard that will prevent patch and mend repairs.

For the hazard of fire, the Council will consider current LACORS Housing Fire Safety guidance.

7.0 Appeals against Notices/Orders

Once the Officer has made the decision to serve a notice and has followed the correct procedure the notice will be served with a copy of the section 8 statement of reasons. All correspondence will detail the appeal procedure against the action being taken.

The person served with the notice/order has the right to appeal against the notice/order on any grounds. The main reasons for appeal are likely to be the contents of the notice/order and the schedule of work. Appeals can also be made on the grounds that the notice/order was not served on the correct person, or that a different course of action would be more appropriate.

Appeals regarding Housing Act 2004 enforcement action are made to the relevant Residential Property Tribunal (RPT). The intention is that the Tribunal will be able to make a decision based on paperwork and statements supplied by both parties. On occasion a hearing will be held where both parties must present their cases. The RPT may request to visit the property in question. An RPT decision can be appealed following consent from

the RPT. All other appeals regarding enforcement taken under other pieces of legislation should be directed to the Magistrates Court or as directed on the notice/order served.

8.0 Offences

8.1 Housing Act 2004

Failure to comply with an Improvement Notice without reasonable excuse – the notice recipient commits an offence and is liable to prosecution. On summary conviction they can be fined up to level 5 on the standard scale. The obligation to carry out the remedial works continues despite the fact that the period for completion has expired.

Failure to comply with a Prohibition Order – an offence is committed if the premises is used in contravention to the order, or permission is given for the premises to be used in contravention to the order. On summary conviction fines up to level 5 on the standard scale may be levied. In addition there is a further fine of up to £20 per day for every day or part day after conviction that the property is used in contravention.

8.2 Environmental Protection Act 1990

Failure to comply with a notice – the notice recipient commits an offence and is liable to prosecution. On summary conviction the fine can be up to level 5.

8.3 Building Act 1984

Failure to comply with any notice - the notice recipient commits an offence and is liable to prosecution. On summary conviction fine can be up to level 4 with a daily charge of £2 until works are complete.

8.4 Public Health Act 1936

Failure to comply with any notice - the notice recipient commits an offence and is liable to prosecution. On summary conviction fine can be up to level 4.

8.5 Public Health Act 1961

No prosecution procedure – the Council carries out works and the person responsible is charged and costs recovered.

9.0 Prosecution

Where there is a breach of a notice or an order the officer must investigate the offence and may prepare the case for prosecution. This may involve interviewing relevant people under caution, following the relevant parts of the Police and Criminal Evidence Act 1984.

It is not essential to carry out an interview, however, it is considered good practice to establish 'reasonable excuse' under caution before prosecution is pursued further.

The case will be presented to the Council's Legal Services who will decide if the prosecution should be pursued. In making this decision Legal Services will have regard to the Code for Crown Prosecutors (Prosecutors employed by the Crown Prosecution Service). This is to ensure that fair and consistent decisions about prosecutions are made. Officers must also refer to this code when considering the merits of pursuing a prosecution.

10.0 Works in Default

Where the Council has legally required someone to do works but they have failed to do so, powers are available to carry out works in their default. The powers are provided within the specific legislation being used in relation to the case. In most circumstances a person will be given notice of the Council's intention to carry out works in their default. Once the Council has started works it is an offence for that person to obstruct Council officers or any of the contractors that have been employed to carry out the works.

The complete cost of the works and all other associated relevant costs will be recovered in accordance with the relevant statutory provisions. The Council may consider enforced sale procedures or sequestering rents with a view to recovering charges owed where appropriate. Until cleared, all outstanding debts will be registered as a local land charge against the property and will accrue interest.

Carrying out works in default is a discretionary power and can be carried out either

instead of a prosecution or in addition to a prosecution.

With regard to the Housing Act 2004, any remedial works must be extensive enough to remove the hazard and leave the property in a safe condition.

11.0 Enforced Sales Process

The Enforced Sales Process is a tool which can be used on specific pieces of land or property where the owner owes a debt to the Council for services. It is enforced under the Law and Property Act 1925, section 103 against a land chargeable debt.

The cost of carrying out that work is levied against the title of the property as a primary charge. It offers the Council the ability to recover charges owed by the property by putting the house up for sale or auction to recover the best price and repay monies outstanding.

This course of action does not allow the Local authority autonomy over how this property is disposed of. Nevertheless the Council must show that it has achieved the best price possible.

12.0 Compulsory Purchase Orders

Compulsory Purchase Orders action can be used to acquire a building, dwelling house or piece/ plot of land. This legislation can be used as a tool to offer housing within the realm of the Council's housing portfolio or can be sold directly to the public. This tool allows the authority to use its discretion regarding how the property is disposed of as the property is vested to the local Authority via a General Vesting Declaration, subject to a statement of reason to the planning inspectorate.

13.0 Action by Agreement

The Act also makes provision for remedial works to be carried out by agreement. This is where the local authority arranges for the works to be carried out at the request of the

person responsible and they are then charged for the full cost. When it is carried out in default without agreement the local authority will recover expenses reasonably incurred plus interest.

In order to use this provision the officer must be confident that the cost of the works will be repaid in full once the work is complete and the owner provides written assurances that they will pay.

The Council will actively pursue monies owed and an invoice will be raised. If the costs incurred are not paid they will be placed as a charge against the property. The Council may also then consider whether enforced sale of the property is appropriate and reasonable in the circumstances with a view to recovering monies owed.

14.0 Overcrowding

The Council will investigate complaints from private rented sector tenants about overcrowded living conditions where there is concern about children or vulnerable adults living in overcrowded conditions or where overcrowded conditions are legitimately impacting on a neighbour's health, safety or welfare.

We will liaise with the Council's Housing Options Service where Officers are taking enforcement action that is likely to lead to a family moving out of their accommodation.

When deciding on the most appropriate course of action each case will be judged on its own merits.

15.0 Illegal Eviction and Harassment

We aim to ensure a fast, clear and co-ordinated response of intervention in cases of harassment and illegal eviction in private rented accommodation. We will work in partnership with the Police and other agencies to ensure that the practice of illegal eviction and harassment is eradicated within the borough.

The Council is committed to taking a proactive approach in these circumstances both through the provision of advice and assistance to landlords and tenants and through the use of informal warnings and mediation where appropriate. The overriding aim is to maintain the occupants' residence in the property in peace and comfort through facilitating negotiation and conciliation between the occupant and the landlord.

BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is not a Key Decision within the Council's definition and has not been included in the relevant Forward Plan

**REPORT OF THE
EXECUTIVE DIRECTOR FOR PLACE
TO CABINET ON 03.05. 2017**

TITLE: OFSTED Inspection of the Adult Skills and Community Learning Service

1. PURPOSE OF REPORT

- 1.1 To inform Cabinet of the results of the inspection by Ofsted of the Adult Skills and Community Learning Service within the Place Directorate which took place between the 6th and 9th December 2016.
- 1.2 To seek approval to undertake the planned improvements required to address the areas for development identified during the inspection

2. RECOMMENDATIONS

- 2.1 **Cabinet note the outcome of the OFSTED inspection**
- 2.2 **Cabinet approve the planned improvements identified and endorse the creation of a Member supported Improvement and Governing Board to oversee the improvement journey and ensure existing strengths are maintained**

3. INTRODUCTION

- 3.1 The Adult Skills and Community Learning Service is a direct delivery service acting as a key component of the Employment and Skills continuum directly linked to economic development and community regeneration. Local delivery is targeted, in, for and with communities to maximise the potential to engage with those adults, families and communities of Barnsley who may need extra help and support. The Service delivers BMBC's vision and addresses local priorities by harnessing the transformational potential of employment, skills and learning to support the development of:
 - A thriving and vibrant economy
 - Citizens achieving their potential
 - Strong and Resilient Communities

Achieved by prioritising those who may need extra help in gaining the skills and experience they need to succeed, providing high quality opportunities that are inclusive and accessible, promoting lifelong learning to raise aspiration and facilitate progression and achievement, planning and delivering a diverse and responsive curriculum.

Funded through external grants, contracts, sub contracts and BMBC including Skills Funding Agency (SFA) Adult Education Budget to support the delivery of learning interventions for adults aged 19+, it is the receipt of this public funding via the SFA that brings the Service into scope for inspection by OFSTED.

BMBC also receives public funding through the Education Funding Agency (EFA) for delivery of learning interventions to the hardest to reach 16-18 year olds. However as there was no delivery against this contract during the period of the inspection, the judgements made apply only to the SFA element of BMBC's contracts.

3.2 The judgments made by the team of 5 inspectors are summarised below. :

Judgement Area	Outcome
Overall effectiveness	Grade 3 Requires Improvement
Effectiveness of leadership and Management	Grade 3 Requires improvement
Quality of teaching, learning and assessment	Grade 3 Requires improvement
Personal development, behaviour and welfare	Grade 3 Requires improvement
Outcomes for learners	Grade 3 Requires improvement

Inspection grades are based on a provider's performance against a common inspection framework (CIF) using a four point scale where:

Grade 1	Outstanding
Grade 2	Good
Grade 3	Requires improvement (formerly satisfactory)
Grade 4	Inadequate

3.3 The Service was judged to have the following strengths

- Leaders and managers lead highly effective partnerships which they use well to establish an adult learning curriculum that supports the most vulnerable and hard to reach members of the community
- Tutors plan and deliver a range of interesting and enjoyable learning activities that inspire learners so that they are keen to learn
- Through attending programmes, adults improve significantly their confidence, communication skills, and employability skills
- Managers and staff have established inclusive and welcoming environments where learners, many with significant barriers to participating, feel safe and motivated to learn
- A high proportion of learners who take accredited vocational qualifications make good progress and gain the necessary skills and knowledge to achieve and progress to further learning or employment

However the Service was judged to be a provider that requires improvement because:

- Leaders and managers do not implement actions to improve the quality of teaching, learning and assessment and learners' outcomes quickly enough
- Leaders and managers do not have access to sufficiently detailed data about learners' progress and achievements to enable them to identify areas for concern quickly enough, such as when learners fall behind schedule in their learning
- Too few learners achieve their qualifications in English, mathematics, English for speakers of other languages (ESOL) writing skills, and information and communications technology (ICT)

- Tutors make insufficient use of information about learners' starting points or the progress that learners make to plan sufficiently challenging learning activities, particularly for the most able learners
- Tutors do not explain clearly to adults on community and family learning courses the progress that they are making and, as a result, a minority of learners make slow progress
- Staff do not reinforce sufficiently modern British values and how these relate to learners as citizens of Barnsley on their programmes. (British Values are defined in the Common Inspection Framework as: Democracy, Individual Liberty, The rule of law, Respect and tolerance)
- Staff do not develop learners' understanding of risks associated with radicalisation and extremism well enough

The full report which was published towards the end of January 2017 can be found at Appendix 1

4. PROPOSAL AND JUSTIFICATION

4.1 Whilst the judgement of "Requires Improvement" was not anticipated, members can be reassured by inspectors' recognition that the Service has the capacity to make the improvements required to achieve an overall judgement of "Good" at the next full inspection which will take place within 18 to 24 months.

4.2 The recommendations made by inspectors clearly form the route map the Service needs to follow to bring about the required improvement. The headline action to achieve this is to ensure the Service **maintains a relentless focus on improving the quality of teaching, learning and assessment and the impact this has on outcomes for learners** so that every learner in every subject and every lesson can be assured of a high quality experience which supports them to reach their full potential. I

Specific actions identified to achieve this are contained in the detailed action plan at appendix 2 which it is proposed members endorse.

4.3 To facilitate the improvement journey the Service requests support from Senior Officers and Members in the following areas:

- Performance reporting, scrutiny and challenge to ensure improvement actions are sufficiently focused on teaching, learning and assessment and the impact this has on learning and progress
- Employee performance management and improvement. Enabling action to ensure speedy intervention to prevent any negative impact on the quality of any learner's experience, progress or outcome
- Governance. Consideration of the potential for BMBC decisions or the decision making process to impact on the quality of any learner's experience, progress or outcome
- Infrastructure and resources. Sufficient and appropriate to deliver, monitor and quality assure contracted volumes to the required standard

4.4 To achieve this and to oversee the improvement journey, the creation of an Improvement and Governing Board is proposed. The Board will have Member, senior officer, operational management and stakeholder membership and will meet up to 6 times a year (half termly). It will provide a forum to develop co-ordinated collaborative thinking and action to strengthen the quality of provision delivered by the Service through focusing on developing existing strengths and good practice and ensuring the recommendations made by OFSTED are appropriately addressed. An application to the National Leaders of Governance scheme has been successful and will be used to develop and implement appropriate terms of reference and connectivity to existing performance reporting and accountability structures. Initial draft documents can be found at appendix 3.

5. CONSIDERATION OF ALTERNATIVE APPROACHES

- 5.1 There are no alternative approaches as the Council is contracted to deliver the SFA contract and is committed to its delivery.

6. IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS

- 6.1 Assurance that the quality of the learning delivered by the Adult Skills and Community Learning Service will improve to at least "good".

7. FINANCIAL IMPLICATIONS

- 7.1 No financial implications. Delivery and improvement will be managed within existing budgets through grant allocations and the generation of fees.

8. EMPLOYEE IMPLICATIONS

- 8.1 Improving employee performance framework will be applied to ensure improvements to teaching, learning and assessment where required.

9. COMMUNICATIONS IMPLICATIONS

- 9.1 Corporate communications have been fully briefed and have prepared statements to respond to enquires as required.

10. CONSULTATIONS

- 10.1 -Not applicable.

21. LIST OF APPENDICES

- Appendix 1: OFSTED Report
Appendix 2 Improvement Plan
Appendix 3 Advisory Board Terms of Reference

22. BACKGROUND PAPERS

Further education and skills inspection handbook July 2016

<https://www.gov.uk/government/publications/further-education-and-skills-inspection-handbook>

The Common Inspection Framework: Education, skills and early years

<https://www.gov.uk/government/publications/common-inspection-framework-education-skills-and-early-years-from-september-2015>

Officer Contact: Anne Marie Holdsworth **Telephone No:**775287**Date:** 22/02/2017

Financial Implications/Consultation

.....
(To be signed by senior Financial Services officer
where no financial implications)

Barnsley Metropolitan Borough Council

Local authority

Inspection dates

6–9 December 2016

Overall effectiveness		Requires improvement	
Effectiveness of leadership and management	Requires improvement	Adult learning programmes	Requires improvement
Quality of teaching, learning and assessment	Requires improvement		
Personal development, behaviour and welfare	Requires improvement		
Outcomes for learners	Requires improvement		
Overall effectiveness at previous inspection		Good	

Summary of key findings

This is a provider that requires improvement

- Leaders and managers do not implement actions to improve the quality of teaching, learning and assessment and learners' outcomes quickly enough.
- Leaders and managers do not have access to sufficiently detailed data about learners' progress and achievements to enable them to identify areas for concern early enough, such as when learners fall behind schedule in their learning.
- Too few learners achieve their qualifications in English, mathematics, English for speakers of other languages (ESOL) writing skills, and information and communication technology (ICT).
- Tutors make insufficient use of information about learners' starting points or the progress that learners make to plan sufficiently challenging learning activities, particularly for the most able learners.
- Tutors do not explain clearly to adults on community and family learning courses the progress that they are making and, as a result, a minority of learners make slow progress.
- Staff do not reinforce sufficiently modern British values and how these relate to learners as citizens of Barnsley on their programmes.
- Staff do not develop learners' understanding of risks associated with radicalisation and extremism well enough.

The provider has the following strengths

- Leaders and managers lead highly effective partnerships which they use well to establish an adult learning curriculum that supports the most vulnerable and hardest to reach members of the community.
- Tutors plan and deliver a range of interesting and enjoyable learning activities that inspire learners so that they are keen to learn.
- Through attending programmes, adults improve significantly their confidence, communication skills, and employability skills.
- Managers and staff have established inclusive and welcoming environments where learners, many with significant barriers to participating, feel safe and motivated to learn.
- A high proportion of learners who take accredited vocational qualifications make good progress and gain the necessary skills and knowledge to achieve and progress to further learning or employment.

Full report

Information about the provider

- The adult skills, employability and community learning service provided by Barnsley Metropolitan Borough Council (BMBC) has its main delivery location in Barnsley town centre. The service provides courses in around 30 other venues across the borough. At the time of inspection, there were 1,419 learners on adult learning programmes. Family and community learning courses account for approximately half of the provision. Learners follow courses in a range of subjects including English, mathematics, ESOL, employability, ICT, childcare, health and social care, hospitality and catering, business management, modern foreign languages and visual art.
- The metropolitan borough of Barnsley has a population of around 231,000, 97% of whom are from a White British background. At 11%, a higher proportion of residents have no qualifications compared with the national figure and with the Yorkshire and Humber region. The proportion of residents who have qualifications at level 3 or above is below the regional and national averages. Unemployment in Barnsley is higher than regional and national averages.

What does the provider need to do to improve further?

- Leaders and managers should ensure that improvement plans and the targets within them focus on the specific actions required to bring about swift improvements to the quality of teaching, learning and assessment and outcomes for learners in the areas where these are not good enough.
- Leaders should ensure that managers and staff have access to sufficiently detailed and meaningful information about learners' progress on their courses and on to the next steps in their learning, and that they use this information to ensure that learners are on appropriate programmes and make the progress of which they are capable.
- Leaders and managers should implement performance management and staff training activities more effectively to:
 - bring about improvements in the planning and delivery of weaker areas of the provision, particularly English, mathematics, ESOL and ICT, to increase the proportion of learners who achieve
 - ensure that tutors are better able to plan learning activities so that learners on all courses make the progress of which they are capable based on their starting points.
- Leaders and managers must ensure that all tutors who deliver community education and family learning programmes understand and use the procedures for setting targets for learners and recording learners' progress and achievements effectively, so that adults improve the progress they make towards achieving their personal learning and progression targets.
- Improve tutors' skills and confidence in planning activities that increase learners' awareness of modern British society and life, and the risks associated with radicalisation and extremism, and how these relate to them as citizens of Barnsley.

Inspection judgements

Effectiveness of leadership and management

Requires improvement

- Leaders and managers do not give sufficient priority to improving the quality of teaching and learning or learners' outcomes. They produce a quality improvement plan which they monitor regularly and update throughout the year. Too often, the improvement actions are not detailed and precise enough, referring to the application of processes rather than the impact they have on learners' progress or the quality of teaching and learning.
- Although managers use comprehensive performance management systems to effectively identify examples of poor staff performance, remedial actions they take to improve performance take too long to implement. This, combined with high levels of staff absence, results in a minority of learners not making sufficiently good progress.
- Managers who carry out observations of teaching and learning provide insufficiently detailed feedback to tutors on how they can improve their practice. Leaders and managers provide staff with a wide range of staff development activities but too few of these focus on improving teaching, learning and assessment.
- Leaders and managers do not have sufficiently detailed data about learners' progress and achievements to enable them to identify areas for concern early enough and take swift action to bring about improvements. Leaders recognise this but have been slow in implementing improvements.
- Leaders' self-assessment of the strengths and weaknesses of the service results from an inclusive process involving staff and managers at all levels. The summary report, however, is insufficiently evaluative and overlooks some key areas that require improvement such as the insufficient promotion of British values throughout learners' programmes and the lack of clarity provided for adults on community education and family learning courses about the progress they are making.
- Leaders and managers do not ensure that all learners receive appropriate initial advice and guidance prior to joining courses or, once they are on courses, advice about their next steps. Managers have yet to establish reliable systems for monitoring learners' progression into further education, work or training once they have left their courses. As a result, they cannot fully review the effectiveness of provision in meeting learners' short-term and career aspirations.
- Leaders and managers work very effectively with education and community partners to develop clear and well-researched plans for the adult education curriculum. As a result, they provide an appropriate and highly relevant provision which aligns very well to local need and avoids unnecessary duplication.
- Courses successfully target the learners who are hardest to reach, including those who are unemployed and those who have few or no formal qualifications. Leaders review the relevance of the provision frequently and recognise that additional new courses are necessary to attract even more learners from their target group such as males who have been unemployed for a long time.
- Council members, leaders and managers have high aspirations for, and a strong

commitment to adult learners. They have made a significant investment in a new education centre in central Barnsley, suitably situated near to key partners and support services. In addition, leaders plan provision carefully so that learners can study at venues near to where they live and which are located in areas of high economic and social deprivation. This encourages greater participation. Within these safe environments, staff and learners treat each other with respect and tolerance and promote equality and celebrate diversity in a way which encourages learners to take the first steps to new learning and employment.

- Leaders and managers ensure that learners receive excellent personal support which removes many of their personal barriers to success. In particular, managers ensure that learners who are required to attend basic employability programmes by Jobcentre Plus are placed with great care on the right level of course and that they receive good support in the early weeks from a dedicated team of staff.
- Leaders and managers monitor the headline progress and achievement of different groups of learners by gender, ethnicity and learning difficulty or disability thoroughly. They are aware of the under-achievement of learners from a non-White British background compared to White British learners. They have accurately identified weaknesses in the delivery of ESOL writing courses as the cause and have identified this provision as an area they need to improve

The governance of the provider

- Elected members and senior leaders responsible for governance do not receive sufficient detailed information from service leaders and managers to enable them to challenge rigorously areas of underperformance. As a result, they do not have sufficient awareness of, and have not been able to prevent, the decline in the quality of provision and outcomes for learners since the previous inspection.
- Governors have a well-defined and clear ambition for the service and how the adult skills, community and family learning courses it provides contribute to the borough council's strategies and plans. They effectively scrutinise the adult learning strategy and content, and the appropriateness of provision for Barnsley's residents.

Safeguarding

- The arrangements for safeguarding are effective.
- Senior leaders have developed appropriate key roles and responsibilities, policies and procedures and reporting arrangements that safeguard learners and staff well. Appropriately trained and qualified managers deal effectively with safeguarding concerns and maintain good links with key stakeholders in the council and the community to ensure the safeguarding of vulnerable learners extends beyond the service.
- Learners feel safe and have a good knowledge of safeguarding, which is particularly relevant to their everyday lives. Learners feel confident that they can report any issues safely and in a way that will protect them from harm.
- Staff do not develop learners' understanding of risks associated with radicalisation and extremism well enough.

Quality of teaching, learning and assessment

Requires improvement

- The quality of teaching, learning and assessment is not consistently good. Although there are many examples of well-planned and delivered courses that enable learners to make good progress and achieve well, in too many cases, teaching and assessment does not cater well enough for the very different needs and abilities of learners. As a result, a minority of learners make slow progress. Too often, tutors make insufficient use of information about learners' starting points or the progress they make to plan sufficiently challenging learning activities, particularly for the most able.
- Tutors do not explain clearly to adults on community education and family learning courses the progress they are making and, as a result, a minority make slow progress.
- A minority of tutors do not monitor the progress that learners make rigorously enough. They focus on ensuring that the learners in their lessons meet the minimum standards of the qualification rather than on ensuring that learners work towards challenging targets.
- Tutors' feedback on learners' work does not provide them with sufficient information about what they have done well and how they can improve their work. Tutors frequently use descriptors such as 'good' and 'well done' when marking learners' work without providing learners with the information about why something is good or what they have done well and how they can improve further. Tutors pay insufficient attention to identifying spelling, punctuation and grammar errors in learners' work, and to showing learners how to make corrections. As a result, learners continue to make the same mistakes.
- In too many cases, when tutors ask questions they direct them to the whole group and readily accept the initial responses of one or two learners as evidence that all learners in the group have learned and understand key concepts. A few tutors ask questions very effectively and, as a result, check learners' knowledge and understanding thoroughly.
- Tutors plan and deliver a wide range of activities and produce good quality learning resources. As a result, learners enjoy attending courses and are keen to learn. Learning activities encourage good peer and cooperative learning. Through these, learners develop high levels of confidence, improve their speaking and listening skills and use subject specific terminology and language well.
- Tutors and specialist staff support learners very well during and in between sessions to ensure that learners are involved actively in their learning. The majority of tutors successfully help learners, a few of whom are particularly vulnerable, to overcome difficulties they have in participating in learning. Learners who are absent and miss work value and take up the opportunity to attend catch-up sessions so that they do not fall behind with their work.
- Specialist tutors effectively identify at the beginning of courses the support needs of learners who need extra help to make progress and achieve. In lessons, tutors use allocated learning support assistants well to support individuals and groups who require support.

Personal development, behaviour and welfare

Requires improvement

- Learners' attendance at lessons varies too much, and is too low in many subjects. In childcare and health studies, and on courses for learners with learning difficulties or disabilities, a high proportion of learners attend regularly. However, learners' attendance at functional skills lessons in English, ICT, and on a minority of programmes in community and family learning is not good enough. This contributes to the slower progress made by learners and lower achievement rates in these subjects compared with others.
- Staff do not provide learners with sufficient or timely advice and guidance so that they can make well-informed decisions about their next steps. This is particularly the case on family learning programmes.
- Although covered well at the start of courses, staff do not reinforce modern British values or the risks associated with radicalisation and extremism, and how these relate to learners as citizens of Barnsley sufficiently throughout their programmes. Learners who attend lessons at the main Wellington House site have a better understanding of these issues than learners who follow programmes in community venues.
- Managers and staff have established inclusive and welcoming environments both in the town centre of Barnsley and in a range of community venues where learners, many with significant barriers to participating, feel secure and motivated to learn. Many learners who start courses with BMBC have not been employed or engaged in learning for considerable periods of time. Through their participation, they improve their confidence to participate in further learning or find work. Learners who attend community and family learning courses improve their skills and confidence to help their children learn.
- Learners behave very well and are highly supportive of each other. They are respectful of their teachers and peers. Through attending adult learning and community education programmes, adults improve their social, communication and employability skills.
- Learners know how to raise any concerns they have about their safety. Staff provide a good range of information and guidance that enables learners to better understand the risks associated with the internet including inappropriate use of social media.

Outcomes for learners

Requires improvement

- The proportion of learners who achieve English and mathematics functional skills qualifications was low in 2014/15 and declined further in 2015/16. Learners generally make better progress in functional mathematics than they do in functional English.
- The proportion of learners who gain the skills and knowledge they need to achieve full qualifications in ICT is too low.
- The proportion of learners who achieve qualifications in ESOL is too low. Although learners make better progress in speaking and reading, too many do not make the progress they are capable of in writing. Low achievement rates in ESOL account for the lower achievement rates for learners from a non-White background compared to their peers.
- Learners with learning difficulties or disabilities improve their independent living skills well through attending courses. However, not all of these learners make the progress of which

they are capable because tutors do not plan activities sufficiently well to cater for the very broad range of learners' abilities within lessons.

- A high proportion of adults who are required by Jobcentre Plus to take short mathematics and English courses aimed at improving their employability achieve these skills. As a result of participating on these programmes, a high proportion progress onto full functional skills qualifications in English and mathematics or other learning programmes with BMBC.
- Learners make good progress, and gain the necessary skills and knowledge to achieve well in health and social care, childcare, hospitality and catering, modern foreign languages, business management and direct learning support. The proportions of learners who achieve A* to C grades in GCSE English and mathematics are high.
- A high proportion of learners who complete community and family learning courses enrol on further programmes with BMBC. A minority of these take accredited qualifications. However, due to the lack of detailed data available to them, managers do not have sufficient information about the proportions of these learners who take programmes at a higher level, repeat programmes, or progress to programmes in different subjects at the same or lower level that are appropriate to their needs.
- A high proportion of learners who achieve accredited qualifications with BMBC progress to employment or further learning and training either with BMBC or with other providers.

Provider details

Unique reference number	50609
Type of provider	Local authority
Age range of learners	19+
Approximate number of all learners over the previous full contract year	1,464
Principal/CEO	Anne Marie Holdsworth
Telephone number	01226 775 287
Website	www.barnsley.gov.uk/services/adult-skills-and-community-learning/

Provider information at the time of the inspection

Main course or learning programme level	Level 1 or below		Level 2		Level 3		Level 4 or above	
	16–18	19+	16–18	19+	16–18	19+	16–18	19+
	-	1,118	-	263	-	38	-	-
Number of apprentices by apprenticeship level and age	Intermediate		Advanced		Higher			
	16–18	19+	16–18	19+	16–18	19+		
	-	-	-	-	-	-		
Number of traineeships	16–19		19+		Total			
	-		-		-			
Number of learners aged 14 to 16	-							
Number of learners for which the provider receives high-needs funding	-							
Funding received from:	Skills Funding Agency							
At the time of inspection, the provider contracts with the following main subcontractors:	-							

Information about this inspection

The inspection team was assisted by the adult skills and community learning service manager, as nominee. Inspectors took account of the provider's most recent self-assessment report and development plans, and the previous inspection report. Inspectors used group and individual interviews, telephone calls and online questionnaires to gather the views of learners and employers; these views are reflected within the report. They observed learning sessions, assessments and progress reviews. The inspection took into account all relevant provision at the provider.

Inspection team

Malcolm Fraser, lead inspector	Her Majesty's Inspector
Nigel Bragg	Her Majesty's Inspector
Martin Ward	Her Majesty's Inspector
Stella Owen	Ofsted Inspector
David Longworth	Ofsted Inspector
Jean Webb	Ofsted Inspector

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BARNSLEY ADULT SKILLS AND COMMUNITY LEARNING

Continuous Service Improvement Plan - March 2017

This plan is intended to ensure the Adult Skills and Community Learning Service **maintains a relentless focus on improving the quality of teaching, learning and assessment and the impact this has on outcomes for learners** so that every learner in every subject and every lesson can be assured of a high quality experience which supports them to reach their full potential.

This plan is mapped against the OFSTED recommendations and local improvements, with status shown against the actions which indicate whether sufficient progress is being made, i.e. the right amount of progress in the right direction at the right pace. Each section will be judged on a monthly basis using the key below to show how progress is measured.

**** indicates a change of date**

RAG STATUS

White: Action not started

Red: Action not started and behind target for completion within timescale

Amber: Action underway but behind target or at risk for completion within timescale

Green: Action underway and on target for completion within timescale

Recommendation:			
Progress		Owner:	
Key Actions to address the recommendation:		By When	By Who
			Progress
Progress on outcomes and differences made to date:			
Outcomes and differences to be achieved:			
Evidence of Improvement:			Progress

Recommendation:	Headline recommendation, improvement or aspiration being implemented		
Progress	Make a judgement on the overall progress of the recommendation, improvement or aspiration based on the key in the cover sheet	Owner:	Responsible officer
Key Actions to address the recommendation:		By When	By Who
List each of the actions to be taken to address the recommendation and achieve the outcomes identified below			
Each action should have a target date and an owner and should be RAG rated in accordance with the key on the cover sheet			
Progress on outcomes and differences made to date:			
Document the progress made both in terms of completing the actions and achieving the outcomes identified below			
Outcomes and differences to be achieved:			
Be specific about what the recommendation/aspiration is intended to achieve. This must be in relation to the direct impact on learners/service users			
Evidence of Improvement:			Progress
The hard evidence that will demonstrate success. Progress against production of the evidence should be RAG rated in accordance with the key on the cover sheet			

OFSTED Recommendation 1

Recommendation:	Leaders and managers should ensure that improvement plans and the targets within them focus on the specific actions required to bring about swift improvements to the quality of teaching, learning and assessment and outcomes for learners in the areas where these are not good enough. (OFSTED Report, page 2, section 2, bullet 1)		
Progress	Green	Owner:	
Key Actions to address the recommendation:	By When	By Who	Progress
Introduce a revised improvement plan format based on best practice examples ensuring improvement actions are detailed and precise and refer to the impact they have on learners' progress or the quality of teaching and learning (OFSTED report page 3, section 1 bullet 1)	Completed Feb 17		Green
Establish and implement governance arrangements to monitor improvements	30/04/2017		Green
Develop and implement a performance management framework for tutor performance	30/04/2017		Green
Review performance management systems for tutors to ensure remedial actions identified can be implemented quickly enough to prevent a negative impact on the rate of progress of learners (OFSTED report page 3, section 1 bullet 2)	31/03/2017		Green
Implement monthly performance management meeting with HR to focus on tutors with cause for concern	30/04/2017		Green
Develop and implement evaluative process of the SAR report to ensure judgements are accurately recorded	31/07/2017		Green
Progress on outcomes and differences made to date:			
Improvement plan adapted from People Directorate Continuous Service Improvement Plan along with check and challenge			
Draft terms of reference for Board developed			
Outcomes and differences to be achieved:			
The quality of teaching, learning and assessment improves to at least "good" so that all learners can be assured of consistency of quality at every session and in all subjects			
Outcomes for learners improves to at least "good" so that all learners can achieve at an appropriate level relative to their starting point			
Ensure annual SAR summary report is sufficiently evaluative and accurate through moderation activities aligned to newly established performance reporting structure (OFSTED Report page			
Evidence of Improvement:			Progress
Continuous Service Improvement Plan			Green
Performance Management Framework (draft)			Green

OFSTED Recommendation 2

Recommendation:	<p>Leaders should ensure that managers and staff have access to sufficiently detailed and meaningful information about learners' progress on their courses and on to the next steps in their learning, and that they use this information to ensure that learners are on appropriate programmes and make the progress of which they are capable. (OFSTED Report page 2, section 2, bullet 2)</p> <p>Ensure managers have access to sufficiently detailed data about learners' progress and achievements to enable them to identify areas for concern early enough and can take swift action to bring about improvements (OFSTED report page 3, section 1 bullet 4)</p>		
Progress	Green	Owner:	
Key Actions to address the recommendation:		By When	By Who
Utilise external support to review Ofsted experience and propose solutions		Completed Feb 17	Green
Review existing reporting framework to establish baseline for development and prioritisation		31/03/2017	Green
Develop progress tracking procedures to identify learners on track to achieve, falling behind or at risk of not achieving		31/03/2017	Green
Progress on outcomes and differences made to date:			
External challenge visited January 2017 and initial proposals received. Next visit to focus on establishing baseline of current practice to set priorities for development.			
Outcomes and differences to be achieved:			
All learners are on appropriate programmes			
All learners make the progress of which they are capable			
Evidence of Improvement:			Progress
Progression reports			white
Data dashboard highlighting progression			white

OFSTED Recommendation 3

Recommendation:	<p>Leaders and managers should implement performance management and staff training activities more effectively to: bring about improvements in the planning and delivery of weaker areas of the provision, particularly English, mathematics, ESOL and ICT, to increase the proportion of learners who achieve</p> <p>Ensure that tutors are better able to plan learning activities so that learners on all courses make the progress of which they are capable based on their starting points. (OFSTED Report, page 2, section 2, bullet 3)</p> <p>Ensure managers who carry out observations of teaching and learning provide sufficiently detailed feedback to tutors on how they can improve their practice (OFSTED report page 3, section 1 bullet 3)</p> <p>Ensure sufficient staff development activities focus on improving teaching, learning and assessment (OFSTED report page 3, section 1 bullet 3)</p>		
Progress	Green	Owner:	
Key Actions to address the recommendation:	By When	By Who	Progress
Review tutor action plan contained in the observation of teaching, learning and assessment process to ensure it facilitates improvements for all tutors and is not inadvertently focused on those judged to be requiring improvement or inadequate	Completed Dec 16		Green
Develop an action plan for each tutor focussed on improving their professional practice in teaching, learning and assessment	Completed Jan 17		Green
Develop a system to collate an overview of actions in tutor plans to inform performance management	Completed Jan 17		Green
Utilise external support to review Ofsted experience and propose solutions	Completed Jan 17		Green
Observe Subject Lead Tutors to assess quality of delivery by managers and their ability to make accurate judgements at observations of teaching, learning and assessment	Completed Jan 17		Green
Deliver staff development session to managers on effective target setting to both improve their personal practice and provide the confidence, skills and knowledge to support their tutors to improve	Completed Mar 17		Green
Procure and plan a staff development programme focused on teaching, learning and assessment to address generic elements identified	30/04/2017		Green
Plan a schedule of focused monitoring and action planning of teaching, learning and assessment linked to areas requiring improvement.	30/04/2017		Green
Develop subject lead action plans to improve personal professional practice and model effective action planning so that subsequent action planning with their tutors is effective and leads to improvement	30/04/2017		Green
Monitor tutor performance through the performance management framework introduced in OFSTED 1 recommendation	30/04/2017		Green
Produce a teaching, learning and assessment strategy which clearly defines all relevant processes and expectations	30/04/2017		Green
Progress on outcomes and differences made to date:			
External support visited on January 2017 to review Ofsted experience and observe Subject Lead Tutors			
Action Plan process developed and in use from January 2017			
Staff development session delivered to managers March 2017			
Outcomes and differences to be achieved:			
The proportion of learners who achieve in English, maths, ESOL and ICT increases			
Achievement across all areas is consistently at a good standard			
Learners make the progress they are capable of relative to their starting point			
Evidence of Improvement:			Progress
Subject Lead Tutor action plans			Green
Performance management framework			Green
Teaching, Learning and Assessment Strategy			Green

OFSTED Recommendation 4

Recommendation:	<p>Leaders and managers must ensure that all tutors who deliver community education and family learning programmes understand and use the procedures for setting targets for learners and recording learners' progress and achievements effectively, so that adults improve the progress they make towards achieving their personal learning and progression targets. (OFSTED Report, page 2, section 2, bullet 4)</p> <p>Ensure all tutors explain clearly to adults on community education and family learning courses the progress they are making so that all learners make the progress they are capable of (OFSTED report page 5, section 2 bullet 2)</p>		
Progress	Green	Owner:	
Key Actions to address the recommendation:	By When	By Who	Progress
Review procedures for target setting in community and family learning to ensure they can be effectively applied	Completed Feb 2017		Green
Produce guidance documents to support staff to undertake target setting effectively	31/03/2017		Green
Deliver staff development on effective target setting to ensure all staff have the skills, knowledge and understanding to operate effectively	30/04/2017		White
Review and implement developed procedures for validating achievement in community and family learning to ensure leaders and managers can be confident that results are accurate and robust	30/04/2017		White
Introduce progress tracking procedures to identify learners on track to achieve, falling behind or at risk of not achieving (procedure developed under OFSTED 2)	30/04/2017		White
Evaluate and refine procedures for validating achievement in community and family learning to ensure leaders and managers can be confident that results are accurate and robust	31/07/2017		White
Progress on outcomes and differences made to date:			
Procedures for target setting reviewed February 2017			
Outcomes and differences to be achieved:			
All learners make the progress they are capable of against their personal learning and progression targets			
Evidence of Improvement:			Progress
Target setting procedures and guidance document			Green
Achievement validation procedures			White
Progress tracking procedures			White

OFSTED Recommendation 5

Recommendation:	<p>Improve tutors' skills and confidence in planning activities that increase learners' awareness of modern British society and life, and the risks associated with radicalisation and extremism, and how these relate to them as citizens of Barnsley. (OFSTED Report, page 2, section 2, bullet 5)</p> <p>Ensure staff reinforce modern British values or the risks associated with radicalisation and extremism sufficiently throughout, not just at the start of programmes. (OFSTED report page 6, section 1 bullet 3) Ensure learners attending venues other than wellington House have as good an understanding as those who do attend programmes at Wellington House. (OFSTED report page 6, section 1 bullet 1)</p>		
Progress	Green	Owner:	
Key Actions to address the recommendation:	By When	By Who	Progress
Engage Education and Training Foundation to deliver bespoke training to curriculum managers and tutors on effective embedding of Prevent and British Values in to delivery	Completed February 17		Green
Enlist support from BMBC Prevent lead and members of Silver Prevent Group	Completed February 17		Green
Develop and introduce a mechanism to inform staff of Prevent related incidents and their occurrence in Barnsley so that they become familiar with the prevalence and context of such incidents	30/04/2017		Green
Visit local authority evidencing good practice in this area	30/04/2017		Green
Progress on outcomes and differences made to date:			
ETF attend to deliver staff development session 14/02/17			
Support secured from BMBC Prevent lead and members of Silver Prevent Group February 2017			
Visit to Liverpool City Council arranged for April 2017			
Outcomes and differences to be achieved:			
All learners have good awareness of modern British society and life and how this relates to them as a citizen in Barnsley			
All learners have good awareness of the risks associated with radicalisation and extremism and how this relates to them as a citizen in Barnsley			
Evidence of Improvement:			Progress

Effectiveness of Leadership and Management 1

Improvement	<p>Ensure that all learners receive appropriate initial advice and guidance prior to joining courses or, once on courses, advice about their next steps. (OFSTED report page 3 bullet 6)</p> <p>Ensure learners on Family Learning programmes are provided with sufficient and timely advice and guidance so that they can make well-informed decisions about their next steps. (OFSTED report page 6, section 1 bullet 1)</p>		
Progress	Green	Owner:	
Key Actions to address the recommendation:		By When	By Who
Arrange with senior leadership team to review existing arrangements and develop a future strategy		Completed Feb 17	Green
Review IAG resource to assess sufficiency		Completed March 17	Green
Target resource to identified priority groups as identified within strategy		30/04/2017	Green
Allocate resource to support targeted provision		30/04/2017	Green
Start Gateway Provision with all priority groups		30/04/2017	Green
Develop performance management framework to measure impact on learners		30/04/2017	Green
Review interventions and measure impact		30/06/2017	Green
Develop pilot and review gateway provision to support priority groups of learners on to appropriate progression pathways		30/06/2017	Green
Progress on outcomes and differences made to date:			
IAG resource recruited			
Meeting with Senior Leadership Team undertaken and strategy developed March 17			
Outcomes and differences to be achieved:			
All learners receive appropriate initial advice and guidance prior to joining courses			
All learners on courses receive appropriate advice about their next steps			
All learners receive sufficient and timely advice and guidance so that they can make well-informed decisions about their next steps (OFSTED report page 6, section 1 bullet 2)			
All learners from priority groups have access to Gateway provision			
Evidence of Improvement:			Progress
Performance management tool to capture the learner aims and outcomes			White
Quality audit tool used to check learner action plans are completed and aims appropriately met.			White
High levels of learner satisfaction collected through learner surveys and feedback			White
Strategy and associated flowcharts developed to define each individual customer journey			Green

Effectiveness of Leadership and Management 2

Improvement:	Establish reliable systems for monitoring learners' progression into further education, work or training once they have left their courses so that the effectiveness of provision in meeting learners' short-term and career aspirations can be fully reviewed (OFSTED report page 3 bullet 6)		
Progress	Green	Owner:	
Key Actions to address the recommendation:		By When	By Who
Utilise external support to review existing practice and propose solutions		Completed Jan 17	Green
Review existing reporting framework to establish baseline for development and prioritisation		31/03/2017	Green
Develop reliable and appropriate systems for monitoring learners' progression which fulfil OFSTED requirements		31/07/2017	Green
Establish a system to report on the proportions of learners completing community and family learning courses who go on to take programmes at a higher level, repeat programmes or progress to programmes in different subjects at the same or lower level that are appropriate to their needs (OFSTED report page 7 bullet 4)		31/07/2017	Green
Progress on outcomes and differences made to date:			
Steve Banham visited 13/07/17 and initial proposals received. Next visit to focus on establishing baseline of current practice to set priorities for development.			
Outcomes and differences to be achieved:			
Learners can be confident that provision is effective in enabling them achieve their short-term and career aspirations			
Evidence of Improvement:			Progress
System for monitoring progression of learner			White

Effectiveness of Leadership and Management 3

Improvement:	Elected members and senior leaders responsible for governance should receive sufficient detailed information to enable them to challenge rigorously areas of underperformance (OFSTED report page 4 bullet 4)		
Progress	Green	Owner:	
Key Actions to address the recommendation:		By When	By Who
Apply to National Leaders of Governance scheme to secure specialist support to respond to recommendation		Completed Jan 17	Green
Review existing Governance arrangements in other local authorities to identify examples of best practice		Completed March 17	Green
Establish an Advisory Board to support the improvement journey through rigorous challenge		30/04/2017	Green
Progress on outcomes and differences made to date:			
Application to National Leaders of Governance scheme successful 08/02/17			
Governance arrangements from Association of College, HOLEX Members and Wakefield Council reviewed March 2017			
Draft terms of reference for Improvement and Governing Board produced March 2017			
Outcomes and differences to be achieved:			
Elected members and senior leaders responsible for governance have sufficient awareness of the quality of provision and outcomes for learners			
All learners experience quality provision which supports their achievement of positive outcomes			
Evidence of Improvement:			Progress
Terms of reference for Improvement and Governing Boards			Green
Minutes of Board meetings			Green

Quality of teaching, learning and assessment 1

Improvement:	Ensure tutors' feedback on learners' work provides them with sufficient information about what they have done well and how they can improve their work (OFSTED report page 5, section 2 bullet 4)		
Progress	Green	Owner:	
Key Actions to address the recommendation:		By When	By Who
Integrate quality check of feedback into audit procedures		30/04/2017	Green
Ensure a focus on quality feedback is integrated into schedule of focused monitoring planned in OFSTED 3		30/04/2017	Green
Undertake focused learning walks to quality check feedback on learners work		28/07/2017	White
Deliver staff development activity focused on effective feedback as part of programme procured under OFSTED 3		28/07/2017	White
Progress on outcomes and differences made to date:			
Outcomes and differences to be achieved:			
Learners' can identify from feedback on their work what they have done well and how they can improve further			
Learners are clear on why something is good or what they have done well and how they can improve further			
Evidence of Improvement:			Progress
Audit procedures			Green
Learning walk records			White

Quality of teaching, learning and assessment 2

Improvement:	Ensure tutors pay sufficient attention to identifying spelling, punctuation and grammar errors on learners' work. and to showing learners how to make corrections (OFSTED report page 5, section 2 bullet 4)		
Progress	Green	Owner:	
Key Actions to address the recommendation:		By When	By Who
Integrate quality check of corrections into audit procedures		30/04/2017	Green
Ensure a focus on quality feedback is integrated into schedule of focused monitoring planned in OFSTED 3		30/04/2017	Green
Undertake focused learning walks to quality check corrections on learners work		28/07/2017	White
Progress on outcomes and differences made to date:			
Outcomes and differences to be achieved:			
learners do not continue to make the same mistakes in their written work			
Evidence of Improvement:			Progress
Audit procedures			Green
Learning walk records			White

Quality of teaching, learning and assessment 3

Improvement:	Improve tutors skills in effective questioning as a tool to thoroughly check learners' knowledge and understanding (OFSTED report page 5, section 2 bullet 5)		
Progress	Green	Owner:	
Key Actions to address the recommendation:		By When	By Who
Ensure a focus on quality feedback is integrated into schedule of focused monitoring planned in OFSTED 3		30/04/2017	Green
Undertake learning walks focused on effective questioning		28/07/2017	White
Deliver staff development activity on effective questioning as part of programme procured under OFSTED 3		28/07/2017	White
Progress on outcomes and differences made to date:			
Outcomes and differences to be achieved:			
The knowledge and understanding of all learners is thoroughly checked through effective questioning techniques			
Evidence of Improvement:			Progress
Learning Walk records			White

Quality of teaching, learning and assessment 4

Improvement:	Ensure teaching learning and assessment caters well enough for the very different needs and abilities of learners so that all learners make the progress they are expected of (OFSTED report page 5, section 2 bullet 1)		
	Ensure all tutors make sufficient use of information about learners' starting points or the progress they make to plan sufficiently challenging learning activities, particularly for the most able (OFSTED report page 5, section 2 bullet 1)		
	Ensure all tutors monitor the progress that learners are making rigorously enough by focusing on ensuring learners work towards challenging targets and not just on meeting the minimum standards of the qualification they are undertaking (OFSTED report page 5, section 2 bullet 3)		
Progress	Green	Owner:	
Key Actions to address the recommendation:		By When	By Who
Introduce system to capture the results of target setting audits so that judgements about the quality of individual tutors and teams can be made and interventions instigated in a timely manner		Completed Feb 17	
Review process for monitoring of the quality of target setting within individual learning plans which feeds into the performance management framework		Completed Feb 17	
Deliver staff development on effective target setting so that tutors have the skills, knowledge and understanding to cater for a variety of learner needs and abilities and allows them to make the progress they are capable of		31/03/2017	
Review and develop a Service wide consistent approach to initial assessment and the dissemination of initial assessment findings		30/04/2017	
Plan and implement a learning outcomes check and challenge session		30/04/2017	
Integrate initial assessment approach and learning outcomes check and challenge in to teaching, learning and assessment strategy		30/04/2017	
Progress on outcomes and differences made to date:			
System to capture the results of target setting audits introduced - February 2017			
Process for monitoring the quality of target setting reviewed and RARPA policy updated Feb 2017.			
Outcomes and differences to be achieved:			
Learners make the progress they are capable of relative to their starting point			
Evidence of Improvement:			Progress
Target setting audit tracker			Green
RARPA Policy			Green
Initial Assessment approach defined in a teaching, learning and assessment strategy			White

Personal development, behaviour and welfare 1

Improvement:	Improve learners' attendance at lessons so that they progress and achieve to their potential (OFSTED report page 6, section 1 bullet 1)		
Progress	Green	Owner:	
Key Actions to address the recommendation:	By When	By Who	Progress
Develop and implement a process and procedure to flag up learner attendance issues to trigger intervention by Curriculum & Information Support Workers	Completed Feb 17		Green
Implement a procedure to ensure all teaching staff are marking registers accurately and in a timely manner.	31/03/2017		Amber
Integrate effectiveness of attendance monitoring into the performance management framework (referenced at OFSTED 3)	30/04/2017		Green
Progress on outcomes and differences made to date:			
Process and procedure relating to learner attendance developed and introduced Feb 2017			
Outcomes and differences to be achieved:			
Learner attendance across subjects is consistently good			
All learners make at least the progress they are capable of			
All learners achieve in line with expectations			
Evidence of Improvement:			Progress
Attendance monitoring report			White
Performance management framework			White
learner non-attendance process and procedure			Green
Intervention resulting from learner non-attendance process and procedure			Green

Outcomes for Learners 1

Improvement:	Increase the proportion of learners who achieve English and mathematics functional skills qualifications and ensure that functional English learners progress equally as well those undertaking functional maths (OFSTED report page 6, section 2 bullet 1)		
Progress	White	Owner:	
Key Actions to address the recommendation:		By When	By Who
Implement progress tracking procedures, developed under OFSTED 2, to identify learners on track to achieve, falling behind or at risk of not achieving		30/04/2017	White
Implement module progress tracking procedures within the English curriculum areas to monitor the timeliness and volume of learners undertaking speaking and listening, reading and writing as a step towards achieving the full qualification.		30/04/2017	White
Develop a report which accurately identifies the success rate of a qualification at any point in time (success of those past their end date)		30/04/2017	White
Progress on outcomes and differences made to date:			
Outcomes and differences to be achieved:			
A higher proportion of learners achieve functional English and mathematics qualifications in 16/17 compared to 15/16			
All learners undertaking both functional English and functional maths programmes make the progress they are capable of			
Evidence of Improvement:			Progress
Progress Tracking procedures			White
Success rate reports			White

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Adult Skills and Community Learning Service Improvement and Governing Board Terms of Reference

Purpose

The Board's main function is to secure a sound basis for continuous improvement for the Adult Skills and Community Learning (ASCL) Service. It will provide a forum in which members can develop co-ordinated, collaborative thinking and action to strengthen the quality of provision and outcomes for learners delivered by Barnsley Adult Skills and Community Learning Service (ASCL). It will scrutinise ASCL provision to assess its success in meeting the needs of individuals, communities, businesses and the future prosperity and wellbeing of the Borough.

The Board provides a formal structure for stakeholders to undertake a joint role, operating within the existing Council governance structure, to oversee the work of the ASCL Service and provide collaborative leadership in shaping its direction in order to secure and improve outcomes for learners.

The Board will be responsible for taking the lead in establishing a borough-wide vision, with strong underpinning values and firmly driven by the needs of the borough and the wider Sheffield City Region, in which all partners have a commitment to a broad scope of governance arrangements.

The Board will act as the governing body of ASCL and fulfil the expectations and duties outlined in respect of appropriate governance for Adult Skills and Community Learning. It will take on the responsibilities of a normally constituted governing body

Objectives

The Board will:

- Maintain an overview of priorities for adult education and post-16 provision; delivery and service transformation within the national and regional context
- Make recommendations regarding the service's strategic aims and objectives based on national priorities and those of key stakeholders such as the Skills Funding Agency, Ofsted, the Sheffield City Region and Local Authority corporate strategic priorities
- Provide independence of judgment and scrutiny of service provision to ensure the best possible quality of provision and outcomes for learners
- Assess current levels of performance, and agree actions and targets to develop further improvements.
- Ensure effective pace and progress of the actions in the Service Improvement Plan through performance management arrangements.
- Provide support and robust challenge on all activity and plans
- Ensure identified actions are carried out in the timely manner in line with timescales set out in the Service Improvement Plan.
- Provide support and guidance to the service to secure additional income generation to ensure sustainability and growth
- Raise the profile of the Service with internal departments and external organisations with a view to generating new business opportunities
- Support the Service to meet its statutory duty to provide equality of opportunity for learners, to safeguard learners and to meet the Prevent agenda

- Be accountable to the Corporate Senior Management Team and Cabinet reporting progress and providing updates at agreed frequency

Governing Body Membership

TBC: Initial suggestions:

Members (Lead Member/Cabinet Spokesperson for Employment and Skills plus a number of other with relevant interest/skills)

BMBC Officers both strategic and operational (Executive Director for Place, Service Director Economic Regeneration, Service Director Organisation and Workforce Improvement, Head of Employment and Skills, Service Manager Adult Skills and Community Learning, Relevant Business Partners)

Further Education Sector Representatives (Vice Principal Barnsley College, Service Manager from a similar local authority service within Yorkshire and the Humber Region)

Voluntary and Community Sector Representative

Principles

The Advisory Board will:

Operate in strict confidence

Adopt the Principles of Public Life in the way the board behaves and works together (i.e. selflessness, integrity, objectivity, accountability, openness, honesty, leadership)

- Declare any conflicts of interest with the Adult Skills and Community Learning Service
- Take account of equality and diversity, promote inclusion and take responsibility for serving the best interest of adult learners in the borough
- Operate in a collaborative, open and effective way that views each member as an equal partner and values the contribution of the partner organisations
- Conduct all business in a climate that seeks to find effective and realistic solutions, reaching consensus rather than determining the action of others
- Commit to undertake regular formal self-assessment in order to evaluate and improve partnership and collaborative working

Governance Arrangements

The Board will meet six times yearly on a half termly basis with the dates being identified in advance. Extra meetings may be called where 50% of the members identify the need

The Chair of the Improvement and Governing Board will hold regular meetings with the Service Manager for ASCL to set and agree agenda items, including agreeing a format for the presentation of reports and the frequency that data and other reports will need to be produced to enable the Board to carry out its full spectrum of duties.

The Board will develop working groups as required and make arrangements for them to provide regular feedback on progress

Members of the Improvement and Governing Board will have agreed specific roles which will link into the Quality Improvement Plan and other service and Corporate/District Wide priorities.

The Improvement and Governing Board may recommend to the local authority certain courses of action which the Local Authority will give due consideration to, particularly where the Board is able to evidence that this will support the rapid improvements required.

The Local Authority will ensure that all Improvement and Governing Board meetings are clerked by a suitably qualified and skilled clerk who will ensure that the Improvement and Governing Board works within the Corporate Governance framework.

Committee meetings will not be open to the public but minutes will be available upon request.

The draft minutes of each meeting will be circulated with the agenda for the next ordinary meeting of the full Improvement and Governing Board and will be presented at that meeting by the Chair (or in his/her absence another member of the committee).

Date reviewed and adopted:.....

Date of next review:.....

Signature of Chair of Board:.....

Signatures of Board Members:

DRAFT

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