



You are hereby summoned to attend a meeting of **City Council** on Monday 11 January 2021 at 2pm to transact the following business.

The meeting will be held remotely on Zoom – Councillors and colleagues attending the meeting will be provided with access details.

The meeting will be livestreamed on the Council's YouTube Channel – <https://www.youtube.com/user/NottCityCouncil>

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7 Questions from Councillors - to the City Council's Lead Councillor on the Nottinghamshire and City of Nottingham Fire and Rescue Authority	To follow
8 Questions from Councillors - to a member of Executive Board, the Chair of a Committee and the Chair of any other City Council Body	To follow
9 Amendments to the Constitution Report of the Lord Mayor/ Chair of Council	31 - 46
10 Governance Improvement Programme - Progress update and lessons learnt Report of the Leader of the Council	47 - 76
11 Decisions taken under Urgency Procedures Report of the Leader of the Council	77 - 80
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Fireworks are used by people throughout the year to mark different events. While they can bring much joy to many, they can also cause significant problems, fear and distress for other people and for animals. Affected animals not only suffer psychological distress but can also cause themselves injuries as they attempt to run away or hide from the noise.

The RSPCA publically believes that the current law is failing and does not prevent or sufficiently reduce the risk of distress, injury or anxiety in either people or animals. In October 2019, they submitted the *Bang Out of Order* report to Westminster, which states that 62 percent of dogs, 54 percent of cats and 55 percent of horses show signs of distress as a result of the use of fireworks. This means thousands of animals are affected by unplanned and random fireworks each year.

Sadly, it's not just household pets who are affected by fireworks. Wild animals, such as hedgehogs, are also at risk of being burnt alive after making their homes in bonfires. Additionally, fireworks can be highly disturbing to some birds, occasionally causing the abandonment of nests or even whole colonies. As custodians of Wollaton Hall's 200 or so deer, Nottingham City Council has a duty of care to protect these animals from this threat.

The RSPCA recommends the following regulation changes to ensure the safety of pets, wildlife and people nationwide:

- Introducing a limit on the public use of fireworks on or close to specific dates and times.
- Tightening restrictions on the sale of fireworks in the run up to Bonfire Night.
- Reducing the maximum noise level of fireworks sold to the public and ensuring they are labelled accurately.
- Licensing all public firework displays and ensuring displays are better advertised to the public.

The Council therefore resolves to:

- require all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people;
- actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks;
- write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays; and
- encourage local suppliers of fireworks to stock 'quieter' fireworks for public display.

14 Motion in the name of Councillor Kandola

Motion in the name of Councillor Angela Kandola:

Nottingham City Council recognises the rights of citizens to stand shoulder to shoulder with our Indian Communities, in support of farmers peacefully protesting in response to farming reform in India. Nottingham has a large community with Indian heritage, many of whom have friends and family currently living in the Punjab.

Nottingham City Council recognises that events abroad can lead to anxiety and concerns here. Nottingham is a diverse city where people from different backgrounds get on with each other and we reaffirm our commitment to community cohesion in our city. This Council recognises the rights of individuals to demonstrate peacefully, standing shoulder to shoulder with the 250 million workers currently striking against the Indian government.

Nottingham City Council notes and recognises that a recent Sikh Council UK survey reported that 84% of Sikhs living in the United Kingdom are personally concerned about the impact of the laws and 93% feel that human rights violations in the region will increase.

This Council therefore resolves to:

1. call on the Foreign Secretary to make representations to the Indian Government about the impact of the new farm laws on British Sikhs here in Nottingham, including those with significant and lasting ties in Punjab;
2. write to the Foreign Secretary, raising concerns regarding the deteriorating situation in the Punjab;
3. seek an update on any communications the Foreign, Commonwealth and Development Office has had with the Indian Government on the issue, including with Foreign Secretary Harsh Shringla, who visited the UK on 4 November 2020; and
4. reaffirm Nottingham City Council's commitment to community cohesion.

15 Motion in the name of Councillor Chapman

Motion in the name of Councillor Graham Chapman:

This Council urges the Government to retain the £20 a week increase to Universal Credit made at the beginning of the pandemic but which is due to end in April. It also urges the extension of the payment to claimants of legacy benefits who are currently excluded from the additional support.

16 Committee membership changes

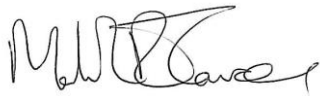
To note the following changes to Committee membership:

- a) Councillor Steve Battlemuch has been appointed to fill a vacancy on the Overview and Scrutiny Committee; and
- b) Councillor Neghat Khan has replaced Councillor Leslie Ayoola as a member of the Nottinghamshire Police and Crime Panel.

Please note that questions to Council are received after the agenda has been published. Questions will be published as a supplementary agenda by 5pm on Friday 8 January 2020.

If you need any advice on declaring an interest in any item on the agenda, please contact the governance officer shown above, if possible before the day of the meeting

Citizens are advised that this meeting may be recorded by members of the public. Any recording or reporting on this meeting should take place in accordance with the council's policy on recording and reporting on public meetings, which is available at www.nottinghamcity.gov.uk. Individuals intending to record the meeting are asked to notify the governance officer shown above in advance.



Dated
Director for Legal and Governance
To: All Councillors of Nottingham City Council

Public Document Pack Agenda Item 5

Minutes of the meeting of the City Council

held remotely via Zoom and livestreamed on the Council's YouTube Channel - <https://www.youtube.com/user/NottCityCouncil>

on 9 November 2020 from 2.00 pm - 4.40 pm

Attendances:

✓ Councillor Rosemary Healy (Lord Mayor)	
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✓ Councillor Hassan Ahmed	✓ Councillor Chantal Lee
✓ Councillor Leslie Ayoola	✓ Councillor Dave Liversidge
✓ Councillor Cheryl Barnard	✓ Councillor Sally Longford
✓ Councillor Steve Battlemuch	✓ Councillor AJ Matsiko
✓ Councillor Merlita Bryan	✓ Councillor Carole McCulloch
Councillor Eunice Campbell-Clark	✓ Councillor David Mellen
✓ Councillor Graham Chapman	✓ Councillor Sajid Mohammed
Councillor Azad Choudhry	✓ Councillor Salma Mumtaz
✓ Councillor Kevin Clarke	Councillor Toby Neal
✓ Councillor Audrey Dinnall	✓ Councillor Lauren O`Grady
✓ Councillor Michael Edwards	✓ Councillor Anne Peach
✓ Councillor Samuel Gardiner	✓ Councillor Georgia Power
✓ Councillor Jay Hayes	✓ Councillor Shuguftah Quddoos
✓ Councillor Nicola Heaton	✓ Councillor Ethan Radford
✓ Councillor Patience Uloma Ifediora	✓ Councillor Nick Raine
✓ Councillor Phil Jackson	✓ Councillor Angharad Roberts
✓ Councillor Maria Joannou	✓ Councillor Andrew Rule
Councillor Sue Johnson	✓ Councillor Mohammed Saghir
✓ Councillor Kirsty Jones	✓ Councillor Wendy Smith
✓ Councillor Angela Kandola	✓ Councillor Roger Steel
✓ Councillor Jawaid Khalil	✓ Councillor Dave Trimble
✓ Councillor Gul Nawaz Khan	✓ Councillor Maria Watson
✓ Councillor Neghat Khan	✓ Councillor Sam Webster
✓ Councillor Zafran Nawaz Khan	✓ Councillor Adele Williams
✓ Councillor Pavlos Kotsonis	✓ Councillor Linda Woodings
✓ Councillor Rebecca Langton	✓ Councillor Cate Woodward
✓ Councillor Jane Lakey	✓ Councillor Audra Wynter

✓ Indicates present at meeting

40 Apologies for absence

Councillor Eunice Campbell-Clark (personal)

Councillor Sue Johnson (personal)

Councillor Toby Neal (work commitments)

41 Declarations of Interests

None

42 Questions from Citizens

None

43 Petitions from Councillors on behalf of Citizens

Councillor Pavlos Kotsonis presented a petition on behalf of the residents of Ingham Grove, Lenton regarding new parking restrictions.

44 To confirm the Minutes of the last meeting of Council held on 5 October 2020

The minutes of the meeting held on 5 October 2020 were confirmed as an accurate record and signed by the Chair.

45 To receive official communications and announcements from the Leader of the Council and/or the Chief Executive

None

46 Questions from Councillors - to the City Council's lead Councillor on the Nottinghamshire and City of Nottingham Fire and Rescue Authority

None

47 Questions from Councillors - to a member of Executive Board, the Chair of a Committee and the Chair of any other City Council Body

Schools

Councillor Kevin Clarke asked the following question of the Portfolio Holder for Regeneration, Schools and Communications:

As we watch with some concern the rapidly growing pandemic numbers and the implementation of a second lockdown we also note that, unlike with the first lockdown, schools are to remain open at least for the immediate future. While we do not underestimate the risks associated with Covid-19, we believe it is imperative that schools remain open, with a September report by the National Foundation for Educational Research stating that disadvantaged pupils were disproportionately negatively affected by not being in school. With the National Education Union now vocally calling for schools to be included in the lockdown plans, can the Portfolio Holder outline where Nottingham City Council currently falls on the debate?

Councillor David Mellen replied as follows:

Thank you Lord Mayor and can I thank Councillor Clarke for his question. The premise of this question is not wholly accurate. All schools in the City did remain open for children of key workers and vulnerable pupils during the first lockdown and

this has enabled schools to develop, refine and learn how best to ensure that risks are minimised and that all children and young people can benefit from physical attendance in school since September. Equally Lord Mayor, I am pleased to report to Council today that we have now seen three weeks of reducing numbers of positive cases in the City and we now no longer have the highest level of infection, even in Nottinghamshire. I hope that that continues.

Councillor Clarke is correct that non-attendance will disproportionately affect disadvantaged pupils, which is why the local authority and school leaders have worked so hard to ensure that risk assessments, appropriate cleaning and hygiene practices, support for swift testing measures, social distancing and the use of face coverings as appropriate are all in place in order to keep schools open. Throughout the lockdown there has been regular and increased engagement with all recognised trade unions on the measures that have been implemented to keep schools open for pupils. All of the trade unions also recognise that the impact on disadvantaged pupils of school closures is detrimental. That is why they all support our view that Government needs to adequately resource school budgets to enable supply teaching cover to be made available, resource access to digital equipment and ensure access to digital connectivity for pupils is provided and ensure that children and young people are not left hungry when out of school. The local authority has ensured that it is responding to the genuine concerns raised by trade unions regarding the opening of schools and has consistently prioritised the support of all relevant local authority services, for example the Education Directorate, Public Health, Children's Services, Catering, Community Protection and Transport Strategy to ensure that children, young people, parents and carers and teaching and support staff can be confident in continuing to access schools across the City.

Covid-19 Regulations

Councillor Kevin Clarke asked the following question of the Leader of the Council:

No one here, or indeed likely anywhere in the country, will be unaware of the scale or severity of the challenge this country is currently facing. It is therefore with some sadness that we viewed the large numbers of young people partying long passed the 10pm pub closing time and failing to social distance, before the Tier 3 restrictions came into place. Since then, we've also seen frankly disgraceful house parties forcing the police to waste their time and resources in breaking them up. I will stress that I believe the vast majority of young people are adhering to the rules and contributing to helping the rest of our community to remain safe. However, will the Leader of the Council join us in condemning such irresponsible behaviour, and appeal to the people of Nottingham to put others first and stick to the rules when it comes to protecting the lives of our citizens?

Councillor David Mellen replied as follows:

Thank you Lord Mayor and can I thank Councillor Clarke for his question. I agree wholeheartedly that the vast majority of young people are adhering to the Covid-19 rules in our City, helping to keep our communities safe. For this, Nottingham City Council would like to thank our young people, in fact all our citizens for demonstrating civic responsibility in helping to save lives at this difficult time. There are, as he states, however a very small minority of young people who continue to organise and

attend parties, ignoring and flouting the rules that are designed to ensure public safety. Like you Councillor Clarke, I condemn this irresponsible behaviour as it contributes to the spread of Covid-19 and gives rise to additional pressure on our City hospitals at this busy time of year. Nottingham City Council departments have worked closely with the University of Nottingham and Nottingham Trent University on the development of a Higher Education Incident Management Plan and regular Covid-19 communications taken place between universities and the Council. The universities make a funding contribution towards Community Protection Officers to patrol the neighbourhoods where students live. As a City we have come down fast where young people have broken the rules, with our Community Protection Officers working closely with Nottinghamshire Police giving out warnings and then, if warnings are not heeded, fines of up to £10,000 for party organisers and smaller, but still substantial, fines for those attending parties being handed out by the Police. In addition to these statutory fines, where young people attend higher education institutions, breaches of student codes of conduct can also lead to disciplinary action and additional fines.

We call upon all citizens, young and old, to adhere to the Covid-19 rules in order to protect our hospitals and safeguard the lives of all the citizens of Nottingham both during the national lockdown and beyond.

Covid-19 Regulations

Councillor Angharad Roberts asked the following question of the Leader of the Council:

Given reports SAGE recommended a circuit breaker as early as September, how concerned is the Leader that the Government is dithering on important decisions and failing to properly listen to scientific advice? How does he think the delays in decision making by Government have affected people in Nottingham?

Councillor David Mellen replied as follows:

Thank you Lord Mayor and can I thank Councillor Roberts for her question. Covid-19 is a new virus and as such there is much to learn about it. As has been articulated by others, there has been a narrow path to tread: measures that are most likely to be effective in reducing the spread of the virus will inevitably have consequences for the economy and our wider health and wellbeing including our mental health. This is a difficult balance to achieve, with many interdependences between health and economic outcomes. Having said that, scientists and others have been clear throughout that timing is really important and the effectiveness of any measure implemented will depend on how well timed it is. A circuit breaker of two weeks, such as that introduced by the Labour Government in Wales coinciding with our two-week school half term would, in my view, have been a timely intervention on the increased rates of Covid infection in the City, but this was not to happen for us.

Nottingham experienced a very sudden, and very sharp rise in cases at the very end of September and continuing into the start of October. At the peak, on 8 October, Nottingham's seven-day incidence rate was just in excess of 1000 cases per 100,000 of the population. This was the highest rate in England at the time by a substantial margin. On 6 and 7 October, I and other City leaders were calling for restrictions to

be introduced in Nottingham as there had been in other places in the North, whose rates at that time were actually lower than Nottingham's. The media were telling us that action from Government was imminent, however nothing happened. We were told that the Government was changing its approach and that Nottingham would have to wait. At that point, the Government's Contain Framework saw other local authorities with higher prevalence designated as either areas of concern, areas of enhanced support or areas of intervention. This bought with it additional national support and resources and, for those in the highest category, additional measures. But despite having the highest rates in England, Nottingham City was never designated to any of these categories. It felt like we had been forgotten. So we had to take action by ourselves. Using our excellent communication staff and channels, we gave out strong advice to our citizens from Thursday 8 October not to mix with other households as well as strengthening our advice about social distancing and wearing masks. Four days later on 12 October 2020 it was announced that the Government would be introducing a three tiered system of local Covid alert levels in England and that Nottingham and the wider county would be placed in Tier 2 (high level) as of Wednesday 14 October. By then, Nottingham had had the highest rates in the country for ten days, and whilst locally we took strong and prompt action urging our citizens to adhere to new restrictions in advance of national action, the fact that Nottingham's spike coincided with a change in Government approach undoubtedly meant that Nottingham was left in limbo without legislation or national action to back up our local ask. We simply didn't fall into the timetable. Whilst rates in Nottingham had started to fall at this stage thanks to the actions taken by local citizens at this time, they remained extremely high and the local hospitals were under pressure due to significantly increased Covid activity. But again we experienced delay. It was eight days after the introduction of Tier 2 restrictions that discussions commenced between local leaders and Government in relation to Nottingham City and parts of Nottinghamshire being subject to Tier 3 (very high) restrictions. The late addition of northern parts of Nottinghamshire in the discussions meant that we had further delay, and that implementation of these further restrictions was not introduced until eight days later on Friday 30 October – 22 days after the peak in our cases in Nottingham. This meant that Nottingham's Tier 3 restrictions had been in place for little over 24 hours when the Prime Minister announced a second national lockdown, a period of four weeks.

Lord Mayor, it is not possible for me to accurately assess what impact these delays have had on the spread of Covid in the City, the modelling is just not that sophisticated. But it is clear that these delays have impacted on local citizens' confidence in the Government's response and left many feeling confused and unclear about what they should or should not be doing. It is my sincere hope that the action taken by Nottingham both to urge residents to reduce contact in advance of Tier 2 and to agree and implement a robust package of measures for the first six days that we were subject to Tier 3 has meant that we will be in the best possible position when the national lockdown ends at the start of December. I am grateful for the sacrifices the people in Nottingham have already made and will continue to make and I am hopeful this will result in fewer infections and reduce hospital admissions locally enabling us to reopen more of our local economy in due course.

Schools

Councillor Audrey Dinnall asked the following question of the Portfolio Holder for Regeneration, Schools and Communications:

What reassurances can the Portfolio Holder for Regeneration, Schools and Communications give Nottingham parents, teachers and pupils who may feel anxious about schools remaining open during the second lockdown?

Councillor David Mellen replied as follows:

Thank you Lord Mayor and can I thank Councillor Dinnall for her question. Evidence from the UK and internationally tells us that Covid-19 is generally milder in children than in adults. The Chief Medical Officer has made it clear that the overall risk to children from coronavirus in relation to education settings is low and that risks associated with not being in school certainly outweigh those of being in school for our children. Schools play a key role in promoting children's health, social and mental wellbeing.

There are thorough measures in place to reduce the likelihood of transmission of coronavirus within school settings in Nottingham. These measures include the risk of infection and illness for pupils, teachers and support staff and for parents, carers and relatives right across the school community. Prior to the partial closures of schools in March 2020, City schools were supported with the expert advice provided by the Education Directorate's School Health and Safety Advisor, working in conjunction with Public Health colleagues on operating a Covid-secure environment. Schools remained partially open for the benefit of key worker children and vulnerable pupils and with increased numbers of pupils from specific age groups. The learning that schools, health and safety and public health gained from operating partially opened schools was reviewed and shared with all school leaders, trade unions and Government departments. Schools then moved to a full opening position in September, with detailed and updated risk assessments on managing the requirements for additional cleaning, good hygiene practices and the logistics of operating socially distanced classrooms and communal spaces. In addition, Public Health colleagues have supported the need for swift access to testing, delivered through a combination of in-school supply of testing kits, priority access to local testing centres and appropriate and dedicated support for managing issues. Where schools have had confirmed cases of Covid-19, support has been provided from colleagues in Education, Public Health and Public Health England to advise on appropriate actions. The learning gained has been used to continually improve the arrangements within schools across the City. There have been occasions to restate the general protective measures on following the guidance on social distancing, observing the isolation guidance provided through the NHS Test and Trace and of staying home if unwell with Covid symptoms and getting a test.

The wellbeing and mental health needs of children and young people, parents and staff have been addressed through a range of support services developed since the summer. The #youhavebeenmissed campaign has provided support to manage the anxiety of pupils and parents through dedicated YouTube videos, social media posts, telephone and online consultation and Covid-secure summer holiday sessions. A comprehensive package of training for teachers and support staff, with resources for children, young people and parents, has been delivered under the Wellbeing for Education Return Programme. A Pupil Voice Survey, developed with the Education

Psychology Service, was returned by 1000 children aged between 5 and 18. This has provided us with a rich picture of the experience of children and young people during the first lockdown, including both those who attended school and those who remained at home throughout. The direct voice of these children and young people has helped schools and services to address the anxieties they felt about the return of full opening of school. These resources and support services will be of further value in understanding and addressing mental wellbeing and anxiety during the new period of lockdown in England from 5 November to 2 December.

Updated Government guidance has been published to schools with some additional measures on face coverings and Test and Trace, including specifying that pupils in Year 7 and above should wear face coverings in communal areas where social distancing cannot be easily maintained. These measures will be implemented locally and schools have been provided with the updated risk assessment templates, symptom summary guidance and the essential visitor risk assessments. In addition, there are a very small group of school staff and children who are considered to be clinically extremely vulnerable, identified through a letter from the NHS or their GP. Staff who are clinically extremely vulnerable are advised to work from home and not to go into work, and children who are clinically extremely vulnerable are advised not to attend school at this time.

Lord Mayor, throughout the lockdown period, schools will continue to review and update their risk assessments and put in place the most effective control measures to protect pupils, staff and their wider families. I pay tribute to our head teachers, teachers and school support staff for their dedicated service to our children, young people and their families over the last eight months. This has been a very difficult year for our school communities and I thank them for the flexibility and creativity that the staff have demonstrated in making sure that education can continue either online or in the classroom within the policies and practices needed to keep our schools safe places in which to work and learn.

Covid-19

Councillor Angela Kandola asked the following question of the Portfolio Holder for Finance, Growth and the City Centre:

Does the Portfolio Holder for Finance, Growth and the City Centre feel Nottingham businesses have been let down by the Government's inconsistent and last minute approach to Covid?

Councillor Sam Webster replied as follows:

Thank you Lord Mayor and can I thank Councillor Kandola for her question. I know like me, and many other councillors, she is concerned about the impact of Covid restrictions on our local businesses and on the employment prospects of Nottingham people. I know that businesses have found it difficult to adapt to the fast changing Government requirements and restrictions placed upon them, sometimes with just hours' notice. Many businesses have contacted me to express their deep frustration and anxiety of the lack of warning or time to adapt and the lack of clarity about what financial support is available and when it will be forthcoming. They have told me that the last minute nature of announcements on rule changes has made it impossible for

them to plan or prepare, that the disjointed approach makes it more difficult to see a way through for business survival and means that many of our residents are losing their jobs, sometimes unnecessarily. It is important that we recognise that many Nottingham businesses are fighting for their very existence at this time and that the jobs of thousands of our residents are on the line. We are certainly feeling the public health impact in Nottingham and we are also feeling the economic impact. The Government's actions now will determine the short and medium term outcomes for the livelihoods of our residents and the prospects for economic recovery over the coming years.

Throughout the pandemic, the Labour Group has lobbied the Government hard to provide the economic support that is required to protect jobs and save good Nottingham businesses from going under. I want to highlight a number of issues that have affected local businesses in recent months and which we have raised with Ministers on a number of occasions: gaps in financial support for some businesses, charities and social enterprises and larger businesses, as well as for freelance and some other workers; a discretionary business support grant scheme that was woefully inadequate and left many organisations without the support they needed; last minute changes to restrictions proving to be costly and almost impossible for businesses to manage. I would have preferred to see more targeted support for those businesses that are most in need of help. Too many businesses who weren't affected by Covid got free funding that they didn't need, whilst others missed out on funding that they desperately needed. No additional support during the phase of Tier 2 restrictions in Nottingham - a huge loss of revenue for some businesses but no further funding. Announcements by Government followed by longer periods with lack of technical detail, which delays the processing of Government grants. The Tier 3 announcement only gave businesses hours to respond to the changes required and there was a lack of definition of rules. I, like many other councillors, had a flood of enquiries asking what a 'substantial meal' was for instance. Most frustrating and damaging in terms of business confidence that there is any kind of plan or forward thinking, was the announcement of the second national lockdown only a day after Nottingham was placed in the Tier 3 restrictions by Government officials.

We have to remember, and I would urge the Government to consider, that many business owners have put their lives into building up businesses and growing and creating local jobs. The announcements that are made have real impact on the ground and so consistency, time to plan and timely, adequate financial support is needed. What I have found in recent months is that overwhelmingly businesses want to comply and they want to help in the national effort to defeat Covid, but they also want their businesses to survive and to keep their staff in employment where possible. All of us in local and national government should be helping good businesses to survive. A well know hospitality business wrote to me on 16 October saying "we are now losing £8000 every week which is unsustainable. We had no choice but to take on significant loans in order to survive the first lockdown, the majority of which are now depleted. The prospect of accessing further debt is uncertain and unwise without any clear end date to this unmanageable situation. We treat our staff with care and understanding and it is really upsetting to have to lose some fabulous local people. As a result of lower demand and lower requirement for roles we now employ only 80 people. It was 130 this time last year, a loss of 50 people. We are now having to face making further staffing reductions." During this period of the second national lockdown we have seen Government come to its

senses on the reasonable extension of furlough for workers following calls from Opposition and from business groups. There is now a more co-ordinated support package and I welcome that although I fear the latest Government grant scheme to be inadequate.

Government details of the latest grants and economic support have been coming through to us here at the Council in recent days and our officers are working hard to make sure that funding gets to eligible businesses as quickly and efficiently as possible. We still have a lot of work to do to protect jobs and secure a strong economic recovery. I want to thank Council staff who have already processed tens of millions of pounds in business support payments during the first round back in the spring and summer and are now focused on the latest business grant application process. I also want to thank the Leader of the Council for his work during recent negotiations with Government ministers to secure an economic support package for Nottingham and our businesses; and Lillian Greenwood, Member of Parliament for Nottingham South, who forcefully raised the plight of Nottingham's much loved Castle Rock Brewery at Prime Minister's Questions just a couple of weeks ago. There has been some potentially very positive news on Covid vaccinations just today. I think we should keep in mind the need to protect businesses and jobs through this difficult time so that the Country and our City can recover as quickly as possible. We will continue to speak up, and stand up for our local businesses, the jobs and livelihoods of our residents and I would urge Nottingham business owners to keep going, keep fighting. We know how hard it has been and we are on your side.

Thank you Lord Mayor.

Support for rough sleepers

Councillor Leslie Ayoola asked the following question of the Portfolio Holder for Planning, Housing and Heritage:

What winter measures has the Council got in place for rough sleepers over the coming winter months?

Councillor Linda Woodings replied as follows:

Thank you Lord Mayor and thank you Councillor Ayoola for your question. Covid-19 has significantly changed our previously successful rough sleeping measures that would have normally been in place for the coming winter. I want to start by paying tribute to the Council officers involved in rough sleeping, our partners in the community and volunteers as well for the incredible effort they made last year and throughout the year to get everyone in. This effort, and the current winter plan, have meant that we have had to significantly change the provisions put in place in order to keep rough sleepers, who are some of the most vulnerable in our society, safe from the Covid virus. This has meant that our previous measures have been severely disrupted or not delivered, and that includes the Nottingham Shelter, which is a key resource for people who have no recourse to public funds, and also the Safe Place to Stay Hub. We were initially awarded just £22,500 from the Government's Covid-19 Emergency Rough Sleeping Fund back in March to fund interim accommodation under the 'Everybody In' instruction from Government. The actual cost to the Council for that provision amounted to just under £800,000, presenting us with a significant

funding shortfall. So this provision effectively became the Nottingham Emergency Shelter offering 25 units of accommodation and the Safe Place to Stay Hub has been changed into a six bed House of Multiple Occupation. However, that has resulted in the loss of two beds from what is effectively a 72 hour bridge which supports rough sleepers into services and other accommodation. The Next Steps Accommodation funding announced by Government has financially covered our temporary arrangements moving forward despite the fact that we never received back the original additional funding promised by 'Everyone In'. The current Next Steps money will cover provision through to the end of January. Our bid was initially based on there being a replacement to the Shelter which would be in operation by the end of January. Unfortunately, Government placed a restriction on that funding saying that it had to be spent in this financial year completely and so we hope that this will form part of a bid for any similar funding pot made available next year. Nottingham also bid from the Next Steps Accommodation Fund for further long-term 'move on' accommodation, commonly known as 'Housing First', and I am pleased to report that we have successfully been awarded more than £0.5million capital, but significantly revenue support funding for three years to acquire 30 new properties. This will have to be acquired by the end of March next year. So we do have a gap in provision between January and the end of March and to address this our Council officers have been regularly meeting with representatives from the Ministry of Housing, Communities and Local Government (MHCLG). They have asked that additional units of temporary accommodation be funded and that provision be extended through until March to ensure the safety of all rough sleepers this winter. That takes into account that we can't operate elements of our Severe Weather Emergency Protocol, known as SWEP. So we have asked MHCLG for an additional £228,000. Also, in order to free up beds at the Emergency Shelter, we have also asked for a level of funding to assist rough sleepers with a move into private rented sector housing, including incentives for landlords and the employment of 1.5 Resettlement Workers.

The City Council and our partners are bracing ourselves for a difficult winter as we anticipate more people than ever will arrive on the streets due to economic impact of the pandemic. The extension of the furlough scheme announced last week was very welcome. Of course some people had already lost their jobs because of the last minute nature of the announcement, however every little helps and I would include in that the restrictions that have been put in place to stem Section 21 No Fault Evictions. On a side note, you will be interested that the numbers of households presenting to Housing Aid for help never dropped at all over the last eight months – it has just been fewer families and more individuals. So longer term better protection for renters would be very welcome and we still await the outcome from the consultation from more than a year ago about abolishing No Fault Evictions permanently.

So colleagues, we are still waiting to discover whether additional funding has been granted or not. We are told confirmation of this is imminent, but it does concern me that the weather is getting colder and we don't yet have a guarantee of funding for the additional measures that we have asked for.

One thing we are looking at is redesigning our provision and services for next year's rough sleeping funding in a way that takes into account some the huge benefits to both physical and mental health from rough sleepers during the lockdown measures put in place in March. We have recently seen an evaluation of this and there is no

doubt that in the future our provision has to include a psychologically-informed environment and trauma-informed provision of health services. However, we do need more flexible provision of Covid-safe measures that will give immediate access to safe assessment beds such as crash-pads or more Houses of Multiple Occupation type accommodation. Another factor is that evidence from the Street Outreach Team confirms that there are more women sleeping rough on our streets than previously and our current provision doesn't offer female-only provision. So this is another area where we are seeking to expand our services. Our officers are meeting with providers, finding out about the lived experience of people suffering homelessness and also meeting representatives of health as well in order to develop our rough sleeping funding bid for next year to see how we can fill those gaps in provision.

Colleagues, the Government's aim to end rough sleeping by 2027 is an admirable one and they have made money available which we, in Nottingham, have been successful in bidding for. But Labour in power would do more and we urge the Government to restore the Supporting People Fund, which was halved and then abolished in 2010, when Nottingham had just three rough sleepers. We urge them to end the hostile environment because our services are under pressure when people with no recourse to public funds are destitute and have nowhere to go but the streets. We urge them to abolish Section 21 No Fault Evictions permanently and give renters better security in their homes, and we urge them to increase local housing allowances more swiftly to address the increasing levels of rent that people have to pay. More importantly than anything else, we desperately need a new supply of housing because at the moment there is a bubble in the housing market. The housing market is broken, rents are soaring and we need to build more affordable and social housing for rent and supported housing as well to keep people out of care. So the last thing I would say is that if they can't bring themselves to abolish Right to Buy, then at least make it genuinely one for one replacement funding and allow councils like ours more time to build houses and replenish our housing stock.

Colleagues, our rough sleeping measures have work incredibly well in previous years and despite record numbers of individuals sleeping outside, and the transformation of services and intent from Government will, we hope, end rough sleeping forever. We, in Nottingham, will do whatever we can to keep this vulnerable group of people safe this winter from the virus but, just as importantly, from the cold. We are keeping our fingers crossed that we will receive confirmation of the extra funding we have asked for this week.

Thank you Lord Mayor.

District heating infrastructure

Councillor Andrew Rule asked the following question of the Portfolio Holder for Finance, Growth and the City Centre:

Given that the Draft Annual Governance Statement, presented at the last Audit Committee meeting, describes the 'deteriorating district heating infrastructure' that includes Enviroenergy as requiring 'significant investment' indicated at £300million within the next 10 years, how is it anticipated that this investment will be financed and will it be provided on the same interest free basis as the Company's existing borrowing?

Councillor Sam Webster replied as follows:

Thank you Lord Mayor and thank you Councillor Rule for your question. Having looked back at the report myself, I found it to be fairly well explained – the issue that Councillor Rule raises in his question. So I thought it might be best to begin my answer with the actual wording from the report itself. He has been a little bit selective in picking out certain elements of the report wording. So here is what the actual wording says in full: “a significant capital investment is needed to replace the deteriorating district heating infrastructure, including distribution network, power generation plant (Enviroenergy) and energy from waste facility the Eastcroft incinerator. Ongoing maintenance programmes are in place and contractual parties have been engaged over the medium term for the management of the incinerator facility. A long term strategy for energy and waste infrastructure and a long term district heating strategy and affordability for the City are being developed. An estimated £300million 30-year contract is being negotiated and this needs fully supporting by the Council with expert professional advice.” So just to give a bit of context, I think the extract gives context in itself, but also wider than that, a £300million contract over 30 years of course breaks down to £10million per year. Our neighbouring council, Nottinghamshire County Council, notes in their budget report for this financial year a spend of £38.6million on waste services. So it is true to say that big numbers are involved with delivering a key service for hundreds of thousands of people over the long term. As you can see in the full description, the report is highlighting the need for the Council to focus and plan ahead for solutions that will span the coming forty years. Our officers are working on those plans so that they are affordable to the Council and meet the City’s needs in a number of important areas over a long period of time. There are a number of options available to the Council and these are all being explored at this time. A number of complex issues are described in the report and at the appropriate time recommendations will be brought forward and decisions made over the coming years.

It is easy to settle on the big number noted in the report but it is important to explain what we are actually talking about. Nottingham City disposes of its waste by the Eastcroft incinerator at present, as do some of the neighbouring district authorities. Waste disposal is, of course, a big and expensive council service area and we are responsible for collection and disposal of both domestic waste and commercial waste. Domestic waste for over 330,000 people every week along with commercial waste from thousands of local businesses. That waste is converted into electricity by the heat generated from the incinerator. We use the energy generated to heat over 4000 homes and many large business and council sites through our district heating network. We do not currently send our waste to landfill, which is very expensive and has well-documented environmental impacts. So the issue highlighted in the report relates to waste disposal for the entire City over a 30-year period and the need to invest in our infrastructure over the medium term that allows energy for thousands of homes and businesses to be distributed. With such a big service area over such a long period of time, of course there are risks and we need to be alive to that. But there are also key opportunities for Nottingham to continue to get a good deal on waste disposal and to generate power in a sustainable way. I hope he will be involved with us in scrutinising plans that come forward in due course to make sure we get the right waste disposal and energy generation solution for Nottingham.

Thank you Lord Mayor.

Housing Allocation Policy

Councillor Andrew Rule asked the following question of the Portfolio Holder for Planning, Housing and Heritage:

Does the Portfolio Holder believe that it is fair that Nottingham City Homes' Housing Allocation Policy differentiates between court sanctioned custody agreements and informal custody agreements amicably agreed between separated parents for their children and, as far as housing allocation is concerned, favouring the former and completely disregarding the latter?

Councillor Linda Woodings replied as follows:

Thank you Lord Mayor and thank you Councillor Rule for your question. First of all, I want to make it clear that Housing Allocation Policy is not owned by Nottingham City Homes Housing Allocations Team. In fact, the Housing Allocations Policy is the Council's responsibility so it is decided by the Council and operated on our behalf at an arm's length by Nottingham City Homes. The Housing Allocations Policy was amended and updated in November last year following widespread consultation including with the public, and the agreed and updated Policy started to be applied by Nottingham City Homes on our behalf this year. During consultation the response to our adapted policy was broadly welcomed.

Unfortunately, I do not know the precise circumstances on which Councillor Rule is basing this question. However, having checked, the Policy does not make the distinction he is suggesting and I welcome more information from him, for privacy reasons of course outside of a public meeting, as to the exact circumstances he refers to. Where parents or carers of dependent children are separated and both parties are requesting family-type accommodation, the decision about who can be allocated a family home will usually be based upon who the child or children normally reside with and who receives child benefit if the time is split equally. If the parent or carer does not have the child or children living with them, nor receives the child benefit but has access arrangements they can be considered for a two bedroom flat so that they can have them to stay over. They cannot, however, be allocated a family house. As everyone will be aware all social housing in the City is in very short supply because we can't replace Right to Buy fast enough and that includes family homes. So it is simply not possible to allocate family homes to people who only have access arrangements to their children unfortunately. The question of whether custody agreements have been agreed amicably or determined by a court isn't relevant and decisions will be based on what the actual living arrangements are irrespective of how they have been arrived at. Naturally I would be happy to ask officers to look into the particular case that Councillor Rule is referring to in order to ensure that the Policy has been applied correctly. In fact, as Councillor Rule is aware, I am always happy to take up such matters outside of Full Council meetings for any councillor, including him and other opposition councillors, and I have done so previously. So rather than needing to use up one of his four questions to establish the facts of any particular casework he might have I am very happy to take these up informally outside of Full Council.

Thank you Lord Mayor.

Covid-19

Councillor Andrew Rule asked the following question of the Deputy Leader of the Council:

The Portfolio Holder will appreciate that following the return of students to university, in light of the pandemic, that the proximity of the campuses of the City's universities to local communities in the City, particularly in Clifton, has caused concern and anxiety for residents in light of prevalence of Covid amongst the 18-23 age bracket. Could the Portfolio Holder, in her position as Chair of the Outbreak Control Engagement Board, confirm whether she is satisfied with the level of engagement from universities with local communities to alleviate these concerns?

Councillor Sally Longford replied as follows:

Thank you Lord Mayor and thank you Councillor Rule for your question. It is completely understandable that citizens living close to university campuses were anxious in advance of the return of students at the end of the summer holiday. At the time, the University and College Union was also expressing great concern about the possible spike in transmission and calling on the Government to think again about their guidance that all students should be told to physically attend their chosen institution. However, I think we would all agree that our universities and their students are an important part of the City and people will recall that up to that point Nottingham had done very well in limiting the infection rate in the City, primarily due to the widespread compliance with the regulations. The need for specific plans relating to universities was recognised early and both universities worked closely with the City and the County and other partners to develop an Incident Management Plan. At my request this was also shared and discussed publicly at one of our early Engagement Board meetings, where senior representatives of the universities were questioned about their planning and preparation. Work to understand, respond to and mitigate community concerns is a part of the Plan and a substantial amount of communication has gone out from the Council and universities to students and the wider community.

Unfortunately, despite the planning, we did see an awful spike in infections which coincided with the return of students putting us at the top of the national league table. We know that most students are adhering to the rules and behaving in a safe manner, respecting the community around them and I would like to take this opportunity to thank them on behalf of the citizens of Nottingham. As ward councillor for Lenton and Wollaton East which includes both the University of Nottingham campuses and many areas where students live off-campus, I fully appreciate that student house parties and other anti-social behaviour has always been a concern for local citizens and this is understandably amplified by the potential impact such behaviour has in the current context. As Councillor Mellen said earlier, our Police and Community Protection Officers have been working in close collaboration, responding swiftly to any concerns highlighted by local residents and we are glad that the Nottingham Trent University Security Teams have also been actively patrolling local areas. There have been increased patrols in areas where clustering can naturally happen around tram, bus and taxi stops at peak times and more recently,

following much concern from residents, the University of Nottingham introduced a Hopper Bus for student use to reduce contact with local citizens. Where students have been found to be in breach of the rules, fines have been issued by the Police and this information shared with the relevant university to support the application of their internal disciplinary procedures. You will be aware that the Chief Constable recently called on the universities to expel students who were found to be in serious breach of the rules and the Leader of the Council arranged a meeting where we could discuss this and other issues with the Vice Chancellors and the Chief Constable last Friday.

You rightly highlight that during the recent spike in cases the incidence rate amongst those aged 18 to 22 was particularly high. Thankfully, since 8 October, Nottingham's rate has been on a downward trend but is still relatively high and cases have gradually spread into other age groups, with the exception of the under-18s. It is crucially important that we all comply with the regulations to ensure that those most at risk of serious complications, that is older people and those with underlying health conditions, are protected.

To directly answer your question, the universities have been working with our Public Health Team and other partners for some months, we have also been meeting regularly with the Vice Chancellors and senior management teams of both institutions, always seeking more collaboration and action. Progress has been made: they now have testing sites on all four main campuses which are open to the public, and they have incentivised students to stay home. There is always more to do and we are now asking them about plans for a safe end of term and what happens in the new year. We need timely and clear Government guidance to back up these discussions. I can give my personal assurance that, as Chair of the Engagement Board, we will continue to ask the universities challenging questions about their actions in our meetings and continue to work with them to ensure risks to our citizens are minimised as much as possible. We will also continue to communicate advice and information about the significant challenges posed by the Covid pandemic to everyone living in the City and encourage the universities to continue to urge their students to comply with the regulations and minimise the risk of transmission by following the basic advice about washing hands regularly, wearing a mask and keeping your distance. This will help us to continue to progress down the national league table of infection rates and come out of lockdown as soon as possible.

Community centres

Councillor Andrew Rule asked the following question of the Portfolio Holder for Communities, Highways and Strategic Transport:

The Portfolio Holder will be aware that many of the City's community centres have remained closed from the start of the first lockdown in March to date. Will she outline what support is being provided to community centres to ensure that they are able to re-open as soon as local Covid restrictions permit?

Councillor Rebecca Langton replied as follows:

Thank you Lord Mayor and thank you to Councillor Rule for his question. Nottingham's diverse network of community centres are run in a combination of direct

management by the Council and volunteer-led community associations, so it is fitting to start by thanking the dedicated Council officers who lead this work with great commitment and the many volunteers who help ensure we have vibrant community centres at the heart of our neighbourhoods. We all value our community centres and that is why we have a commitment in our Council Plan to protect a network of community centres across our City. As with everything, this year has not gone to plan for any of our community centres. By nature, they exist to bring people together and this has been in direct conflict with the national rules on Covid for most of the year. So it has been a really tough time for our community centres.

Back in March when the national lockdown was announced, our community centres across the City were closed following national guidance. There were a few minor exemptions to this, for example where community centres were providing childcare facilities essentially to enabling key workers to keep doing their jobs. However, on the whole our community centres closed their doors. While they were closed we were overwhelmed by the commitment of volunteers, many of whom continued to perform legionella tests, bid for funding and find other ways to support their communities throughout Covid. As a Council we stepped up to do what we could as well to help, bringing forward our quarterly funding payments to help them through and supporting some organisations to access business grants where applicable. We worked hard to keep on top of the latest advice and guidance and remained in constant contact with our community centre committees.

When the national restrictions were eased, we took steps to reopen a first tranche of community centres. We prioritised places where nursery provision, wrap-around childcare or food banks were based. We worked closely to get these centres open with the first tranche of five centres opening in September, followed by a further three later that month. In October we reopened a second tranche of community centres, focusing on those without sports or social clubs (about 14 of our centres). A couple of weeks ago we sought approval to reopen a third tranche. At each stage we worked to support community centres to become Covid-safe and they have stepped up, finding innovative ways to keep going and engage with local residents against a challenging and changing backdrop. We continue to work with those who have not yet reopened to ensure that they are Covid-safe and can open as soon as is possible within the Government's guidelines. In Clifton, in our first tranche of reopening centres both Parkgate and Silverdale were able to reopen partially and were certified as Covid-secure in mid-September. This involved detailed work around Covid-safety measures and working with both groups on comprehensive risk assessments. We also supported them with a deep-clean service where necessary to instil public confidence around cleanliness. Parkgate has gone on to establish a small number of support functions and during lockdown 2.0 they remained open for food parcel deliveries to those in need locally. Silverdale reopened their nursery provision initially with a view to reengaging in general community activities in December. This is now under review as the second lockdown means they may not be able to open for general community use until the new year. Clifton and Highbank Community Centres have remained closed. Both have social bars which represent a more challenging environment when having to consider what measures can be put in place to make them Covid-safe. Both were due to reopen under the third tranche but this is now being reviewed and they are considering their plans and will probably reopen after Christmas. All community centres have been supported with Covid-safety measures, such as risk assessment reviews along with Covid directional markings, notices and

sanitising points, chemicals and personal protective equipment all paid for by the Council and supplied as part of planned safety measures to reopen once lockdown has completed. These examples illustrate the hard work both from the Council and from volunteer-led committees to overcome the individual challenges that face different centres and prepare to reopen when safe and possible.

So now we are in a national lockdown again. In March we took a fairly blanket approach to making decisions around service closure and that was the right thing to do at the time. This time we are working within the guidelines to ensure that where things can be done in a Covid-secure way they continue, and this is true of our community centres. Many are now closed completely. As I said earlier on, the very principle of bringing people together in community centres is in direct conflict with the purpose of a lockdown, but others remain open providing wrap around childcare and food support for those in need. Some centres have opened partially so that NHS Test and Trace workers can use their facilities, running pop-up Covid testing centres in their car parks. The way that our community centres have stepped up, adapted and helped meet new challenges from food provision to Covid tests illustrates just how vital they are. They are trusted and valued in the heart of our communities and I am committed to supporting them to reopen safely when it is possible to do so. So while they are closed we are undertaking our planned maintenance works and supporting them to keep buildings fit for purpose so that they can reopen as soon as possible. We know that many community centre committees and their local communities are worried about the impact that Covid will have on them. As a City Council we are concerned too. Community centre groups have always relied on income. They are the beating heart of our communities, they are where people go for health and fitness clubs, vocational training, parent and toddler groups as well as a focus for celebrations and events. We will continue to lobby national government to make funds available to support these groups and to properly fund the lost costs of Covid so we can in turn support them when they are struggling to pay bills due to lost income. So Lord Mayor to summarise: we continue to offer community centres advice and support, either to remain partially open in a Covid-safe way or be ready to reopen as quickly as is safely possible. It is my ambition that, working with you fellow councillors, Council officers and our fantastic community groups we will get through this difficult time and reopen and rebuild as soon as possible. 2020 has no doubt reminded us all of the importance of our communities and of coming together with others. I hope that we will be able to do this in our community centres before too long.

48 Response to the Report in the Public Interest

The Lord Mayor and Chair of Council presented the report proposing establishment of a Governance Improvement Board, as a committee of Council to support delivery of the Action Plan agreed in response to the Report in the Public Interest on Nottingham City Council's governance arrangements for Robin Hood Energy. The report also proposed amendments to the Action Plan and was seconded by the Leader of the Council.

Resolved to:

- 1) approve the revised Action Plan, as set out in Appendix 1 to the report;**

- 2) establish the Nottingham City Governance Improvement Board as a formal committee of Council to support delivery of the Action Plan and other improvement work with the terms of reference as set out in Appendix 2 (Revised) to the report;
- 3) appoint the membership, substitutes and chair for the Nottingham City Governance Improvement Board as set out in Appendix 3 to the report; and
- 4) note minor revisions to the roles of the Overview and Scrutiny Committee and the Audit Committee in relation to monitoring of the Action Plan as set out in paragraphs 5.6 and 5.7 of the report.

49 Decisions taken under Urgency Procedures

The Leader of the Council presented the report detailing urgent decisions that Council is required to note, which have been taken under provisions within the Overview and Scrutiny Procedure Rules and Access to Information Rules:

Resolved to note the urgent decisions (exempt from call in):

Decision Reference Number	Date of Decision	Subject	Value of Decision	Reason for Urgency
3999	25 September 2020	Service of S25 Notice – Premises at Lister Gate, Nottingham	Exempt	To enable the Notice to be sent within required timescales.
4006	2 October 2020	Further essential health and safety works at Broadmarsh Centre	£176,048	To ensure public safety while the building is in use and to prevent any potential fire risk.

50 Motion

Motion proposed by Councillor Cheryl Barnard, and seconded by Councillor Rebecca Langton:

This Council notes with alarm that the number of children living in poverty in the UK has risen from 2.6 million in 2009/10 to 4.2 million in 2018/19. In Nottingham, 34.6 % of children live in poverty.

This Council notes that over the last decades, political decisions have driven the increase in child poverty, as austerity has hit the poorest hardest. Many children living in poverty are in working households, where insecure work, stagnant wages

and insufficient pay is creating a growing crisis of in work poverty. Many Nottingham households have been pushed below the breadline by changes to welfare, which should act as a safety net, but is failing many Nottingham families, and cuts to vital public services.

This Council notes that the Covid pandemic is worsening the divides of poverty, and notes with great concern that this Government voted against providing Nottingham children with money to support food during the October holidays, in spite of the well documented challenges created by the Covid pandemic. Free school meals benefit around 11,500 Nottingham children (excluding Key Stage 1 pupils); this Council believes that these children have been let down by this Government.

This Council notes the work already underway in Nottingham to reduce child poverty; from our commitments to increase the number of children attending good or outstanding schools, to the work of Small Steps Big Changes and the Dolly Parton Imagination Library. It also notes the motion on holiday hunger and food poverty brought to Full Council in 2019 and the work that has already been undertaken both by the Council and the voluntary sector to support those without sufficient food. Both within the Council and across our schools, voluntary organisations and the community, Nottingham people are committed to improving the lives of Nottingham children.

This Council notes and thanks all those in Nottingham working to end child poverty.

This Council believes that the time is now to end child poverty in our City.

The Council therefore resolves to:

- continue to support Marcus Rashford's campaign to #endchildfoodpovertynow
- work with supermarkets to develop a voucher scheme that Nottingham people can donate to in order to ensure that no Nottingham child need go hungry this Christmas
- continue to work towards eradicating holiday hunger, supporting school holiday lunch clubs in our most deprived neighbourhoods
- continue to develop our resources which connect Nottingham people with food available in the community
- support local foodbanks and projects, distributing funding where it is needed most and using our resources to promote these projects
- campaign to extend free school meals to all primary school children by 2025
- provide a free book every month from birth to 5 years for 10,000 Nottingham children
- work with the voluntary sector to ensure that welfare rights advice is available in all areas of the City
- be the voice of Nottingham children and stand up for Nottingham families
- create an action plan to end Child Poverty in Nottingham and report back regularly to this Council.

Resolved to carry the motion.

51 Committee membership changes

The following committee membership change was noted:

- 1) Councillor Maria Joannou has resigned as a member of the Overview and Scrutiny Committee

The Meeting concluded at 4.40 pm

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Questions from Councillors

Responses to questions requiring a written response

WQ1

Written question asked by Councillor Andrew Rule of the Portfolio Holder for Finance, Growth and the City Centre at the meeting of the City Council to be held on 9 November 2020

Following my last Council question regarding a breakdown by service line of how the Council's COVID overspend is budgeted, could the Portfolio Holder now provide a breakdown of how actual spend by service line compares against the budgetary information provided previously?

Councillor Sam Webster replied as follows:

There are significant additional and new costs of dealing with the Covid-19 pandemic for local public services provided by Nottingham City Council. Since the start of the pandemic, councils have been required to submit to the Ministry of Housing, Communities and Local Government (MHCLG) a monthly return outlining these costs. This return asks for a comparison to the budget prior to the COVID-19 pandemic, and estimate how much additional money the Council has spent, and plans to spend due to pressures caused by COVID-19, irrespective of how it is funded and this is shown in the table below. The mid-year actual position alone doesn't give the complete position due to some technical finance adjustments being performed only at year end.

Table 1 : MHCLG 7th Covid-19 return detailing additional expenditure and forecast spend due to pressures caused by Covid-19	
Service Area	Full financial year 2020/21 £m
Adult Social Care – additional demand	0.019
Adult Social Care - supporting the market	5.382
Adult Social Care - workforce pressures	2.898
Adult Social Care - Personal protective equipment (PPE)	5.263
Adult Social Care - other	0.011
Adult Social Care sub total	13.573
Children's Social Care – workforce pressures	0.650
Children's Social Care – residential care	2.849
Children's Social Care – care leavers	0.935
Children Social Care - other	0.045
Children's Social Care sub total	4.479
Education - SEND	1.515
Education - other	0.031
Education sub total	1.546
Highways and Transport	0.354
Public Health - Testing, contact tracing and outbreak planning	5.827
Public Health - other	0.201
Public Health sub total	6.028

Housing – homelessness services	0.180
Housing – rough sleeping	0.597
Housing - other (excluding HRA)	0.000
Housing sub total (excluding HRA)	0.777
Cultural & related - Sports, leisure and community facilities	0.139
Cultural & related - other	0.128
Cultural & related sub total	0.267
Environment & regulatory - cremation, cemetery and mortuary services	1.140
Environment & regulatory – waste Management	0.982
Environment & regulatory - other	0.231
Environment & regulatory sub total	2.353
Planning & development	0.124
Finance & corporate - ICT & remote working	0.237
Finance & corporate - revenue & benefits	4.193
Finance & corporate - other	1.262
Finance & corporate sub total	5.692
Other - shielding	0.907
Other - PPE (non-Adult Social Care and HRA)	1.750
Other - unachieved savings/delayed projects	11.291
Other - Domestic Abuse Services	0.105
Other - excluding service areas listed above	5.790
Other sub total (includes Shielding)	19.843
TOTAL ESTIMATED SPENDING PRESSURE (General Fund)	55.036
Additional Housing Revenue Account (HRA) Pressures:	
HRA - workforce pressures	0.098
HRA - supplies and materials including PPE	0.450
HRA - other	1.430
HRA total	1.978

(Submitted to MHCLG in November 2020, based on period 6 monitoring)

WQ2

Written question asked by Councillor Andrew Rule of the Portfolio Holder for Finance, Growth and the City Centre at the meeting of the City Council to be held on 9 November 2020

Could the Portfolio Holder define what is meant by non-essential spend and provide examples, in his view of the top 10 (by value), of non-essential spend incurred by the Council in the financial year 2019/20?

Councillor Sam Webster replied as follows:

In 2017/18 the Council implemented a range of management actions and spending controls to mitigate potential overspends and these remain in place today. These have included a range of measures such as reducing contingency balances, reviews

of earmarked reserves, reduced revenue contribution to the capital programme, vacancy controls, stop to non-essential spend, reductions to maintenance spend and restrictions on hospitality, training, travel and conferences.

Budget Managers are accountable for delivering their services within budget and are responsible for ensuring that the spending controls are adhered to. Expenditure within the Finance system records the type of expenditure but the categorisation between essential or non-essential spend will be different depending on the service, for example training for one area may be non-essential but for another service essential in a particular circumstance. Budget Managers continue to forecast monthly and the Interim Budget as approved by Full Council on 5 October reset the 2020/21 Budget which included reducing budgets for services where there are underspends to ensure a balanced position for 2020/21.

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City Council – 11 January 2021

Report of the Lord Mayor/ Chair of Council

Amendments to the Constitution

1 Summary

- 1.1 The Local Government Act 2000 requires the Council to keep its Constitution up to date. Proposed amendments to non-executive aspects of the Constitution are outlined below.

2 Recommendations

- 2.1 To amend the Terms of Reference for the Greater Nottingham Light Rapid Transit Advisory Committee to add the Nottingham City Disability Involvement Group as a co-opted member of the Committee, and to amend the Constitution accordingly.
- 2.2 To adopt a revised Terms of Reference for the Overview and Scrutiny Committee as detailed in appendix A, and to amend the Constitution accordingly.
- 2.3 To amend the Terms of Reference for the Nottingham City Governance Improvement Board to enable any member of the Executive to attend as a substitute for the Leader of the Council, and to amend the Constitution accordingly.
- 2.4 To note changes to the levels of basic allowance and special responsibility allowance in the Members Allowances Scheme, as detailed in appendix B, and to amend the Constitution accordingly.
- 2.5 To adopt a revised Protocol for Councillor/ Officer Relations as detailed in appendix C, and to amend the Constitution accordingly.

3 Reasons for recommendations

- 3.1 The Local Government Act 2000 requires the Council to keep its Constitution up to date.
- 3.2 It is proposed to amend the Terms of Reference for the Greater Nottingham Light Rapid Transit Advisory Committee to improve representation in relation to disability and access issues.
- 3.3 It is proposed to adopt a revised Terms of Reference for the Overview and Scrutiny Committee in accordance with the recommendations contained with the Action Plan agreed by Council in response to the external auditor's Report in the Public Interest on Nottingham City Council's governance arrangements for Robin Hood Energy Ltd.
- 3.4 It is proposed to adopt a revised Protocol for Councillor/ Officer Relations to provide guidance on the complementary roles of councillors and officers, promoting good working relationships between councillors and officers and supporting smooth and effective running of the Council.

4 Other options considered in making recommendations

- 4.1 Not updating the Constitution is not an option as it is required by legislation, to ensure clarity of rights and duties and enable the Council to conduct its business lawfully and in line with Council policy.

5 Background (including outcomes of consultation)

- 5.1 The Constitution needs to be updated regularly to ensure that it reflects current legislation and local agreement about governance of the Council and the way it makes decisions. This ensures there is clarity about rights and duties.

- 5.2 It is the responsibility of Council to maintain and amend the Constitution.

- 5.3 Membership of the Greater Nottingham Light Rapid Transit Advisory Committee includes representatives of users of the NET system, each appointed to the Committee for a three year term. The Committee has discussed that it needs to give greater consideration to accessibility issues relating to the tram and the tram network and how the views of users with particular accessibility requirements are represented. At its meeting on 10 March 2020 the Committee agreed to recommend that the Nottingham City Disability Involvement Group is added as a co-opted member of the Committee to improve representation in relation to accessibility issues affecting the network.

- 5.4 In August 2020, the Council's external auditor issued a Report in the Public Interest on Nottingham City Council's governance arrangements for Robin Hood Energy Ltd. In response to this Report, Council agreed an Action Plan. Recommendations included in the Action Plan require that the Overview and Scrutiny Committee Terms of Reference are reviewed. This review has been carried out against identified best practice and a revised draft Terms of Reference was considered by the Overview and Scrutiny Committee at its meeting on 9 December 2020. The proposed revised Terms of Reference is attached at appendix A.

- 5.5 At its meeting on 9 December 2020 the Nottingham City Governance Improvement Board agreed to recommend to Council that its Terms of Reference are amended so that any member of the Executive can attend as a substitute for the Leader of the Council if he/ she is unable to attend.

- 5.6 As set out in the Members' Allowances Scheme, the basic allowance and special responsibility allowance is indexed in line with pay of employees covered by the National Joint Council for Local Government Services. The Members Allowances Scheme in the Constitution needs to be updated to reflect the values of these allowances, as detailed in appendix B.

- 5.7 The Protocol for Councillor/ Officer Relations has been reviewed to ensure there is clear guidance in place on the complementary roles of councillors and officers. A proposed revised Protocol is attached at appendix C.

6 Finance colleague comments (including implications and value for money)

- 6.1 None

7 Legal and Procurement colleague comments (including risk management issues, and legal, Crime and Disorder Act and procurement implications)

7.1 The Council would be in breach of its statutory duty if it did not update its Constitution and it is essential that there is clarity for councillors, colleagues, partners and citizens about rights and duties.

8 Equality Impact Assessment (EIA)

8.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because the report does not contain any proposals for changes to policies or services.

9 List of background papers other than published works or those disclosing confidential or exempt information

9.1 None

10 Published documents referred to in compiling this report

10.1 Local Government Act 2000

10.2 Nottingham City Council Constitution – Version 7.29

10.3 Minutes of the meeting of the Greater Nottingham Light Rapid Transit Advisory Committee held on 10 March 2020

10.4 Minutes of the meeting of the Overview and Scrutiny Committee held on 9 December 2020

10.5 Minutes of the meeting of the Nottingham City Governance Improvement Board held on 9 December 2020

Councillor Rosemary Healy
Lord Mayor/ Chair of Council

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Appendix A – Overview and Scrutiny Committee Terms of Reference

Description

The Overview and Scrutiny Committee (the Committee) is a politically balanced Non-Executive Committee of Council. While the Council operates an Executive form of governance the establishment of an Overview and Scrutiny Committee is a statutory requirement in order to discharge the functions conferred by the Localism Act 2011 and other relevant legislation. The Committee is accountable to Council and will report annually to Council on its activities during the previous year.

The Committee will offer constructive review, feedback and challenge to the Council's Executive and other relevant local decision makers on their decisions, actions, policy, strategy and performance.

Purpose

The purpose of the Overview and Scrutiny Committee is to:

- (a) hold local decision-makers, including the Council's Executive and the Boards of the Council's group of companies, to account for their decisions, actions, performance and management of risk
- (b) review existing policies and strategies of the Council and other local decision-makers where they impact on Nottingham citizens
- (c) contribute to the development of new policies and strategies of the Council and other local decision-makers where they impact on Nottingham citizens
- (d) explore any matters affecting Nottingham and/ or its citizens
- (e) make reports and recommendations to relevant local agencies with respect to the delivery of their functions, including the Council and its Executive
- (f) review decisions made but not yet implemented by the Council's Executive in accordance with the Call-in Procedure.

Objectives

The Overview and Scrutiny Committee will:

- (a) develop and manage a work programme to ensure all statutory and other roles and responsibilities are fulfilled to the required standard and which covers review and development of key strategic issues, policies and strategies relevant to Nottingham and its residents, and which adds value through the examination of issues of local importance and concern, in accordance with the scope and approach set out in the Overview and Scrutiny Procedure Rules in Part 4 of this Constitution
- (b) monitor the effectiveness of that work programme and the impact of outcomes from overview and scrutiny activity
- (c) regularly review the decisions, actions and performance of the Council's Executive and other relevant local decision makers, including the Council's group of companies, in order to fulfil its role in holding those decision makers to account. This role will be co-ordinated with those of the Audit Committee and the Companies Governance Executive Sub-Committee.
- (d) receive petitions in accordance with the Council's Petitions Scheme
- (e) consider any relevant matter referred to it by any of its members and consider any relevant local government matter referred to it by any Nottingham City Councillor.

The Overview and Scrutiny Committee has no decision making powers but has the power to:

- (a) require members of the Council's Executive, and certain other local decision makers, to: provide information to the Committee, to attend meetings, and answer questions posed by the Committee in relation to their Executive role
- (b) invite other persons to attend meetings of the Committee to provide information and/ or answer questions
- (c) make recommendations and provide reports to relevant decision makers, and in particular the Council's Executive, on matters within their remits. The Council's Executive and other relevant decision makers have a duty to respond in writing to such recommendations within two months of receipt.

The Overview and Scrutiny is required to consider Crime and Disorder matters at least once every Municipal Year:

Further detail on the rules and procedures relating to Overview and Scrutiny, including the Call-in Procedure, can be found in the Overview and Scrutiny Procedure Rules contained within Part Four of this Constitution.

Sub-Committees

The Overview and Scrutiny Committee may choose to establish sub-committees to discharge any of its functions.

A standing Overview and Scrutiny Call-in Sub-Committee will be established to review decisions taken but not yet implemented by the Council's Executive in accordance with the Call-in procedure outlined in the Overview and Scrutiny Procedure Rules in Part Four of this Constitution.

Note: Separate Committees will be established by Council for the scrutiny of health and social care and the scrutiny of issues related to children and young people. These are not sub-committees this Committee.

Membership and Chairing

The Overview and Scrutiny Committee has 12 members.

Members of the Executive are excluded from membership of the Committee

Executive Assistants responsible for assisting on a Portfolio within the remit of this Committee are excluded from membership of the Committee.

The Chair of the Committee will be appointed by Full Council at its Annual General Meeting. If the Chair changes in year, the Committee will appoint a Chair for the remainder of the Municipal Year at its next available meeting.

The Chair cannot be a Chair of the Board of any of the Council's Group of companies.

The role of Vice Chair will be held jointly by the Chair of the Health Scrutiny Committee and the Chair of the Children and Young People Scrutiny Committee.

The Overview and Scrutiny Committee may choose to appoint non-Councillor members to the Committee or its sub-committees. Voting arrangements for co-optees will be in accordance with Paragraph 12 of Schedule 1 to the Local Government Act 2000 (as amended by section 115 of the Local Government Act 2003) as outlined in a procedure approved by Council and included in the Overview and Scrutiny Procedure Rules.

Substitutes

Substitute members are permitted for this committee.

Quorum

The standard quorum for Council committees applies to this committee.

Frequency of Meetings

The Overview and Scrutiny Committee will meet a minimum of three times per year. The usual frequency of meetings will be once a month, with the exception of August.

Duration

There is no limit on the lifespan of the Overview and Scrutiny Committee.

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Appendix B – Amendments to the Members Allowances Scheme

Basic Allowance

£12,828.13

Special Responsibility Allowances

Position	Amount (£)
Leader	£38,217.14
Deputy Leader	£27,794.29
Portfolio Holders	£20,845.71
Lord Mayor	£13,897.14
Chair of Scrutiny	£13,897.14
Chief Whip (Majority Group)	£10,422.86
Chairs of Area Committees	£6,948.57
Executive Assistants	£6,948.57
Sheriff	£6,948.57
Vice Chairs of Scrutiny	£6,948.57
Chair of Planning	£6,948.57
Chair of Licensing	£6,948.57
Leader of Minority Group	£6,948.57
Chair of ACOS	£3,474.29
Vice Chair of Licensing	£3,474.29
Chair of Audit	£3,474.29
Adoption Panel Members	£3,474.29
Leader of smaller and smallest minority group	£0
Deputy Leader of each minority Group (6+ Members)	£0

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Appendix C

Nottingham City Council

Protocol for Councillor/ Officer Relations

1. Introduction

- 1.1 The purpose of this protocol is to provide guidance on the complementary roles of councillors and officers. It seeks to promote good working relationships between councillors and officers and support the smooth and effective running of the Council.
- 1.2 It is not comprehensive but is a guide and is intended to supplement other codes and procedures including the Councillor and Officer Codes of Conduct which can be found elsewhere in this Constitution.
- 1.3 It applies when councillors, voting and non-voting co-opted members, and officers are conducting Council business. The majority of provisions of this protocol that are applicable to councillors are also applicable to voting and non-voting co-opted members.
- 1.4 A breach of this protocol will be considered a breach of the relevant code of conduct and will be dealt with under the procedures for breaches of those codes.
- 1.5 This protocol will be reviewed periodically by the Standards Committee and will be overseen by the Monitoring Officer.
- 1.6 Further information and guidance on the matters covered by this protocol can be sought from the Monitoring Officer.

2. Principles

- 2.1 Good working relationships between councillors and officers are essential for the effective operation of the Council. This protocol and the relationships it seeks to support are underpinned by the following principles:
 - mutual trust,
 - respect for the different roles of councillors and officers,
 - a desire to provide the best possible service to the residents and city of Nottingham,
 - a commitment to collaborative, non-adversarial resolution of disputes.

3. The Roles of Councillors and Officers

3.1 Councillor Roles

Councillors are democratically elected for a term of four years and, once elected, represent all individuals in their ward, not just those who voted for them. Councillors can form political groups and the largest group or a combination of groups usually form an administration to provide the political leadership for the authority.

- 3.2 Councillors have a range of roles and must bear in mind the capacity in which they are operating and any conflicts of interest that may arise from these different roles. Further

advice on interests can be sought from the Monitoring Officer. The roles occupied by councillors include:

- policy-makers and budget setters – setting the strategic direction of the Council,
- community representatives and leaders and advocates for their wards,
- representatives of the Council on non-Council bodies.
- as politicians, representatives of the political parties to which they belong, recognising that in their role as Councillors they have a duty always to act in the public interest.

3.3 In addition to the above, members of particular Council bodies have specific roles. Executive members make executive decisions within the policy and budgetary framework, Overview and Scrutiny members scrutinise decisions, develop policy and examine issues, and members of other non-executive committees make decisions within their remits. Working relationships between officers and councillors with specific Executive or chairing roles will, by necessity, be close.

3.4 It is a generally accepted convention in local government that the Officer leadership of the Council and its executive councillors will have support from officers in developing policy. Any advice and drafts of documents/ policies provided in the course of the development of proposals by the Administration and in support of its decision making will be confidential to the Administration.

3.5 All Ward Councillors representing an affected ward should be notified of any proposed formal consultation exercises and site visits and invited to public meetings relating to their wards.

3.6 **Officer Roles**

Officers (with the exception of political assistants) are required to be politically impartial. They serve the whole Council and not individual groups or councillors. Some officers, including all senior officers, hold politically restricted posts which prevent them from engaging in political activity outside of work.

3.7 Certain senior officers hold posts with mandatory statutory responsibilities including the Chief Executive, the Monitoring Officer, and the Chief Finance Officer as well as those with responsibility for particular areas of Council activity. A full list of statutory officers can be found in Part Two of this Constitution. Councillors must respect these responsibilities and accept that these officers have a duty to give advice or make decisions which councillors may not have requested and may not agree with or support.

3.8 Officers are responsible for enforcement and regulation matters within the policy framework set by Councillors at regulatory committees. Councillors should not seek to influence decisions taken within this framework.

4. **Responsibilities of Councillors and Officers**

4.1 **Councillors**

Councillors are responsible for:

- providing political leadership,
- determining the budget and policy framework for the Council,
- monitoring and reviewing the performance of the Council in implementing that policy and delivering services,

- representing the Council externally and acting as advocates on behalf of their residents.

4.2 **Officers**

Officers are responsible for:

- Ensuring the Council acts lawfully and with financial propriety, even if that is against the wishes of councillors,
- the day to day management of the Authority's services, the organisation and its resources inclusive of officers,
- initiating, implementing and managing policy in accordance with the overall framework set by councillors,
- giving professional advice to all Councillors.

4.3 **Mutual Responsibilities**

Both councillors and officers are responsible for:

- working effectively together in partnership,
- respecting each other's respective roles, workloads and pressures,
- acting with respect, dignity, courtesy, integrity, mutual support and appropriate confidentiality,
- undertaking training and development in order to carry out their role effectively,
- not subjecting any individual to intimidation, bullying or harassment.

5. **Working Together**

The remainder of this Protocol will address specific areas of councillor/ officer interaction.

5.1 **Personal Relationships**

Mutual respect between councillors and officers is essential for the delivery of good local government. Close personal familiarity in public between individual councillors and officers can damage this relationship and should be avoided. Close working relationships should never become so close, or appear to become so close, as to bring into question the officer's ability to deal impartially with another councillor or other party groups, nor to undermine public trust in the Council.

- 5.2 Where such relationships exist or develop over time they should never be hidden. Councillors should declare such relationships to the Monitoring Officer and officers should declare such relationships to their Director in writing. This includes any family relationships.

5.3 **Contact between Councillors and Officers**

Contact between councillors and officers should be at a level appropriate to the issue being raised. Routine matters should be raised with a relevant officer however concerns about a service should normally be raised with the relevant Director or Head of Service.

- 5.4 While councillors and officers can constructively challenge they should not criticise or undermine respect for the other at any meeting where council business is being considered or transacted, in any public forum or through any communications. Any concerns a councillor has about the conduct or capability of an officer should be raised with the relevant Head of Service or more senior officer. Any concerns an officer has about the conduct of a councillor should initially be raised with the officer's line

manager. If the concerns relates to a possible breach of the Councillor Code of Conduct the relevant process should be followed.

5.5 Advice

Officers should always provide advice based upon their professional judgment even if that advice is contrary to the view of the councillor/s receiving it. Where an individual councillor may have a contrary view s/he should not seek to pressure the officer to make a recommendation contrary to the officer's professional view.

5.6 Correspondence

Official letters on behalf of the Council should normally be sent out in the name of the relevant officer, Portfolio Holder, Committee Chair, the Leader or the Lord Mayor or Sheriff, rather than in the name of an individual councillor. In certain circumstances it may be appropriate for a letter to go out in the name of a councillor, for example, making representations to an MP, but the letter should make clear whose views are being expressed in the correspondence.

5.7 Officers should not normally copy correspondence between themselves and a councillor to another councillor. If it is necessary to copy correspondence to another councillor, the officer should tell the original councillor. Use of silent or blind copies is not acceptable. If an officer has to reproduce a conversation with a councillor in correspondence, then that correspondence should be copied to the relevant councillor.

5.8 Letters which, for example, create obligations or give instructions on behalf of the Council should not be sent out in the name of a councillor.

5.9 Individual councillors will respond directly to casework and other requests from citizens or other relevant stakeholders.

5.10 Response to Councillor Queries

Officers will respond to enquiries made by councillors, including casework requests, within agreed time frames.

5.11 Political Groups

With the exception of Political Assistants, officers serve the Council as a whole and not exclusively any political group or individual councillor. In their dealings with political groups and individual councillors, all officers must maintain political neutrality and treat them in a fair and even handed manner.

5.12 Officers, may attend group meetings to provide briefings on Council business. With the exception of Political Assistants, officers below the level of Head of Service should not attend group meetings. Officers must respect the confidentiality of information disclosed at group meetings.

5.13 Briefings, whether in person or in written form, must be available to all groups on an equal basis.

5.14 Management of Officers

The management of officers (including Political Assistants) is the responsibility of managers and ultimately the Chief Executive as Head of Paid Service. Officers are also responsible for the preparation of Job Descriptions and Person Specifications. Officers will support, advise and respond to councillors' requests but councillors cannot instruct officers to do any piece of work or take any course of action other than through formal decision making procedures. Requests should not be given directly to junior officers without the knowledge of their line manager.

- 5.15 In some officer appointments, at the level of Head of Service and above, councillors may take part in selecting and appointing an officer. As a matter of law the candidate who best meets the specification for the role as advertised should be appointed and a councillor should not let his/her political or personal preferences influence his/her judgement. The Council has legal obligations in relation to equal opportunities and councillors are required to comply with these legal obligations and to adhere to the Council's equal opportunities policy in their dealings with staff/ potential staff.
- 5.16 Councillors should not seek or request personal information about individual officers nor seek to contact officers outside of working hours or via personal contact details unless by prior agreement, an existing provision or arrangement.
- 5.17 **Access to information**
When requested, officers should provide councillors with published information. Any exceptions to this should be referred to the Director for Legal and Governance for consideration.
- 5.18 Where unpublished, exempt or confidential information is requested, the requesting Councillor must demonstrate their need to know the information before it is released. Where a conflict of interest would be created by providing information to a Councillor, it should not be released. It is the councillor's responsibility to disclose such an interest. Consideration should always be given to Data Protection and other regulations when deciding whether to release information.
- 5.19 Further information can be found in the Access to Information Procedure Rules contained within this Constitution.
- 5.20 As outlined in the Councillor and Employee Codes of Conduct, exempt, confidential or personal information obtained by councillors or officers in the course of their duties must not be shared.
- 5.21 **Public Relations and Press Releases**
The Council's Communications and Marketing officers serve the Council as a whole and must operate within the limits of the statutory framework which prohibits publishing material which appears to be designed to affect public support for a political party. All councillors should be offered the opportunity to participate in communications and marketing events regardless of political group. The latter does not apply where an individual councillor or a number of councillors are participating in the event due to a role they hold, for example, Portfolio Holder or Chair of a Committee.
- 5.22 Council press releases drafted by officers will often contain quotations from the Mayor, Deputy Mayor, Leader, a Portfolio Holder or the Chair or Vice-Chair of the Committee or Sub-Committee whose service is involved. Such press releases will not indicate the councillor's party political affiliation.
- 5.23 Individual councillors may issue personal press releases. If issued, these must contain a clear statement that it is a personal publication to avoid any possibility of confusion with a Council press release.
- 5.24 Further guidance on the legal constraints placed on local authority publicity during an election period can be obtained from the Communications and Marketing Office and/or the Monitoring Officer.

5.25 Ceremonial Events

The Mayor or the Sheriff, will be the appropriate person to lead/ represent the Council at ceremonial events which are of particular significance or are not specifically associated with the office of the Leader, a particular Portfolio/Committee/Sub-Committee.

- 5.26 Ward councillors should always be informed of, and, where possible, invited to ceremonial events taking place within their own wards. Any councillor taking part in a ceremonial event must not seek disproportionate personal publicity nor use the occasion for party political advantage bearing in mind that the councillor is representing the Council as a whole.

City Council - 11 January 2021

Report of the Leader of the Council

Governance Improvement Programme – Progress Update and Lessons Learnt

1 Summary

- 1.1 In response to the recommendations of the External Auditor in the Report in the Public Interest on Robin Hood Energy (the PIR), Nottingham City Council formally adopted an Action Plan in August 2020, that was subsequently amended in November 2020, setting out a series of actions to address the issues raised by the External Auditor.
- 1.2 A Governance Improvement Programme has been established to deliver the Action Plan. This report provides an update on progress of the programme to date in delivering the actions.
- 1.3 It also captures and sets out the review outcomes and key considerations identified to date, in line with the actions set under Recommendation 10 of the Action Plan.

2 Recommendations

- 2.1 To note:
 - a) the progress update;
 - b) the comments of the newly established Governance Improvement Board on the progress to date and the lessons learned, as set out in Appendix 3;
 - c) the comments of the Audit Committee on 18 December 2020 on the review of the appointment of councillors as Directors on Boards of Council owned and controlled companies, as set out in Appendix 4; and
 - d) that amended draft terms of reference for the Overview and Scrutiny Committee are included for approval in the Amendments to the Constitution report on this agenda.

3 Reasons for recommendations

- 3.1 The Governance Improvement Programme was established to oversee the delivery of the City Council's Action Plan responding to the PIR concerning the Council's Governance Arrangements for Robin Hood Energy Ltd, and to review the wider governance issues at Nottingham City Council identified in the report.
- 3.2 In response to Recommendation 10 of the PIR which reads; "In addition to those referred to in recommendations above, the Council should apply the lessons from Robin Hood Energy in a further review of its company governance arrangements, in particular to ensure that risks are appropriately flagged and managed, as well as successfully implementing the more robust monitoring agreed by the Companies Governance Executive Sub-Committee", the City Council's Action Plan requires that an overarching report covering the outcomes of the various reviews be produced in December 2020 and brought to Full Council for consideration.
- 3.3 One of the key requirements of the PIR and Action Plan was the establishment of an Improvement Board to oversee delivery and drive progress against the PIR Action

Plan, to support improvement in the Council's wider governance arrangements, and to ensure that a range of voices, including those independent of the Council, contribute to the development of improved governance at Nottingham City Council.

3.4 Included at Appendix 3 are the draft minutes of the first meeting of the Nottingham City Council Governance Improvement Board which include the comments, questions and observations of the Board members at the meeting on 9 December 2020.

4 Background (including outcomes of consultation)

4.1 The External Auditor published the PIR on Robin Hood Energy in August 2020. The report highlighted a number of areas for improvement, with regard to the Council's governance arrangements for its companies.

4.2 The report also recommended a broader review of the Council's governance and decision making processes be undertaken.

4.3 The findings of the PIR were accepted by the Council and an Action Plan drawn up to address the issues raised. The Action Plan was formally approved by the Council on 30 August 2020. The Action Plan was subsequently amended by Council on 9 November 2020.

4.4 The Action Plan has 13 recommendations from the External Auditor and an additional 3 recommendations from the Council, with a clear set of actions. There is a programme of improvement work to deliver the actions in the plan, with a dedicated Project Management Office to lead delivery of the programme. Dedicated workstream leads cover the key areas, and the council owned companies are involved.

4.5 Following the publication of the PIR into Robin Hood Energy the Ministry of Housing, Communities and Local Government (MHCLG) confirmed its intention to carry out a rapid Non-Statutory Review (NSR) of Nottingham City Council. The review was led by Max Caller CBE, a former local authority Chief Executive, and it commenced on 27 October 2020 and concluded on 27 November 2020 when a report was submitted to MHCLG.

4.6 The report's findings add to and expand on the PIR. The NSR made eight recommendations to the Council and to MHCLG. These include recommendations that the Council should:

- Produce a three-year recovery plan by January 2021 to set out the actions needed to restore the financial viability of its capital programme and revenue budget and implement a more robust medium-term financial planning process. The plan should be overseen by a new Improvement Board established by MHCLG in partnership with the Council and led by a strong, independent chair with sector experience with members appointed as non-executive directors/mentors to support and improve performance.
- Review its constitution within six months to ensure that the roles and responsibilities of members and officers and the framework within which they operate to clearly define decision-making processes, performance management and procedures within the Council.
- Conduct an in-depth assessment of its group of companies during the first year of the Improvement Plan and integrate conclusions within the medium-term financial planning process to determine the future status of each company as part of the council group.

- Produce a clear policy statement within six months which establishes the roles and responsibilities of nominated non-executive directors and shareholder representatives and incorporates it as an element of the Constitution, ensuring that this relationship is clearly defined within all council owned company agreements within a further six months.

4.7 MHCLG have now published the report and provided a written response agreeing with the recommendations of the NSR and outlining their intention to support the City Council by establishing an Improvement and Assurance Board. This body will also provide regular quarterly reports to the Secretary of State.

4.8 Whilst the completion and publication of the NSR findings marks an important transition on the City Council's improvement journey, it is not the start and a number of important steps have already been taken.

4.9 Since the adoption of the Council Plan in November 2019, the leadership of the Council have embarked on a series of significant changes in order to strengthen both the governance and financial stability of the Council, including establishing the Companies Governance Executive Sub-Committee and launching a Strategic Review of Robin Hood Energy resulting in a decision to dispose of the customer book to British Gas.

4.10 There have also been considerable changes to the senior management of the Council following the departure of the previous Chief Executive in April 2020, including the appointment of a new Chief Executive to drive forward Council policy and the appointment of an interim Chief Finance Officer to deliver medium term revenue and capital sustainability.

4.11 The Council has also produced a mid-year budget refresh for the 2020-21 financial year including significant in year savings proposals. Further savings proposals are being developed at pace to bridge the projected budget gap in 2021-22.

5 Progress Update

5.1 The actions to date have been delivered at pace through the Governance Improvement Programme, with robust internal discussion and challenge, including from Audit Committee and Overview and Scrutiny Committee. Going forward, greater external assurance is being sought to improve the robustness, transparency and credibility of the action the Council is taking in response the recommendations of the PIR.

5.2 On 9 December, the newly established Governance Improvement Board met for the first time. The establishment of the Improvement Board is a significant step forward in improving Nottingham City Council's governance and decision making arrangements in response to the PIR, allowing greater transparency, accountability and external scrutiny of the City Council's governance and decision making processes.

5.3 The Governance Improvement Board is a politically balanced committee of Council, established to oversee the delivery of the Action Plan responding to the Report in the Public Interest concerning the Council's Governance Arrangements for Robin Hood Energy Ltd (the PIR) and to review wider governance issues at Nottingham City Council. The Committee is accountable to Council and will provide progress reports to Council every six months.

5.4 The Board's objectives are to:

- steer the implementation of the PIR Action Plan and wider governance improvements;
- monitor progress on the implementation of the PIR Action Plan;
- assess Nottingham City Council's current governance arrangements and identify and make recommendations to Council on areas for improvement;
- review the Constitution in relation to governance improvement and recommend amendments to the Leader in relation to executive matters and to Council for non-executive matters;
- identify best practice and gather views on matters within the Board's remit from relevant internal and external sources, including the appointed co-opted members and members of the Executive, Overview and Scrutiny Committees and the Audit Committee;
- make decisions, including spending decisions relating to non-executive areas of the governance improvement programme; and
- make recommendations to the Executive on executive areas of the governance improvement programme.

5.5 Membership of the Governance Improvement Board consists of 10 members, including two co-opted independent members, Professor Peter Murphy from Nottingham Trent University and Mark Edgell, the Local Government Association's Principal Advisor.

5.6 Professor Peter Murphy has been appointed Vice Chair. In addition to his role as Director of Public Policy at Nottingham Trent University, Peter also has a track record of research focussed on public policy, governance, scrutiny and value for money arrangements of locally delivered services. Peter spent 23 years in Local Government, most recently as Chief Executive of Melton Borough Council and prior to joining Nottingham Trent University, he was a Senior Civil Servant in Whitehall.

5.7 Mark Edgell is an experienced leader and non-executive director with extensive experience of working in local government and the former Leader of Rotherham Metropolitan Borough Council. Mark will add further rigour to the programme in the weeks and months ahead.

5.8 The membership of the Governance Improvement Board consists of four members of the Executive, including the Leader of the Council, the Chairs of both the Overview and Scrutiny and Audit Committees, a representative of the minority political groups and two independent members. Full Terms of Reference (TOR) and membership for the Board are included in Appendix 2.

5.9 The Governance Improvement Board will have a key role to play in providing robust challenge to the Council's improvement programme. The Improvement Board will provide assurance that the actions being taken in response to the PIR are appropriate and credible.

5.10 During the period up to and including December 2020, the actions taken by the Council have focused on reviewing current Nottingham City Council governance arrangements against best practice from a broad range of sources to identify specific areas for improvement and opportunities to strengthen current arrangements.

5.11 Appendix 1: “Governance Improvement Programme – Progress Update” sets out the actions that have been taken against each of the 13 recommendations of the PIR. The outcomes of the review work are summarised below.

6 Review

- 6.1 Where Nottingham City Council does not have overall board control, it is especially important for reserved matters to be established in a shareholders’ agreement or comparable agreement, as is the case with Nottingham City Transport and Nottingham City Homes.
- 6.2 Four subsidiaries have 100% of their board comprised of current or former Nottingham City Council officers and councillors, and therefore the Council will need to consider how it strengthens the independent check and challenge identified by the best practice review moving forward. Furthermore, additional sectoral knowledge is required in a Non-Executive capacity on the boards of Enviroenergy and Nottingham Revenue and Benefits to effectively hold management to account.
- 6.3 Enviroenergy is the subject of strategic review and options appraisals, and additional support arrangements have been put in place during the period of the review. Completion of this review has been highlighted by the NSR as a priority for the Council and progress towards this aim is already underway.
- 6.4 As a consequence of the work undertaken in response to the PIR, a Strategic Review of Nottingham Revenue and Benefits should be considered as a priority.
- 6.5 Of the other two companies in which 100% of the board members are either Councillors or Council Officers, one is Robin Hood Energy, which is the subject of the strategic review outlined under recommendation one and has commissioned significant support from industry experts.
- 6.6 Where Nottingham City Council has appointed directors to company boards, they are overwhelmingly drawn from the elected members rather than Council Officers with only two Officer appointments out of 25 Nottingham City Council appointees.
- 6.7 The review of best practice identified many examples of Councillors acting as directors for Local Authority controlled subsidiaries, and found no reason to recommend the exclusion of Councillors from acting as directors. There is however, an over reliance on elected members to serve as unpaid directors and the use of Executive Councillors, particularly members of the Companies’ Governance Executive Sub-Committee, gives rise to difficult conflicts of interest that are more challenging to resolve.
- 6.8 The stated purpose of the Sub-Committee is; “to approve and oversee the Council's strategic objectives across the Nottingham City Council group of companies, and to support the development of the Group in line with the Council's regulations and ambitions”. Three of the five current Councillor members are also directors of subsidiary companies. The Leader of the Council and Chair of the Sub-Committee also holds a directorship on Blueprint, a non-subsidiary company limited by shares.
- 6.9 Additional measures are needed to improve the quality of record keeping for Councillor development, including training course content and attendance. This is not to say that training hasn’t taken place, and there are anecdotal accounts of such training being delivered, however moving forward the Council should use the corporate training system to manage and record the delivery of Councillor training, including refresher training.

- 6.10 A review of the employment history and technical background of directors other than Nottingham City Council appointees has been conducted, and provides reasonable assurance that appropriate levels of knowledge and experience are present in aggregate in the boards on which they serve.
- 6.11 The review of best practice has emphasised the importance of diversity in the composition of boards in terms of gender, ethnicity, age and length of service. This information was not available in the period of the review. It is recommended that consideration be given to incorporate metrics on board composition and diversity into the company performance monitoring arrangements and that this information be used to inform succession-planning arrangements.
- 6.12 The review of best practice has identified a need for a clear mechanism for exercising the rights and controls of shareholder or member. This has particular relevance to the appointments process for directors, which should be strengthened. It is considered good practice for the role and rights of shareholder and member to be consolidated in an Executive Committee of the Council and it is therefore proposed that the Terms of Reference of the Companies Governance Executive Sub-Committee be amended to this effect.
- 6.13 The current shareholder representative function has been reviewed. While these arrangements are currently sufficient, further consideration will also be given to the capacity of shareholder representatives in the longer term and their role in relation to the shareholder panel identified in the best practice review.
- 6.14 In-house refresher training on the legal duties of company directors has been produced and delivery of the training commenced in November. The training specification for more specialised training provision has been shared with a number of providers and a technical solution is being sought for remote delivery.
- 6.15 As the Council progresses the PIR Action Plan and NSR Recovery and Improvement Plan there is a need to assess, challenge and reset the cultural norms and expectations of Officers and Councillors.
- 6.16 All training delivered has been and will continue to be managed through the City Council's Corporate Training System. This will ensure proper recording of course content, attendance and completion as well as ensure periodic refresher training is undertaken.
- 6.17 A review of the existing Audit Committee Terms of Reference has been undertaken against identified Chartered Institute of Public Finance and Accountancy (CIPFA) best practice. This review found minor differences in respect of reporting which have not affected Audit Committee business. With the exception of independent external members, no other factors were identified from CIPFA best practice.
- 6.18 Notwithstanding the above, the current wording of the Audit Committee Terms of Reference does not adequately set out the relationship with Companies Governance Executive Sub-Committee, Overview and Scrutiny Committee, companies' assurance arrangements, independent members, and other roles which may be held by the Chair. A draft revision has been produced and independent expert advice sought from CIPFA.
- 6.19 The terms of reference for the Audit Committee and Overview and Scrutiny Committee currently allow for members to hold directorships in Council subsidiaries. This is not consistent with best practice and has the potential to undermine the assurance role of

the Committee with regard to Companies Governance Executive Sub-Committee and the companies within the Council group.

- 6.20 When considering changes to the membership and composition of company boards consideration should also be given to ensuring there is a managed transition over time in order to avoid excessive disruption to Council companies.
- 6.21 A review of the existing Overview and Scrutiny Committee Terms of Reference has been undertaken against identified best practice. This review has identified changes to the Terms of Reference that would provide greater clarity on the role of the Committee, particularly in relation to Council owned companies, Companies Governance Executive Sub-Committee and Audit Committee.
- 6.22 In response to LGA feedback, further amendments have been drafted including the addition of reference to risk management.
- 6.23 The Commissioning and Procurement Executive Sub-Committee, although not mentioned in the Auditor's report, has a role in protecting the client interests of the Council and Value for Money, where the Council awards contracts to subsidiary companies. The review of Committee Terms of Reference has therefore been extended to include this Committee.
- 6.24 Following the formal change to Companies Governance Executive Sub-Committee Terms of Reference to enshrine shareholder rights, Shareholder representatives should work with the Committee to establish clear shareholder financial, strategic and policy objectives for each company.
- 6.25 The Council's Corporate Risk Management Framework has been reviewed and updated to incorporate wider risks from the group of companies. The corporate risk register has also been updated to include strategic risks from the group.
- 6.26 Individual company risk registers have been provided for incorporation into the overall framework for risk management.
- 6.27 These currently lean heavily towards financial risks. These should be reviewed again following the establishment of clear shareholder objectives for each company to reflect risks to the broader organisational goals.
- 6.28 In accordance with revised Action Plan agreed by Council on 9 November 2020, at its meeting on 18 December 2020 the Audit Committee considered a report in relation to the appointment of councillors as Directors on Boards of Council owned and controlled companies, and made comments attached at Appendix 4.

7 Other options considered in making recommendations

- 7.1 Nottingham City Council accepted in full the recommendations of the Public Interest Report and has endorsed the corporate Action Plan to deliver the required remedial actions in response. Therefore, no other options were considered.

8 Finance colleague comments (including implications and value for money)

- 8.1 The response to the PIR is being managed within existing resources and as such there is no direct additional cost with the exception of work commissioned through CIPFA on the current and future trading prospects of each Council-owned company and the reasons for holding that interest. A budget of £44,000 has been set aside for this work.

- 8.2 Any further expenditure required as a result of the PIR and NSR will be taken through the appropriate boards for endorsement and once funding identified, through the appropriate constitutional approval process.

Ceri Walters
Head of Commercial Finance
23 December 2020

9 Legal and Procurement colleague comments (including risk management issues, and legal, Crime and Disorder Act and procurement implications)

- 9.1 Any legal issues that have arisen as a result of the PIR have been addressed in previous reports to Council. There are no further legal issues arising out of this report.

Malcolm Townroe
Director of Legal & Governance
23 December 2020

10 Equality Impact Assessment (EIA)

Has the equality impact of the proposals in this report been assessed?

No

✓

An EIA is not required because the report does not request any formal decision to be taken at this stage.

11 List of background papers other than published works or those disclosing confidential or exempt information

- 11.1 None.

12 Published documents referred to in compiling this report

- 12.1 Public Interest Report from the External Auditor.
12.2 Nottingham City Council Action Plan in response to the PIR.
12.3 Non-Statutory Review Nottingham City Council – November 2020.
12.4 Letter from the Secretary of State 17 December 2020.
12.5 Minutes of the Governance Improvement Board meeting held on 9 December 2020.
12.6 Minutes of the Audit Committee meeting held on 18 December 2020.

13 Appendices

- 13.1 Appendix 1 – Progress Against PIR Recommendations
13.2 Appendix 2 – Nottingham City Council Governance Improvement Board Terms of Reference
13.3 Appendix 3 – Nottingham City Council Governance Improvement Board Minutes 9 December 2020
13.4 Appendix 4 – Comments of Audit Committee on 18 December 2020

Councillor David Mellen
Leader of Nottingham City Council

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Appendix 1 – Governance Improvement Programme Progress Update

Recommendation 1: *Using the current Strategic Review and other appropriate advice to assist with decision-making, the Council should urgently determine the future of Robin Hood Energy, with options properly evaluated and risks properly assessed. This assessment should also take into account the context of the Council's current financial position.*

In March 2020, prior to the publication of the PIR, Nottingham City Council launched a strategic review of Robin Hood Energy with a view to determining the long term future of the company. At the same time, the company, at the direction of the Council as shareholder, appointed external advisors with significant industry experience to take over the management of the company and support the strategic review process.

The Strategic Review has considered a range of options for the future direction of Robin Hood Energy culminating in the decision to dispose of the customer book through an agreement with Centrica, the parent company of British Gas. This decision is consistent with the aim of resolving the Council's financial exposure while minimising the final cost of doing so.

From the 4th of September, Robin Hood Energy began the transfer of its customers to British Gas a process that will conclude in early 2021.

Recommendation 2: *The Council should review its overall approach to using Councillors on the boards of its subsidiary companies and other similar organisations. This should be informed by a full understanding of the role of and legal requirements for company Board members.*

Between September and November 2020, the Council has undertaken a review of best practice with regard to Council owned companies alongside a review of the current and historic practice of the City Council. This review identified many examples of Councillors acting as directors for Local Authority controlled subsidiaries and found no reason to recommend the exclusion of Councillors from acting as directors. There is however, an over reliance on elected members to serve as unpaid directors and the use of Executive Councillors, particularly members of the Companies' Governance Executive Sub-Committee, gives rise to difficult conflicts of interest that are more challenging to resolve.

The Lawyers in Local Government Example Best Practice Code states that "whilst it will therefore be the norm that officers, not members, will be appointed as directors, this should not prevent the Council from appointing Members as directors where that is considered to be in the best interests of the company and the Council."

Similarly the 2016 Grant Thornton review of group governance at Birmingham City Council included in its recommendations that "entity boards will

remain a combination of elected members and NEDs.”

In both cases however, the guidance highlights the inability of Councillors to waive any conflict of interest they may have in their role as Councillor, thereby preventing them from participating in any decision making process in relation to the company.

For these reasons, it is not proposed that a blanket restriction on Councillor appointments to Council company directorships be adopted. Instead, it should be considered that restrictions on membership for Executive and Non-Executive Committees with a role in the governance of Council owned companies be drafted into their terms of reference. This is addressed under recommendations six and nine of the auditor’s report and Nottingham City Council’s own recommendation three.

The review has also considered the powers of the Council as shareholder or member to control the composition of company boards through the appointment and removal of directors. The ability to appoint directors is ordinarily laid out in the articles of association for each company. For companies limited by shares, this power is commonly held by shareholders who may exercise it through ordinary resolution. The board of directors themselves may also hold the same power, either with shareholder consent required – for example at the next AGM following appointment – or without consent.

For companies limited by guarantee without share capital, the appointment of directors is often tied directly to membership where each member is able to nominate a certain number of directors. In the case of charitable trust these directors will usually also serve as trustees.

For the Council to maintain effective control of the composition of the company board, the right to appoint must be exclusively reserved by the shareholder or member. A review of the articles of association for all subsidiary companies has been undertaken. This initial review has found five of the eight subsidiary companies whose articles do not exclusively reserve the right of appointment to NCC. It is suggested that the Council should prioritise amending the provisions of these Articles to ensure control of appointments and removals are retained by the Council.

Recommendation 3: *Where it continues to use Councillors in such roles, it should ensure that the non-executives (including Councillors) on the relevant board have, in aggregate, the required knowledge and experience to challenge management. This is of particular importance where the company is operating in a specialised sector which is outside the normal experience of Councillors.*

The level of individual knowledge and expertise required of directors will in large part depend on the purpose of their appointment to the board. In the case of Councillors appointed to company boards, they bring significant experience and understanding of their local communities, the Council’s vision for the City and expectations and experiences of citizens. Where a company’s primary areas of operation are concerned with these dynamics, Councillors are able to make extremely valuable contributions to the goals of the organisation. While a Councillor may also bring additional experiences, knowledge and skills from roles outside local democracy, it is questionable whether this can be relied on in the long term as the sole means of bringing industry expertise to the board.

A review of the employment history and technical background of directors other than NCC Councillors and Officers has also been conducted. Nottingham City Homes and Nottingham City Transport both have non-executive directorates including independent non-executive directors with considerable combined experience in property management and housing. Nottingham City Homes also benefits from the inclusion of tenant board members, who are able to provide a valuable alternative perspective to board decisions.

Similarly, the board of Nottingham Ice Centre Limited includes five non-executive directors (other than those who are NCC Officers or Councillors), all of whom have other directorship experience and a range of professional qualifications. It is reasonable to accept that in these companies' sufficient industry skills and experience exists among the non-executive board members to hold the management of the companies to account.

The recently acquired company Thomas Bow has a board consisting of three executive directors, each with considerable experience in the relevant industrial sector, and one Councillor who is also an Executive Councillor. While the required knowledge and skills clearly exist at the board level, the industry expertise is consolidated exclusively among executive directors without a realistic prospect of independent challenge from an industry expert. Consideration ought to be given to the appointment of an independent non-executive director, or to whether NCC Officers with experience in highways construction contracts or similar might provide valuable challenge to the board.

The remaining four subsidiaries have no directors other than NCC Officers or Councillors and on the face of it, are likely to lack the level of sector specific expertise required. It is important to note that one of those companies is Robin Hood Energy, which is the subject of the strategic review outlined under recommendation one and has commissioned significant support from industry experts.

The remaining two companies are Enviroenergy and Nottingham Revenue and Benefits. Enviroenergy is itself the subject of strategic review linked to the Council's district heating infrastructure and waste processing arrangements. The strategic significance and complexity of the overarching project is well understood by the Council and has also been identified by the NSR as a strategic priority for the Council.

As part of the Council's response to the broader question of Council owned companies raised under Nottingham City Council's own recommendation one and reiterated by the NSR, Nottingham Revenue and Benefits has been identified as a priority for a Strategic Review in 2021.

Control of the appointment and removal of directors as outlined under recommendation 2 is also of importance here.

Recommendation 4: *Where Councillors are used in such roles, the Council should ensure that the Councillors are provided with sufficient and appropriate training, which is updated periodically.*

Regardless of the varying roles different directors may have, it is essential that all NCC Councillors and Officers are equipped with the basic core competencies and understanding of the legal duties and liabilities associated with their position.

Advice on the core competencies and training required to effectively discharge the duties of directors has been sought from appropriately qualified

external bodies which, alongside guidance found in the review of best practice, has been used to produce a list of training requirements.

A review of training records for Councillors and Officers serving on company boards has been undertaken to identify any previous training that would meet these requirement either in full or in part. Whilst there are instances of training and professional development that would certainly contribute to being an effective board member, there is limited evidence of training to enable them to fully and effectively execute the duties of directors.

This is not say that training hasn't taken place, and there are anecdotal accounts of such training being delivered, but the record keeping of attendance and course content does not provide a robust basis to form a judgement on the sufficiency of such training. The gap is partly explained by Councillor training records having only transferred to the Corporate system in 2018, however, in the absence of a clear record it is recommended that all Councillors serving in the role of company directors regardless of whether it is a wholly owned subsidiary.

A training and development framework for Councillors serving in the capacity of directors has been produced. This is a tiered approach building on the foundational skills developed by Councillors through existing induction and refresher training with additional training covering:

- The role of a company director
- Legal obligations for directors
- Company structures
- Board effectiveness
- Risk Management
- Corporate culture and corporate social responsibility

A training specification has been produced and proposals sought from three well established and well regarded bodies with relevant experience. It is anticipated that this training will be commissioned and rolled out from the end of January 2021, subject to contract.

As an immediate measure, Nottingham City Council has developed and delivered its own internal training course for Councillors acting as directors.

Recommendation 5: *The Council should ensure that all elements of its governance structure, including the shareholder role, are properly defined and that those definitions are effectively communicated to the necessary individuals.*

The elements of the Council's governance structure are set out in the Council's constitution. In particular, the Terms of Reference for Committees which sets out the distinctions between Executive, Non-Executive and Scrutiny functions and the roles of different Committees with regard to decision making.

Reviews have been undertaken of the Terms of Reference for Audit Committee, Overview & Scrutiny Committee and Companies Governance Executive Sub-Committee. A redraft of the Audit Committee Terms of Reference has been produced and at the time of writing further advice and

challenge was being sought from CIPFA with a view to bringing a version for formal adoption to Council in early 2021.

A review of the existing Overview and Scrutiny Committee terms of reference has been undertaken against identified best practice. This review redrafted the Terms of Reference in order to provide clarity on the role of the committee, particularly in relation to Council owned companies, CGESC and Audit Committee. A draft of the proposed Terms of Reference for Overview & Scrutiny Committee has been presented to and accepted by the Committee and is appended to this report for formal adoption as detailed in the recommendations of this report.

The review of best practice has identified a need for a clear mechanism for exercising the rights and controls of shareholder or member. This has particular relevance to the appointments process (for Councillor and Officer directorships), that should be strengthened. It is considered good practice for the role and rights of shareholder and member to be consolidated in an Executive Committee of the Council and for this reason consideration should be given to amending the Terms of Reference of the Companies Governance Executive Sub-Committee accordingly.

A redraft of the Terms of Reference has not been produced at this stage in order that any changes also take into consideration the findings of the recently published NSR, however, it is proposed that the following addition be made to the purpose of the Committee:

“To discharge the executive functions of Shareholder, Member or Guarantor of companies within the Nottingham City Council Group and companies in which Nottingham City Council holds shares or membership rights.”

In addition it is proposed that the following additions be made to the listed responsibilities of the committee in its terms of reference:

Consider matters reserved to the Council for shareholder approval, such as:

- Varying Articles of Association
- Varying ownership and structure including the formation of subsidiaries to any company
- Variations to shares (number of, rights, etc.)
- Entering contracts that; have a material effect on NCC Council business (including other companies within the group), are outside of the business plan or do not relate to the business, or are significant in relation to the size of the business, the business plan, etc.
- Material legal proceedings outside of ordinary business
- Adopting and amending business plans each year and strategic plans (3 years)
- Appointment, removal and the remuneration of directors (members of the company board)
- Selection of the chair of the board
- Appointment of auditors
- Issue of dividends

In parallel, the role of the Shareholder Representative (as distinct from shareholder) has been considered at Companies Governance Executive Sub-Committee on the 20th of October 2020, and a subsequent draft role description and competency requirements produced.

The Commissioning & Procurement Executive Sub-Committee, although not mentioned in the Auditor’s report, has a role in protecting the client interests of the Council and VfM, where the Council awards contracts to subsidiary companies. Proposals will also be developed and brought forward for the

Commissioning & Procurement Executive Sub-Committee.

Recommendation 6: *When allocating roles on Council-owned organisations to individual Councillors, the Council should ensure that the scope for conflicts of interest is minimised, with a clear divide between those in such roles and those responsible for holding them to account or overseeing them.*

In response to recommendation six of the external auditor's report, Nottingham City Council has reviewed its process for appointments to company boards. The review process has also highlighted the potential to minimise the scope for conflicts of interest through restrictions on membership in the Terms of Reference of key Committees.

The use of membership restrictions in this way has been presented to Audit Committee for discussion on the 18th of December 2020. The Committee has concurred with the view that restrictions on membership should exclude Executive Members who hold directorships from membership of Companies Governance Executive Sub-Committee.

In addition Audit Committee have given a view that where practical, Executive Members ought not hold directorships in Council companies whose primary activity falls within the scope of their portfolio. In relation to this point, the Committee has requested further clarification of the role of Portfolio Holders in relation to companies of this kind and the proper alignment of company's policy objectives to those of the Council.

Appointment / nomination to Outside Bodies is a Local Choice Function and NCC has determined that it is an Executive Function. Appointments / nominations are therefore approved by Executive Board, an Area Committee or, for in-year changes, the Director for Legal and Governance. Executive Board is responsible for the majority of approvals with Area Committees being responsible for nominations / appointments to Outside Bodies that operate exclusively within their area.

While these provisions provide a framework for the general case of appointments to Outside Bodies, they do not address the specifics of exercising the shareholder rights to appoint to a company board. In the case of an appointment made by the existing board of directors (where they have the right to do so), the above provision would have little or no effect.

It is proposed that the nominations and appointments process for Directors of all NCC companies be rationalised. This should include a record of the decision to indemnify Officers or Councillors appointed as directors.

By virtue of the Local Authorities (Indemnities for Members and Officers) Order 2004, officers or members may be indemnified by the authority for actions undertaken for or at the direction of the authority (within certain limitations), including in any role they take as the director of a Council company. While there is specific insurance provision for a range of eventualities there is no explicit communication or confirmation of the indemnification offered by the Council to the individual.

It is also recommended that a robust system for recording the decisions of the shareholder/member, including appointments and nominations of

directors, be established. In addition it is recommended that the details of all decisions for appointments and current board memberships be published on the Council website.

Recommendation 7: *The Council should ensure that risks relating to its companies are considered for inclusion in its overall risk management processes, with appropriate escalation and reporting, rather than being seen in isolation.*

On the 24th of November the City Council approved a refreshed Corporate Risk Management Framework, including risk registers for each Council Company and an integrating strategic risks from the company group as a whole into the high level corporate risk register.

In light of the NSR findings and subsequent Recovery and Improvement Plan, effective risk management will continue to be a central consideration for the Council and the Corporate Risk Register will remain under continual review.

Recommendation 8: *As the new arrangements for monitoring companies are rolled out alongside the Companies Governance Executive Sub-Committee (CGESC), the Council should ensure that financial information is provided in accordance with its requirements and is fully understood by the Sub-Committee and others involved in holding the companies to account, and that robust action, with the oversight of the s151 officer, is taken if suitable information is not provided.*

The Companies Governance Executive Sub-Committee has established clear reporting mechanisms for each company in the group. This includes the changes to the Corporate Risk Management Framework referred to under recommendation 7 alongside key indicators of financial performance.

The Committee is advised by the Section 151 Officer, Monitoring Office and Chief Executive to support them in holding companies to account and ensuring full compliance with these reporting requirements.

In addition to these arrangements, consideration has been given to introducing additional controls including the establishment of an Officer Shareholder Executive to sit alongside the Companies Governance Executive Sub-Committee as well as the introduction of Company Loans protocol to scrutinise the borrowing requirements of individual companies. The NSR has identified similar requirements and it is proposed that these considerations be further developed through the implementation of the Recovery and Improvement Plan.

Recommendation 9: *Within the new arrangements involving the Companies Governance Executive Sub-committee, the Council needs to ensure that responsibilities for scrutiny and risk management are given sufficient prominence, including giving the Audit Committee explicit responsibility for scrutiny of governance and risk management across the group.*

As outlined under recommendation five, the City Council has reviewed the terms of reference for Overview and Scrutiny Committee, Companies Governance Executive Sub-Committee and Audit Committee as well as bringing forward proposals to further review the Terms of Reference for the Commissioning & Procurement Executive Sub-Committee.

The review of the existing Overview and Scrutiny Committee redrafted the Terms of Reference in order to provide clarity on the role of the committee, particularly in relation to Council owned companies, CGESC and Audit Committee. Input was sought from the LGA on the draft and, as a result of their feedback, further amendment was made, including the addition of reference to risk management.

The draft has been taken to Overview & Scrutiny Committee on 9th December 2020 and is brought forward for approval at this meeting of full Council.

At the time of writing redraft of the Audit Committee Terms of Reference has been produced and at the time of writing further advice and challenge was being sought from CIPFA with a view to bringing a version for formal adoption to Council in early 2021.

Recommendation 10: *In addition to those referred to in recommendations above, the Council should apply the lessons from Robin Hood Energy in a further review of its company governance arrangements, in particular to ensure that risks are appropriately flagged and managed, as well as successfully implementing the more robust monitoring agreed by the Companies Governance Executive Sub-Committee*

The production of this report for consideration by full Council is intended to respond to recommendation 10 of the PIR. In light of the recently published NSR, the broader findings and lessons learnt will naturally feed into the Recovery and Improvement Plan. Consideration should be given to the extent of overlap between the Action Plan in response to the PIR and the Recovery and Improvement Plan in response to the NSR.

Recommendation 11: *As part of this review, the Council should consider the appropriateness of the definition of the shareholder role adopted in the 2019 report and give it an emphasis on protection of the Council's financial interests alongside other elements.*

As outlined under recommendation five, the role of the Shareholder Representative (as distinct from shareholder) has been considered at Companies Governance Executive Sub-Committee on the 20th of October 2020, and a subsequent draft role description and competency requirements has been produced for consideration.

Shareholder Representatives are in place for seven of the eight subsidiaries. During the period of the review the current Interim Director of Strategic Finance has been appointed Shareholder Representative for Nottingham Revenue and Benefits to replace his predecessor. While these arrangements are currently sufficient, further consideration will also be given to the capacity of shareholder representatives in the longer term and their role in relation to the shareholder panel identified in the best practice review.

Recommendation 12: *The Council should use the experience of owning RHE to consider whether there are any lessons for its wider governance, particularly in relation to the 'checks and balances' which need to be in place, including the need for a stronger monitoring and scrutiny function and moving to a culture in which challenge of political priorities and how they are being implemented is seen as a positive.*

Nottingham City Council has already started the process of reviewing and improving its system of governance and internal control. The City Council's response to the PIR details the actions the City Council is taking and will take up to June 2021.

The subsequent report of the NSR team builds on findings and recommendations of the external auditor, and as a result there is significant overlap in the actions and activities required by both. In order to streamline management and reporting arrangements and maximise the efficient use of limited resources consideration should be given to which activities are best managed and delivered through Governance Improvement Programme and which would be better rolled into the overall Improvement Programme.

The Nottingham City Council Constitution has been the subject of review since October, following the adoption by full Council of the Action plan in response to the PIR.

This work focuses primarily on the Committee structure and functions and on the their Terms of Reference. This work will now continue alongside a comprehensive rewriting of the whole constitution with the aim of simplifying it and enabling the Council to make effective decisions and implement the broader change programme at the rate required.

This work will create greater separation and independence between the Executive and Non-Executive roles within the constitution and strengthen the roles of the Overview & Scrutiny Committee and Audit Committee.

The NSR has highlighted the need to bring greater clarity to different roles of Councillors and officers, and their responsibilities to the organisation as a whole. To this end it is proposed that a new Member Officer Protocol be adopted to help set a common set of shared expectations for officers and Councillors.

Recommendation 13: *The Council should ensure that it reflects the financial pressures arising from RHE alongside those from covid-19, demand-led services and other areas to produce balanced and achievable financial plans for the current year and for the medium-term, without disproportionate, unsustainable reliance on one-off measures.*

The Council has passed a revision to the in-year budget bringing forward £12.5m of savings proposals and further proposals facilitated by accepting 113 VR applications, with a full year impact £2.3m.

Work on the 2021/22 budget is now well advanced and a proposed budget will be submitted to the Council's Executive Board in January 2021, to commence the formal consultation process. Once adopted, the budget will be monitored through the introduction of new budget oversight procedures to ensure savings are both tracked and delivered. These will ensure that both members and officers are clearly sighted on the budget and the key risks surrounding it and have a joint responsibility for managing these.

The 2021/22 budget will also contain the rolling three year MTFs and clearly set out the parameters against which this will be managed and delivered. In addition Nottingham City Council will develop a Debt Management Strategy which will manage the Council's overall debt downwards over MTFs time horizons.

Additional Officer Recommendations:

The Action Plan prepared by the Council in response to the PIR included three additional recommendations made by Officers and agreed by Council. The additional recommendations (shown below for reference) were planned to take place between January and June 2021.

In light of the recently published NSR the actions proposed in relation to these recommendations need to be reviewed to avoid duplication or abortive work. In particular the NSR includes the recommendations that NCC should:

- “conduct an in-depth assessment of its group of companies during the first year of the Plan and integrate their conclusions within their medium-term financial planning process”; and
- “produce a clear policy statement within 6 months which established the roles and responsibilities of nominated non-executive directors and shareholder representatives and incorporate it as an element of the Constitution”.

These recommendations when taken with the broader aims of the proposed Recovery and Improvement Plan are likely to subsume and supersede the Officer recommendations listed below:

NCC 1 - Review of Council's approach to the ownership of companies: The Council has a range of companies totally in its ownership and some owned jointly with others. These companies have developed over time and further are planned to be created during this period of office as outlined in the Council Plan. In the light of the findings of this report the overall approach of the Council to its relationship with its companies could benefit from a review.

NCC 2 - Review of effective governance practice in NCC companies: The Council has a number of companies which have had effective governance over a number of years and which have involved elected members on the boards. As part of this improvement work it is important to understand what has made those council companies and Boards effective and how any learning can be applied to other council companies and the other recommendations in this Action Plan.

NCC 3 - Review of membership of the Audit Committee: As a solution to the pressures from the reduction in public funding of services, the Council either owns or has a major interest in a considerable number of companies. It has also pursued a policy of in-house commercialisation of some services. As such the company and commercial trading risks it carries are more that would normally be expected for a local authority.

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Nottingham City Governance Improvement Board

Terms of Reference

Description

The Improvement Board is a politically balanced committee of Council, established to oversee the delivery of the Action Plan responding to the Report in the Public Interest concerning the Council's Governance Arrangements for Robin Hood Energy Ltd (the PIR) and to review wider governance issues at Nottingham City Council. The committee is accountable to Council and will provide progress reports to Council every six months.

Purpose

The purpose of the Improvement Board is to:

- deliver and drive progress against the PIR Action Plan
- support improvement in the Council's wider governance arrangements
- ensure that a range of voices, including those independent of the Council, contribute to the development of governance at Nottingham City Council.

Objectives

The Board's objectives are to:

- steer the implementation of the PIR Action Plan and wider governance improvements
- monitor progress on the implementation of the PIR Action Plan
- assess Nottingham City Council's current governance arrangements and identify and make recommendations to Council on areas for improvement
- review the Constitution in relation to governance improvement and recommend amendments to the Leader in relation to executive matters and to Council for non-executive matters
- identify best practice and gather views on matters within the Board's remit from relevant internal and external sources, including the appointed co-opted members and members of the Executive, Overview and Scrutiny Committees and the Audit Committee
- make decisions, including spending decisions relating to non-executive areas of the governance improvement programme
- make recommendations to the Executive on executive areas of the governance improvement programme.

Membership and Chairing

The Board will consist of ten members, including two co-opted independent members who have full voting rights. The membership will consist of:

- The Leader of the Council
- Chair of Overview and Scrutiny Committee
- Chair of Audit Committee
- Representative of minority political groups (nominated by the leader of the largest minority political group)
- Four other Councillors
- Two independent members

Appendix 2

The Board will be chaired by one of the Councillor members but cannot be chaired by the Leader, or by the Chair of Overview and Scrutiny Committee or the Chair of the Audit Committee.

The Vice-Chair will be taken by one of the two independent members.

Substitutes

Substitute members can be appointed to this Board. Up to three named substitutes can be appointed for each of the following members:

- The Leader: to be substituted by the Deputy Leader or in his or her absence, another member of the Executive.
- Chair of Overview and Scrutiny: to be substituted by one of the two Vice Chairs of Overview and Scrutiny or, if not available, another member of the Overview and Scrutiny committee.
- Chair of Audit: to be substituted by the vice chair of the Audit Committee or, if not available, another member of the Audit Committee.

For all other Councillor members up to six named substitutes may be appointed.

No substitutes may be appointed for independent members.

Quorum

The quorum for this Board is five, which must include at least one independent member.

Frequency of Meetings

The Board will meet as required for the period covered by the PIR Action Plan.

Duration

The Board will initially meet for the duration of the Action Plan. After that period, every six months, it will review its need to meet.

Nottingham City Council

Nottingham City Governance Improvement Board

Minutes of the meeting held remotely via Zoom and livestreamed on the Council's YouTube Channel - <https://www.youtube.com/user/NottCityCouncil> on 9 December 2020 from 10.03 am - 11.36 am

Membership

Present

Councillor Sally Longford (Chair)
Councillor Nicola Heaton
Councillor David Mellen
Councillor Anne Peach
Councillor Andrew Rule
Councillor Sam Webster
Mark Edgell
Peter Murphy

Absent

Councillor Rebecca Langton
Councillor Audra Wynter

Colleagues, partners and others in attendance:

Daniel Ayrton	- Business Development Manager
Nancy Barnard	- Governance and Electoral Services Manager
Mel Barrett	- Chief Executive
Beth Brown	- Head of Legal and Governance
Clive Heaphy	- Strategic Director of Finance
Malcolm Townroe	- Director of Legal and Governance

1 Apologies for Absence

Councillor Rebecca Langton – Personal Reasons
Councillor Audra Wynter – Leave

2 Declarations of Interest

In the interests of transparency the following interests were declared:

Councillor David Mellen – Director of Blueprint
Councillor Anne Peach – Director of National Ice Centre
Councillor Sam Webster – Member of the Nottingham Revenues and Benefits Board
Peter Murphy – employed by Nottingham Business School at Nottingham Trent University, Research Consultant for Nottinghamshire Fire and Rescue Service and employed by the Research Excellence Framework for 2021
Malcolm Townroe – Company Secretary for Enviro-Energy

3 Appointment of Vice Chair

Resolved to appoint Peter Murphy as Vice Chair for the remainder of the Municipal Year.

4 Nottingham City Governance Improvement Board Terms of Reference

Resolved to:

- 1) recommend that Council amend the Terms of Reference to remove the Deputy Leader of the Council as a substitute as the Deputy Leader is already an appointed member of the Board; and**
- 2) note the Terms of Reference.**

5 Introduction from the Chief Executive of Nottingham City Council

Following a round of introductions Mel Barrett, Chief Executive, Nottingham City Council, introduced the issues under consideration covering the following matters:

- (a) The work being done in implementing the Action Plan in response to the Public Interest Report is now being carried out in the context of the Non-Statutory Review led by Max Caller. The review report has been received but not yet published and cannot therefore be discussed.
- (b) All recommendations made in the Public Interest Report were accepted and the Council agreed some additional recommendations.
- (c) The Action Plan is being implemented at pace and the progress that has been made to date will stand the Council in good stead to respond to the Caller Report.

Resolved to note the introduction.

6 Governance Improvement Programme - Progress Update

Malcolm Townroe, Director of Legal and Governance, introduced the report, covering the following points:

- (a) The report sets out progress to date against the Action Plan that was agreed by Full Council in August and then amended in November. Good progress has been made and the report seeks to provide assurance on that progress as well as outlining the work that is in train.
- (b) A report will be taken to Council in January requesting sign-off of the actions already achieved.

Daniel Ayrton, Business Development Manager, then gave a presentation, including the following points:

- (c) The programme has been split into four stages, some of which will run concurrently. Stage one, Programme Planning and Resourcing, is complete and the Research and Review Stage is underway with a review of appointments, terms of reference and best practice. The Proposals and Approvals stage will

commence in January when Council considers the progress report. The final stage will involve Adoption and Embedding which will include reviewing the actions taken.

- (d) Work has been undertaken clarifying the roles of the shareholder and the shareholder representative, with the shareholder for Council companies being the Executive.
- (e) A range of best practice has been reviewed including guidance from Lawyers in Local Government who have produced a Model Code of Practice on Councillor Directorships. Further consideration will be given to the involvement of Councillors on Boards.
- (f) Work on clarifying the Council's company structures has been undertaken confirming that shareholder representatives are in place for all companies. Further work is being done on the process for appointing and removing directors of company boards.
- (g) The review of Council companies examined company structures, councillor directorships and board effectiveness. It provided clarity on the current situation and identified a number of areas for consideration including matters relating to the appointment and make up of company boards, the compatibility of the numerous roles held by councillors and the training requirements of board members.
- (h) Training for company directors has been commissioned from external sources and some training has already been delivered. Strong training records will be kept going forward. HR colleagues are working on a competency framework and identifying crossover with areas that would be appropriate for all councillors, such as General Data Protection Regulations, as well as identifying more specialist areas for those in certain positions.
- (i) The terms of reference for the Overview and Scrutiny Committee, Audit Committee and Companies Governance Executive Sub-Committee have been reviewed with input from the Local Government Association and the Chartered Institute for Public Finance and Accountancy. The terms of reference for Commissioning and Procurement Sub-Committee have also been identified for review as a result of the work on the Action Plan.
- (j) A shareholder role description and competency requirements have been drafted for consultation with company chairs and training for the Shareholder Representative is proposed.
- (k) The Council's approach to risk management is also under review.
- (l) Next steps for the programme include:
 - i. a report to Audit Committee on the use of councillors as directors on Boards on 18 December 2020
 - ii. an overarching lessons learned report is being produced by 20 December 2020 covering the actions and review findings

- iii. Full Council meeting to consider the findings and recommendations of the lessons learned report on 11 January 2021.

During the subsequent discussion the following points were raised:

- (m) The need to review the Councillors on company boards is recognised but this will need to be a gradual process to avoid disruption.
- (n) The Council has responded positively to the Public Interest Report and has made a good start on implementing the Action Plan which will need to be integrated with the response to the Caller Review. The number of actions is challenging and could benefit from some prioritisation outside of deadlines to avoid a tick box approach and ensure focus lies on the actions that are most important.
- (o) The process needs to be transparent and accountable and therefore it is important that information is presented in as clear a manner as possible. Councillors need to be able to understand and own the process and to be able to focus on the areas of highest importance. There also needs to be an understanding of the impact of the actions taken to ensure they are achieving the desired outcomes.
- (p) There is a need for continuity on company boards to ensure the skills and knowledge obtained by Board Members are retained and put to use. Both a minimum and maximum term are under consideration.
- (q) Reports are being taken to other committees including Overview and Scrutiny and Audit Committees. All meetings are open to view on the Council's YouTube channel and minutes of the meetings published.
- (r) Future meetings can examine matters including considerations when decisions are made to become involved in a company and how risk is fully taken into account.

Resolved to note the report and to request that work is undertaken on the prioritisation of the actions and brought back to the next meeting.

Comment of Audit Committee on 18 December 2020 in relation to a report on the appointment of councillors as Directors on Boards of Council owned and controlled companies

At its meeting of 18 December 2020, the Audit Committee was asked to consider, before the formal consideration by Council in January 2021, a report on the appointment of councillors as Directors on Boards of Council owned and controlled companies.

The Committee was asked to consider the following specific recommendations:

1. That Audit Committee note the work undertaken so far on the review of the use of Councillors on company boards; and
2. That Audit Committee provide any comment they may have for inclusion in the final review due to be considered by Full Council in January 2021.

The Committee considered this report in detail, recognising the important role that such companies play in assisting the Council in the delivery of its services and in supporting its finances.

The Audit Committee welcomed the work being undertaken and the need for clarity and consistency in the role of members when acting as Directors. The Committee noted that when acting as a Director of a Company, an elected member must act solely in the interests of that Company as set out in Company law.

The Committee noted and endorsed work being done to establish an overarching commercial strategy to reflect:

1. the reasons why the Council wishes to utilise an interest in companies as a route to service delivery and financial stability; and
2. arising from that strategy, decisions on whether to retain/divest/invest in individual companies according to their fit with the strategy.

The Committee wanted to stress the importance of good governance, openness and transparency in the way the Council conducts its business with its companies and particularly the need to avoid both the reality and the perception of damaging conflicts of interest when elected members serve on Committees.

With this in mind, the Committee approved three specific recommendations:

1. That Executive Board members should not serve as a member on the Board of any Company which comes within the remit of their portfolio;
2. That members on the Companies Governance Executive Sub Committee should not serve as Directors on any council-owned company (as this Committee directly oversees the activities and performance of all such companies);

Appendix 4

3. That there is a relationship between Portfolio Holders and Shareholder representatives and that this relationship should be exercised through the normal Portfolio Holder briefings.

The Committee discussed and noted that the shareholder function is a Council function discharged by the Companies Governance Executive Sub Committee and that the Shareholder Representative of each company fulfilled this function on behalf of the Council.

The Committee noted that the role of independent members on company boards was a matter for companies to determine through their Articles of Association (agreed by the Council) but that the Companies Governance Executive Sub Committee had oversight into company performance including the skills composition of boards and the behavioural characteristics of companies towards their parent.

The Committee stressed the importance of induction and regular update training for members and officers to ensure that each can fulfil their respective roles. In particular, Audit Committee stressed that the role of officers in highlighting departure from accepted practice was important, and as such, that there was a need to refresh training, including whistleblowing.

On a related training point, as part of the review of why the Council holds companies, the Committee stressed the need to understand how the Council procures from these companies as well as wider aspects of procurement.

On behalf of Audit Committee members

City Council – 11 January 2021

Report of the Leader of the Council

Decisions Taken Under Urgency Procedures

1 Summary

- 1.1 As required by the Council's Constitution, this report informs Council of urgent decisions taken under provisions within both the Overview and Scrutiny Procedure Rules and Access to Information Procedure Rules.

2 Recommendations

- 2.1 To note the urgent decisions taken as detailed in the appendices.

3 Reasons for recommendations

- 3.1 To ensure compliance with the procedures detailed in the Council's Constitution.

4 Other options considered in making recommendations

- 4.1 None.

5 Background (including outcomes of consultation)

- 5.1 Call in and Urgency (Overview and Scrutiny) Procedure Rules

Councillors will be aware that the call in procedure does not apply where the decision taken is urgent. A decision is urgent if any delay likely to be caused by the call in process would seriously prejudice the Council's or the public's interests. Part 4 of the Constitution requires that where a decision is taken under the urgency procedure that decision needs to be reported to the next available meeting of Council, together with the reasons for urgency. The urgency procedure requires that the Chair of the Overview and Scrutiny Committee must agree that the decision proposed is reasonable in the circumstances and that it should be treated as a matter of urgency. In the absence of the Chair, one of the Vice Chairs' consent is required. Details of the decisions made where the call in procedure has not applied due to urgency are set out in Appendix 1.

- 5.2 Special Urgency – Access to Information Rules

The Local Authorities Executive Arrangements (Access to Information) (England) Regulations 2012 introduced a requirement for 28 clear days public notice to be given of all proposed key decisions. Where it is not possible to give the full 28 days' notice, but there is time to give at least 5 clear days notice, the General Exception procedure applies (see Access to Information Rules, Part 4 of the Constitution). Where 5 clear days notice is also not possible, the above Regulations provide for a Special Urgency Procedure.

- 5.3 An urgent key decision may only be taken under the Special Urgency Procedure if the decision taker has obtained agreement that the decision is urgent and cannot reasonably be deferred. Agreement must be obtained from (i) the Chair of the

Overview and Scrutiny Committee, or (ii) if there is no such person, or if the Chair of the Overview and Scrutiny Committee is unable to act, the Lord Mayor (as Chair of Council), or (iii) where there is no Chair of the Overview and Scrutiny Committee or Lord Mayor, or they are unable to act, the Sheriff (as Vice Chair of Council). Once agreement has been sought and as soon as is reasonably practicable, the decision maker must publish a notice at the Council's offices and on the Council's website to state that the decision is urgent and cannot reasonably be deferred.

5.4 In addition, the procedure requires that the Leader of the Council submits (at least quarterly) reports to Council containing details of each executive decision taken during the period since the last report where the making of the decision was agreed as a case of special urgency. Details of key decisions taken under the Special Urgency Procedure are set out in Appendix 2.

6 Finance colleague comments (including implications and value for money)

6.1 None

7 Legal and procurement colleague comments (including risk management issues, and legal, crime and disorder act and procurement implications)

7.1 None

8 Equality Impact Assessment (EIA)

8.1 An EIA is not required as the report does not relate to new or changing services or policies. Equality Impact Assessments were published alongside each decision referred to in the report, as required.

9 List of background papers other than published works or those disclosing confidential or exempt information

9.1 None.

10 Published documents referred to in compiling this report

10.1 Nottingham City Council Constitution

10.2 The delegated decisions and committee reports detailed in the appendices to the report, as published on the City Council's website.

Councillor David Mellen
Leader of the Council

Appendix 1 - Decisions Exempt from Call-In

Decision Reference Number	Date of Decision	Subject	Value of Decision	Decision Taker	Consultee on Urgency	Reason for Urgency
4059	28/11/2020	Financing Arrangements	Exempt	Leader of the Council	Vice Chair of Overview and Scrutiny Committee (Councillor Power)	Delay would have exceeded the external funding deadlines set and jeopardise the options related for a wholly owned company.
4060	28/11/2020	Allocation of Adult Social Care Infection Control Grant funding Round 2	£2,818,193	Leader of the Council	Chair of Overview and Scrutiny Committee	To enable the funds to be allocated as quickly as possible to care providers, in accordance with the grant conditions which stipulate tight timescales for the funds to be used. This reduced the risk of clawback. Payment of the second instalment of grant is contingent on funds in the first instalment having been fully transferred to providers and reported in November 2020.
4063	04/12/2020	Covid Winter Grant Scheme	£1,414,274	Leader of the Council	Chair of Overview and Scrutiny Committee	The use of part of the funding for food vouchers required this to be put in place as rapidly as possible to ensure that schools have the ability to distribute the vouchers to parents of eligible pupils with enough time prior to the Christmas break.
4066	04/12/2020	Broadmarsh Car Park Development Contract Extension	£2,995,627	Leader of the Council	Chair of Overview and Scrutiny Committee	Delay would have resulted in an elongation of the contract timetable with Galliford Try, with an associated increase in costs.

Appendix 2 - Key Decisions taken under the Special Urgency Procedure

Decision reference number	Date of Decision	Subject	Value of Decision	Decision Taker	Consultee on Urgency	Reason for Special Urgency
4059	28/11/2020	Financing Arrangements	Exempt	Leader of the Council	Lord Mayor	Delay would have exceeded the external funding deadlines set and jeopardise the options related for a wholly owned company.
4060	28/11/2020	Allocation of Adult Social Care Infection Control Grant funding Round 2	£2,818,193	Leader of the Council	Chair of Overview and Scrutiny Committee	Funding in Round 2 is expected to be fully spent on infection control measures by 31 March 2021. Allocations to care homes and other providers must be made within tight timescales of receipt as claw back provisions enable the funding to cease or be recovered by the Department for Health and Social Care if not fully used on eligible measures and reported upon at reporting points between November and April.
4063	04/12/2020	Covid Winter Grant Scheme	£1,414,274	Leader of the Council	Chair of Overview and Scrutiny Committee	To prevent the ability to mobilise and deploy sufficient resources being severely restrained; to prevent the period for which the support is available to citizens in need being reduced by 25%; and to enable free school meals vouchers to be given to schools in time for distribution prior to the Christmas break.

City Council – 11 January 2021

Report of the Portfolio Holder for Communities, Highways and Strategic Transport

Nottingham City Hate Crime Strategy

1 Summary

1.1 The Nottingham City Hate Crime Strategy sets out the City's partnership approach to hate crime. It outlines the context and scale of the issue locally, both in terms of numbers but also taking into account what it means for people's lives and how it affects different communities. It proposes solutions to challenges identified, highlighting the need for us to work together across the Council, Police, housing, voluntary sector, communities, art and cultural venues, businesses and education settings.

1.2 The aims of this Strategy are to:

- increase reporting of hate crime;
- reduce repeat victimisation by 10%; and
- establish and maintain a Hate Crime and Cohesion Board for Nottingham.

1.3 This Strategy takes a 360 degree approach to dealing with hate, organised in the five themes of the UK Government's National Action Plan on Hate:

- Preventing hate crime by dealing with the beliefs and attitudes that can lead to hate crime
- Responding to hate crime in our communities with the aim of reducing the number of hate crimes and incidents
- Increasing the reporting of hate crime
- Improving support for the victims of hate crime
- Building our understanding of hate crime

2 Recommendations

2.1 To adopt the Nottingham City Hate Crime Strategy, as detailed in appendix 1.

3 Reasons for recommendations

3.1 The Strategy is a target in the Council Plan 2019-2023 which states: develop a strategy with partners to address hate crime and reduce repeat victims of hate crime by 10%.

3.2 The Strategy has been signed off by the Crime and Drugs Partnership Board and partner organisations have adopted it.

3.3 The Partnership's responsibility to tackle hate crime and commitment to the issue is rooted in the following local and national frameworks, strategies and commitments:

- Public Sector Equality Duty under the Equality Act 2010 Crime and Disorder Act 1998
- UK Government's Counter-Extremism Strategy 2015
- Action Against Hate: The UK Government's plan for tackling hate crime, 2016
- Police and Crime Commissioner's Police and Crime Plan 2018–2021

4 Other options considered in making recommendations

4.1 None. The development of the Strategy is a target within the Council Plan 2019-2023.

5 Background (including outcomes of consultation)

5.1 The Strategy has been developed in partnership with communities and stakeholders, and reflects the outcomes of three years of consultation and engagement work.

5.2 The consultation was in two stages and the detail is outlined below.

5.3 Stage 1: Consultation to develop approach and produce Hate Crime Strategy (2017 – 2019)

Activity/Event	Objectives	Stakeholders Engaged
Discussion at North Locality Team Meeting	Identify issues and actions in Nottingham North	Neighbourhood Development Officers (NDOs)
Community Protection problem-solving workshop	Bring together expertise and knowledge within Community Protection and involve wider team	Cohesion, Engagement, Neighbourhoods, Crime and Drugs Partnership (CDP)
Discussions at Neighbourhood Action Team meetings and meetings with NDOs	Identify local issues and actions	NDOs, local partners and voluntary sector groups
Discussion at Complex Persons Panel	Identify actions on the theme of mental health (identified through RV intelligence analysis)	Colleagues from Council, healthcare, Community Protection, Victim CARE
Problem-solving workshop at Voluntary Sector Hate Crime Network	Identify solutions to issues and challenges relating to hate crime	Hate crime projects in Nottingham – Victim CARE, Communities Inc, Nottingham Women’s Centre, Nottinghamshire Police, Holocaust Centre, Nottingham City Homes (NCH)
Discussion at Council LGBT Network	Identify issues and actions relating to LGBT community	People identifying as LGBT
Discussion at Council Disabled Employees Support Network	Identify issues and actions for disability hate crime	People identifying as having a disability
Discussion at Social Housing Forum	Identify issues in the housing and neighbourhood context	NCH, Nottingham Community Housing Association, Metropolitan,

Meetings with transport providers	Identify actions to tackle hate crime on public transport	Nottingham City Transport, NET Trams
Survey at Black and Minority Ethnic Network Conference	Identify level of knowledge and of processes	Council staff
Voluntary Sector Hate Crime Consultation	Engage voluntary sector projects not currently working on hate crime and widen consultation	Community and voluntary sector organisations and projects
Group discussion with Arab women	Identify issues and concerns for Arab women and provide opportunity to feed into the Plan	Muslim women from Arab backgrounds
Visit to Nottingham Liberal Synagogue	Identify issues, concerns and possible solutions	Jewish community
Individual meetings	Identify issues and actions, engage wide range of partners in the development of the Plan, ensure Plan and Strategy reflect needs and priorities of communities	Partners, groups and community representatives across all strands of hate crime
Problem-solving workshop in Nottingham North – ‘Building Stronger Communities’	Identify actions to tackle hate crime in the North of the city and to reduce repeat victimisation Engage with communities and groups in the North	Community groups, professionals, residents and volunteers from Aspley, Bulwell, Bulwell Forest, Leen Valley, Basford

5.4 Stage 2: Consultation on draft Hate Crime Strategy and Delivery Plan (2019 – 2020)

6 July 2020	Nottingham Together Board	Community groups and representatives
8 July 2020	Hate Crime Voluntary Sector Network	Organisations working specifically on hate crime
20 August 2020	Task & Finish Group #1	Partners and stakeholders from across sectors
26 August 2020	Councillors Black, Asian and Minority Ethnic Working Group	Black, Asian and Minority Ethnic councillors
1 September 2020	Nottingham Together Board	Community groups and representatives
7 September 2020	Equality Board	Council officers and councillors

7 October 2020	Overview and Scrutiny Committee	Councillors
21 September 2020	Crime and Drugs Partnership Board	Partners
23 September 2020	Task & Finish Group #2	Partners and stakeholders from across sectors
	Faith leaders	Faith representatives

6 Finance colleague comments (including implications and value for money)

6.1 The Medium Term Financial Plan will not be affected following adoption of the Nottingham City Hate Crime Strategy.

Maria Balchin
Senior Commercial Business Partner
21 December 2020

7 Legal and Procurement colleague comments (including risk management issues, and legal, Crime and Disorder Act and procurement implications)

7.1 Nottingham Crime and Drugs Partnership is a statutory partnership established under the Crime and Disorder Act 1998. Nottingham City Council hosts the partnership.

7.2 The partnership has a statutory duty to formulate and implement a strategy to (1) reduce crime and disorder; (2) combat the misuse of drugs, alcohol and other substances; and (3) reduce re-offending within the City of Nottingham.

7.3 The proposed Hate Crime Strategy supports the Crime and Drugs Partnership Plan which has previously been approved by Full Council and presents no legal concerns.

Naomi Vass – Senior Solicitor 18 December 2020

8 Equality Impact Assessment (EIA)

8.1 Has the equality impact of the proposals in this report been assessed?

Yes



Attached as Appendix 3, and due regard will be given to any implications identified in it.

9 List of background papers other than published works or those disclosing confidential or exempt information

9.1 None

10 Published documents referred to in compiling this report

10.1 Nottingham City Hate Crime Strategy

10.2 Nottingham Together, Let's Talk website: www.nottinghamtogether.com

Councillor Rebecca Langton
Portfolio Holder for Communities, Highways and Strategic Transport

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Nottingham City Hate Crime Strategy

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1. Introduction

Nottingham is a diverse city with strong, cohesive communities and that is what makes us who we are. A recent survey showed that 93% of people in Nottingham feel that they get along well together. In the past, we have seen this in the incredible inter-faith work that happens across Nottingham, in the many community projects that bring people together, in our annual celebrations and commemorations whether it is Pride, VE Day or Holocaust Memorial Day. More recently, we have been reminded of the strength of our communities who have gone over and beyond to support each other through the Covid-19 crisis.

This year while we have seen how our communities come together in difficult times, we have also been reminded of the stark inequalities that are embedded in our society. Covid has impacted on some of our most vulnerable in disproportionate ways, whether that be through age, ethnicity, income, type of employment or where people live and spend their time. Alongside this, the murder of George Floyd in America and the Black Lives Movement has highlighted the many ways racism still exists in our society, globally and locally.

It is in this context that we are publishing our partnership Hate Crime Strategy for Nottingham. We have adapted it to reflect the new challenges we face and we are proud that this is truly a partnership strategy - developed in conjunction with community groups, voluntary sector organisations, victims of hate crime and our statutory and education partners.

This strategy recognises that it is a minority of people that who hold prejudiced views and then act on those views. It also recognises that while numbers of reported hate incidents and crime may be small, hate crime remains a hugely underreported crime. Hate Crime is a message crime – one that strikes at the heart of a person’s identity, and impacts not just the individual but entire communities. Through this strategy and all our work on cohesion and hate crime, we are sending a message of our own – a message that we stand together with each other and against hate and prejudice.

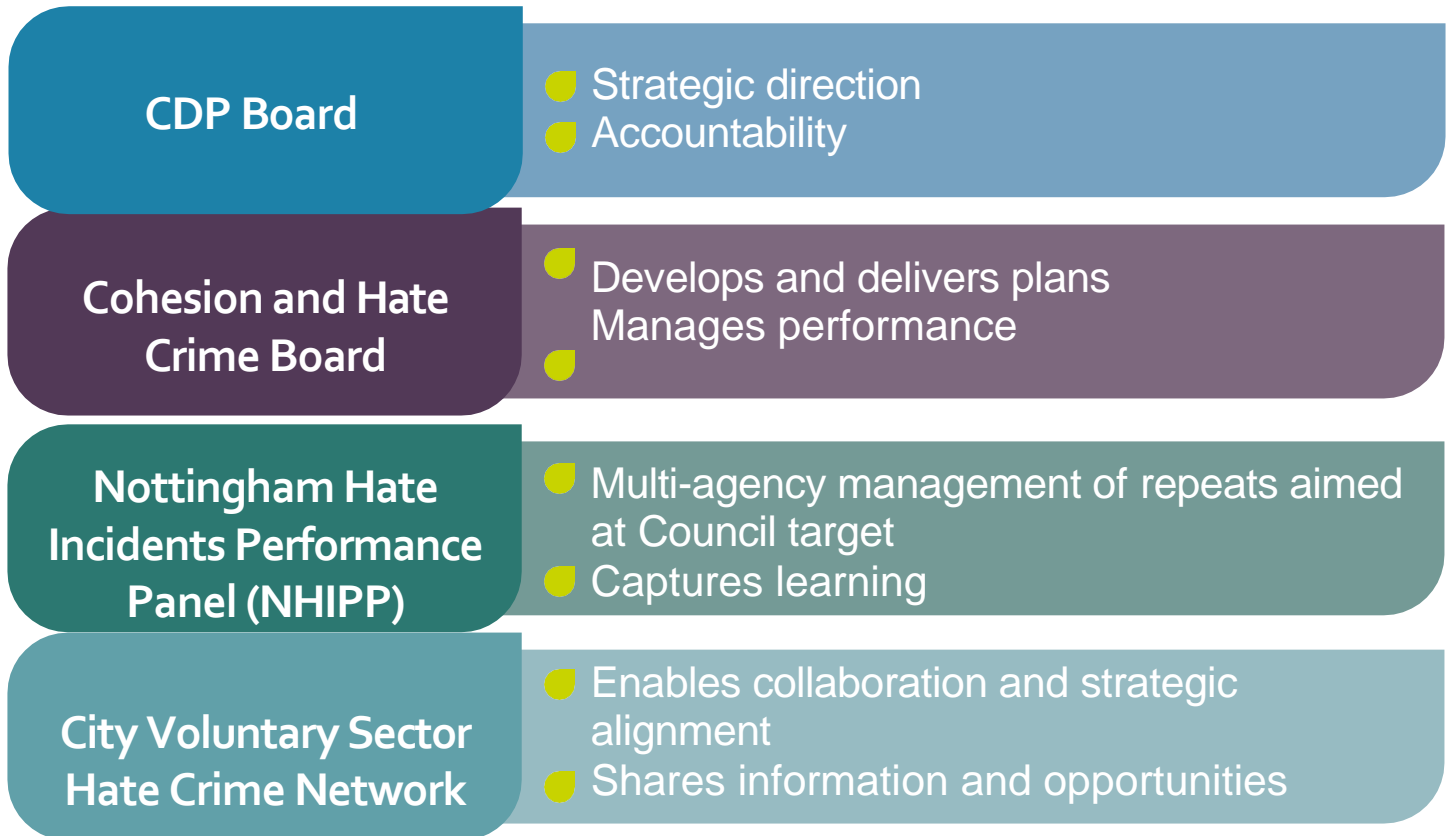
I am proud to publish this strategy on behalf of Nottingham’s Crime and Drug Partnership, the Office of the Police and Crime Commissioner, Nottinghamshire Police, the Nottingham Together Board and the Nottingham City Hate Crime Voluntary Sector Network. I am grateful to everyone who has fed into it across our partners and our communities and we look forward to working together to put it into practice.



Cllr Rebecca Langton
Portfolio Holder for Communities for Nottingham City Council

Executive Summary

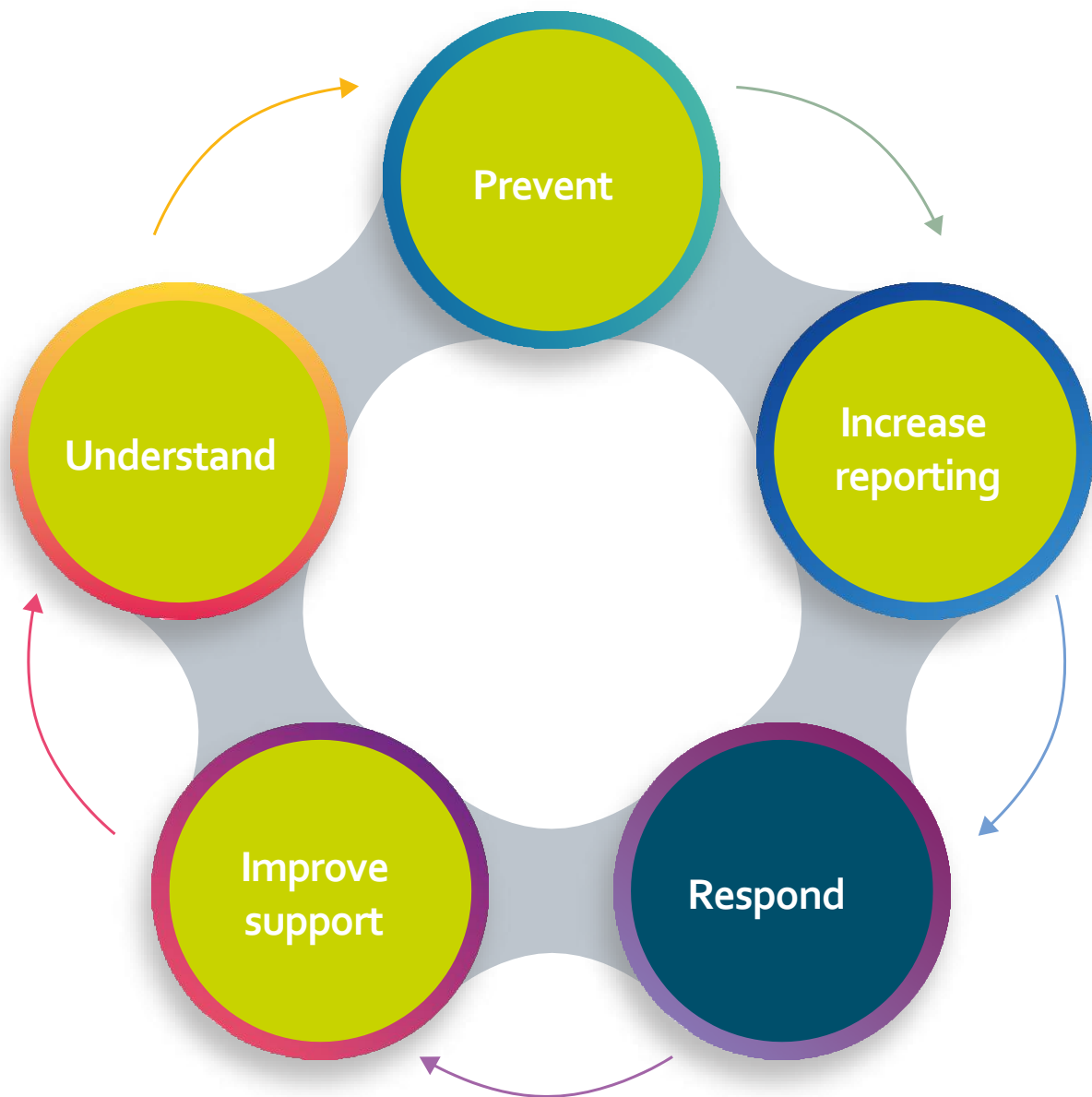
This partnership Hate Crime Strategy outlines the Crime and Drug Partnership’s approach to responding to hate crime in Nottingham. It outlines the context and scale of the issue locally, both in terms of numbers but also taking into account what it means for people’s lives and how it affects different communities. It proposes solutions to challenges identified, highlighting the need for us to work together across the Council, Police, housing, voluntary sector, communities, art and culture venues, businesses and education settings. This partnership is brought together in practice through this structure:



Despite the statistics in this document showing increases in reporting, we know that a lot of these crimes and incidents are still not reported and the strategy seeks to change this. In consulting on this strategy, listening to voluntary sector partners, councillors and citizens, we have heard that many people believe their experiences will not be taken seriously by the authorities. This strategy aims to build on good practice and ensure a consistent level of service and a victim centred approach to increase trust and confidence in reporting.

This strategy takes a 360 degree approach to dealing with hate, organised in the five themes of the UK Government’s National Action Plan on Hate:

- Preventing hate crime by dealing with the beliefs and attitudes that can lead to hatecrime
- Responding to hate crime in our communities with the aim of reducing the number of hate crimes and incidents
- Increasing the reporting of hate crime.
- Improving support for the victims of hate crime
- Building our understanding of hate crime



It also proposes a strand specific approach to delivery, recognising the differences between and across different strands of hate crime.

It should be noted that while this strategy recognises the need to tackle prejudice at its root as part of the picture of tackling hate crime, it does not and cannot answer all of the questions regarding inequalities of experience and outcome. Hate crime is the tip of the iceberg – it is the visible manifestation of prejudice. This strategy is part of the picture of the wider work going on in the City regarding wider inequalities but not the full picture.

2. Aims and Objectives

The aims of this strategy are to:

- Increase reporting of hate crime
- Reduce repeat victimisation by 10%
- Establish and maintain a Hate Crime and Cohesion board for Nottingham

Objectives:

- Better understand scale and nature of hate crime
- Reduce the harm to victims and communities
- Strengthen the partnership

2.1 Why does it matter? Relevance to the Partnership

Hate crime is a deeply personal crime because it targets elements of a person's identity and therefore impacts how people relate to themselves and to their environment. It is an 'othering' of individuals or groups based on identity and has an effect not just on the victim, but on entire communities. In this way, it acts as a 'message crime', perceived to send a message of hostility to all who may identify with that particular characteristic.

It is, therefore, an issue that matters to our citizens and to our communities. It also has implications for community cohesion and can increase vulnerabilities to radicalisation and extremism while sometimes being a sign of extremist attitudes.

The Partnership's responsibility to tackle hate crime and commitment to the issue is rooted in the following local and national frameworks, strategies and commitments:

- Public Sector Equality Duty under the Equality Act 2010
- Crime and Disorder Act 1998
- Counter-Extremism Strategy 2015
- Action Against Hate: The UK Government's plan for tackling hate crime, 2016
- Council Plan 2019-2023 - develop a strategy with partners to address hate crime and reduce repeat victims of hate crime by 10%
- PCC's Police and Crime Plan 2018–2021

3. The Partnership Approach – Citizens at the Heart

The Partnership aims to take an integrated, 360 degrees approach to preventing and tackling all forms of intolerance and hate, bringing together policing, the justice system, voluntary sector, communities and other statutory services. We aim to engage all stakeholders who may come into contact with ‘prejudice’ including young people, offenders, communities, bystanders, organisations and service providers, equipping them to be active agents against hate crime. This intersects with the counter-extremism and counter-terrorism agendas, and NCC hosts one of the country’s 40 Counter-Extremism Community Coordinators, tasked with supporting communities to build resilience to extremist messages and ideologies.

Our approach is centred on reinforcing and celebrating the City’s values of ‘Nottingham Together’ and ‘More in Common’ while at the same time taking a zero-tolerance approach to hate crime when it does happen.



- Preventative
- Reinforcing ‘More in Common’



- No Place For Hate
- Zero tolerance approach
- Enforcement and outcomes

This approach is brought together in the Nottingham City Hate Crime Delivery Plan¹ (Appendix A) which uses the five key areas of focus identified in ‘Action Against Hate’, the UK government’s plan for tackling hate crime (2016)², to organise activity:

- Preventing hate crime by dealing with the beliefs and attitudes that can lead to hate crime.
- Responding to hate crime in our communities with the aim of reducing the number of hate crimes and incidents
- Increasing the reporting of hate crime.
- Improving support for the victims of hate crime
- Building our understanding of hate crime

Some of the interventions within these themes are outlined in section 5 below. A key principle of this Delivery Plan is strand specific delivery – the recognition that there are many differences between and within the strands of hate crime and that all delivery needs to take this into account where possible and where resource allows.

¹ The Delivery Plan has been developed after extensive consultation with victims, partners, communities and other stakeholders and includes a Repeat Victimization Reduction Plan focused specifically on the Council Plan target to reduce repeat victimisation of hate crime by 10%. In addition, a task and finish group was set up to ensure this strategy and delivery plan includes input from key stakeholders and partners across the city.

² <https://www.gov.uk/government/publications/hate-crime-action-plan-2016>

4. Scope and Definition

4.1 Legal definition

Nottinghamshire Police define a hate crime (including hate incident) as ‘Any incident, which may or may not constitute a criminal offence, which is perceived by the victim or any other person, as being motivated by prejudice or hate.’

The five nationally recognised and monitored strands of hate crime are:

- race
- religion/faith
- sexual orientation
- disability
- transgender-identity

Additionally, Nottinghamshire Police also record and monitor the following strands:

- misogyny (incidents targeted at women because they’re women)
- alternative sub-cultures (e.g. goth or emo sub-culture)

Hate crime can also be motivated by other types of prejudice or hostility (e.g. age, immigration status, homelessness) and, irrespective of whether it is a monitored strand of hate crime, it can be reported as such. The strands of hate crime are decided upon on a national level with Police forces instructed to record data on the five nationally recognised categories. Additionally, Police forces are able to record data for other types of hate crime based on local issues and priorities.

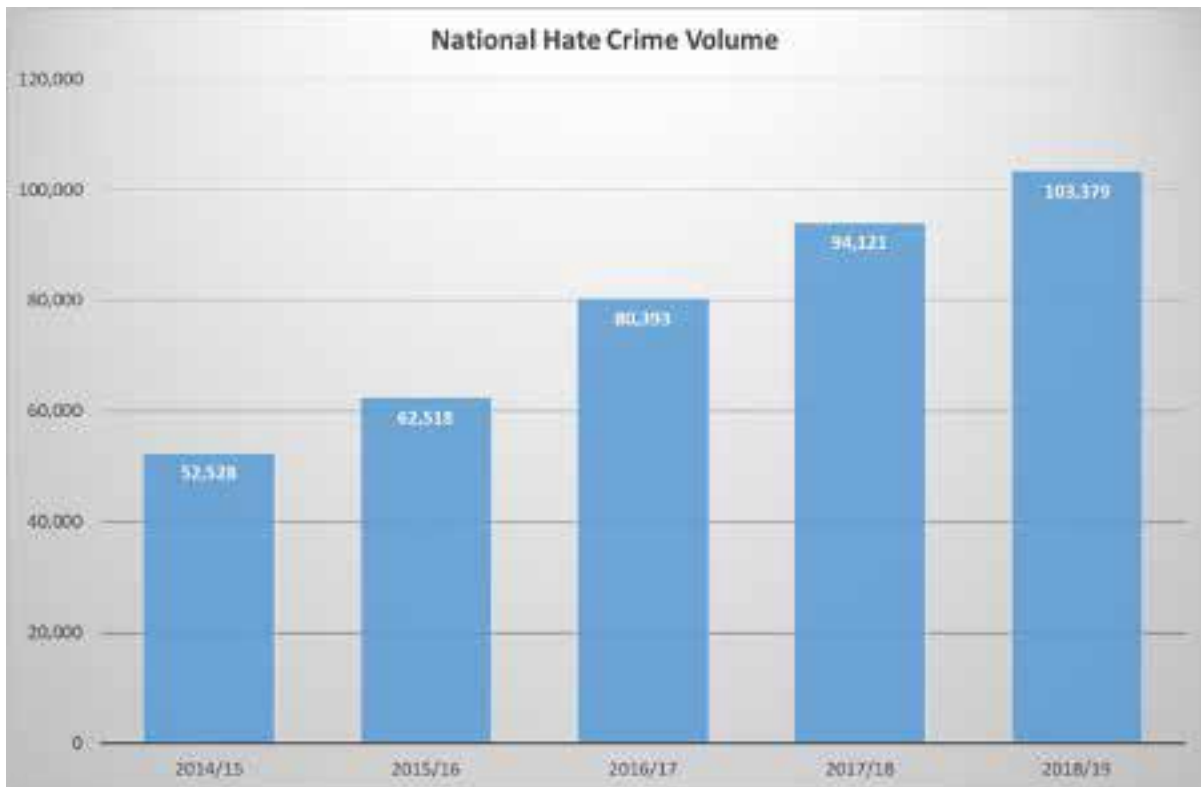
Non-crime hate incidents are incidents perceived to be motivated by prejudice or hostility where no law has been broken. Hate incidents can also be reported to the Police and are recorded and dealt with in a similar manner to hate crimes except that a criminal justice outcome is not possible. The legal framework around hate crime is complex and the Crown Prosecution Service provides guidance and information on how it is dealt with by the criminal justice system³. For the purposes of this document, the term ‘hate crime’ will be used to refer to both hate crimes and non-crime incidents.

4.2 Hate Crime Reports – the national picture

Nationally, the volume of police recorded hate crime increased year on year from 2014/15 to 2018/19 (the last year for which national data is available). Between these two years the volume of hate crime increased by 97% (50,851 more crimes).⁴

³ <https://www.cps.gov.uk/hate-crime>

⁴ <https://www.gov.uk/government/collections/hate-crime-statistics>

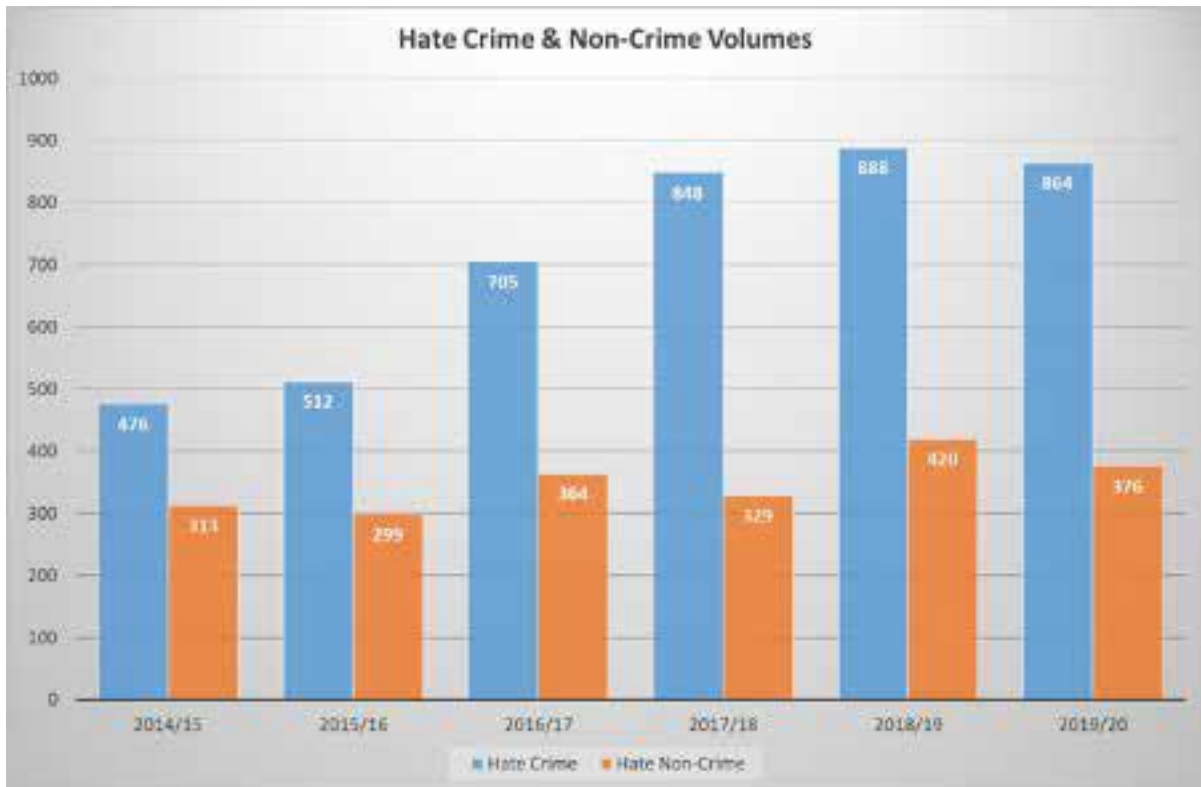


The increases seen over the last five years are thought to have been driven by improvements in crime recording by the police following a review by Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) in 2014 and the removal of the designation of police recorded crime. It is also thought that growing awareness of hate crime is likely to have led to improved identification of such offences. Although these improvements are thought to be the main drivers for the increases seen, there have been short-term genuine rises in hate crime following certain events such as the EU Referendum in June 2016 and the terrorist attacks in 2017. Therefore part of the increase may also reflect a real rise in hate crimes recorded by the police.

In 2018/19 the majority of hate crimes were race hate crimes, accounting for around three-quarters of offences (76%; 78,991 offences). Over half (54%) of the hate crimes recorded by the police were for public order offences and a further third (36%) were for violence against the person offences. A further five per cent were recorded as criminal damage and arson offences.

4.3 Hate Crime Reports – the Nottingham picture

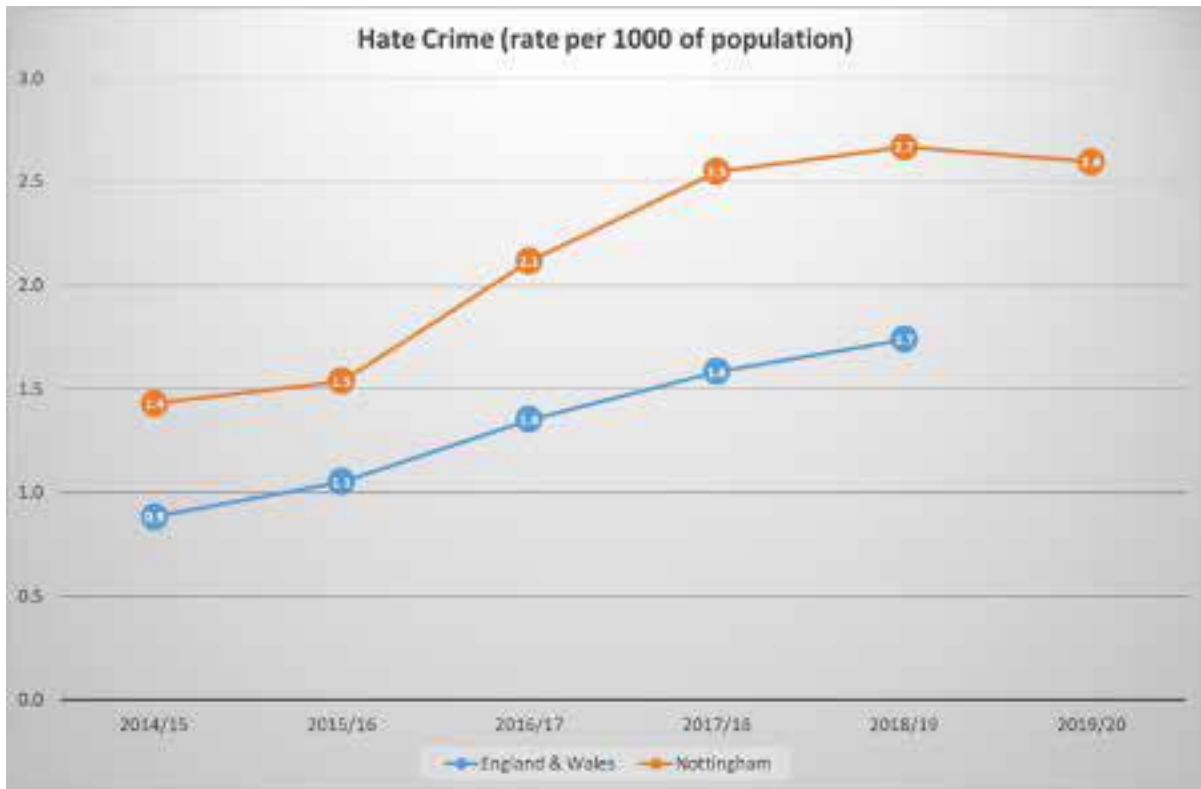
In Nottingham the local trend has largely mirrored the national picture, with year on year increases in hate crime between 2014/15 and 2018/19. This equated to a growth in volume of 87% (412 more crimes) between those two years. In the same period the volume of hate non-crimes (those incidents recorded by the police but where it cannot be determined that a crime has been committed) increased by 34% (107 more incidents). In 2019/20 the volume of hate crime saw a moderate reduction of 3% (24 fewer offences) when compared to the previous year. This was likewise the case with hate non-crimes, which decreased by 11% (44 fewer incidents) in the same period.



Where Nottingham diverges from the national picture is in the rate of hate crime. When the volumes are equalised by population then Nottingham has consistently recorded a rate (per 1000 of population) at least 50% higher than that seen nationally. Between 2016/17 and 2018/19 the disparity between the two figures grew larger each year, with the Nottingham figure being 59% higher in the most recent of these years.

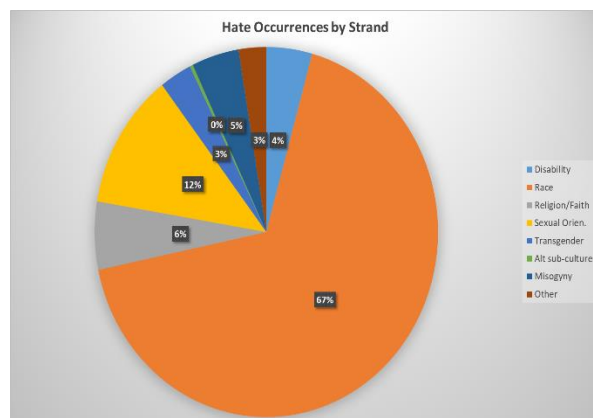
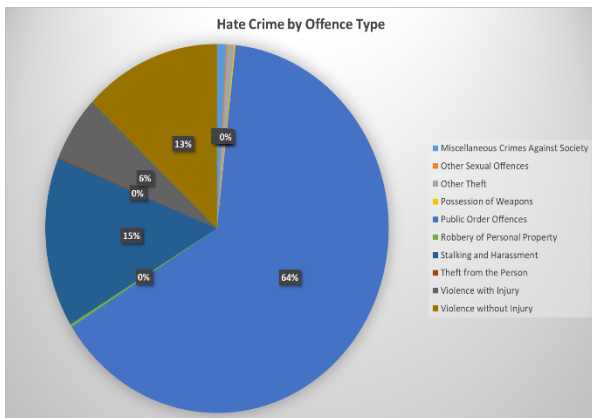
There are a number of factors that would account for this difference. The first is the higher volume of hate crime in urban areas, which can be attributed to the greater population density and more significant concentration of commercial, retail and hospitality venues. The second factor is the extremely diverse nature of Nottingham, not just in terms of ethnicity but also, for example, in relation to religion, lifestyle and sexual identity. This diversity results in interactions between people of many differing cultures, view and mind-sets, the majority of which will be positive experiences, however it also increases the likelihood of a hate crime or incident occurring. The final factor is the long term drive across the partnership to increase awareness and reporting of hate crime in the city.

It should be noted that while efforts to raise awareness of hate crime locally seem to have borne fruit to some degree, hate crime remains a highly underreported crime. National surveys, academic research and anecdotal information all tells us that a large proportion of hate crime remains unreported and that these figures are likely to only reflect the tip of the iceberg. Alongside this is the recognition that whatever the scale of the problem, it is an issue that matters deeply to communities regardless of the number of incidents and therefore requires a response that speaks to and centres that experience.



Population figures from ONS 2019 mid-year estimates. National data for 2019/20 not available

In 2019/20 67% of recorded hate occurrences (crimes and non-crimes) in Nottingham were race related. The next largest categories were sexual orientation (12%) and religion/faith (6%).⁵ During the same period 64% of hate crimes related to public order offences, with a further 18% being violent offences and 14% being recorded as stalking and harassment.



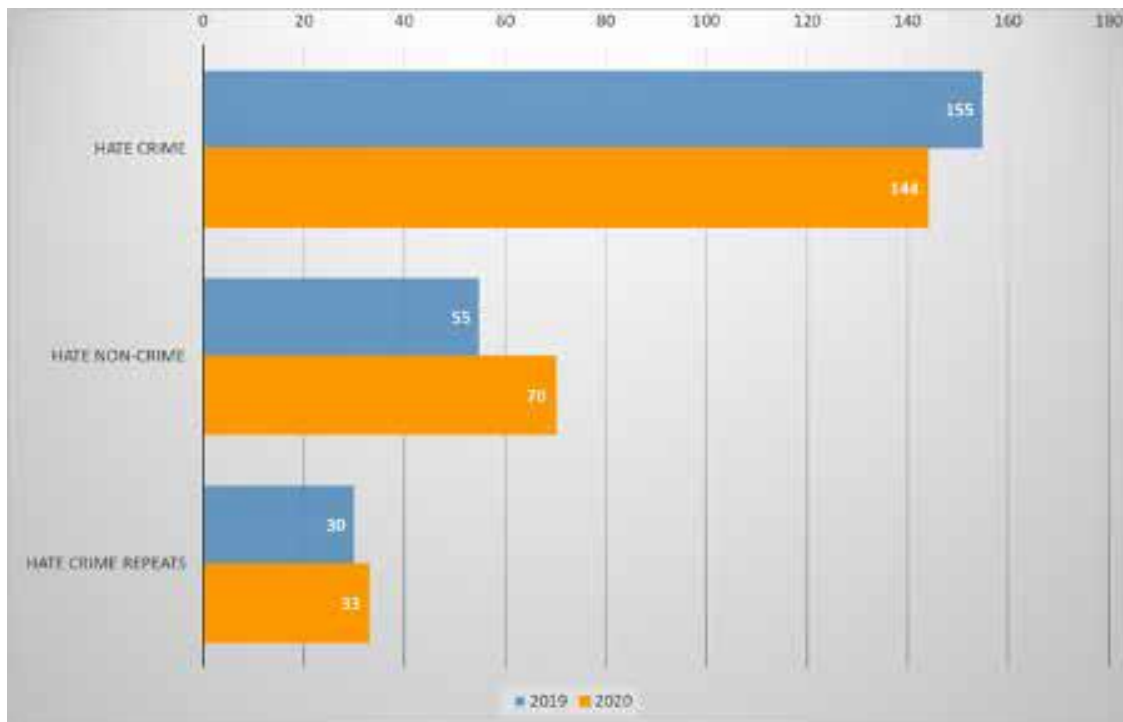
Impact of Covid-19 Lockdown

The UK entered Coronavirus lockdown on 23rd March, with significant restrictions on movement, gatherings and outdoor activities being introduced. The impact of this was clearly visible in April when the overall volume of hate occurrences (crimes and non-crimes) reduced by 17.4% (19 fewer occurrences) compared to May 2019. In May the opposite trend was apparent as volumes increased by 22.8% (23 more occurrences) in comparison with the same month the previous year. This change was likely to be a result of more people coming into contact with each other during May as lockdown restrictions were eased.

⁵Individual hate occurrences (crimes and non-crimes) can be recorded against more than one strand and therefore the total number recorded for all strands will be higher than the combined total of crimes and non-crimes.

Race related hate crime was the most common category recorded during April and May, accounting for 61% of all occurrences. This was also the case pre-lockdown. The next most common categories were sexual orientation and religion/faith. Again, this was unchanged from the pre-lockdown period.

The overall volume of hate crime across April and May was 7% lower (11 fewer crimes) than the equivalent period in 2019. In the same period hate non-crimes increased by 27% (15 more incidents) and the volume of repeat victims increased by three (+10%). Only 10% of hate crimes in this period occurred in the city centre (2019 = 21%) and this was largely due to the closure of the night time economy. Consequently, a greater proportion of hate crimes occurred in neighbourhood settings and as a result the overall volume in these areas increased by 6% (6 more offences).

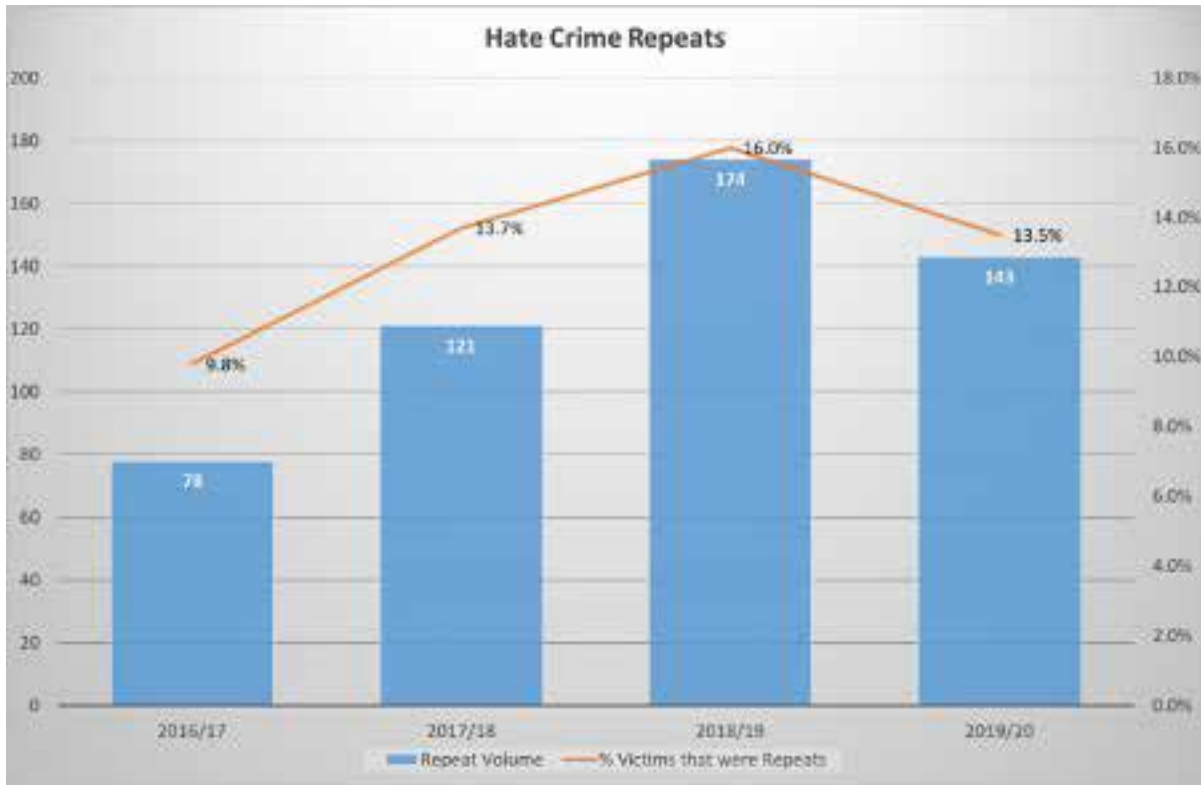


4.4 Repeat Victimization

Over the past five years the partnership has measured its success in tackling hate crime by having a target to reduce repeat victimisation.⁶ From June 2016 onwards the volume of repeat victims increased significantly following the EU referendum and improvements in local recording practices. This pattern continued over the next three years with the result that between June 2016 and May 2019 the volume of repeat victims increased by 192% (+119). Since then the trend has been downwards and by the end of 2019/20 the volume had reduced by 21% (-38) when compared to the May 2019 high point. This can be attributed to a greater knowledge of and response to repeat victimisation across the partnership.

Previous research has suggested that around 40% of repeat victims are victimised by the same offender and that these patterns of offending predominately relate to neighbour disputes. It is rare for repeat victims to be victimised by offenders who are strangers to them – where this is the case there is a strong tendency for the occurrences to be linked to the victims’ employment. The time lapse between first and second reported occurrences perpetrated by the same offender can vary widely, from as little as one day to 14 months, although the vast majority experience repeat victimisation within six months and many experience it within a month.

⁶A repeat victim is defined as ‘any victim to have reported at least one hate crime or hate non-crime in the last month and an additional one or more hate crimes or hate non-crimes in the previous 12 months’.



4.5 Strands of Hate Crime

The recognised strands of hate crime differ widely in terms of experiences and needs of victims and possibly, in motivations of offenders. Strength of community infrastructure, access to non-statutory support, existence of advocacy networks and level of awareness and knowledge also varies between and across strands with implications for vulnerability and risk. The Partnership is committed to identifying and problem-solving issues and concerns for each strand separately, built on the principles of a community development approach, enabling us to provide a bespoke response where possible that is adaptive and victim-centred.

Alongside this, there is a recognition that:

- There is a range of diversity within each recognised strand of hate crime, and needs and experiences can vary widely within strands as well as across them.
- Those living on the intersection of different identity strands are exponentially more vulnerable to hate and experience it differently and often more severely than others (e.g. Muslim women, LGBT+ refugees and asylum seekers). They also face additional barriers in reporting and accessing support.

Race

Whilst the intersections of faith, race and geo-politics are changing the shape of hate, older forms of racism based on concepts of racial superiority continue to exist, and may even be undergoing a resurgence. Tangible progress has been made more than 25 years after the murder of Stephen Lawrence, but there is growing evidence that explicitly racist expression is once again gaining acceptability. This is evidenced through data where race based hate crime continues to be the most reported form of hate crime.

Recently, the Black Lives Matter movement has highlighted all the ways in which racism still exists in both the structures and institutions of our society, and in every day experiences of people. While hate crime is only a tip of this iceberg of racism, it is part of the continuum of prejudice experienced by communities and interlinks with inequality of outcomes in other areas of life. Structural racism impacts trust and confidence in services and institutions, especially in those institutions that form part of the Criminal Justice System and therefore also has implications for reporting of hate crime.

There are a wide variety of identity markers and other factors within the umbrella terms of 'race' that inform vulnerabilities, experiences, motivations for offending, and reporting tendencies. Themes which have emerged from data analysis, the political environment and our consultation activities are briefly outlined below:

- Black Lives Matter and disproportionate impact of COVID - The recent Black Lives Matter protests and the disproportionate impact of Covid-19 on BAME communities has brought focus sharply back on race inequalities, highlighting the prevalence of experiences of racism even in this day and age, and in spite of progress that has been made in many areas of life.
- Economic migrants, refugees and asylum seekers – Visibly European communities tell us about increased instances of hate, often not reported to the Police, as well as an increased fear of hate crime. Community intelligence suggests Eastern European and GRT communities are particularly unlikely to report or to get the support needed. The outcome of the EU referendum and the resulting polarisation has reportedly increased feelings of vulnerability and tension within and between communities, creating a deleterious impact on cohesion more broadly. This extends to refugees and asylum seekers, who have many additional barriers to reporting hate crime.
- East and South East Asian communities – Reports tend to be low from East and South East Asian communities, especially students, whereas anecdotal evidence points to a high prevalence of prejudice towards these communities. This has become even more of a concern in the light of the Corona virus public health crisis, with an increasing number of incidents directed at these communities blaming them for the pandemic.

Religion

In legal and policy terms, race and religion are two separate strands of hate crime but in practice – especially in the current climate – they overlap consistently. We have seen this particularly in the case of Islamophobia and Anti-Semitism where religion, race and even nationality are often conflated interchangeably.

In the current context of global socio-politics, we have seen a rise in Islamophobia and a shift towards what has been defined as 'Anti-Muslim Prejudice'. Global and national events can particularly impact this and the rise in reported Islamophobic incidents in the aftermath of terrorist attacks (including attacks targeted at the Muslim community such as that at Finsbury Park Mosque in 2017) is well documented.

Often described as 'the longest hatred', it is critical to recognise the historical context that Anti-Semitism operates in, and the many forms it takes in the present day, especially on the internet. Reports of Anti-Semitic incidents in Nottingham are low, but there is a fear of hate crime that reflects increasing vulnerability to online hostility as well as increasing the impact of incidents reported elsewhere.

Through this strategy, the Partnership is also adopting the following definitions:

Definition of Islamophobia proposed by All Party Parliamentary Group on British Muslims which states:

“Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness.”

IHRA working definition of Anti-Semitism which states:

“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”

Sexual Orientation

Nottingham is proud to be an LGBT+ friendly city with visible and vocal expressions of solidarity through the rainbow road, and a range of events throughout the year to acknowledge and celebrate the City's LGBT+ communities.

This does not mean that prejudice against LGBT+ people is not an issue in Nottingham. Hate crime motivated by hostility towards sexual orientation continues to be the second most prevalent form of reported hate crime in Nottingham City. As with all forms of hate crime, this is likely to only be part of the picture. Research by Stonewall (2017) indicates that 81% of LGBT+ people polled, who experienced hate crime, did not report it to the police, with young people being even less likely to report. The same report also finds young LGBT+ people to be more vulnerable to hate crime – 33% of 18 – 24 years, as compared to 21% across all age groups. Media attention around the RSE ‘debate’ and some high profile homophobic cases across the country in recent times have increased feelings of vulnerability and concern in this community. Challenges also exist due to the context of homophobic hate crime, which sometimes take place within the family and thus creates additional barriers to a criminal justice outcome.

Engagement with LGBT+ groups in Nottingham, academic research, and the work of activist groups also tells us that LGBT+ people of faith and those from BME backgrounds are more vulnerable to hate crime and have additional barriers to reporting, requiring greater engagement to build confidence in reporting.

Disability

In terms of under-reporting, disability-based hate crime is the area of biggest concern. Reported disability hate crime continues to be very low and does not correspond to experiences of people with disabilities and what disability groups tell us. Some of the causes of this are thought to be around accessibility of reporting, lack of confidence, lack of awareness, normalisation of the abuse, hate crime, and a desire to not play into narratives of being ‘weak’. Public transport is reported to be an issue too, with hate crime often taking place in buses and trams over the use of space. Disability hate crime encompasses a whole range of disabilities including physical disabilities, learning difficulties and mental ill-health. The many differences between the needs of people across this spectrum means that a blanket approach cannot be used to overcome these barriers and any engagement and listening exercises need to be done with groups and people across these differences. Support and response also

needs to take these differences into account which is another area where work is needed.

Transgender Identity

Trans and non-binary people face discrimination on many levels and are often especially vulnerable to hate crime of the most violent kind. Recent research by Stonewall (2018) found that 41% of trans people and 31% of non-binary people have experienced a hate crime or incident because of their gender identity in the last 12 months. Trans people are also likely to be repeat victims, experiencing incidents on a regular basis in their day-to-day lives.

Even more worrying are findings from the same Stonewall research (2018), which indicates that 79% of trans people do not report hate crime to the police. Local consultation has highlighted a similar lack of trust in the criminal justice system as a whole, some of which stems from lack of awareness and perceived insensitivity towards the specific needs and experiences of trans people – for example, the correct and respectful use of pronouns. Such insensitivity may frequently be unintentional, but highlights a need for professionals to receive appropriate training, ensuring there is space to ask questions to promote greater understanding.

Misogyny

Nottingham is proud of the ground-breaking and innovative work of Nottinghamshire Police and Nottingham Women's Centre in recognising misogyny as a hate crime. The Partnership has been supporting the efforts to adopt our local practice nationally, and to present it as a model for improving women's safety and confidence in statutory services. The recognition of misogyny as hate crime builds on existing good practice in Nottingham on issues relating to violence against women, enabling us to tackle hostility towards women in a variety of contexts.

As the newest and perhaps most misunderstood form of hate crime, reporting is still quite low. Misogyny is thought to be a major issue particularly for the student population and in the night time economy but continues to be underreported. Reasons for this include lack of understanding of what misogyny is, normalisation of the behaviour, trivialisation, and victim blaming. It links closely to the VAWG agenda and also intersects with all other forms of hate crime with women's experiences of other strands being very different to those of men from the same communities.

Alternative Cultures

Hate crime against alternative subcultures commonly refers to the targeting of those visibly identifying as belonging to goth, emo and punk lifestyles. It came into prominence after the brutal murder of Sophie Lancaster and is recognised by 11 Police Forces across the country⁷. Reports of hate crime from this group in Nottingham tend to be very low and engagement with these communities and individuals does not highlight it as a particular area of concern for the City apart from in schools where it may take the form of bullying for those choosing to dress differently.

⁷<https://www.sophielancasterfoundation.com/index.php/hate-crimes>

5. Nottingham City Hate Crime Delivery Plan

The partnership approach outlined in Section 3 of this strategy is put into practice through the Nottingham City Hate Crime Delivery Plan, organised in the five themes of the national Hate Crime Action Plan. The actions within this Plan have been developed through consultation and workshops with partners and reflect activity across the Partnership including the Voluntary and Community Sector.

Governance

The Nottingham City Hate Crime Strategy and Delivery Plan will be managed by the Cohesion and Hate Crime Board with updates provided to the CDP Board bi-annually. Performance on targets will be managed at NHIPP (Nottingham Hate Incidents Performance Panel) – a multi-agency panel for the case management of repeat victims of hate crime. Sitting alongside this governance structure is the City Voluntary Sector Hate Crime Network which meets quarterly. The purpose of this Network is to bring together voluntary sector partners working on hate crime to enable information sharing and strategic alignment across the City.

Themes and interventions

All interventions and tactics under the above themes are laid out fully in the Delivery Plan attached as Appendix A. Some of the key interventions and those being introduced as new tactics are outlined below. Please note that while the interventions are generic and do not talk of strand specific differences, they will be implemented taking into account the needs and dynamics of each strand and differences within them where possible.

5.1 Preventing hate crime by dealing with the beliefs and attitudes that can lead to hate crime

Community Conversations

The Community Conversations programme aims to facilitate and support people to hold meaningful conversations on issues which matter to them but may be difficult to talk about. It aims to equip people with the tools, skills and confidence to respond to prejudice and provide alternatives to harmful narratives before they develop into hate crime.

The Conversations methodology encourages deeper conversation to enable people to find common ground, irrespective of their background or views. It is not about ‘challenging’ but about honest and non-judgemental discussion to facilitate empathy and create spaces where people can feel heard. This approach can be used for any subject but in this context, enables exploration of concerns and issues that may be at the root of prejudice, or stereotypes that then lead to hate crime.

Alternative- and Counter- Narratives: Nottingham Together

The theme of ‘Nottingham Together’ is threaded through our approach to tackling hate crime. By emphasising all the ways in which people in Nottingham stand together, we provide an alternative narrative to the rhetoric of division and polarisation. Alternative and counter narratives are increasingly seen by policy makers, academics, practitioners and activists as the most effective tool for countering

prejudice and we connect with networks nationally to identify best practice in this area.

5.2 Responding to hate crime in our communities with the aim of reducing the number of hate crimes and incidents

Police response

Nottinghamshire Police takes hate crime seriously and will take the appropriate action on all reported incidents. Hate crime is perception based and as such if the victim, the witness or the Officer attending perceives an incident as a hate crime the incident will be dealt with as such, from the initial reporting to its conclusion.

Nottinghamshire Police aims to adopt a victim led approach. When a hate crime is reported, the victim will be offered a visit from an officer, this can be at the victim's home address or at a suitable location chosen by the victim. The attending officer will, in addition to taking the details of the offence, complete a risk assessment and ensure initial safeguarding steps are put in place for the victim. The officer will agree with the victim how often they would like to be updated on the progress of the case and ensure this is carried out until the case is completed. If the offender is identified, the victim will be asked how they wish to proceed; this could include giving the offender words of advice, take part in Restorative Justice, issue an Official Caution or proceeding to court action. Where possible the wishes of the victim will always be taken into account.

Nottingham Hate Incidents Performance Panel – NHIPP

NHIPP is a monthly multi-agency process for the case management and problem solving of repeat incidents of hate crime primarily, as well as any other medium or high risk cases. It aims to reduce risk and harm and produce better outcomes for victims with the ultimate objective of reducing repeat victimisation as per the objectives of the Partnership.

A performance management framework sits alongside the NHIPP process to monitor performance and data and identify 'what works'. The new framework differentiates between repeat victims where the offender is known or unknown, and monthly reports are produced outlining the number of cases, their type, interventions deployed and outcomes. A tactical menu aids this process which sets out the different interventions and escalation routes available to the Partnership.

Pathways to Justice

The Partnership has developed a tactical menu that encompasses all options available in order to achieve the best possible outcome for victims. This is a toolkit that includes criminal justice options where applicable and where the victim is willing, as well as other enforcement routes through civil interventions and powers available to the local authority from Anti-Social Behaviour legislations. The Partnership will also explore proactive early interventions to reduce the escalation of single hate incidents into prolonged repeats, especially in neighbourhood settings. A sample toolkit is attached as Appendix B.

Breaking the Cycle

Breaking the Cycle is a programme for young people who may be exhibiting prejudice views, run by the National Holocaust Centre and funded by the Office of the Police and Crime Commissioner (OPCC) through the Safer Nottinghamshire Board. It is an alternative to the criminal justice system and is an early intervention to prevent further entrenchment of views in young people. Similar interventions

for adult offenders are being explored by the Partnership.

5.3 Increasing the reporting of hate crime

Targeted Communications

Different communities communicate in different ways and through different channels, as evidenced clearly by the COVID crisis. Messages about recognising and reporting hate crime, what to expect from the process, accessing support all need to be communicated in a way that takes into account the needs of that particular community in order to be effective. This includes considerations around accessibility of material, for example formats, languages, easy read versions, as well as how and through whom the messages are delivered. Trusted messengers, ambassadors, and credible voices are all key in ensuring that information about reporting hate crime is cascaded to those who need it the most in a way that is relatable and accessible.

Building trust and confidence – a community development approach

The Partnership recognises that under-reporting of hate crime is not just about lack of information but also about lack of trust in services. Communities most at risk of being victims of hate crime are also often those with historically poor relationships with law enforcement agencies, the criminal justice system and public services more broadly. Building trust and confidence in services is a long-term goal, requiring a broader community development approach that engages with communities over a period of time to listen, empower and respond over multiple agendas.

5.4 Improving support for victims of hate crime

Victim CARE

The OPCC commissions Catch 22 to deliver support to victims of all crime including hate crime and incidents. Victims of hate crime can access support through Victim CARE regardless of whether they report to the police and the service also provides support and advocacy in making reports. Increasing referrals to the service has been a key priority over the past few years to ensure that victims receive the support they are entitled to and may need.

Hate Crime Champions

The Hate Crime Champions Scheme aims to improve the Partnership's response to hate crime and improve access to support for victims by establishing at least one Hate Crime Champion in every shift across Nottinghamshire Police and in each relevant service within the Council and partner organisations, enabling expertise to be shared and cascaded. Participating partners include Nottingham City Homes, NUH Mental Health Trust, Nottinghamshire County Council, universities and voluntary sector organisations. So far, 204 Hate Crime Champions have been trained across the Police, Council and Partners.

The Champions receive a full training day, covering knowledge and transferable skills such as active listening, having challenging conversations as well as opportunities for further training through specialized workshops.

5.5 Building our understanding of hate crime

Tensions monitoring

Since May 2019 the Community Protection Performance & Intelligence Team has, with partners, re-established a Tensions Monitoring Framework for the city. A monthly document is now compiled of issues, tensions and concerns from communities across a range of themes including hate crime, extremism, intra-gang tensions and fear of crime. While this is not specific to hate crime, it is an essential tool in our approach to responding to hate crime. It enables us to identify and respond to concerns from communities and citizens and to put relevant interventions and safeguards in place.

As specific issues arise the team issues an intelligence requirement through its network allowing key matters of concern to be identified, captured and briefings provided to partners to allow appropriate monitoring or interventions to be put in place. The process of maintaining a tensions monitoring process is in recognition of risks to citizens, the city and to organisations and the need to be proactive in responding to these risks.

Performance management and analysis

Hate crime has been a priority for the Nottingham Crime & Drugs Partnership since 2017/18 and as a result has been regularly reported on through the partnership governance structure since that point. Regular analysis is undertaken in order to further the collective understanding of hate crime and thereby inform the partnership response. Strategic performance reporting allows senior leaders to monitor activity and take corrective action where necessary, whilst operational level analysis supports the delivery of specific projects and interventions. Finally the yearly partnership strategic assessment provides an in depth examination of hate crime and forms the basis of the annual partnership plan.

Appendix A: Nottingham City Hate Crime Delivery Plan

A partnership approach to tackling hate crime in Nottingham through working with communities to reduce hate, support victims, tackle offenders and listening and learning to continually improve provision. This Plan aims to take a strand-specific approach to delivery, taking into account differences within and across strands when designing and delivering interventions.

This Delivery Plan is divided into 3 parts for effective management:

Part I: Current and resourced activity

Part II: Repeat Victimisation Reduction Plan Part

III: Activity not currently resourced

This a Partnership Plan and includes activity of all partners including voluntary sector organisations. The Delivery Plan and Strategy will be managed by the Cohesion and Hate Crime Board with updates provided to the CDP executive quarterly and to the CDP board bi-annually.

Part I: Current and Resourced Activity

Action Against Hate, the UK government's plan for tackling hate crime (2016) outlines five key areas of focus. Part I of the Plan uses the same five themes to organise activity.

	Activity	Lead	Updates	RAG
1	Preventing hate crime by dealing with the beliefs and attitudes that can lead to hate crime			
1.1	Develop, deliver and disseminate a toolkit for Community Conversations, to equip people to respond to prejudice in facilitated or 121 settings	NCC Community Cohesion		
1.2	Deliver calendar of events, especially Hate Crime Awareness Week, including celebrations and commemorations.	NCC Community Cohesion, Neighbourhood Management, Equalities Nottinghamshire Police Partners		
1.3	Deliver a range of targeted activities and Community Conversations in neighbourhoods across Nottingham that support citizens to counter prejudiced views and behaviour	NCC Community Cohesion and Neighbourhood Management		
1.4	Deliver Community Conversations training to communities and to professionals	NCC Community Cohesion, NCC Learning and Development		
1.5	Promote and share stories and testimonies of survivors (including survivors of genocide) to develop empathy	National Holocaust Centre, NCC Community Cohesion, Voluntary sector partners		
1.6	Explore use of National Justice Museum's 'Project Lab' space to provoke dialogue and create conversation and thought on this agenda	National Justice Museum		
1.7	Work with the Arts & Culture sector to promote and develop creative engagement on this agenda	Nottingham Project, NCC Community Cohesion, New Art Exchange, National Justice Museum, ChalleNge		
1.8	Use of outdoor space for creative activities with young people to ensure social distancing, project on Black Lives Matter	New Art Exchange		
1.9	Integrate hate crime prevention, community conversations and strategies to deepen understanding between different groups into Community Hubs/Area Partnerships that are being set up	Neighbourhood Management		
1.10	Develop a comms protocol for Counter-Extremism focusing specially on critical events, incidents and gatherings	NCC Community Cohesion (BSBT M&C Saatchi)		

	Activity	Lead	Updates	RAG
1.11	Work with football clubs and other sports institutions to develop activity e.g. a 'not in our name' campaign	NCC Community Cohesion, Partners		
1.12	Develop activities and events with veterans, amplifying their voices to counter prejudice and extremist messages	NCC Community Cohesion		
1.13	Delivery of far-right awareness training	Communities Inc, NCC Community Cohesion		
2	Responding to hate crime in our communities with the aim of reducing the number of hate crime incidents			
2.1	Develop and implement a hate crime policy at NCC as part of wider EDI policies and projects	NCC, Equalities and Employment team		
2.2	Train staff across the Partnership to recognise and appropriately respond to hate crime.	NCC Community Cohesion, Equalities and Employment Nottinghamshire Police, Hate Crime Officer		
2.3	Increase referrals to Breaking the Cycle – the program for young people exhibiting prejudice or hate - and monitor impact.	Nottinghamshire Police, NCC		
2.4	Expand the BID's 'Not in Nottingham' project to other businesses in the City Centre	Nottingham BID, Nottinghamshire Police City Centre		
2.5	Whole organisation approach – continue to run and expand the Hate Crime Champions Scheme	NCC Community Cohesion, Nottinghamshire Police		
2.6	Operation FOSSIL – early intervention targeted at 'pre-repeats' with joint visits from statutory services and range of tools and powers	Nottinghamshire Police, NCC, NCH		
2.7	Expansion of bystander intervention techniques and principles to the organisational context	Communities Inc		
3	Increase reporting of hate crime			
3.1	Develop and deliver tailored hate crime workshops and/or awareness raising activities across strands for groups and organisations	NCC Community Cohesion, Nottinghamshire Police, Communities Inc		
3.3	Deliver misogyny leaflets across the city to raise awareness of misogyny hate crime (spike in reports seen after each leafleting action)	Nottingham Women's Centre		
3.4	Increase awareness of reporting methods at education institutes (schools, colleges, universities) Links to 1.1	UoN, NTU, NCC education, Nottinghamshire Police		

	Activity	Lead	Updates	RAG
3.5	Run a minimum of one city-wide comms campaign to encourage reporting of hate crime	NCC, Nottinghamshire Police, Partners		
3.6	Ensure comms is adapted and accessible for different audiences including BSL, people with learning disabilities and age groups			
3.7	Continue to promote safe bystander Intervention & reporting	Communities Inc, NCC Community Cohesion		
3.8	Provide more information on what to expect once a hate crime is reported and the benefits of reporting (including benefits of having intel)	Nottinghamshire Police, NCC		
3.9	Provide training to support services such as LGBT+ Network and support them to report on behalf of clients	NCC Community Cohesion, LGBT+Network		
3.10	Promote and publicise positive outcomes and learning from NHIPP	Nottinghamshire Police		
4	Improving support for the victims of hate crime			
4.1	Develop an offering for housing providers and landlords to enable support for victims of hate crime in the neighbourhood context. Maximise enforcement opportunities where relevant.	NCC, ASB and Safer Housing		
4.2	Explore the development of community specific champions to act as liaison with the Police			
4.3	Strand specific training for professionals and those responding to hate crime	NCC Community Safety and Cohesion, Nottinghamshire Police		
4.4	Identify gaps in support provision through NHIPP and report to CDP and other senior leadership boards	NCC Community Safety and Cohesion		
4.5	Develop a No Place For Hate Champions programme for different communities to facilitate support and increase reporting			
5	Building our understanding of hate crime			
5.1	Conduct research and data analysis to provide regular position statements and strategic assessments.	CDP, Senior Performance and Insight Analyst		
5.2	Share knowledge and best practice on hate crime and keep hate crime and related issues on the public agenda.	Hate Crime Voluntary Sector Network		
5.3	Ensure effective management and governance of NHIPP (Nottingham Hate Incidents Performance Panel), enabling learning and fast time escalation of identified issues	Nottinghamshire Police, NCC Community Safety and Cohesion,		

	Activity	Lead	Updates	RAG
5.4	Implement learnings from the Nottingham Women's Centre led evaluation of the Misogyny hate crime policy	Nottinghamshire Police NCC Community Safety and Cohesion Nottingham Women's Centre		
5.6	Explore implementation of learning from the evaluation of EU funded hate crime project	NCC Community Cohesion, Nottinghamshire Police		

Part III: Repeat Victimization Reduction Plan

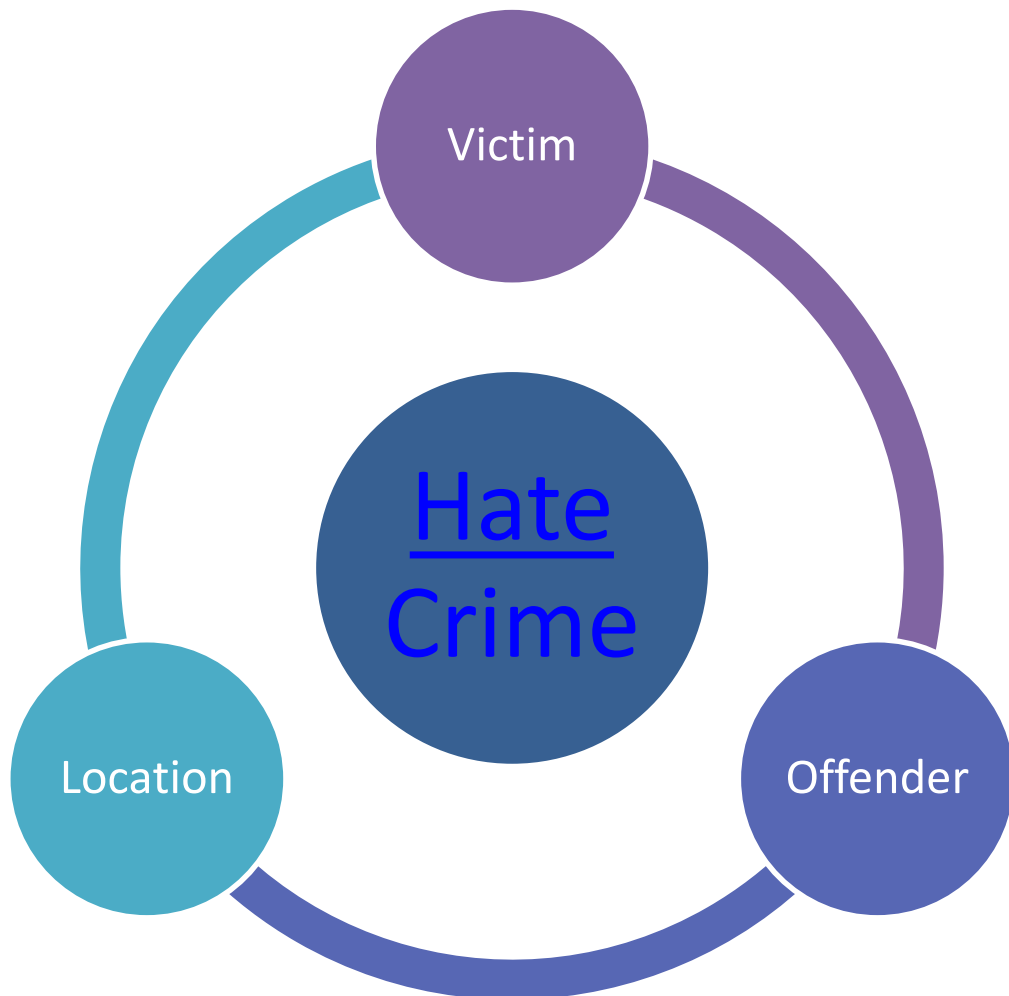
	Activity	Lead	Updates	RAG
7.1	Neighbourhood Disputes – use of mediation and restorative practice options			
7.2	Greater use of civil enforcement powers and CPOs where relevant			
7.3	Taxis - Identify ways to prevent and minimise hate crime targeted at taxi drivers and streamline processes for reporting and response			
7.4	Public Transport – Identify points of intervention and deterrence on public transport, and provide reassurance to citizens			
7.6	Consult with mental health professionals and review current offering to improve response for staff in mental health facilities, and for victims and offenders with mental health issues			
7.7	Location based hotspots – develop targeted location based interventions.			
7.8	Identify time period between incidents with maximum potential for impact	Nottinghamshire Police, Analyst CDP, Performance and Insight Analysis		
7.9	Increase understanding of offender motivations and develop interventions to reduce reoffending	Universities – to be scoped	Deferred due to lack of capacity	

Part IV: Activity not currently resourced (to be reviewed bi-annually)

	Activity	Lead	Updates	RAG
8.1	Explore addition of a whole-family element to the Breaking the Cycle program	Tbc dependent on capacity		
8.2	Improve signposting to reporting and support information on public transport	As above		
8.3	Commissioning/conducting research to understand offender motivations	As above		
8.4	Understand and scope current arrangements for offender management with the view to develop an offering to shift attitudes and behaviour and prevent re-offending			
8.5	Integrate response to hate crime into the safeguarding framework for children's services and social care	As above		
8.6	Outreach into schools	National Justice Museum		
8.7	Develop a No Place For Hate Champions Scheme for young people			
8.8	Connect to and work with Nottingham's creative talent, working with musicians and artists to develop visible and widely heard pieces that are unapologetic in standing up to hate and celebrating our diversity	Nottingham Project		
8.9	Support businesses across the city to respond to hate crime including with policies and training			
8.10	Develop reporting and data sharing arrangements with schools to start building a better picture of hate crime in schools	As above		
8.11	Expand the No Place for Hate Charter (or similar) to businesses, venues and organisations across the City including cultural venues			

Appendix B: Pathways to Justice Toolkit

Pathways to justice



Please e-mail any queries about the toolkit to
Hate.crime@nottinghamshire.pnn.police.uk

Hate Crime

- The Association of Chief Police Officers and the Crown Prosecution Service have agreed on a common definition of **hate crime**:

"Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender".

Nottinghamshire Police has also committed to record as hate offences incidents targeted against women (i.e. misogyny) and alternative cultures, like 'goths'.

- **Hate Incident**

"Any non-crime incident which is perceived by the victim or any other person, to be motivated by a hostility or prejudice based on a person's race, religion, sexual orientation, disability or transgender or perceived race, religion, sexual orientation, disability".

Victim Options

- A neutral third party assists disputing parties to resolve conflict.

Mediation



- Victim and offender communicating with each other supported by Victim Care, instead of or after court process.

Restorative Justice



- Free safety advice, personal and window alarms, etc.

Victim hardening



- Repeat victim panels are multi-agency meetings, aimed at finding solutions and ways forward

Repeat victim panels



- If victim is under 18, they can be referred for youth positive engagement.

Positive engagement



- Victim and offender communicating with each other through RP police team about the harm that has been caused. No court process.

Restorative Practice



- There is a variety of additional support available for victims of hate crime.

Additional support 1



- There is a variety of additional support available for victims of hate crime.

Additional Support 2



Offender options

- A neutral third party assists disputing parties in resolving conflict

Mediation



- Victims and offenders communicating within a controlled environment to about the harm that has been caused

Restorative Justice



- Appropriate housing enforcement against perpetrators

Tenancy warnings



- Prevent is about safeguarding and supporting those vulnerable to radicalisation.

Prevent referral



- Early intervention tool for anyone aged 9-17, aimed at addressing prejudicial behaviour

Breaking The Cycle



- Aimed at young people 13-18 year old, who are perpetrators or at risk of exploitation or have committed sexual, criminal or a violent act

Transform Life Chances



- Produced by the university to support enforcement action

Warning from university



- Victim and offender communicating with each other through RP police Team about the harm that has been caused. No court process

Restorative Practice



Location options

- High visibility patrols in hotspot areas as deterrence and reassurance

Uniformed patrols



- Crime prevention through environmental design

Target Hardening



- Used to direct a person who has engaged/likely to engage in anti-social behaviour, to leave a specified area

Police Dispersal Notice



- A variety of options available to strengthen community cohesion and reduce impact of prejudice

Cohesion interventions



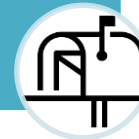
- There is yearly funding available for the security of places of worship.

Places of Worship funding



- Nottinghamshire Fire service can do a welfare check and offer a fire-resistant mailbox if appropriate.

Fire-resistant mailbox



Mediation

- **Available in Nottingham City.**
- Provided by Nottingham City Homes. Both victim and perpetrator need to consent.
- A neutral third party assists disputing parties in resolving conflict through the use of specialized communication and negotiation techniques.
- Referrals can be made via NCH: community@nottinghamcityhomes.org.uk or 0115 746 9138.

Restorative Justice

- **City and County wide.**
- Provided by Victim Care.
- Both victim and perpetrator need to consent and want to be involved.
- May be useful for victims who may not want police intervention.
- Referrals can be from professionals, as a result of a court order, prior to or after a police intervention.
- Voluntary on both the victim and perpetrators side.
- Perpetrator must accept responsibility for the harm they have caused.
- Referrals can be made via:
admin@nottsvictimcare.org.uk.

Victim hardening

- **City and County wide.**
- Provided by Victim Care for free.
- Referrals can be made via:
admin@nottsvictimcare.org.uk.

Repeat victim panels

- **City and County wide.**
- City: refer repeat victims to NHIPP by emailing:
Hate.crime@nottinghamshire.pnn.police.uk.
- County: refer repeat victims to complex case panels by emailing:
spc@broxtowe.gov.uk.

Positive engagement

- **City and County wide.**
- Under 18 year olds.
- Group work support available and possible one to one where necessary.
- Referrals to VPC Youth Engagement Officer:
positiveengagement@nottinghamshire.pnn.police.uk

Restorative Practice

- **City and County wide.**
- Out of court disposal for police.
- A dedicated Restorative Practice Team (RPT) of police and council officers in close liaison with housing providers where necessary.
- RPT are qualified and trained mediation officers who will listen to the issues to victim and motivating factors for offender and facilitate a conversation in a controlled environment.
- Suitable for victims who do not want to be involved in the court process and would like to speak to the offender about the impact of their behaviour.
- More info coming soon, currently in development.

Additional support

- **City and County wide.**
- Victim Care for all victims of crime or incidents: admin@nottsvictimcare.org.uk or 0800 304 7575.
- Nottingham Mencap supports people with a learning disability. info@n-mencap.org or 0115 746 9138.
- Nottingham Women's Centre: reception@nottinghamwomenscentre.com or 0115 941 1475.
- Notts LGBT+ Network: info@nottslgbt.com 0115 934 8485 or text 07481 344040.
- Gallop – LGBT hate crime support serviceadvice@galop.org.uk 0207 704 2040.
- Nottingham Muslim Women's Network: enquiries@nmwn.co.uk or 0115 837 2627 / 07826 464 722.

Additional support

- Report hate crime online with True Vision:
www.report-it.org.uk.
- Anti-muslim attacks:
Tell Mama - www.tellmameuk.org
0800 456 1226 info@tellmamauk.org.
- Hate crime on trains or tube. Contact British Transport Police. Text 61016 or call 0800 40 50 40.
- Pegasus makes the 999 system more accessible to people who are vulnerable or have disabilities and impairments
pegasus@nottinghamshire.pnn.police.uk.

Mediation

- **Available in Nottingham City.**
- Provided by Nottingham City Homes.
- Both victim and perpetrator need to be involved.
- A neutral third party assists disputing parties in resolving conflict through the use of specialized communication and negotiation techniques.
- Referrals can be made via NCH:
community@nottinghamcityhomes.org.uk or 0115 746 9138.

Restorative Justice

- **City and County wide.**
- Provided by Victim Care.
- Both victim and perpetrator need to consent and want to be involved.
- Referrals can be from professionals, as a result of a court order, prior to or after a police intervention.
- Voluntary on both the victim and perpetrators side.
- Perpetrator must accept responsibility for the harm they have caused.
- Referrals can be made via:
admin@nottsvictimcare.org.uk.

Tenancy Warnings

- **City and County wide.**
- Take appropriate housing enforcement against perpetrators.
- Useful in neighbour disputes, Illegal evictions, lock change, Landlord harassment.
- NCC:
tenancy.matters@nottinghamcitycouncil.gov.uk.
- NCH :
reportasb@nottinghamcityhomes.org.uk.
- Guidance for landlords:
<https://www.dashservices.org.uk/Media/Default/Docs/landlord%20library/ASB%20Guidance%20V3.1.pdf>.

PREVENT referral

- **City and County wide.**
- Anyone showing signs of radicalisation can be referred to the PREVENT team
- Part of the Government's counter-terrorism strategy.
- Referrals can be made via:
Prevent@nottinghamshire.pnn.police.uk.
- E-Learning:
<https://www.elearning.prevent.homeoffice.gov.uk/edu/screen1.html>.
- Resources:
- <https://www.ltai.info/downloads/>.

Breaking the Cycle

- **City and County wide.**
- Provided by National Holocaust Centre.
- Suitable for anyone aged 9-17.
- Early intervention tool, that addresses negative stereotypes and myths by encouraging participants to consider the impact their actions have on victims and others.
- Availability: sessions taking place every month.
- Contact: 01623 836627
office@nationalholocaustcentre.net.

Transforming Life Chances

- **Nottingham City, Beeston and Chilwell.**
- A programme for young people aged 13 to 18 who are at risk of, or involved in violence, criminal or sexual exploitation. Developing their emotional resilience and supporting them to make better life.
- <http://www.transformtraining.org.uk/transforming-life-chances.php>
- To make a referral or to discuss the suitability of the programme email - admin@transformtraining.org.uk

University Warning

- **City and County wide.**
- Warning given to student for potential suspension or exclusion from university. Produced by the university to support enforcement action taken by CP and Notts Police and prevent further disorder.
- Contact UoN:
jamie.dickinson@nottingham.ac.uk.
Uon Student Union Contact
sucommunity@nottingham.ac.uk.
Contact NTU: eleanor.cosh@ntu.ac.uk.
NTU Student Union Contact:
student.support@ntu.ac.uk.

Restorative Practice

- **City and County wide.**
- A dedicated Restorative Practice Team (RPT) of police and council officers in close liaison with housing providers where necessary.
- RPT are qualified and trained mediation officers who will listen to the issues to victim and motivating factors for offender and facilitate a conversation in a controlled environment.
- Suitable for offenders who do not want to be involved in the court process and would like to make amends to the victim through listening about the impact of their behaviour. More info coming soon, currently in development.
- More info coming soon, currently in development.

Uniformed Patrols

- **City and County wide.**
- Available from both Police and Community Protection.
- High visibility patrols in hotspot areas can serve as deterrence and provide reassurance.
- For additional Community Protection patrols Contact the CP Helpline on:
0115 915 2020.

Target Hardening

- **City and County wide.**
- For example, instillation of CCTV cameras in hotspot areas, pruning of trees for natural surveillance and/or additional CPO patrols with a specified area.
- For additional CPO patrols or possible Mobile Camera surveillance email: cpintelligence@Nottinghamshire.pnn.police.uk.

Police Dispersal Order

- **City and County wide.**
- S35 of the Anti-Social Behaviour, Crime and Policing Act 2014 gives a PC or PCSO the power to exclude a person from a specific area for up to 48 hours with an Inspectors authority.
- To reduce the likelihood of members of the public being harassed, alarmed or distressed and to reduce crime and disorder.

Cohesion Interventions

- **City and County wide.**
- Bystander intervention training/community interventions.
- Hate Crime awareness training/ places of worship open days/ etc.
- If there are community cohesion issues with an area, then please e-mail the Community Cohesion Team who may be able to offer interventions in the area i.e. Trans Awareness.
- Referral to community.cohesion@nottinghamcity.gov.uk.

Fire-resistant Mailbox

- **City and County wide.**
- Nottinghamshire Fire service can do a welfare check and offer a fire-resistant mailbox if appropriate.
- **Referral can be made via:**
communitysafetynorth@notts-fire.gov.uk.

Places of Worship Funding

- **City and County wide.**
- Government funding to provide security for places of worship. Can include CCTV, Locks, Gates and Security lights etc.
- **More information can be found at:**
<https://www.gov.uk/guidance/places-of-worship-security-funding-scheme>



Funded by the European Union's Rights', Equality and Citizenship Programme (2014 – 2020)



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City Council



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Equality Impact Assessment Form

[screentip-sectionA](#)

1. Document Control

Control Details:

Title:	Hate Crime Strategy
Author:	Zaimal Azad
Director:	Andrew Errington
Department:	Community Protection
Service Area:	Community Partnerships
Contact details:	Zaimal.azad@nottinghamcity.gov.uk
Strategic Budget EIA: N (Does this EIA have an impact on the budget)	N
Exempt from publication: Y/N (All EIA's are published on Nottingham Insight for public viewing unless specified. Exemption criteria is available on the EIA section on the Intranet)	N

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2. Document Amendment Record:

Version	Author	Date	Approved

3. Contributors/Reviewers (Anyone who has contributed to this document will need to be named):

Name	Position	Date
Amy Goulden	Senior Community Cohesion Manager	18/12/2020
Adele Stacey	Community Partnerships Equalities Lead	21/12/2020

4. Glossary of Terms

Term	Description

[screentip-sectionB](#)

5. Summary

(Please provide a brief description of proposal / policy / service being assessed)

The Nottingham City Hate Crime Strategy sets out the City's partnership approach to hate crime. It outlines the context and scale of the issue locally, both in terms of numbers but also taking into account what it means for people's lives and how it affects different communities. This strategy takes a 360 degree approach to dealing with hate, organised in the five themes of the UK Government's National Action Plan on Hate:

- Preventing hate crime by dealing with the beliefs and attitudes that can lead to hate crime
- Responding to hate crime in our communities with the aim of reducing the number of hate crimes and incidents
- Increasing the reporting of hate crime.
- Improving support for the victims of hate crime
- Building our understanding of hate crime

The strategy document is accessible here: http://www.nottinghamtogether.com/wp-content/uploads/2020/10/10_61_NOTTM-CITY-HATE-CRIME-STRATEGY.pdf

[screentip-sectionC](#)

6. Information used to analyse the effects on equality:

(Please include information about how you have consulted/ have data from the impacted groups)

The strategy has been developed to ensure that all citizens, regardless of their identity, feel safe, welcome and included in Nottingham City and that the Council and partners are fulfilling their responsibilities under the Equality Act to ensure the right to safety. In developing this strategy, extensive consultation has taken place with communities of different backgrounds and identities to identify concerns and gaps and this is reflected within the strategy and delivery plan. Detail of consultation is outlined.

Stage 1: Consultation to develop approach and produce hate crime strategy (2017 – 2019)

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Activity/Event	Objectives	Stakeholders Engaged
Discussion at North Locality Team Meeting	Identify issues and actions in Nottingham North	NDOs
Community Protection problem-solving workshop	Bring together expertise and knowledge within CP and involve wider team	Cohesion, Engagement, Neighbourhoods, CDP
Discussions at NAT meetings and meetings with NDOs	Identify local issues and actions	NDOs, local partners and voluntary sector groups
Discussion at Complex Persons Panel	Identify actions on the theme of mental health (identified through RV intelligence analysis)	Colleagues from NCC, healthcare, CP, Victim CARE
Problem-solving workshop at Voluntary Sector Hate Crime Network	Identify solutions to issues and challenges relating to hate crime	Hate crime projects in Nottingham – Victim CARE, Communities Inc, NWC, Nottinghamshire Police, Holocaust Centre, NCH
Discussion at NCC LGBT Network	Identify issues and actions relating to LGBT community	People identifying as LGBT

Discussion at NCC DESN Network	Identify issues and actions for disability hate crime	People identifying as having a disability
Discussion at Social Housing Forum	Identify issues in the housing and neighbourhood context	NCH, NCHA, Metropolitan,
Meetings with transport providers	Identify actions to tackle hate crime on public transport	NCT, NET
Survey at BME Network Conference	Identify level of knowledge and of processes	NCC staff
Voluntary Sector Hate Crime Consultation	Engage voluntary sector projects not currently working on hate crime and widen consultation	Community and voluntary sector organisations and projects
Group discussion with Arab women	Identify issues and concerns for Arab women and provide opportunity to feed into the Plan	Muslim women from Arab backgrounds
Visit to Nottingham Liberal Synagogue	Identify issues, concerns and possible solutions	Jewish community
Individual meetings	Identify issues and actions, engage wide range of partners in the development of the Plan, ensure Plan and Strategy reflect needs and priorities of communities	Partners, groups and community representatives across all strands of hate crime
Problem-solving workshop in Nottingham North – ‘Building Stronger Communities’	Identify actions to tackle hate crime in the North of the city and to reduce repeat victimisation Engage with communities and groups in the North	Community groups, professionals, residents and volunteers from Aspley, Bulwell, Bulwell Forest, Leen Valley, Basford

5.4 Stage 2: Consultation on draft Hate Crime Strategy and Delivery Plan (2019 – 2020)

11 June 2020	Labour Group	Councillors
6 July 2020	Nottingham Together Board	Community groups and representatives

8 July 2020	Hate Crime Vol Sector Network	Organisations working specifically on hate crime
20 August 2020	Task & Finish Group #1	Partners and stakeholders from across sectors
26 August 2020	Cllrs BAME Working Group	BAME councillors
1 September 2020	Nottingham Together Board	Community groups and representatives
7 September 2020	Equality Board	Council officers and councillors
7 October 2020	Overview & Scrutiny Committee	Councillors
21 September 2020	CDP Board	Partners
23 September 2020	Task & Finish Group #2	Partners and stakeholders from across sectors
26 November 2020	Faith leaders	Faith representatives

7. Impacts and Actions:

screentip-sectionD	Could particularly benefit X	May adversely impact X
People from different ethnic groups.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Men	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Women	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Trans	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disabled people or carers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy/ Maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>
People of different faiths/ beliefs and those with none.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Lesbian, gay or bisexual people.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Older	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Younger	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other (e.g. marriage/ civil partnership, looked after children, cohesion/ good relations, vulnerable children/ adults). <i>Please underline the group(s) /issue more adversely affected or which benefits.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 4/10</p> <p>How different groups could be affected (Summary of impacts)</p> <p style="text-align: right;"><u>screeentip-sectionE</u></p>	<p style="text-align: right;"><u>screeentip-sectionF</u></p> <p>Details of actions to mitigate, remove or justify negative impact or increase positive impact (or why action isn't possible)</p>
<p>The approach and actions proposed in the strategy are targeted at reducing prejudice, increasing cohesion and ensuring that everyone is treated fairly regardless of their identity. It includes proposals to promote interaction between different groups, to enable a diverse range of education activities, to ensure that all citizens receive a response from public services that takes into account their identity and their needs and that staff are trained to be able to do so, to raise awareness about support available to people from different groups and to promote a no tolerance</p>	<p>Positive action will be increased through the strand specific approach outlined in the document</p>

approach to hate or prejudice of any kind in Nottingham.

The strategy proposes a strand specific approach to delivery – meaning that each action will be delivered recognising the different needs of different groups and consulting with them in order to deliver.

It has also been adapted as a result of Covid to reflect the changes in trend and the concerns raised by communities e.g. in response to the increase in hate targeted at East Asian/South East Asian communities.

The groups the above approach will cover will include:

- people of all genders from different ethnic groups and backgrounds
- people of all genders different faiths or no faith
- people of all genders with disabilities including mental health
- women
- LGBTQ+ people of all genders
- Carers of all genders
- young people of all genders
- people identifying as goths or with other alternative cultures
- refugees and asylum seekers


8. Arrangements for future monitoring of equality impact of this proposal / policy / service:

The Strategy is accompanied by a Delivery Plan which will be monitored by the Hate Crime and Cohesion Board, with scrutiny from the Hate Crime Voluntary Sector Network

9. Outcome(s) of equality impact assessment:

<input checked="" type="checkbox"/>	No major change needed	<input type="checkbox"/>	Adjust the policy/proposal
<input type="checkbox"/>	Adverse impact but continue	<input type="checkbox"/>	Stop and remove the policy/proposal

10. Approved by (manager signature) and Date sent to equality team for publishing:

Approving Manager: Amy Goulden Senior Community Cohesion Manager Amy.goulden@nottinghamcity.gov.uk	Date sent for advice: 18 th December 2020 Send document or Link to: equalities@nottinghamcity.gov.uk
Approving Manager Signature: 	Date of final approval:

Before you send your EIA to the Equality and Employability Team for advice, have you:

1. Read the guidance and good practice EIA's
<http://intranet.nottinghamcity.gov.uk/media/1924/simple-guide-to-eia.doc>
2. Clearly summarised your proposal/ policy/ service to be assessed.
3. Hyperlinked to the appropriate documents.
4. Written in clear user-friendly language, free from all jargon (spelling out acronyms).

5. Included appropriate data.
6. Consulted the relevant groups or citizens or stated clearly, when this is going to happen.
7. Clearly cross-referenced your impacts with SMART actions.

PLEASE NOTE: FINAL VERSION MUST BE SENT TO EQUALITIES OTHERWISE RECORDS WILL REMAIN INCOMPLETE.

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