

Agenda



AGENDA for a meeting of the CABINET in COMMITTEE ROOM B, County Hall, Hertford on MONDAY, 23 APRIL 2018 AT 2.00PM

MEMBERS OF THE CABINET (Executive responsibilities are as indicated).

(Quorum = 3)

D A Ashley	Environment, Planning & Transport
T L F Douris	Education, Libraries & Localism
T C Heritage	Children's Services
T W Hone	Community Safety & Waste Management
R M Roberts	Public Health, Prevention & Performance
R Sangster	Highways
J D Williams	Leader of the Council and portfolio holder for Resources, Property & the Economy
C B Wyatt-Lowe	Adult Care & Health

AGENDA

Meetings of the Cabinet are open to the public (this includes the press) and attendance is welcomed. However, there may be occasions when the public are excluded from the meeting for particular items of business. Any such items are taken at the end of the public part of the meeting and are listed under "Part II ('closed') agenda".

The Committee Room is fitted with an audio system to assist those with hearing impairment. Anyone who wishes to use this should contact main (front) reception.

Members are reminded that all equalities implications and equalities impact assessments undertaken in relation to any matter on this agenda must be rigorously considered prior to any decision being reached on that matter.

Members are reminded that:

- (1) if they consider that they have a Disclosable Pecuniary Interest in any matter to be considered at the meeting they must declare that interest and must not participate in or vote on that matter unless a dispensation has been granted by the Standards Committee;
- (2) if they consider that they have a Declarable Interest (as defined in paragraph 5.3 of the Code of Conduct for Members) in any matter to be considered at the meeting they must declare the existence and nature of that interest. If a member has a Declarable Interest they should consider whether they should participate in consideration and vote on the matter.

Agenda Pack 1 of 167

PART I (PUBLIC) AGENDA

1. MINUTES

To confirm the Minutes of the Cabinet meeting held on 19 March 2018 (attached).

2. QUESTIONS FROM MEMBERS OF THE COUNCIL TO EXECUTIVE MEMBERS

To deal with any questions directed to the Leader of the Council and Executive Members. All such questions shall have been notified to the Chief Legal Officer at least 5 clear days before the meeting.

Questions will be answered at the meeting in the order in which notice was received. At the end of each reply the questioner may ask one supplementary question to the person to whom the original question was put, who may reply orally or may undertake to reply in writing within 7 days.

The period allocated to questions shall not exceed 15 minutes. Any remaining after that period has elapsed shall be answered in writing within 7 days.

[No questions had been received at the time of agenda despatch.]

3. PUBLIC PETITIONS

The opportunity for any member of the public, being resident in Hertfordshire, to present a petition relating only to a matter on the Cabinet Agenda which has not been considered by a Cabinet Panel and which contains 250 or more signatories who are either resident in or who work in Hertfordshire.

If you have any queries about the petitions procedure for this meeting please contact Deborah Jeffery, Assistant Democratic Services Manager, by telephone on (01992) 555563 or by email to deborah.jeffery@hertfordshire.gov.uk.

4. 'INSPIRING LIBRARIES' – DELIVERING THE NEXT PHASE

[Forward Plan Ref: A011/18]

Report of the Director of Resources

5. ADDITIONAL SCHOOL PLACES - BELSWAINS PRIMARY SCHOOL, HEMEL HEMPSTEAD AND ST PETER'S PRIMARY SCHOOL, ST ALBANS

[Forward Plan Ref: A017/18]

Report of the Director of Children's Services

Local Members: Tina Howard (Hemel Hempstead South East); Sandy Walkington (St. Albans South); William Wyatt-Lowe (Hemel Hempstead Town); Chris White (St. Albans Central); Anthony Rowlands (St. Albans East)

6. FUTURE OF TOWER PRIMARY SCHOOL, WARE

[Forward Plan Ref: A019/18]

Report of the Director of Children's Services

Local Member: David Andrews (Ware North)

**PART II ('CLOSED') AGENDA
EXCLUSION OF PRESS AND PUBLIC**

Part II business has been notified and the procedures set out in the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 have been complied with. The Chairman will move:-

"That under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item/s of business on the grounds that it/they involve/s the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the said Act and the public interest in maintaining the exemption outweighs the public interest in disclosing the information."

If you require further information about this agenda please contact Deborah Jeffery, Democratic and Statutory Services on telephone no. (01992) 555563 or email deborah.jeffery@hertfordshire.gov.uk

Agenda documents are also available on the internet at <https://cmis.hertfordshire.gov.uk/hertfordshire/Calendarofcouncilmeetings.aspx>

1. FUTURE OF TOWER PRIMARY SCHOOL, WARE

[Forward Plan Ref: A019/18]

Report of the Director of Children's Services

Local Member: David Andrews (Ware North)

**KATHRYN PETTITT
CHIEF LEGAL OFFICER**

Minutes



To: All Members of the Cabinet,
Chief Executive, Chief Officers

From: Legal, Democratic & Statutory Services
Ask for: Deborah Jeffery
Ext: 25563

CABINET 19 MARCH 2018

ATTENDANCE

MEMBERS OF THE CABINET

D A Ashley, T L F Douris, T C Heritage, T W Hone, R M Roberts, R Sangster, J D Williams
(Leader of the Council), C B Wyatt-Lowe

Other Members in Attendance

D Andrews, N Bell, P Bibby, J Billing, M D M Muir, C B Woodward

Upon consideration of the agenda for the Cabinet meeting on 19 March 2018 as
circulated, copy annexed, conclusions were reached and are recorded below:

*Note: No conflicts of interest were declared by any member of the Cabinet in relation to the
matters on which decisions were reached at this meeting.*

PART I ('OPEN') BUSINESS

1. MINUTES

- 1.1 The Minutes of the Cabinet meeting held on 19 February 2018 were confirmed
as a correct record and signed by the Chairman.

2. QUESTIONS FROM MEMBERS OF THE COUNCIL TO EXECUTIVE MEMBERS

- 2.1 There were no questions from Members of the Council to Executive Members.

CHAIRMAN'S INITIALS

.....

3. PUBLIC PETITIONS

- 3.1 There were no public petitions.

4. 15 YEARS: FUTURE DIRECTION & STRATEGIC DIRECTION FOR ADULT SOCIAL CARE IN HERTFORDSHIRE

[Forward Plan Ref: A019/17]

Decision

- 4.1 Cabinet agreed the Fifteen Year Direction for Adult Care Services as outlined in Appendix A, attached to the report.

Reasons for the decision

- 4.2 The Fifteen Year Direction document sets out the ambition for the future, to guide the development and transformation of our services for all the people the Council support. The document sets a future course of travel for adult social care which will increasingly see the service involved in supporting significantly more people than at present, with a role less focussed on direct service provision and more on the infrastructure that supports people to remain well and independent and continue the evolution towards a role of provider of information and advice, commissioner, regulator and emergency safety net.
- 4.3 Cabinet considered the above in reaching its decision, together with the responses to the consultation exercises; the financial implications; the equalities implications; and the recommendations of the Adult Care & Health Cabinet Panel.

Any alternative options considered and rejected

None.

5. AMENDMENT TO CHARGING POLICY FOR COMMUNITY-BASED ADULT SOCIAL CARE

Decision

- 5.1 Cabinet:
- i) agreed to revise the charging policy agreed on 22 January 2018 and remove the requirement to include the Higher Rate of Attendance Allowance and Disability Living Allowance where people receive care to meet night time needs, when determining how much a person can afford to pay towards their cost of care; and

- ii) agreed that the Director of Adult Care Services be authorised to make the amendments necessary to the charging policy to give effect to Cabinet's decision outlined in i) above.

Reasons for the decision

- 5.2 On 19 February 2018, Cabinet considered the Integrated Plan for 2018/19 which included the budgetary implications of the charging policy amendments. Cabinet made a recommendation that the adult care services budget be increased by £310k, equivalent to the amount estimated to be generated by the proposal to include higher rates of Attendance Allowance (AA) and Disability Living Allowance (DLA) in financial assessments for people with night time care and support needs that are being met by the Council.
- 5.3 In the light of its recommendation, Cabinet requested that a report be brought to its meeting in March 2018 to formally consider a proposal to further amend the charging policy for community based adult social care services, removing the requirement to include higher rates of AA and DLA when assessing the financial contribution that people with night time care and support needs can afford to pay.
- 5.4 In reaching its decision, Cabinet considered the above, together with the financial implications; the equalities implications; and the recommendations of the Adult Care & Health Cabinet Panel.

Any alternative options considered and rejected

None.

7. HIGHWAYS INTEGRATED WORKS PROGRAMME & PROCUREMENT ROUTES 2018/2019

[Forward Plan Ref: A089/17]

Decision

- 6.1 Cabinet:
 - (i) adopted the proposed Final Integrated Works Programme as Hertfordshire's highway works programme for 2018/19, as set out in appendices A and B to the report; and
 - (ii) noted the 2019/20 Forward Works Programme, as set out in Appendix C to the report, as the basis for development of the 2019/20 Highways Integrated Works Programme.

Reasons for the decision

- 6.2 The IWP and FWP have been developed over the past year to deliver key targets for the maintenance and improvement of the highway network. They

have been developed as part of the annual process and in line with the County Council's Transport Asset Management Plan (TAMP) and the Local Transport Plan (LTP).

- 6.3 In reaching its decision, Cabinet considered the above, together with the financial implications; the equalities implications; and the recommendations of the Highways Cabinet Panel.

Any alternative options considered and rejected

None.

7. PROVISION OF A SUSTAINABLE HOUSEHOLD WASTE RECYCLING SERVICE

[Forward Plan Ref: A010/18]

Decision

- 7.1 Cabinet agreed that all 3 options in Appendix 3 to the report should be considered further and requests that the Chief Executive and Director of Environment brings a paper back to Cabinet Panel and then Cabinet setting out the details of this/these options (including but not limited to how the option(s) would be implemented, the impacts of taking forward the option(s), equality impacts assessments and proposals for public consultation).

Reasons for the decision

- 7.2 Household Waste Recycling Centres (HWRCs) are provided by Hertfordshire County Council as the Waste Disposal Authority (WDA) under Section 51 of the Environmental Protection Act 1990. It is a statutory requirement to provide places within the county for use by residents to dispose of their own household waste.
- 7.3 The HWRC contract with Amey is comparably high performing and low cost, however, increased pressure is being experienced by increased visitor numbers, aging facilities and market conditions that are proving a disincentive to the contractor which represents a risk to the council's budget position and service delivery.
- 7.4 In order to achieve a more sustainable HWRC network for the future, targeted savings and/or income options have been developed to both ease pressure on the Council and provide a basis for the contractor to continue performing at a high level. In developing these options, this report outlines the Council's obligations under current legislation and explores the possibilities for the implementation of future policies that, for example, provide cost recovery in the same way as a district or borough council may seek to recover the costs of their garden waste collection services.
- 7.5 In reaching its decision, Cabinet considered the above, together with the

legislation information provided within the report; the data analysis; the financial implications; the equalities implications; and the recommendations of the Community Safety & Waste Management Cabinet Panel.

Any alternative options considered and rejected

None.

8. CHANGES TO THE COUNTY COUNCIL'S CONSTITUTION

Decision

8.1 Cabinet recommended to County Council that:

- (a) Standing Order 8 (Questions) for Council Meetings of Annex 6 to the Constitution be amended as set out in the Appendix to the Report and incorporated into the County Council's Constitution;
- (b) Subject to Council agreeing the Programme of Meetings September 2018-July 2019 which is being presented to Council at its meeting on 27 March 2018 Standing Order 1(2) of Annex 6 to the Constitution be varied for 2019 by deleting the words 'not during half term';
- (c) the Chief Legal Officer be authorised to make any consequential amendments as may be necessary to the Constitution to give effect to the decisions at (a) and (b) above.

Reasons for the decision

8.2 Amendments are proposed to Standing Order 8 of Annex 6 to the Constitution (Standing Orders for Council Meetings) relating to the time allowed for Questions to Executive Members so that one complete rotation of questions to the Leader of the Council and all members of the Executive can take place prior to the expiry of Executive Member question time. These amendments are being proposed following the meeting of Council in February 2018 where Executive Member question time finished prior to questions being asked to all members of the Executive.

8.3 Attached to the Report is an Appendix setting out revisions to Standing Order 8(1) to (8) of Annex 6 to the Constitution to cover the changes to Executive Member question time mentioned in 2.1. The substantive revisions to the current version of Standing Orders for Council Meetings appear in bold italics.

8.4 Standing Order 1(2) of Annex 6 to the Constitution provides that the February meeting of Council should be on a weekday not during half-term, to be determined by the Council. The Programme of Meetings September 2018-July 2019 which is being presented to Council at its meeting on 27 March 2018 proposes that the meeting of Council in February 2019 should be held on 19

February which is during half term. Council, therefore, will need to vary Standing Order 1(2) to allow for this meeting to be held during half term.

- 8.5 The Constitution provides that changes to standing orders for Council can only be varied or revoked after consideration of a report from Cabinet.
- 8.6 Cabinet considered the above in reaching its decision. Full Council will consider Cabinet's recommendation at its meeting on 27 March 2018.

Any alternative options considered and rejected

None.

**9. HERTFORDSHIRE COUNTY COUNCIL –
APPOINTMENT OF JOINT VENTURE PROPERTY DEVELOPMENT
PARTNER**

[Forward Plan Ref: A014/18]

- 9.1 Prior to the meeting, a revised Appendix 4 had been circulated to Members; and an Addendum to the Report.
- 9.2 Discussion took place on this item in Part I.

**10. PROPOSED ACQUISITION OF LAND TO THE SOUTH OF BYGRAVE
ROAD, BALDOCK**

[Forward Plan Ref: A002/18]

- 10.1 Discussion took place on this item in Part I.

**11. PART II ('CLOSED') AGENDA
EXCLUSION OF PRESS AND PUBLIC**

- 11.1 Cabinet then decided to move into Part II ('closed' session') and passed the decision at paragraph 11.2 below.
- 11.2 That under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the said Act and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 11.3 Following discussion on the Part II Reports on the items referred to at 9 and 10 above and Recommendations, Cabinet moved back into Part I (open session) and considered the Part I Recommendations and made the decisions at 12.1 and 13.1 below.

**12. HERTFORDSHIRE COUNTY COUNCIL –
APPOINTMENT OF JOINT VENTURE PROPERTY DEVELOPMENT
PARTNER**

[Forward Plan Ref: A014/18]

Decision

12.1 Cabinet:

- i. authorised the award of contract to DevCo as a wholly owned subsidiary company of the Preferred Bidder subject to a Parent Company Guarantee from the Preferred Bidder, in accordance with the procurement process, that leads to the formalisation of the partnership between Herts Living Limited and the Preferred Bidder, subject to the award of the contract not occurring until full Council has agreed the recommendation referred to in xi below.
- ii. approved the delegation matrix for Herts Living Limited, as set out in Appendix 2, and notes that any changes to the Delegations Matrix will be in accordance with the delegations set out within that document.
- iii. approved the amended Articles of Association for Herts Living Limited, as set out in Appendix 3.
- iv. approved the County Council entering into the Initial Sites Option Agreement between the County Council, Herts Living Limited and the Joint Venture LLP (as detailed in section 12 of the report) the terms of such documents to be agreed by the Director of Resources, in consultation with the Leader of the Council (as responsible for the Resources, Performance & the Economy portfolio).
- v. authorised the Director of Resources, in consultation with the Leader of the Council (as responsible for the Resources, Performance & the Economy portfolio) to finalise all arrangements, to make any other decisions as are necessary and agree other documents (including the Parent Company Guarantee from the Preferred Bidder) necessary for the County Council to conclude the arrangements in the Recommendation 3.1.1.i
- vi. confirmed that the Director of Resources has authority to act as the shareholder representative for the County Council regarding Herts Living Limited, and has authority to authorise the Directors of Herts Living Limited to enter into a contract and create the Joint

Venture partnership with DevCo as a wholly owned subsidiary company of the Preferred Bidder, including all the required legal documents and such other documents required to enable the setting up of the Joint Venture partnership (as detailed in section 12 of the report).

- vii. delegated to the Director of Resources in consultation with the Leader of the Council (as responsible for the Resources, Performance & the Economy portfolio), as representative shareholder for County Council authority to formalise the composition and structure of the HLL Member Advisory Group.
- viii. noted the proposed corporate structure of the Joint Venture Partnership and the routes (set out in section 6 of this report) of how the County Council will transfer land for development to Herts Living Limited or the Joint Venture Partnership, and delegated to the Director of Resources in consultation with the Leader of the Council (as responsible for the Resources, Performance & the Economy portfolio), authority to implement the corporate structure of the Joint Venture Partnership and to utilise the routes for investment and the transfer of land for development to Herts Living Limited or the Joint Venture Partnership, (subject to such land being determined as surplus to requirements in accordance with the County Councils Constitution and identified by the County Council as available to Herts Living Limited or the Joint Venture Partnership).
- ix. noted that the Director of Resources in consultation with the Leader of the Council (as responsible for the Resources, Performance & the Economy portfolio), will develop with the Managing Director of Herts Living Limited the required Business Plan for Herts Living Limited, which will be presented to Cabinet at a later date to agree the terms.
- x. delegated to the Director of Resources in consultation with the Leader of the Council (as responsible for the Resources, Performance & the Economy portfolio), authority to agree and provide a loan to Herts Living Limited in the sum of £325,000, on terms that are acceptable to the Director of Resources in consultation with the Chief Legal Officer with regards the legal documentation required.
- xi. recommended that full Council approve a limit of £50m for non-treasury investments to cover the arrangements required in accordance with the routes for investment and land transfer (set

out in section 6), as required by Ministry of Housing Communities & Local Government statutory guidelines and to be included in a revised Investment or Treasury Management Strategy.

- xii. delegated (subject to full Council agreeing to recommendation xi) authority to the Director of Resources in consultation with the Leader of the Council (as responsible for the Resources, Performance & the Economy portfolio), to agree and provide loans to Herts Living Limited to fund the purchase of equity in the Joint Venture on terms that are acceptable to the Director of Resources in consultation with the Chief Legal Officer with regards to the legal documentation required.
- xiii. having considered the matters set out in the Part 1 & Part 2 reports, authorised the selection of the preferred bidder (as agreed in the Part II business).

Reasons for the decision

- 12.2 Cabinet has previously considered reports relating to this matter, on 13 March 2017, 10 July 2017 and 18 December 2017, and approved the process through which the Council have selected the Preferred Bidder in line with an EU compliant procurement process and also agreed the creation of Herts Living Limited (HLL).
- 12.3 The report summarises the final stage of the Preferred Bidder process to confirm the detail of the offer and contractual terms, specifically the corporate structure of the Joint Venture (JV) partnership between the DevCo, the Preferred Bidder and HLL. It also seeks approval to award the contract to the DevCo as a wholly owned subsidiary company of the Preferred Bidder and agreement for the proposed Articles of Association and Delegations Matrix for HLL.
- 12.4 Cabinet considered the above, together with the Part II Report, the legal structure, the financial implications set out in the Part II Report, the risks referred to in both the Part I & II Reports and the recommendations of the Resources, Property and the Economy Cabinet Panel in reaching its decisions.

Any alternative options considered and rejected

None.

13. PROPOSED ACQUISITION OF LAND TO THE SOUTH OF BYGRAVE ROAD, BALDOCK

[Forward Plan Ref: A002/18]

Decision

13.1 Cabinet:

- (i) authorised acquisition of the freehold interest in the Land to the south of Bygrave Road, Baldock, as is shown on the Title Plan HD349670 attached at Appendix A to the Report;
- (ii) delegated to the Director of Resources authority to agree the terms of the acquisition, in consultation with the Leader of the Council (as responsible for the Resources, Property and the Economy portfolio); and
- (iii) authorised capital funding for the acquisition and subsequent overage from the Invest to Transform Capital Spend to Achieve reserve.

Reasons for the decision

- 13.2 The County Council owns a large area of land to the North and East of Baldock which is held for the purposes of the Rural Estate and currently the subject of several agricultural tenancies. This land has been subject of a Local Plan allocation for a large urban extension as a result of the Call for Sites from North Herts District Council (NHDC) within their Local Plan (which is currently undergoing Examination in Public).
- 13.3 NHDC will require a level of investment in local infrastructure; this will include works to improve access to the railway station and the town centre. Acquisition of this parcel of land will aid in the delivery of a choice of economically viable access routes adjacent to the railway line.
- 13.4 In reaching its decision, Cabinet considered the above, together with the Part II report, the financial implications; the equalities implications; and the recommendations of the Resources, Property and the Economy Cabinet Panel.

Any alternative options considered and rejected

None.

**KATHRYN PETTITT
CHIEF LEGAL OFFICER**

CHAIRMAN_____

10

**CHAIRMAN'S
INITIALS**

Agenda Pack 14 of 167

.....

HERTFORDSHIRE COUNTY COUNCIL

CABINET

MONDAY, 23 APRIL 2018 AT 2.00PM

‘INSPIRING LIBRARIES’ – DELIVERING THE NEXT PHASE

Report of the Director of Resources

Agenda Item
No.

4

Author: Andrew Bignell – Head of Libraries and Heritage Services
(Tel: 01707 281559)

Executive Member: Terry Douris (Education, Libraries and Localism)

1. Purpose of report

- 1.1 To present the results of work undertaken to explore the case for adopting an alternative delivery model for Hertfordshire Libraries as the best means of delivering the ambitions of the ‘Inspiring Libraries’ strategy and achieving budget savings.

2. Summary

- 2.1 The [Inspiring Libraries](#) strategy is an innovative and ambitious programme, designed to ensure that Hertfordshire continues to be a leading library authority, providing high quality library services to meet the changing demands of the next decade.
- 2.2 In November 2017, [Cabinet](#) agreed the ambitions and priorities for the next phase of the ‘Inspiring Libraries’ strategy from 2018-2021, and asked for exploratory work to be undertaken to consider whether an alternative delivery model for Hertfordshire Libraries would be the best way to achieve these ambitions.
- 2.3 A multi-disciplinary project group has been convened, and a successful application has been made to the Department of Digital, Culture, Media and Sport (DCMS) Mutuels Support Programme to provide independent support and advice.
- 2.4 An initial options appraisal identified a Public Service Mutual, as the most appropriate alternative model for the delivery of library services.
- 2.5 A public consultation exercise in January and February indicates a high level of public support for the ‘Inspiring Libraries’ ambitions. The results show a range of views on the proposal to create an alternative delivery model. 30.9% broadly supported the proposal; 41.7% broadly opposed it, but the large number (27.4%) who expressed no preference meant there was no clear majority for or against. The principal concern for most respondents was maintaining the quality of the library service. Those who supported an alternative delivery model strongly favoured a Public Service Mutual as the preferred model.

- 2.6 The initial high level financial case for a Public Service Mutual indicates that it could be a financially viable model, and could achieve most, but not all of the £500,000 saving requirement without reductions in services. Maintaining the service 'in-house' would require significant service reductions in order to meet this target.
- 2.7 The Outline Business Case concludes that a Public Service Mutual is the model offering the greatest scope to continue to deliver an affordable, sustainable and responsive public library service to Hertfordshire residents now and in the future. However, more work is required to test this conclusion in a Full Business Case.
- 2.8 Although the County Council has not had experience in setting up a Public Service Mutual, it has a good track record in the successful development and implementation of alternative delivery vehicles tailored to meet the needs of particular services, such as Herts for Learning (HfL) and Hertfordshire Catering Limited (HCL).

3. Recommendation

- 3.1 The Education, Libraries & Localism Cabinet Panel will consider a report on this item of business at its meeting on 17 April 2018. The Panel will be invited to recommend to Cabinet that Cabinet:
- i. endorses the Outline Business Case, attached at Appendix A to the report, which has identified that the County Council should adopt a Public Service Mutual as the preferred model for the future delivery of library services, subject to the agreement of a detailed Business Case.
 - ii. delegates to the Director of Resources to proceed to developing the Full Business Case and detailed Business Plan to support the setting up of a Public Service Mutual for approval by Cabinet in the autumn of 2018.
- 3.2 The Panel's recommendations to Cabinet will be reported orally at the Cabinet meeting and circulated to Members in the Order of Business sheet.

4. Background – Inspiring Libraries Strategy

- 4.1 '[Inspiring Libraries](#): a new strategy for Hertfordshire Library Service 2014-2024' was adopted by Cabinet on 14 July 2014, following an extensive public consultation, to set the vision and direction for the service over the next ten years, and provide a framework for future decisions about service priorities. The vision that informed the strategy is set out in 4.2 below.

4.2

Inspiring Libraries Vision and Values

Our vision is to create inspiring library services that enable Hertfordshire citizens to enrich their lives.

- Hertfordshire Libraries will enable individuals to access knowledge, information and cultural resources for themselves, and provide support for those who may

need more help.

- Hertfordshire Libraries will provide safe spaces (both physical and virtual) where anyone can go, without judgement, to read, to borrow, to learn, to access information and online resources.
- Hertfordshire Libraries will enrich communities by fostering local culture and heritage, and providing opportunities for citizens to participate actively in community life.

4.3 The strategy focussed on three main themes:

- The library as a vibrant community asset
- The digital library
- The library as an enhanced gateway to reading, information and wellbeing

4.4 These themes were designed to ensure that the library service remained relevant to changing community needs and customer demands, and sustainable within a reducing local government budget. It set the following goals for the service in 2024:

- to have a network of libraries that are valued local assets at the very heart of the communities they serve.
- to attract more visitors (physical, virtual and outreach).
- to be open to residents for longer hours.
- to cost the taxpayer less.

4.5 Over the last three years, the implementation of the strategy has led to significant changes in the library service. Savings have been made in the revenue budget, but continuing investment in library buildings and technology has ensured that the service is equipped to meet future demands.

4.6 Usage statistics during this period indicate that the library service continues to be popular with Hertfordshire residents, with the total number of library visits (physical and online) increasing by 11.8% since 2014.

Figures in thousands

	2013/14	2014/15	2015/16	2016/17	2017/18 Projected
Physical visits	3,832	3,842	3,665	3,574	3,551
Online visits	1,279	1,549	2,045	2,055	2,162
Total Visits	5,111	5,391	5,710	5,629	5,713

Online Library visits include visits to the Libraries website, the library catalogue and online functions, the e-Library and the Online Reference Library.

Hertfordshire Libraries have a strong record of service delivery, and are signed up to all six of the Society of Chief Librarians' [Universal Public Library Offers](#) - Reading, Information, Digital, Health, Learning and Culture.

- 4.7 The Inspiring Libraries strategy supports all four of the ambitions of Hertfordshire's [Corporate Plan 2017-2021](#), offering residents opportunities to thrive, to prosper, to stay healthy and safe, and to participate in the life of their communities.
- 4.8 'Inspiring Libraries' also supports the 'prevention' agenda, enabling citizens to improve and enrich their lives through reading, learning, access to information and technology, and participation in community life, thus reducing dependence on expensive public sector support.
- 4.9 In November 2017, [Cabinet](#) agreed the following ambitions and priorities for the next phase of the 'Inspiring Libraries' Strategy from 2018-21:
- **Improving library buildings** – continuing the programme of improving Hertfordshire library buildings to ensure that they are bright, attractive, welcoming, flexible, tech-enabled spaces in convenient locations.
 - **Extending access to library services** - seeking opportunities to extend self-service access to libraries by rolling out swipe-card access and supported self-service initiatives.
 - **Developing technology** - continuing to invest in the development of technology to improve service delivery, to support digital inclusion, and to empower citizens.
 - **Maintaining service delivery** - continuing to deliver high quality services to contribute to the seven key social outcomes identified in [Libraries Deliver: Ambition for Public Libraries in England 2016-2021](#), published by the Department for Digital, Culture, Media and Sport (DCMS) in December 2016. This will be achieved through a workforce of skilled and trained library staff, supported, where appropriate by volunteers from the local community.
- 4.10 At the same time, ongoing pressures on the County Council budget mean that the library service is now required to make a further reduction of £500,000 in the annual revenue budget by 2019/20, over and above the £2.5 million in revenue savings already identified from the original 'Inspiring Libraries' proposals.
- 4.11 The requirement to save a further £500,000 means that, without a change in the way the service is delivered, the County Council would be forced to contemplate service reductions - library closures, reduced opening hours, and further reductions in staffing and the materials fund. This would certainly lead to a decline in usage, and make it difficult to deliver the 'Inspiring Libraries' ambitions.
- 4.12 Looking further ahead, the financial pressure on the County Council budget seems certain to continue, and the focus is likely to be concentrated on higher risk areas, such as social care and development, which could leave limited capacity to invest in the development of well-regarded, but lower risk services, such as public libraries.

5. **An alternative delivery model**

- 5.1 When proposals for '[Delivering the Inspiring Libraries Strategy](#)' were agreed in September 2014, the paper included the provision that *"the service will also consider the best operating models to deliver the strategy within a reduced budget."*
- 5.2 The national 'Libraries Deliver' document challenges local authorities *"to explore alternative forms of delivery and financing for library services before making any reductions in library services"*

5.3 In November 2017, [Cabinet](#) agreed that:

- A multi-disciplinary working group should be established to further explore the business case for establishing an alternative delivery model for Hertfordshire Libraries, including representatives from Legal Services, Finance and HR.
- An application should be made to the Department for Digital, Culture, Media and Sport (“DCMS”) Mutuels Team for professional support and advice to inform this work.
- A consultation document should be published on the principle of creating an alternative delivery model for Hertfordshire Libraries in order to seek feedback on the idea from customers, partners, stakeholders, library staff and volunteers.
- This work should inform a further paper to be presented to Panel and to Cabinet in the spring of 2018.

6. Project group – methodology

- 6.1 A multi-disciplinary project group was established in December 2017, chaired by the Assistant Director – Customer Service and Libraries and supported by the County Council’s Improvement Team. The group includes representation from Finance, HR, Legal Services, Property and Technology in addition to the Library Service.
- 6.2 The group set about exploring the business case for an alternative delivery model, following the methodology set out in the DCMS [Alternative Delivery Models Toolkit](#). This includes examples from three county councils, whose library service structure is similar to Hertfordshire, which have successfully implemented alternative delivery models – Devon, Nottinghamshire and Suffolk.
- 6.3 An Outline Business Case has been produced to set out the rationale for adopting an alternative delivery model for library services. It includes an options appraisal, a high level financial case, consideration of the technical features of an alternative delivery model, and a risk register. This Outline Business Case is attached at Appendix A.

7. DCMS Mutuels Support Programme

- 7.1 An application was made to the revised DCMS [Mutuels Support Programme](#), when this was relaunched at the beginning of January 2018. Following an assessment process, we were informed in February that this application had been successful, and we have agreed an initial Support Plan with independent consultants Mutual Ventures (who were appointed and commissioned by DCMS to deliver DCMS’s Mutual Support Programme and made available to County Council via the DCMS framework).
- 7.2 Mutual Ventures have provided an independent quality check of the options appraisal work and the Outline Business Case. If it is agreed by Cabinet to endorse the Outline Business Plan to adopt a Public Service Mutual as the preferred delivery

model for Hertfordshire Libraries, then Mutual Ventures will provide support and advice to draw up a detailed business case and implementation plan.

- 7.3 Whilst support during the Options Appraisal stage is financed by the DCMS, if it is decided that we should go ahead with the development of a Public Service Mutual, then the County Council is expected to contribute 25% in cash matched funding for this independent support. This match funding is included within the estimated implementation costs (see section 12.5).

8. Public Consultation

- 8.1 Between 8 January and 18 February 2018, a further public consultation exercise was undertaken to seek feedback on the County Council's ambitions and priorities for the next phase of Inspiring Libraries, and the principle of establishing an alternative delivery model for library services.
- 8.2 The consultation attracted 2060 responses.
- 8.3 The results confirmed the value that residents place on library services, and indicated a strong endorsement of the ambitions of the 'Inspiring Libraries' strategy, with 67.2% of respondents either agreeing or strongly agreeing with these ambitions, as opposed to 13.1% who disagreed or strongly disagreed.
- 8.4 The results reflected a spread of opinion regarding the adoption of an alternative delivery model for library services. More people (41.7%) disagreed with the proposal than agreed with it (30.6%), but the large number who expressed no preference (27.7%) meant that there was no majority either in favour or against the proposal. The principal concern for most respondents was maintaining the quality of the library service, and the model that is best able to achieve this in both the short and the long term is the model that is most likely to win public support.
- 8.5 Most of those who agreed with the alternative delivery model proposal felt that it provided the best way of maintaining library services within a reduced budget. Some felt that it provided positive opportunities for the future development of the service.
- 8.6 Of those who disagreed with the proposal, many expressed opposition to the principle of outsourcing public services and did not want to see any change to the current delivery of library services. Some felt that an alternative delivery model would inevitably lead to a reduction in services, and some challenged the need for any further reductions in the libraries budget. There was particularly strong opposition to the outsourcing of the library service to a private company or profit-making organisation.
- 8.7 A clear majority (53.9%) of those who agreed with the proposal to adopt an alternative delivery model preferred the Public Service Mutual to any of the other models available.
- 8.8 If a Public Service Mutual is identified as the preferred model for the future delivery of library services, then In the next phase of public engagement, it will be important to communicate clearly both the rationale and mechanism for achieving this. In particular, there will be a need to demonstrate that we have listened to concerns

about outsourcing to a profit-making organisation and to reassure library customers that the new model is designed to protect library services rather than to reduce them.

- 8.9 The full report of the public consultation exercise is attached as Appendix B.

9. Staff Consultation

- 9.1 A consultation for Libraries and Heritage Services Staff was undertaken in parallel to the public consultation. 177 members of staff (out of a total of 526 staff) completed the questionnaire.
- 9.2 The results indicate a spread of opinion regarding the adoption of an alternative delivery model for library services. More staff (33%) disagreed with the proposal than agreed with it (25%), but the large number who expressed no preference (42%) meant that there was no majority either in favour or against the proposal.
- 9.3 Most of those who agreed with the alternative delivery model proposal felt that it provided the best way of maintaining library services within a reduced budget. Some felt that it provided positive opportunities for the future development of the service.
- 9.4 Of those who disagreed with the proposal, many were opposed to the principle of outsourcing council services, particularly to private companies or profit making organisations. Others felt that an alternative delivery model would inevitably lead to a reduction in services, or worried about the financial viability of an independent organisation.
- 9.5 Many staff expressed anxieties about reductions in pay and pensions, inferior terms and conditions of employment, and reduced job security in an alternative delivery model.
- 9.6 A clear majority of those who agreed with the proposal to adopt an alternative delivery model preferred the Public Service Mutual option.

10. Options appraisal

- 10.1 The project group considered a range of possible delivery models, which had the potential to meet the needs of the library service:
- Retain the service in-house
 - Outsource to a third party (private company or not-for-profit organisation)
 - Joint Venture (JV) – in partnership with an external provider
 - A company wholly owned by the County Council known as a Local Authority Trading Company (LATC)
 - Public Service Mutual (PSM) – ‘spinning out’ the service into an independent organisation, commissioned by the County Council.
- 10.2 These five options were evaluated against a range of criteria designed to assess desirability, feasibility and viability. The two highest scoring options were then selected as a shortlist for more detailed analysis in the Outline Business Case. These were:

- Preferred Option - Public Service Mutual
- Second Best Option – retain in-house with re-engineering to make savings

11. Anticipated outcomes of a Public Service Mutual (PSM)

- 11.1 Our vision for an alternative delivery model is a model that fulfils the County Council's statutory obligation to provide a 'comprehensive and efficient library service', and to deliver the ambitions of the 'Inspiring Libraries' strategy, while diversifying revenue streams and building a secure base for the development of services to meet future needs. Creation of a PSM is a strong and independent model which would be a bold and positive way forward for Hertfordshire – an expression of confidence in the future of the public library service in challenging times.
- 11.2 If the legal form and constitution of the PSM qualifies it to register for charitable status, then it will enable immediate savings to be made through NDR rate relief, without the need to reduce services. The PSM would also be eligible for grant funding opportunities not available to in-house council services.
- 11.3 A PSM would have a high degree of commercial freedom, allowing it to develop new sources of funding, such as sponsorship, donations, and payment for value added services.
- 11.4 A PSM may be able to work more easily with partners across county borders, enabling growth and potentially bringing efficiencies. For example, Libraries Unlimited (the PSM in Devon) is now delivering library services in Torbay.
- 11.5 A PSM may also be able to diversify by working more easily with partners across the cultural sector. For example, Suffolk Libraries works in partnership with Creative Arts East to use public library space to present digital screenings of arts performances.
- 11.6 Independence from the County Council and a clear focus on libraries may enable the service to be more flexible and responsive to customers, communities and partners while maintaining the public library ethos. Being one step removed from the local government structure may enable quicker decision making, encouraging greater innovation and more rapid response to market opportunities and changes in customer demand.
- 11.7 Depending on its legal form and governance structure, a PSM may provide an opportunity for community stakeholders to have a more direct voice in the development of the service, leading to greater engagement. In the public consultation process, those respondents who supported the proposal for an alternative delivery model clearly identified the PSM as their preferred option.
- 11.8 Similarly, depending on its legal form and governance structure, a PSM may provide an opportunity for library service staff to have a more direct voice in service development, promoting a positive organisational culture, and a greater sense of ownership, confidence and commitment. In the staff consultation process, those respondents who supported the proposal for an alternative delivery model clearly identified the PSM as their preferred option.

Agenda Pack 22 of 167

- 11.9 As a result of the options appraisal, officers view a PSM as the best way to deliver the County Council's ambitions for Hertfordshire Library Service and to secure the outcomes that it provides for Hertfordshire residents.

12. Financial Implications

- 12.1 The key financial issues addressed in the Outline Business Case are:
- The achievement of the £500k savings target for the Library service
 - Long term viability of library service delivery
 - The liabilities remaining with the Council
 - The costs of change
- 12.2 Initial modelling shows that the option to form a Public Service Mutual can achieve most, but not all of the £500k annual savings target in the Integrated Plan (IP) without the need for service reductions.
- 12.3 The table below shows the net financial benefits of a Public Service Mutual over the first five years when compared to the County Council's current financial baseline.

PSM (savings)/costs	2019/20	2020/21	2021/22	2022/23	2023/24
Contract monitoring	15,000	15,000	15,000	15,000	15,000
Loss of NDR	60,835	91,252	91,252	91,252	91,252
HCC savings	-1,450	-1,450	-1,450	-1,450	-1,450
HCC	74,385	104,802	104,802	104,802	104,802
Additional traded income	0	-4,803	-6,820	-8,877	-10,975
Additional grants / commissioned income	0	-30,000	-40,000	-40,000	-40,000
Additional management staffing	104,000	104,000	104,000	104,000	104,000
Traded income - additional costs	0	480	682	888	1,098
Grants / commissioned income - additional costs	0	15,000	20,000	20,000	20,000
Governance costs	10,000	10,000	10,000	10,000	10,000
NDR saving	-608,347	-608,347	-608,347	-608,347	-608,347
PSM	-494,347	-513,669	-520,485	-522,336	-524,225
Total savings (HCC + PSM)	-419,962	-408,867	-415,683	-417,534	-419,423

Notes

- *Contract monitoring – additional cost to monitor the contract once in-house expertise has transferred to new organisation.*
- *Loss of Non Domestic Business Rates (NDR) – the County Council retain a percentage of rates collected so any rates saving achieved by the PSM will be offset by a proportionate loss of income for the County Council. There would also be an impact on NDR income for the District Councils.*
- *Additional management staffing – one full time Finance / Business Manager.*
- *Governance costs – legal and statutory costs of PSM – audit etc.*

- *NDR saving – a charitable organisation is eligible to claim 80% rates relief.*

- 12.4 In order for the new model to deliver the required savings and achieve long term viability the following conditions must be met:
- New model must qualify for charitable status – in order to achieve NDR savings.
 - Future Government changes to NDR retention must not negatively impact on value of the County Councils retention.
 - Additional trading and grant income must be deliverable.
 - The existing budget gap must be closed through the roll-out of the remaining community libraries, and action to reduce the shortfall in the income target.
 - The cost of central support services (finance, HR, legal services, ICT etc.) must at least be cost neutral – more work will be required to apportion central support costs in the final business case.
- 12.5 The costs of transition are currently estimated at around £300,000 based on the experience of other authorities. Further work is required to firm up this estimate, depending on what support is available through the Mutuals Support Programme. An 'Invest to Transform' bid is required to meet these costs.
- 12.6 The County Council will need to consider as part of the full Business Case the payment provisions to the PSM (including any payments in advance of delivery and any reserves the County Council may be required to have).

13. Implementing a Public Service Mutual

- 13.1 Although the County Council has not had experience in setting up a Public Service Mutual, it has a good track record in the successful development and implementation of alternative delivery vehicles tailored to meet the needs of particular services. These include:
- [Hertfordshire Catering Limited](#) – an educational catering company limited by shares wholly owned by the County Council.
 - [Herts for Learning \(HfL\)](#) - the largest not for profit schools' company in the UK with a 19% shareholding by the County Council.
- 13.2 The Outline Business Case gives high level consideration to a number of technical features of 'spinning out' the service into a Public Service Mutual, which will be developed in more detail in the Full Business Case, but include the following:
- 13.2.1 **Governance and accountability** – all the research and learning indicates that form must follow function, so the decision on the specific legal form of the new organisation will not be taken until later in the process. Consideration will need to be given to the composition of the Board, and how to ensure appropriate community involvement, staff involvement, and County Council representation.
- 13.2.2 **Impact on staff** – details of the Transfer of Undertakings (Protection of Employment) Regulations (TUPE) process, pension provision, proposed staff transfer arrangements, and the formal consultation process with staff and Unison.
- 13.2.3 The anticipated **procurement route** for the new organisation – length of contract

and flexibility to extend the contract.

- 13.2.4 **Asset transfer arrangements** relating to property, equipment and other relevant assets (including maintenance responsibilities).
- 13.2.5 **Corporate support services** - Libraries currently pay approximately £2.6 million in central recharges to cover the costs of Corporate Support Services such as HR, Finance, ICT, Legal Services, Corporate Communications etc. These costs will need to be disentangled and apportioned in the Full Business Case.
- 13.2.6 **Contract value and specification**, including contract management arrangements, charging mechanisms, commissioning and quality assurance.
- 13.2.7 **Tax issues**, including implications for VAT and Corporation Tax.
- 13.2.8 **Implementation and transition plan** – including financial and non-financial commitments and the creation of a shadow board.

14. Key issues to be addressed in the Full Business Case

14.1 *Procurement /State Aid:*

Officers of the County Council will consider whether the PSM will be provided with a grant or contract for services and application of the Public Contracts Regulations 2015. In addition, advice will be provided by Legal Services with regard to any State Aid implications, which will form part of the Full Business Case. For information, the other library services that have 'spun out' into Public Service Mutuals, which officers have considered, have done so on the basis of a five-year initial contract, with an option to extend for a further period. The stability of a five-year contract is required to enable a start-up organisation to establish itself, develop partnerships, and build up a track record of efficient service delivery and financial management. In working to identify an appropriate grant, contract for services and potential procurement route, it will be important to consider the period required for a PSM to establish itself. Otherwise it could effectively be set up to fail.

14.2 *Income*

A Public Service Mutual model would offer opportunities for the library service to reduce its reliance on County Council funding by accessing grants, sponsorship and donations, and by delivering services commissioned by other bodies. However, none of this funding is guaranteed. The income projections in the outline business case are deliberately cautious, as there is a risk that the long term financial viability of the service would be threatened by a failure to meet income targets. The mitigation is to work with Mutual Ventures, who have advised other authorities on financial modelling, to provide a more detailed, robust and realistic growth model for the final business case.

14.3 *Central recharges*

Other library services that have 'spun out' into Public Service Mutuals have been able to make savings over time by reviewing administration and support costs. The financial model for a Hertfordshire Libraries PSM has not assumed any savings from central recharges. However, there is a risk to the long term viability of a PSM, if there is not a fair apportionment of central recharges, and the autonomy to explore procuring its own support, where appropriate.

Agenda Pack 25 of 167

14.4 *Future Liabilities*

There is more work to be done to ensure that pension and redundancy liabilities are fairly apportioned, and appropriate transfer arrangements are in place. Otherwise there is a risk that these liabilities would threaten the long term financial viability of the service.

14.5 *Access to Capital*

A Public Service Mutual would require access to the capital bidding process, and to Section 106/CIL funding that is allocated for the improvement of library services in order to support future investment in library buildings and technology. Without such access, there is a risk to the long-term viability of the service.

14.6 *Staff buy-in and skills*

In order to be successful in delivering library services, a new Public Service Mutual would need to retain key library service skills, and also to develop or recruit new skills in financial and business management and fundraising. There is a risk that if a Public Service Mutual cannot create a positive organisational culture, where staff feel a sense of ownership and commitment, then the service will be unable to recruit and retain key skills. The mitigation is to work with Mutual Ventures to identify how staff buy-in has been achieved in other library service mutuals, and to maintain staff engagement throughout the process.

14.7 *Heritage Services*

Some of the Public Service Mutuals delivering library services also deliver archives and heritage services, others do not. If a PSM is adopted as the preferred delivery model for Hertfordshire Libraries, then consideration must be given to the pros and cons of including Heritage Services in this model.

14.8 *Timescale*

The proposed timescale for the project is that Cabinet endorses the Outline Business Case which sets out the preferred model for the service in April 2018. A detailed business plan would then be prepared for Cabinet to consider and agree in the autumn of 2018, with a view to the County Council launching the new model in April 2019. The advice from Mutual Ventures is that this timescale is achievable if all milestones are met, but that it is very tight. There is a risk that unforeseen issues lead to a delay in the implementation date, which would mean that the full saving could not be achieved by 2019/20.

15. Next steps

- 15.1 If the recommendation is agreed by Cabinet, the next step will be for the project group to work with Mutual Ventures to draw up a final detailed business case for the establishment of a Public Service Mutual for presentation to Cabinet Panel and Cabinet in the autumn of 2018, with a view to launching the new model in April 2019.

16. Equalities implications

- 16.1 When considering proposals placed before Members it is important that they are

fully aware of, and have themselves rigorously considered, the equality implications of the decision that they are making.

- 16.2 Rigorous consideration will ensure proper appreciation of any potential impact of that decision on the County Council's statutory obligations under the Public Sector Equality Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 16.3 The Equality Act 2010 requires the County Council, when exercising its functions, to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Equality Act 2010 are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.
- 16.4 An overarching [Equality Impact Assessment](#) for the next phase of the 'Inspiring Libraries' Strategy was produced in November 2017 to accompany the Cabinet paper 'Inspiring Libraries – The Next Phase'. A separate [Equality Impact Assessment](#) was produced to cover the public consultation exercise.
- 16.5 A high level Equality Impact Assessment for the delivery of library services through a Public Service Mutual is attached at Appendix C. This will be kept under review throughout the next stage and implementation process.

17. Background papers

[Inspiring Libraries: A new strategy for Hertfordshire Library Service 2014-2024 \(2014\) https://beta.hertfordshire.gov.uk/media-library/documents/libraries/libraries-strategy-2014-2024.pdf](https://beta.hertfordshire.gov.uk/media-library/documents/libraries/libraries-strategy-2014-2024.pdf)

[‘Delivering the Inspiring Libraries Strategy’ \(2014\)](#)

[Inspiring Libraries – the next phase \(Nov 2017\)](#)

<http://cmis.hertfordshire.gov.uk/hertfordshire/DocumentSearch.aspx>

[An alternative delivery model for Hertfordshire Libraries \(Nov 2017\)](#)

<http://cmis.hertfordshire.gov.uk/hertfordshire/DocumentSearch.aspx>

[Libraries Deliver: Ambition for Public Libraries in England 2016-2021 \(2016\)](https://www.gov.uk/government/publications/libraries-deliver-ambition-for-public-libraries-in-england-2016-to-2021/libraries-deliver-ambition-for-public-libraries-in-england-2016-to-2021)

<https://www.gov.uk/government/publications/libraries-deliver-ambition-for-public-libraries-in-england-2016-to-2021/libraries-deliver-ambition-for-public-libraries-in-england-2016-to-2021>

[Alternative Delivery Models Toolkit \(2017\)](#)

<https://www.gov.uk/government/publications/libraries-alternative-delivery-models-toolkit>

Hertfordshire County Council

Outline Business Case Hertfordshire Libraries Alternative Delivery Model Project

March 2018

Version 1.0

Contents

1	The Case for Change	4
1.1	Inspiring Libraries Strategy – the story so far	4
1.2	Inspiring Libraries Strategy – the next phase	5
1.3	National context	5
1.4	Hertfordshire context	7
1.5	Meeting the needs of Hertfordshire residents	7
1.6	Challenges facing library services	8
1.7	An alternative delivery model?	9
2	The Options Appraisal	11
3	The benefits of a Public Service Mutual	18
4	Implementing a Public Service Mutual	20
4.1	Governance and Commercial Considerations	20
4.2	Proposed Transfer Arrangements	21
4.3	Financial Arrangements	22
4.4	Managing Risk	27
5	Project Management	28
5.1	Setting up a Public Service Mutual	28
5.2	Project Governance	28
5.3	Project Management Planning	29
5.4	Timetable	29
5.5	Implementation Plan	30
5.6	Resource Plan	31
5.7	Risk Monitoring	31
5.8	Post Implementation Evaluation Arrangements	32
5.9	Contingency Arrangements / Exit Strategy	32
5.10	Communications and Stakeholder Management	32
5.11	Change Management Arrangements / Requirements	32
6	Conclusion	33

Table Content

Table 1 – Total Library visits per year	8
Table 2 - Summary of the outcome for each of the options	11
Table 3 - Shortlist Options PESTLE Assessment Scoring Summary	15
Table 4 - Shortlist Options Appraisal Final Scoring Summary	15
Table 5 - Project Delivery Team Structure	29
Table 6 – Implementation Plan	30

Appendices **35**

Appendix A	35
------------	----

Purpose

The purpose of this document is to establish whether there is a business case for Hertfordshire County Council to adopt an alternative delivery model for the Hertfordshire Library Service. This paper sets out the business case, including:

- Case for change
- Options appraisal
- Benefits of a Public Service Mutual
- Implementation
- Financial model
- Risks
- Project management
- Conclusion

Recommendation

Following the various considerations outlined in this document, it is recommended that the County Council should adopt a Public Service Mutual as the preferred model for the future delivery of Hertfordshire Library Service. This would be subject to the agreement of a Full Business Case and detailed Business Plan to be developed for presentation to the Education, Libraries and Localism Cabinet Panel in the autumn of 2018.

1. The Case for Change

1.1 Inspiring Libraries Strategy – the story so far

In July 2014, the County Council adopted '[Inspiring Libraries](#): a new strategy for Hertfordshire Library Service 2014-2024' to set the vision and direction for the service over the next ten years, and provide a framework for future decisions about service priorities.

Inspiring Libraries Vision and Values

Our vision is to create inspiring library services that enable Hertfordshire citizens to enrich their lives.

- Hertfordshire Libraries will enable individuals to access knowledge, information and cultural resources for themselves, and provide support for those who may need more help.
- Hertfordshire Libraries will provide safe spaces (both physical and virtual) where anyone can go, without judgement, to read, to borrow, to learn, to access information and online resources.
- Hertfordshire Libraries will enrich communities by fostering local culture and heritage, and providing opportunities for citizens to participate actively in community life.

The strategy is based on three main themes:

- The library as a vibrant community asset – shaped with local people and partners to reflect local need, support sustainability and enrich communities.
- The digital library – a service that is ambitious in its use of technology and digital formats for the benefit of residents.
- The library as an enhanced gateway to reading, information and wellbeing.

'Inspiring Libraries' is designed to ensure that the library service remains relevant to changing community needs and customer demands, and sustainable within a reducing local government budget. It set the following ambitions for the service in 2024:

- To have a network of libraries that are valued local assets at the very heart of the communities they serve.
- To attract more visitors (physical, virtual and outreach).
- To be open to residents for longer hours.
- To cost the taxpayer less.

Over the last three years, the implementation of the strategy has led to significant changes in the library service. Savings have been made in the revenue budget, but continuing investment in library buildings and technology has ensured that the service is equipped to meet future demands.

1.2 Inspiring Libraries Strategy – the next phase

In November 2017, the County Council agreed ambitions and priorities for the next phase of the 'Inspiring Libraries' Strategy from 2018 to 2021, including:

- **Improving library buildings** – continuing the programme of improving Hertfordshire library buildings to ensure that they are bright, attractive, welcoming, flexible, tech-enabled spaces in convenient locations.
- **Extending access to library services** - seeking opportunities to extend self-service access to libraries by rolling out swipe-card access and supported self-service initiatives.
- **Developing technology** - continuing to invest in the development of technology to improve service delivery, to support digital inclusion, and to empower citizens.
- **Maintaining service delivery** - continuing to deliver high quality services to contribute to the seven key outcomes identified in the national 'Libraries Deliver' document. This will be achieved through a workforce of skilled and trained library staff, supported, where appropriate by volunteers from the local community.

Ongoing pressures on the County Council budget mean that the library service is now required to make a further reduction of £500,000 in the annual revenue budget by 2019/20, over and above the £2.5 million in revenue savings already identified from the original 'Inspiring Libraries' proposals. This financial pressure on libraries budget is likely to continue in future years.

1.3 National Context

Under the Public Libraries and Museums Act 1964, the County Council has a statutory duty “...to provide a comprehensive and efficient library service for all persons desiring to make use thereof.”

[Libraries Deliver: Ambition for Public Libraries in England 2016-2021](#), published by the Department for Digital, Culture, Media and Sport (DCMS) in December 2016, and endorsed by the Local Government Association, sets out a vision for public library services in England. It describes how modern public library services contribute to 7 'Ambition' Outcomes that are critical to individuals and communities.

Hertfordshire Libraries have a strong record of delivering social value, and contributing to the 7 'Ambition' outcomes:

Reading and Literacy – More than 20,000 children participate in the annual Summer Reading Challenge. 98% of Hertfordshire babies receive a Bookstart pack through the library service. Hertfordshire Libraries support more than 450 reading groups across the county.

Digital Access and Literacy - All Hertfordshire Libraries offer self-service public access to computers and printing, including Wi-Fi printing. Libraries offer tablet taster sessions for people who lack skills and confidence in using ICT. 82 volunteer IT champions are available to assist members of the public in accessing digital services.

Learning - CreatorSpace and coding clubs enable people to develop new skills in a supportive environment. Libraries offer guided class visits for reception and year 6 classes to introduce children to the service. Libraries provide access to online courses and learning resources, including academic journal articles through 'Access to Research'. Larger libraries provide valuable study space for students.

Health and Wellbeing - Reading Well: Books on Prescription collections offer medically approved titles to help people suffering from long term conditions and mental health problems to manage their own health. Reminiscence collections support dementia sufferers and their carers. Libraries provide venues for health events, advice sessions and promotions, such as Slipper Swaps for older people.

Prosperity – The Business Information service at Welwyn Garden City Library offers access to company information, market research and British Standards. Large libraries offer access to online business advice for SMEs. Scam awareness sessions in libraries help vulnerable people to protect themselves from online fraud.

Cultural and Creative Enrichment – Hertfordshire's annual LitFest offers a programme of more than 40 author talks and library events for adults and children. Libraries provide venues for cultural activities from theatre performances to 'knit and natter' groups. The Performing Arts Service loans music scores and play scripts to choirs, orchestras, music and drama groups across the county.

Stronger, More Resilient Communities – Local Library Managers act as 'the face of the library' in the local community, engaging with partners and stakeholders to help to embed libraries as local community hubs. Libraries offer space for community groups and activities, such as PCSO desks, and councillor surgeries. Services such as the Home Library Service, Carer's Cards and 'Borrowing without taking' for homeless people help to combat social exclusion and isolation.

The Society of Chief Librarians (SCL) has developed a framework of six Universal Public Library Offers – Reading, Information, Digital, Health, Learning and Culture – that directly support the 'Libraries Deliver' outcomes. Hertfordshire Libraries are signed up to all these offers.

1.4 Hertfordshire Context

The 'Inspiring Libraries' strategy supports all four of the ambitions of Hertfordshire's Corporate Plan 2017-2021, offering residents opportunities to thrive, to prosper, to stay healthy and safe, and to participate in the life of their communities.

'Inspiring Libraries' also supports the 'prevention' agenda, enabling citizens to improve and enrich their lives through reading, learning, access to information and technology, and participation in community life, thus reducing dependence on expensive public-sector support.

1.5 Meeting the needs of Hertfordshire residents

The development of the Inspiring Libraries strategy was informed by an extensive public consultation on 'The Future of Hertfordshire Libraries' in the autumn of 2013. A total of 15,487 people participated in this consultation through questionnaires, public meetings, focus groups and drop-in sessions in local libraries.

The results of the consultation reflected the value placed on library services by Hertfordshire residents. Key messages included:

- The importance of retaining traditional services, such as hard copy books and quiet areas to study.
- The importance of embracing and developing new technologies to support digital inclusion.
- Libraries are considered safe places; trusted for their inclusive, impartial and non-judgmental service.
- Libraries are seen to have a vital role to play in education, literacy and lifelong learning and to contribute to the health and wellbeing of individuals.
- In addition to providing traditional services, libraries are community hubs, providing access to local information and space for wider community activities and events.
- Libraries are particularly valued in smaller communities as local amenities and social venues, combating social isolation.
- Many library users want longer and more convenient opening hours.
- There is broad support for libraries to increase income to support services.

Most respondents supported the need for libraries to evolve to meet changing demands, and many expressed a willingness to accept quite significant change if this would guarantee the sustainability of the service.

Library usage figures since 2013 demonstrate the continuing popularity of library services, with the total number of library visits increasing by 11% since 2014.

Figures in thousands

	2013/14	2014/15	2015/16	2016/17	2017/18 Projected
Physical visits	3,832	3,842	3,665	3,574	3,551
Online visits	1,279	1,549	2,045	2,055	2,162
Total Visits	5,111	5,391	5,710	5,629	5,713

Table 1

Online Library visits include visits to the Libraries website, the library catalogue and online functions, the e-Library and the Online Reference Library.

1.6 Challenges facing library services

In common with library services across the country, Hertfordshire faces significant financial challenges.

- The requirement to save a further £500,000 by 2019/20 means that without a radical change in the way the service is delivered, the County Council would be forced to contemplate significant service reductions. This may include library closures, reductions in opening hours, further reductions in the materials fund, and staff reductions that would reduce the capacity of the service to deliver the Universal Public Library Offers and contribute to the 'Ambition' outcomes.
- Looking further ahead, the financial pressure on the County Council budget seems certain to continue, and the focus is likely to be concentrated on higher risk areas, such as social care and development, which could leave limited capacity to invest in the development of well-regarded, but lower risk services, such as public libraries.
- There are also opportunities for the development and improvement of library services. Technological advances allow the extension of library opening hours through self-service options, and the trend towards creating public service hubs, such as The Forum in Hemel Hempstead, may allow the modernisation of library buildings through co-location with other services. However, exploiting such opportunities requires ongoing investment in the service.
- Budget reduction measures taken during the Libraries Transformation in 2011/12, and the implementation of 'Inspiring Libraries' mean that the Libraries' budget has been reduced by 35% since 2011, and total revenue expenditure on public libraries in Hertfordshire (including property costs and recharges) has been reduced by 25%. Nevertheless, the service is predicting an overspend of around £300,000 in the current financial year.

- The implementation of 'Inspiring Libraries' was expected to save £2.5 million from the annual revenue budget over a three-year period from 2015/16. £2 million of this saving has been achieved, and the final £500,000 saving will be made by completing the roll-out of 16 volunteer-supervised community libraries across the county. This is progressing, but in order to get it right there is a need to build the trust and support of volunteer groups in each community, which has been a slower process than originally anticipated. To date, five Community Libraries are fully operational; five more are currently in transition; leaving six libraries where the transition process has yet to be started.
- Of the total Library Service revenue budget of £9.4 million, around 10% is expected to be contributed by income generation. A number of new revenue streams have been explored as part of the Inspiring Libraries strategy, including commissioned services, charges for the hire of library space, and donations for early years activities. However, this has to be balanced against the sharp decline in traditional sources of library income. Income from overdue charges is reduced because it is so much easier for customers to renew their items online, and income from DVD charges is falling as this is becoming an increasingly obsolete format. As a result, any income generated from new revenue sources is serving to offset the decline rather than raising additional money, and the service is predicted to fall short of its income target by around £140,000 in the current financial year.

1.7 An alternative delivery model?

These challenges were anticipated from the outset of the Inspiring Libraries strategy, and reflected in the cabinet paper '[Delivering the Inspiring Libraries Strategy](#)' in September 2014, which stated *"Beyond the next three years, there will be a continuing need for libraries to respond to demographic and social change. This will mean continuing to invest in technology to ensure that the Library Service remains relevant and up to date. The service will also consider the best operating models to deliver the strategy within a reduced budget."*

The national 'Libraries Deliver' document challenges local authorities *"to explore alternative forms of delivery and financing for library services before making any reductions in library services."*

In Hertfordshire, we now need to consider the best operating model to achieve the ambitions of the 'Inspiring Libraries' strategy within a reduced budget.

In March 2017, the DCMS published an [Alternative Delivery Models Toolkit](#), designed to support councilors, commissioners, library service managers, and other stakeholders to consider the desirability, viability and feasibility of a range of alternative delivery models for their library services.

The government has also stated its belief that "Public Service Mutuels have an important role to play in public service reform and in creating a more inclusive economy. It sees potential for these organisations *"to drive more innovative, responsive, efficient and better quality public services, enhancing social outcomes in our communities"*.

There are a number of local authorities, similar to Hertfordshire, which have successfully created independent, not for profit organisations with charitable status to deliver library services under contract to the council; for example:

Libraries Unlimited South West: launched in April 2016 as a company limited by guarantee – social enterprise with charitable status – to run Devon Libraries. See case study [here](#).

Suffolk Libraries: an Industrial and Provident Society, established in 2012, made up of friends groups and member organisations supporting each of the county's 44 Libraries has just had its contract extended for a further five-year period.

Inspire Nottinghamshire: launched in April 2016 as an independent Community Benefit Society with charitable status to deliver cultural services on behalf of the county council, including libraries, archives, arts, music services and community learning. See case study [here](#).

York Explore: an Industrial and Provident Society, one third owned by staff and two thirds owned by community members, spun out from York City Council in May 2014. See case study [here](#).

2. The Options Appraisal

Over the last few months a multidisciplinary group has been conducting a full options appraisal to identify which delivery model offers the greatest scope to deliver an affordable, sustainable, and responsive Library Service. It is recommended that the County Council should adopt a Public Sector Mutual (PSM) as the preferred model for the future delivery of Hertfordshire Library Services.

The County Council applied successfully for support from the DCMS Mutuals Support Programme, in exploring the viability of an alternative delivery model. The first stage of this support was a review of the extensive options appraisal. The outcome of this review validates the result of the options appraisal and confirms that a PSM is the model that scores highest in desirability, feasibility and viability.

Table 2 - Summary of options analysis outcome

Option	Place	Ranking
Public Service Mutual - To 'spin out' the whole library service from the Council by establishing a PSM as an independent organisation and commissioning it to deliver the whole service.	1st	Preferred
In-house - To retain delivery of the existing service in-house, but restructured to meet the savings target.	2nd	Next Best
Joint Venture - To establish a Joint Venture (JV) partner to help deliver the service.	3rd	Discount
Local Authority Trading Company - To set up a Local Authority Trading Company (LATC) to deliver the service.	4th	Discount
Outsource - To outsource to a 'for profit' or third sector provider to deliver the service.	5th	Discount

There were five key stages in the options appraisal process:

- Stage 1** Identify a long list of options.
- Stage 2** Develop an agreed set of criteria and weighting to assess each of the long list options.
- Stage 3** Develop a high level financial summary for each long list option.
- Stage 4** Conduct an appraisal of each of the long list options against the agreed criteria, to determine their suitability to deliver the Inspiring Libraries Strategy. Short list the two options with the highest scores.
- Stage 5** Conduct an appraisal of each of the shortlisted options by undertaking a PESTLE Assessment and evaluation of their detailed propositions, to determine the final scoring for the preferred and second-best option.

Stage 1 Long List of options

Five delivery models were identified as having the potential to deliver Hertfordshire Libraries. These models were identified from the [Libraries Alternative Delivery Models Toolkit](#) provided by DCMS, and learning from other library service business cases. The following five delivery models formed the options appraisal long list:

Option 1: In-house – To retain delivery of the existing service in-house, but restructured to meet the savings target.

Option 2: Outsource - To outsource to a 'for profit' or third sector provider to deliver the service.

Option 3: Joint Venture - To establish a Joint Venture (JV) partner to help deliver the service.

Option 4: Local Authority Trading Company - To set up a Local Authority Trading Company (LATC) to deliver the service.

Option 5: Public Service Mutual - To 'spin out' the whole library service from the Council by establishing a PSM as an independent organisation and commissioning it to deliver the whole service.

The preferred option must be able to deliver the County Council's **statutory obligation under the Public Libraries and Museums Act 1964 to “...to provide a comprehensive and efficient library service for all persons desiring to make use thereof.”**

The model also had to clearly demonstrate that it had the potential to deliver Hertfordshire's '[Inspiring Libraries](#)' Strategy, and the specific ambitions and priorities set out in '[Inspiring Libraries – the next phase 2018-21](#)', at a reduced cost.

Stage 2 Develop an agreed set of criteria and weighting

The five longlisted options were evaluated by the project group, against nine criteria designed to assess desirability, feasibility and viability:

1. Enables the service to deliver the vision and values of 'Inspiring Libraries'.
2. Enables the service to deliver the strategic aims of the 'Inspiring Libraries' Strategy.
3. Enables the County Council to retain sufficient influence to fulfil its statutory obligations.
4. Promotes a sense of ownership and engagement in Hertfordshire communities.
5. Promotes a positive organisational culture, where staff feel they have a sense of ownership, confidence and commitment.
6. Can be implemented by April 2019.
7. Can deliver required savings in the short term (2-3 years).
8. Demonstrates financial sustainability over the long term (5-10 years).
9. Enables the service to develop commercial behaviors and access external funding.

Stage 3 A financial summary for each of the options.

In addition to a financial summary for each option, where possible options were assessed for their potential to generate a surplus over the next five years, with an estimate provided on the size of the surplus. The results from the high-level financial modelling on savings, is summarised below:

Option 1: In-house – Savings target of £500,000 per year would be met through restructuring the service. Therefore, savings over a five-year period 2019/20 – 2023/24: £2,500,000.

Option 2: Outsource – At this stage it is not possible to forecast the potential scale of savings and overall viability of the service should it be outsourced. A procurement process would invite tenders that delivered savings in addition to delivering the Inspiring Library Strategy. Therefore, we have assumed some savings from this option in the Options Appraisal scoring.

Option 3: Joint Venture - Net surplus after tax, five-year period 2019/20 – 2023/24: £2,340,487.

Option 4: Local Authority Trading Company - Net surplus after tax, five-year period 2019/20 – 2023/24: £113,059.

Option 5: Public Service Mutual - Net surplus after tax, five-year period 2019/20 – 2023/24: £2,340,487.

Of the five options considered, only the PSM and JV options can make significant savings (with no impact on services) at approximately £400k per annum net saving; based on these two models being constituted as a charity and consequently receiving 80% relief on rates payments. The in-house model could make the required £500k per annum saving, but this would only be achieved through service reductions.

Stage 4 Appraisal of the longlist of options against the agreed criteria

As part of the assessment the main advantages and disadvantages of each option were considered, using the assessment criteria and the financial summaries highlighted above.

The scoring of each model is summarised below.

Final scoring	Score	Points Available	% Score	Rank	Position
Public Service Mutual	604	760	79%	1 st	Preferred
In-house	514	760	68%	2 nd	Second Best
Joint Venture	471	760	62%	3 rd	Discounted
Local Authority Trading Company	463	760	61%	4 th	Discounted
Outsource	433	760	57%	5 th	Discounted

A summary of the appraisal for each of the longlisted options is included as Appendix A.

Public and staff consultation – Impacts on the Options Appraisal

A consultation document was published on the principle of creating an alternative delivery model for Hertfordshire Libraries to seek feedback on the idea from customers, partners, stakeholders, library staff and volunteers. 2060 members of the public responded to the consultation. Their feedback has been fully considered within the options appraisal.

The findings from the public consultation indicate a strong endorsement of the ambitions of the 'Inspiring Libraries' strategy.

Opinions regarding the adoption of an alternative delivery model for library services were more mixed. More people (41.7%) disagreed with the proposal than agreed with it (30.6%), but the large number who expressed no preference (27.7%) meant that there was no majority either in favour or against the proposal.

Opinions among staff are similarly mixed. 33% of respondents disagreed with the proposal, 25% agreed, and 42% either expressed no preference or felt they had insufficient information to make an informed decision. Many staff expressed anxieties about reductions in pay and pensions, inferior terms and conditions of employment, and reduced job security in an alternative delivery model, which would need to be addressed if this was the preferred option.

A clear majority of both public and staff who agreed with the proposal to adopt an alternative delivery model preferred the PSM option.

It is fair to conclude that the principal concern for both staff and library customers is maintaining the quality of the library service. The model that is best able to achieve this in both the short and the long term is the model that is most likely to win support.

Stage 5 Appraisal of shortlisted options

The result of the above appraisal exercise determined the preferred and second-best options to be shortlisted:

- **Preferred Option** – Public Service Mutual
- **Second Best Option** - In-House with re-engineering

A PESTLE (Political, Economic, Social, Technological, Legal and Environment) analysis was completed to understand the context that Hertfordshire Libraries operates within. The two short-listed options were assessed against the PESTLE analysis, to see which is best suited to cope with the external factors identified. The results of the scoring of the Shortlist Options PESTLE Assessment can be seen in Table 3 below.

Table 3 - Shortlist Options PESTLE Assessment Scoring Summary

Final scoring	Score	Points available	% Score	Rank
Public Service Mutual (PSM)	92	150	61%	1 st
In-house (restructured)	85	150	57%	2 nd

For each of the two shortlisted models, a detailed proposition was developed, to further understand the implications of each of these models. The propositions contained the following information:

1. Key Characteristics – A description of how the model would operate including governance, management, ownership, control, the impact on staff, contract management arrangements, assets and back office services and in-scope services.
2. An analysis of the advantages and disadvantages of the model overall, and in the context of Hertfordshire Libraries Service.
3. High-level Financial Differences and Considerations.

These propositions were then used to quality assure and finalise the scoring for the two shortlisted options, alongside the findings from the Public and Staff Consultation. The results of the scoring of the Shortlist Options Appraisal can be seen in Table 4 below.

Table 4 - Shortlist Options Appraisal Final Scoring Summary

Final scoring	Score	Points available	% Score	Rank
PSM (PSM)	604	760	79%	1 st
In-house (restructured)	521	760	69%	2 nd

The key findings of the short list options appraisal were as follows:

Preferred Option – PSM

This option ranks first as this model offered the greatest scope to continue to deliver an affordable, sustainable, and responsive service. A summary of the key reasons for choosing this as the preferred option is highlighted below:

The key benefits of this model are as follows:

- If the legal form and constitution of the PSM qualifies it to register for charitable status, then it will enable immediate savings to be made through NDR rate relief, without the need to reduce services. The PSM would also be eligible for grant funding opportunities not available to in-house council services.

- Relieved of the need to make immediate service reductions to meet short term budget targets, a PSM would be well placed to deliver the ambitions of the 'Inspiring Libraries' strategy, and the six-universal public library offers.
- A PSM would have a high degree of commercial freedom, allowing it to develop new sources of funding, such as sponsorship, donations and payment for value added services. It would also be able to work more easily with partners across county borders and the cultural sector, which could bring efficiencies, enable growth and provide opportunities for diversification.
- Independence from the County Council and a clear single focus on libraries may enable the service to be more flexible and responsive to customers, communities and partners. Being one step removed from the local government structure may enable quicker decision making, encouraging greater innovation and more rapid response to market opportunities and changes in customer demand.
- Depending on its legal form and governance structure, a PSM may provide an opportunity for community stakeholders to have a more direct voice in the development of the service, leading to greater engagement. In the public consultation process, those respondents who supported the proposal for an alternative delivery model clearly identified the PSM as their preferred option.
- Similarly, depending on its legal form and governance structure, a PSM may provide an opportunity for library service staff to have a more direct voice in service development, promoting a positive organisational culture, and a greater sense of ownership, confidence and commitment. In the staff consultation process, those respondents who supported the proposal for an alternative delivery model clearly identified the PSM as their preferred option.

Second Best Option – In-house

The option to remain in-house ranks as the second highest scoring option for both the long-list and short-listed options appraisals, with similar scoring for many characteristics to the PSM model.

- The in-house option scored well as it maximises council control over the service, and does not incur any implementation costs or procurement costs, freeing up service managers to focus on other aspects of the 'Inspiring Libraries' strategy. However, this option does not provide the Library Service with full commercial freedom, and has a limited ability to grow revenue streams and realise an ongoing surplus. The option also limits the ability of stakeholders to influence the service in a formal capacity.
- Additionally, as the ability to apply for charitable status does not apply to this option, to achieve the necessary budget savings through the in-house option, it would be necessary to make significant service reductions.
- The implementation of the 'Inspiring Libraries' strategy since 2014 has included remodelling the service and re-profiling staff at all levels to achieve savings targets, so there is limited room for further restructuring.

- Financial pressures on local government are likely to continue in future years, and if further savings were required from the libraries budget, then under the in-house option, the Council would be forced to consider a combination of library closures, reduced opening hours, reduced staffing, and a reduced materials fund, which would make it difficult to meet the objectives of 'Inspiring Libraries' and to deliver the universal public library offers.

Options Appraisal Recommendation

The extensive options appraisal process identified, through the assessment of the long list and then the short-listed options, that the PSM model offered the greatest scope to continue to deliver an affordable, sustainable, and responsive service. It is therefore recommended that the County Council should adopt a Public Sector Mutual (PSM) as the preferred model for the future delivery of Hertfordshire Library Services.

3. The benefits of a Public Service Mutual

The potential benefits of adopting a Public Service Mutual (PSM) for the delivery of library services are as follows:

Maintaining services while reducing costs

- Creating a PSM with charitable status would enable the service to make some immediate savings in non-domestic rates (NDR). This would negate the need to make significant service reductions in order to meet short term budget targets, jeopardising the ability of the service to deliver the ambitions of the 'Inspiring Libraries' strategy and the Universal Public Library Offers.
- The County Council would continue to meet its statutory duty to provide a 'comprehensive and efficient' library service.
- Detailed scrutiny of all aspects of the service and support costs during the due diligence of 'spinning out' is likely to lead to greater knowledge of costs and processes, giving new insight into potential efficiencies.

Increasing resilience and flexibility

- Independence from the County Council and a clear focus on libraries may enable the service to be more flexible and responsive, for example in taking advantage of partnership opportunities.
- Being one step removed from the local government structure may enable the service to be more innovative and respond more rapidly to market opportunities and changes in customer demand.
- A PSM may provide an opportunity for library service staff to have a more direct voice in service development, promoting a positive organisational culture, and a greater sense of ownership, confidence and commitment.

Generating more external income

- A PSM would enable the library service to access grants and other sources of funding. For example, three of the four library services currently operating as PSMs successfully bid to become National Portfolio Organisations in the latest Arts Council funding round. Some potential sources of grant funding may not be available to the County Council.
- A PSM would have a high degree of commercial freedom, allowing it to develop new sources of funding, such as sponsorship, donations, and payment for value added services. Feedback suggests that people may be more willing to make donations or to pay for added value services provided by an independent not-for-profit organisation.

Potential for growth and diversity

- A PSM may be able to work more easily with partners across county borders, enabling growth and potentially bringing efficiencies. For example, Libraries Unlimited (the PSM in Devon) is now delivering library services for Torbay.

- A PSM may also be able to diversify by working more easily with partners across the cultural sector. For example, Suffolk Libraries works in partnership with Creative Arts East to use public library space to present digital screenings of arts performances.

Increasing community engagement

- A PSM may provide an opportunity for community stakeholders to have a more direct voice in the development of the service, leading to greater engagement. In the public consultation process, those respondents who supported the proposal for an alternative delivery model clearly identified the PSM as their preferred option.
- The PSM would have an independent Board, providing an opportunity to bring in new experience, insight and skills into the library service as needed.

Maintaining democratic control

- County Council Members would continue to set the strategic direction for the library service, and would maintain influence and scrutiny through the constitution of the PSM and through the contract.

4. Implementing a Public Service Mutual

4.1 Governance and Commercial Considerations

If the Library Service is to operate outside the direct control of the Council, the County Council will have a strong interest in ensuring both the service's continued success and delivery of core objectives.

The County Council will need to ensure that it continues to meet its own statutory duty to provide a 'comprehensive and efficient library service for all persons desiring to make use thereof' through a Public Service Mutual.

As part of the Full Business Case (FBC) to be produced and presented to Cabinet later this year, appropriate governance arrangements for the proposed organisation will be considered. This will include consideration of how the different PSM governance models can best achieve appropriate strategic and policy alignment, as well as potential implications of charitable status.

Governance and commercial matters which will require greater exploration are likely to include:

- Service requirements
- Management/ stakeholder engagement
- Leadership
- Avoidance of Conflicts of interest
- Transfer arrangements, including property and other assets
- Transitional arrangements, including shadow boards, service provision
- Commissioning / contract management/contractual relationship between the County Council & the PSM (including compliance with the Public Contracts Regulations 2015 – where applicable).
- Grant funding from the County Council
- Ability to access new opportunities for income generation
- Provision of support services by the County Council to the PSM
- Funding, incl. charging mechanisms
- TUPE and Pension provision
- Compliance with competition rules
- State Aid compliance
- Data ownership and transfer
- Residual liabilities, incl. any county-wide contracts
- Tax implications
- Consequences (and appropriate mitigations) in the event of failure

4.2 Proposed Transfer Arrangements

4.2.1 Property

Libraries operate from 49 buildings. The proposed arrangements for the property assets are that the library estate will be leased/sub-leased to the PSM at an appropriate rental rate, with break and termination clauses to mirror any service contract or delivery term. The County Council Property will need to review each property to determine how this can be best managed, and further details will be worked through in the FBC.

As occupier, the PSM will be responsible for paying Business Rates (NDR) for the premises and will therefore benefit from any rate relief obtained.

4.2.2 Corporate Support Services

Libraries currently pay approximately £2.6million in central recharges to cover the costs of Corporate Support Services such as HR, Finance, ICT, Legal Services etc. The final scope of corporate support arrangements for the alternative delivery model is being developed.

A range of options would be available to the new PSM in terms of ongoing support services. The new PSM will need sufficient freedom to determine this to operate autonomy, but without unduly undermining the current the County Council arrangements.

4.2.3 Staffing Arrangements

Employees currently assigned to the Library Service (whether that be directly employed by that department or those whom the majority of their work is undertaken for the service) would transfer to the PSM with their employment conditions protected by Transfer of Undertakings (Protection of Employment) regulations ([TUPE](#)). The TUPE staff would be directly employed by the new organisation.

This process would include a period of formal consultation with staff and trade unions in advance of any transfer. Staff joining the new organisation once set up may be employed on new terms and conditions.

4.2.4 Potential Charging Mechanism

A potential model that could be used is that the PSM is paid for the services contracted in the specification for the delivery the Library Services via a quarterly management fee.

4.3 Financial Arrangements

4.3.1 Financial Summary

The key issues to be considered are:

- The achievement of the £500k savings target for the Library Service.
- Long term viability of library service delivery.
- The liabilities remaining with the Council.
- The costs of change.

Initial modelling shows that the option to form a PSM achieves more savings when compared to the other alternative delivery models. However, the outline business case suggests that the savings achieved through a PSM do not fully cover the annual £500k savings target in the Integrated Plan (IP).

A detailed financial analysis for the operation of the new organisation will be part of the next stage of the project and FBC.

4.3.2 Capital and Revenue Requirements

Revenue funding could be provided by a management fee payable from the County Council to the PSM, quarterly in advance to provide cashflow to the new organisation. Any additional cashflow requirement could be funded by a loan from the County Council, re-payable at commercial rates.

An 'Invest to Transform' (ITT) bid will be prepared to request funding for set up costs, repaid from savings by adopting the PSM.

Funding for future capital requirements needs to be considered and agreed in the FBC.

Cash flow, reserves and working capital will need to be factored into negotiations around contract arrangements in the FBC.

Description	Value	Start date	End date
Set up costs (estimate)	£300k	May 2018	April 2019

4.3.3 Impact on income and expenditure account

The impact on the income and expenditure accounts of both the County Council and the PSM depends on the agreed management fee payment but the net effect across both organisations (excluding set up costs) is shown here, with a more detailed breakdown of savings/costs shown in section 4.3.4.

PSM	2019/20	2020/21	2021/22	2022/23	2023/24
Saving	-419,962	-408,867	-415,683	-417,534	-419,423

4.3.4 Financial Costs/Benefits

The table below shows the net financial benefits over the first five years when compared to the County Council's current financial baseline.



Notes

1. Contract Monitoring – Additional cost for the County Council to monitor the contract once in-house expertise has transferred to PSM.
2. Loss of NDR – The County Council retain a percentage of rates collected so any rates saving achieved by the PSM will be offset by a proportionate loss of income for the County Council. There would also be an impact on NDR income for the District Councils.
3. Additional Management Staffing – one full time Finance / Business Manager.
4. Governance Costs – legal and statutory costs of PSM – audit etc.
5. NDR saving – A charitable organisation is eligible to claim 80% rates relief.

4.3.5 Additional Funding / Income to be realised

The PSM model can provide significant commercial freedoms and flexibility to 'deliver differently' which could include increasing income generation. Depending on the chosen legal form and constitution, a library service PSM may qualify as a social enterprise or charity; if so, it would be eligible for grant funding opportunities not available to in-house council services which it may wish to exploit (although there is no guarantee of funding applications being successful). Independence from the Council as a PSM could potentially heighten the appeal of the service to potential partners and further funding streams (such as corporate sponsorship or public donations).

Libraries currently obtain funding from Adult Care Services (ACS) and Children's Services (CS) for services which deliver corporate objectives. Libraries have also been commissioned to provide a visitor information service in Royston: - there may be similar opportunities available that the PSM could seek to exploit, but this would be subject to building sufficient staff capacity and competencies within the new organisation.

Additionally, Hertfordshire is signed up (through the Society of Chief Librarians) to the Government Digital Services framework, which may attract commissioning for work to assist the roll-out of new government digital services, but the scale of these opportunities is uncertain.

The financial model assumes growth in traded income of 5% in 2020/21 with a further 2% per annum after this. Grant/commissioning income is forecast to increase by approximately £35,000 in 2020/21. These are both gross figures, before deducting any costs associated with the additional income.

4.3.6 Sensitivity Analysis

Some of the greatest levels of uncertainty are around the ability of the new organisation to raise additional income/grant funding, granting of charitable status and future government policy on rates retention. When rates are collected they are shared between the Government, County and District councils (currently 50%, 10%, 40% respectively) so any saving made by the PSM will lead to a loss of income for the County Council of 10% of the value of the saving. The Government is moving towards greater rates retention for Counties/Districts with consequent greater loss of income, but it is too early to say what effect this will have.

The following options have been modelled as shown in the table below:

- No additional income.
- Rates retention increases to 100%, maintaining the current split between Hertfordshire County Council & districts.
- Charitable status not granted so the PSM is unable to benefit from savings due to NDR relief.

Sensitivity Analysis	2019/20	2020/21	2021/22	2022/23	2023/24
Revised saving (no additional income)	-419,962	-389,545	-389,545	-389,545	-389,545
Revised saving (NDR retention increases to 100% and HCC/district split unchanged)	-419,962	-378,450	-385,265	-387,117	-389,006
Revised cost (charitable status not granted)	127,550	108,228	101,412	99,561	97,672

4.3.7 Requirements to realise savings

For the new model to deliver the required savings and long-term viability the following are required:

- New delivery model qualifies for charitable status – to achieve NDR savings. The PSM is not financially viable if this is not achieved.
- Future Government changes to NDR retention don't negatively impact on value of County Council retention.
- Additional trading and grant income is deliverable.

Agenda Pack 51 of 167

- The existing budget gap is closed in 2018/19. In 2017/18 there is a predicted overspend of around £300k – if this gap is not closed then the savings generated through a PSM will be reduced.

4.3.8 Options to realise future savings

- Longer term review of back office services, this will be undertaken as part of the next stage of the project from April 2018.
- Review of pension scheme provision in PSM.
- Review of terms and conditions for new staff.

4.3.9 Assumptions

These financial calculations have been created based on the following key assumptions:

1. Charitable status achieved so NDR relief applies and continues at 80%.
2. NDR – Retention of 75% from 2020/21 with current split between Hertfordshire County Council / Districts maintained.
3. Additional income growth assumes there is the capability to deliver this through the existing team and the additional staff member.
4. No savings made from back office services – paid for by PSM at cost to the County Council.
5. PSM operates as an Agency of the County Council so there would be no change to current VAT implications.

4.3.10 Dependencies involved in creating a successful Public Sector Mutual

The future of Non-Domestic Rates

- The immediate financial savings from the creation of an alternative delivery model for the library service are predicated on relief from non-domestic rates for library buildings. The government has indicated that local authorities could in future retain 100% of NDR. If implemented, this could negate the benefit of these savings, depending on the future split of rates income between county and districts, and the treatment of charitable reliefs.

The complexity of the transition process to alternative delivery model

- The Integrated Plan proposes a reduction of £500,000 in the library service budget from 2019/20. The process of transition to an alternative delivery model is complex, as there are significant financial, legal and HR issues to work through in the implementation stage, such as VAT, TUPE and pensions liability. Achieving the budget saving is dependent on this work being completed in time for the new model to be launched from April 2019.

Maintaining a positive organisational culture and engaging staff

- Public libraries have always relied on a high level of dedication, flexibility and good will from staff to provide an effective service. The success of a Public Service Mutual would depend on promoting a positive organisational culture where staff feel a sense of ownership and commitment, and have confidence that the model supports the long-term interests of the Library Service. This may restrict the potential for an independent library service to reduce staffing costs by diverging from local government terms and conditions, pay settlements, pensions etc.

Third party support to transition to the new organisation

- There are costs involved in the transition to a new organisation, which would need to be met by the County Council. We have successfully applied to the DCMS Mutual Support Programme for independent support and advice on the establishment on a PSM, but there is an expectation that the County Council will contribute 25% in matched funding for this support.

Secure funding to support the business planning and transition phase

- The ITT fund was created in the County Council to provide up-front investment for changes that deliver service improvement and savings. The Project Team will be applying for ITT funding to support the business planning and transition phases of this project. The estimated funding requirements discussed above and payback period through an ITT have been factored into the Financial Case.

4.4 Managing Risk

A risk assessment for the development of the preferred option has also been undertaken, with the key considerations outlined below.

Key Risks	Mitigation
The PSM may not achieve charitable status and benefit from the charitable business rate relief, hindering the Finance Case.	Legal support will advise on set up / application costs to apply for charitable status and what the criteria for achieving charitable status is, and whether the new organisation can meet these requirements.
The County Council may not be ready to mobilise an effective project team to deliver a complex implementation of this nature.	A resource profile to estimate the resource requirements for implementation has been undertaken. External advice is being sought through Mutual Ventures to support the implementation process.
A third party may wish to challenge the decision or the process.	Internal legal input is being provided throughout the process to limit the likelihood of this. External specialist legal is also being provided through Mutual Ventures.
There is a risk that future liabilities inc pension and redundancy liabilities are not apportioned, and appropriate transfer arrangements are not in place in time.	The mitigation is to work with Mutual Ventures to ensure that the PSM can reach the best solution for future arrangements, taking into consideration the long-term sustainability of the new organisation as well as affordability and value for money for the Council.
The PSM may make it more difficult to access the capital bidding process within the County Council, and to Section 106/CIL funding that is allocated for the improvement of library services to support future investment in library buildings and technology.	Future responsibility for Section S106/CIL funding arrangements will remain with the Council; how this is to be coordinated with the PSM will need to be set out in the Full Business Case. Albeit dependent upon the property arrangements, applications for capital funding to enhance library buildings are likely to follow the same process as Hertfordshire Libraries currently undertakes.
None of the additional funding opportunities available to the PSM is guaranteed, and there is a risk that the long term financial viability of the service would be threatened by a failure to meet income targets.	The mitigation is to work with Mutual Ventures to ensure that any growth model for the new organisation is robust and realistic. This will need to include growth plans to diversify its income base (such as winning new contracts and/or developing new services) and make the service less susceptible to public funding cuts.
To be successful in delivering library services, the PSM would need to retain key library service skills, and to develop or recruit new skills in financial and business management and fundraising.	The mitigation is to work with Mutual Ventures to identify how staff buy-in has been achieved in other library service PSMs, and to maintain staff engagement throughout the process.

5. Project Management

5.1 Setting up a Public Service Mutual

Over the coming months more work needs to be done to develop a full business case and detailed business plan for the chosen alternative delivery model.

Although the County Council has not had experience in setting up a Public Service Mutual, it has experience in developing, promoting and implementing other significant incorporation projects, including:

- [Hertfordshire Catering Limited](#) – an Educational Catering Company Limited by Shares wholly owned by the County Council.
- [Herts for Learning \(HfL\)](#) - the largest not for profit Schools' Company in the UK with a 19% shareholding by the County Council.
- Shared Internal Audit Service (SIAS) and Shared Anti-Fraud Service (SAFS) have both been established as partnerships between Hertfordshire County Council and the District and Borough Councils.

The County Council has also made a successful application to the revised DCMS Mutual Support Programme, securing access to the experience of consultants [Mutual Ventures](#) to provide independent support and advice in drawing up a robust business case and implementation plan. Mutual Ventures supported both Explore York and Libraries Unlimited to establish as independent PSMs, providing support during the business planning and transition/implementation stages.

5.2 Project Governance

The Board

The project will continue to be overseen by a multi-disciplinary working group chaired by the Sponsor, Taryn Pearson-Rose, the Assistant Director Customer Engagement and Libraries, and attended by senior managers from Libraries and Corporate Services.

The Governance Board's role is to:

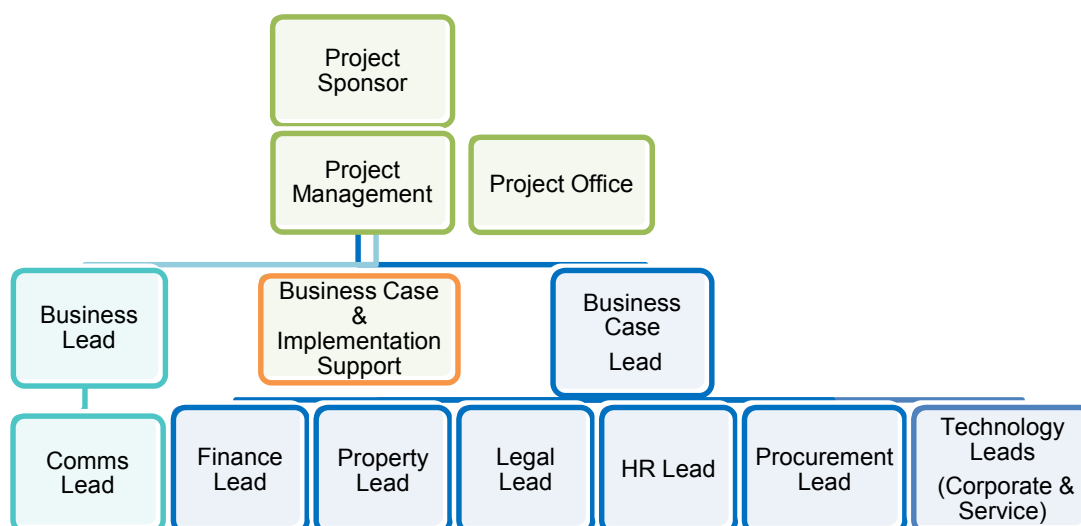
- Make strategic decisions relating to all aspects of the business case
- Oversee delivery of the Full Business Case, business plan and implementation plan
- Determine recommendations for Cabinet
- Monitor project progress based on project objectives and plan
- Manage relationship with third parties
- Monitor and address business interdependencies with other projects / activities
- Sign off complete deliverables incl. FBC

The Delivery Team

The Project Delivery Team is responsible for undertaking activities in the Project Plan to deliver the business case. See Project Delivery Team structure below.

Agenda Pack 55 of 167

Table 5 - Project Delivery Team Structure



The above structure is based on what the project team currently know is required for the next phase. Project Delivery Team membership will be reviewed to ensure it has sufficient resource to the meet the requirements of each phase.

5.3 Project Management Planning

Project Approach

This project is being run in accordance with best practice through the use the following Project Portfolio Management (PPM) Assurance tools including **PRINCE2** methodology for project delivery.

Project Reporting

The Project Management will develop programme controls supported by robust reporting processes that align with the chosen PPM approaches, integrating key stakeholder requirements, facilitating continuous monitoring, and incorporating accurate performance measurement. The purpose is to provide accurate project information in a timely way to ensure well informed decisions are made and appropriate action is taken.

5.4 Timetable

In the event of receiving Cabinet approval, the programme is working to the following timetable, based on a 1st April 2019 launch date for the Public Service Mutual:

- Outline Business Case to Cabinet - seeking approval to progress to a Full Business Case for establishing a Public Service Mutual. - **23rd April 2018**
- Full Business Case development – **April to August 2018**
 - Undertaking all the different activities required to design the chosen model, including defining the ownership and governance structure, identifying the appropriate legal form, defining leadership roles and board membership.
 - Defining growth strategy, required operating model, approach to assets, pensions and TUPE requirements, review of corporate support services and contract value/specification

- Developed Business Plan and Implementation Plan.
- Full Business Case to Cabinet - seeking approval to establish a Public Service Mutual based on the FBC's recommended Legal Form, Business Plan and Implementation Plan – **September 2018**
- Set up the organisation to deliver the contract, including the transfer of assets and TUPE process for transfer of staff - **September 2018 to March 2019**
- Commencement of contract management arrangements between the PSM and the County Council, with the PSM Board taking over strategic and operational control of the organisation – **1st April 2019**
- Close project management function, including end of project report and lessons learnt – **April to May 2019**

5.5 Implementation Plan

A number of workstreams will need to be set up to develop the new organisation. An implementation plan has been developed, based on the Council's previous experience of setting up new organisations.

Subject to the business case being approved further work will be required to:

- Identify all of the key tasks to be carried out in advance of the PSM's proposed commencement date on 1 April 2019.
- Convert the Implementation plan into a detailed task plan that will be used to deliver the project.

Table 6 - Implementation Plan

Workstreams	Key Tasks
Finance	<ul style="list-style-type: none"> - Agree financial year end - Agree how opening position and any accruals will be calculated - Agree any loans to new company - Agree financial reporting requirements - Appoint external auditors - Agree Company tax structures and impact - VAT, Corporation tax SDLT - Agree process for filing accounts with Companies House - Develop business plan - Budget for and monitor set up costs - Agree transfer of any existing County Council reserves to the new organisation

Capital	<ul style="list-style-type: none"> - Capital Charges of County Council assets used by the new organisation - Capital Accounting Requirements - Transfer assets to the new organisation from the County Council - Set up lease agreements for any assets to be leased - Leasing Accounting Requirements - Monitoring of Capital Spend
Treasury Related	<ul style="list-style-type: none"> - Identify bank account requirements - Agree use of Imprest Accounts - Agree any Treasury Management requirements - Agree the monitoring of cash flows forecasting which is essential to the needs of the new organisation - Agree new VAT processes - Register for income tax collection and BACS payment with HMRC
HR & Pensions	<ul style="list-style-type: none"> - Agree final organisational structure - Agree whether changes are required to Terms & Conditions and Pensions for new staff - Source Pension Scheme
SAP Systems	<ul style="list-style-type: none"> - Create change requests to implement changes to payroll, finance & procurement - Create request for master data changes for finance codes and HR organisational structures
Business Process Mapping	<ul style="list-style-type: none"> - Ensure all key business processes for the new organisation are mapped and document findings and identify areas for further efficiency
Website	<ul style="list-style-type: none"> - Review how current website will operate with the PSM's arrangements - Map any process / system changes required
Communications	<ul style="list-style-type: none"> - Prepare & deliver communications plan/s

5.6 Resource Plan

A proposed resource plan has been developed to provide an indication of what roles will be needed to deliver the implementation plan, and at what point in the process their input will be needed.

Cost estimates for the roles that require either internal backfilling or external support have been included as part of the set-up costs in the Financial Model, and will be detailed further in the full business case.

5.7 Risk Monitoring

A risk register has been developed for this project and is reviewed on a regular basis. The project team are mitigating these and other risks with a robust

governance and decision-making framework, stakeholder engagement, and strong assurance and change control arrangements.

5.8 Post Implementation Evaluation Arrangements

The Council is committed to ensuring that a thorough and robust post project evaluation is undertaken to ensure that positive lessons can be learnt. The lessons learned will be of benefit when undertaking future schemes.

5.9 Contingency Arrangements / Exit Strategy

In the event of this project failing to proceed, the library service would be retained in-house by the County Council in order to meet the Council's statutory requirements. The County Council would then need to review ongoing arrangements and alternative options.

5.10 Communications and Stakeholder Management

The Project Sponsor will liaise with key internal and external stakeholders on behalf of the project. A Stakeholder Engagement Strategy has been prepared for the project and provides a brief on the objectives of the stakeholder engagement, target audience and methodology.

5.11 Change Management Arrangements / Requirements

As part of the next stage the planning for change management activities will be established together with the change management process.

The aim of these activities is to manage the proposed changes to the culture, structure, systems, processes and people required to establish a Public Service Mutual. Change management focuses on the actions that are necessary to make the Public Service Mutual a working success.

Timescales for carrying out such actions, and the resources required will also be determined in the next stage as part of the Full Business Case.

6. Conclusion

Following the various considerations outlined in the business case above, it is recommended that Hertfordshire County Council should adopt a Public Service Mutual (PSM) as the preferred model for the future delivery of library services, subject to the agreement of a Full Business Case and detailed Business Plan in the autumn of 2018.

Hertfordshire has a strong record, through 'Inspiring Libraries' of investing in the development of library services. The County Council's primary aim is to identify the best way to deliver its continued ambition for high quality, successful services in the future.

A PSM offers the greatest scope to continue to deliver an affordable, sustainable and responsive public library service to Hertfordshire residents now and in the future. The key benefits of this model are as follows:

- If the legal form and constitution of the PSM qualifies it to register for charitable status, then it will enable immediate savings to be made through NDR rate relief, without the need to reduce services. The PSM would also be eligible for grant funding opportunities not available to in-house council services.
- Relieved of the need to make immediate service reductions in order to meet short term budget targets, a PSM would be well placed to deliver the ambitions of the 'Inspiring Libraries' strategy, and the six universal public library offers.
- A PSM would have a high degree of commercial freedom, allowing it to develop new sources of funding, such as sponsorship, donations and payment for value added services. It would also be able to work more easily with partners across county borders, which could bring efficiencies and enable growth, and with partners across the cultural sector in order to diversify.
- Independence from the County Council and a clear focus on libraries may enable the service to be more flexible and responsive to customers, communities and partners. Being one step removed from the local government structure may enable quicker decision making, encouraging greater innovation and more rapid response to market opportunities and changes in customer demand.
- Depending on its legal form and governance structure, a PSM may provide an opportunity for community stakeholders to have a more direct voice in the development of the service, leading to greater engagement. In the public consultation process, those respondents who supported the proposal for an alternative delivery model clearly identified the PSM as their preferred option.
- Similarly, depending on its legal form and governance structure, a PSM may provide an opportunity for library service staff to have a more direct voice in service development, promoting a positive organisational culture, and a greater sense of ownership, confidence and commitment. In the staff consultation

process, those respondents who supported the proposal for an alternative delivery model clearly identified the PSM as their preferred option.

In order to maximise these benefits, it is recommended that the County Council should seek to establish a PSM model, which is constituted in such a way that it could register for charitable status and ensure community and staff representation on its governing body.

In order to achieve this, it is recommended that a full detailed business case for the establishment of a PSM should be drawn up for presentation to Panel and Cabinet in the autumn of 2018.

APPENDIX A

Summary of the appraisal for each of the long list options

Public Sector Mutual – Preferred Option	
Advantages	Disadvantages
<ul style="list-style-type: none"> The PSM provides significant savings without having to reduce the level of service experienced by library users. Hertfordshire County Council Members would be able to set the strategic direction of the library service, and would retain influence and scrutiny through the constitution of the PSM and/or through the contract. Independence from County Council and a clear single focus on libraries may enable the service to be more flexible and responsive to customers, communities and partners. The opportunity to establish a new organisational culture, with increased staff and community engagement, ownership and motivation, and the opportunity for a more direct voice in decision making. A PSM may be able to access other sources of funding, such as sponsorship, donations and payment for value-added services, which may be more difficult for the County Council As PSMs experience a high degree of commercial freedom, they can explore new areas of service growth. The PSM may be incentivised to generate income from new sources to offset reductions in funding received from the County Council (however if it holds charitable status there may be certain restraints.) 	<ul style="list-style-type: none"> The process of establishing a PSM is complex, resource intensive and time consuming. There may be significant one-off costs, and changes to the way services are delivered may take time. To qualify for some of the benefits of a PSM, this may require a reduction of the level of control and influence which County Council Members can retain. The County Council would still provide most of the funding for the PSM through the core contract, so the service would still be vulnerable to future budget reductions. There is a need to ensure that the management group possesses all the skills and capabilities required to operate a commercially disciplined business. While training and development can help, the PSM may be required to employ new staff at a management level or recruit non-executive directors to the board to ensure it has the necessary skills. A PSM would be a smaller organisation and therefore its buying power and economies of scale may be reduced.

In House – Second Best	
Advantages	Disadvantages
<ul style="list-style-type: none"> County Council Members would retain full control over library service policy and scrutiny of service delivery. There is no need for an implementation process, freeing up service managers to focus on other aspects of the 'Inspiring Libraries' strategy. Although much of this time would need to be spent on finding other ways to make the required savings. The service would be well placed to work with other County Council departments to deliver corporate priorities. As a large customer, the County Council may wield more influence with external suppliers than a smaller organisation benefiting Libraries. Libraries would remain as a key service in delivering against the County Council's wider corporate priorities. 	<ul style="list-style-type: none"> As the service would not have charitable status, there would be no NDR rate relief savings. As a result, the required £500k in savings would have to be made through service reductions, which would make it difficult to achieve the 'Inspiring Libraries' ambitions. There is limited scope for the service to undertake further re-engineering due to the amount of transformation already undertaken as part of the existing 'Inspiring Libraries' Strategy. The library service's opportunity to increase income and secure external funding is limited, thereby increasing the negative impact of any future reductions in council funding. The service would still be managed within the framework of local government decision-making, limiting the opportunity to increase flexibility and responsiveness.

Joint Venture	
Advantages	Disadvantages
<ul style="list-style-type: none"> • The ability to tap into expertise (e.g. commercial), additional resources and potentially new ideas to deliver an improved service. • The potential for increased purchasing power, shared systems and intellectual property. • The potential for savings and efficiencies to be realised, because of the library service being part of a wider organisation. • Savings can be underwritten in the contract. However, the level of savings required would impact the service levels that could be delivered. • Risks can be shared with the JV partner (and in return benefits would be divided as well). 	<ul style="list-style-type: none"> • Depending on the legal structure of the JV there is a risk that the new organisation may not have charitable status, which would be required to achieve the NDR rate relief savings. The absence of charitable status would minimise the savings that could be achieved without reducing the level of services experienced by library users. • The risk that the partner may not reinvest operating profits back into the library service or there may otherwise be a breakdown in the relationship which cannot be recovered. • The potential for opposition to the move from staff, councillors, library users and communities. • Feedback from staff is that they want to work for a public organisation. If the Service JV's with a private Company then some staff may not want to engage with the new organisation, and it could make ongoing retention and recruitment harder. • As it is not known who the joint venture partner would be with, it is difficult to know how they would promote the sense of ownership and engagement. The JV Company could also have a different set of priorities and ways of working. • If a procurement exercise was required (depending upon the nature of the intended JV relationship) then this is likely to be complex, thereby making this option undeliverable in the timeframe required.

Local Authority Trading Company	
Advantages	Disadvantages
<ul style="list-style-type: none"> • The Council can retain a high degree of control over the new organisation. • Despite certain restrictions on the type and level of commercial activities, LATCs possess greater freedom than in-house library services to develop and trade services, including the development and delivery of new non-statutory services which can generate a surplus for the organisation and, depending upon the structure of the new organisation, may be returned to the Council or re-invested into delivering services. • It is possible that no procurement exercise is required. A LATC can transition into an alternative form of delivery (e.g. PSM) in the future 	<ul style="list-style-type: none"> • This option does not come close to making the required annual £500k savings in the timescales available, without significantly reducing library services. • Depending on the legal structure of the LATC there is a risk that the new organisation may not be able to fully deliver the Inspiring Libraries Strategy, as due to its close association with the Council, a LATC is unlikely to achieve charitable status, which would be required to achieve the NDR rate relief savings. • The process of establishing a LATC is complex, resource intensive and time consuming. • There is limited potential for staff or wider stakeholders to influence the strategic direction of the company through this model. • The ability of a LATC to access external funding is limited because it is owned by a public body.

Outsource	
Advantages	Disadvantages
<ul style="list-style-type: none"> • The potential for savings and efficiencies to be realised, because of the library service being part of a wider organisation. • Savings can be underwritten in the contract. However, the level of savings required could impact the service levels and result in reductions in service. • The potential to tap into expertise (e.g. commercial) to deliver an improved service and new ideas. 	<ul style="list-style-type: none"> • The Council would have greatly reduced influence on the service, which would be limited to contract management controls. • Depending on the legal structure of the outsourcing provider there is a risk that the new organisation may not be able (or willing) to fully deliver the Inspiring Libraries Strategy, as it may not have charitable status, which would be required to achieve the NDR rate relief savings. • Feedback from the public consultation indicates significant opposition to outsourcing the delivery of the service to a private sector organisation, as the perception is that the focus on making a profit would prevent any surplus being reinvested to improve the service. • Feedback from the staff consultation is that they want to work for a public service organisation. If the Service is outsourced then some staff may not want to engage with the new organisation, and it could make ongoing retention and recruitment harder. • The Council would be contracting out the service to another organisation, and therefore the level of staff and community engagement would be dependant in part on its priorities. Any discussion with a third party would require compromise on both sides. • The time required for a complex procurement exercise means this option could not be delivered in the timeframe required.

Libraries and Heritage Services	
Title of Report	Results of the 'Inspiring Libraries 2018-2021' Public Consultation
Report Author	Andrew Bignell (With data supplied by Chris Bann and LHS Performance Analysis Team)
Date	March 2018

Summary of feedback

In response to the question 'Which of the following statements best describes your response to our ambitions for the next phase of 'Inspiring Libraries':

- 67.2% either agreed or strongly agreed
- 13.1% either disagreed or strongly disagreed

In response to the question 'Which of the following statements best describes your thoughts about our proposal to establish an alternative delivery model for the library service in Hertfordshire?'

- 30.9% either agreed or strongly agreed
- 41.7% either disagreed or strongly disagreed
- 27.4% either didn't know or expressed no preference

For those who agreed with the proposal, the main reasons given were as follows:

- An alternative delivery model appears to be the best way to maintain the current service within a reduced budget (around 26% of comments)
- It would provide new opportunities for the service (around 16% of comments)

For those who disagreed with the proposal, the main reasons given were as follows:

- Against the outsourcing council services on principle (around 71% of comments)
- Opposed any changes in the current library service (around 40% of comments)
- Opposed to outsourcing to a profit-making organisation (around 28% of comments)
- An alternative delivery model would inevitably lead to a reduction in service quality (around 19% of comments).
- Opposed to any further reductions in library funding (around 13% of comments).

In response to the question 'If you agree that Hertfordshire should adopt an alternative delivery model for library services, which model would you prefer? , 53.9% expressed a preference for a Public Service Mutual.

1. Purpose of the report

To publish the results of the public consultation on the next phase of the 'Inspiring Libraries' strategy and the proposal to develop an alternative delivery model for library services in Hertfordshire.

2. Background

2.1 In November 2017. Cabinet agreed ambitions and priorities for the next phase of the 'Inspiring Libraries' strategy from April 2018 onwards, including:

- Improving library buildings
- Extending access to library services

- Developing technology
 - Maintaining service delivery to contribute to the seven key outcomes identified in the national 'Libraries Deliver' document and the Corporate Plan priorities.
- 2.2 Ongoing pressures on the County Council budget mean that the library service is now required to make a further reduction of £500,000 in the annual revenue budget by 2019/20, over and above the £2.5 million in revenue savings already identified from the original 'Inspiring Libraries' proposals.
- 2.3 When the 'Inspiring Libraries' Strategy was first adopted by Cabinet in 2014, it included the provision that "the service will also consider the best operating models to deliver the strategy within a reduced budget."
- 2.4 [Libraries Deliver: Ambition for Public Libraries in England 2016-2021](#), published by the Department for Digital, Culture, Media and Sport (DCMS) in 2016, challenges local authorities "to explore alternative forms of delivery and financing for library services before making any reductions in library services.
- 2.5 In November 2017, Cabinet agreed that:
- A multi-disciplinary working group be established to further explore the business case and governance for establishing an alternative delivery model for Hertfordshire Libraries, including representatives from Legal Services, Finance and HR.
 - An application should be made to the Department for Digital, Culture, Media and Sport (DCMS) Mutuals Team for free professional support and advice to inform this work.
 - A consultation document should be published on the principle of creating an alternative delivery model for Hertfordshire Libraries in order to seek feedback on the idea from customers, partners, stakeholders, library staff and volunteers.
 - This work should inform a further paper to be presented to the Education, Libraries and Localism Panel and to Cabinet in the spring of 2018, when a decision will be taken on whether to adopt an alternative delivery model.

3. Consultation methodology

3.1 Consultation period

The consultation ran for six weeks from 8th January to 18th February 2018.

Due to an administrative error, the online consultation was switched off at 12 noon on 18th February rather than 12 midnight. When this error was notified, the consultation was reopened for a further three days until midnight on 21st February 2018.

3.2 Consultation document and questionnaire

The consultation document and questionnaire was made available online on the www.hertfordshire.gov.uk website, and printed copies were made available in all Hertfordshire libraries and distributed to Home Library Service customers. An Easy Read version of the questionnaire was developed for people with learning disabilities, and a Large Print version was produced for people with visual impairments.

The questionnaire contained a mixture of options to select and free text boxes to capture respondents' comments. The consultation document is included as Appendix 1.

3.3 Promotion of the consultation

The consultation was promoted by library staff and by displays in every library, and posters and flyers distributed to other community venues. HCC Corporate Communications issued press releases publicising the consultation, which resulted in extensive coverage in the local press.

Social media (Facebook and Twitter) channels were used throughout the period to maintain awareness of the consultation, and it was also promoted in the library e-newsletter in January and February. The consultation featured prominently on the Libraries and Heritage Services and Consultation pages of the council website throughout the six week period. Social media was also used to publicise the extension to the online consultation.

The consultation document was e-mailed or posted to over 350 stakeholder groups (including borough, town and parish councils, community library volunteer groups, partners and other local societies and organisations) inviting them to comment on the proposals and asking them to publicise it through their networks.

4. Campaigns and petitions

During the consultation period, a petition was launched in Berkhamsted under the heading 'Don't Privatisise Berkhamsted Library'. The wording is as follows:
That Hertfordshire Council abandon any proposals to privatise the services of Berkhamsted library. A library is a public asset. It should never be a business for a private company to make profit. The current consultation is flawed and the council must never sell off our library.

This petition does not close until 31 March 2018, but by the end of February it had attracted 438 signatures.

RESULTS OF CONSULTATION

5. Response rate

In total, we received **2,060** responses to the consultation. There were 2,052 completed questionnaires (1,430 online, 619 on paper, and 3 Easy Read versions).

Thirty questionnaires stated that they had been completed on behalf of organisations, including seven District and Parish Councils. In addition, eight Parish Councils chose to submit their views in writing, rather than using the questionnaire. All this feedback has been included in the analysis

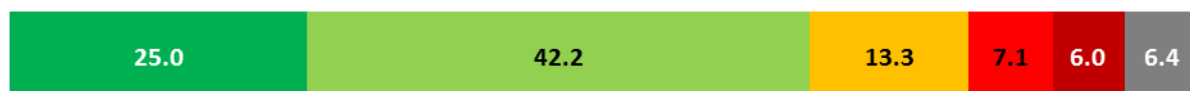
6. Ambitions for 'Inspiring Libraries'

The first part of the questionnaire invited respondents to give their views on our ambitions for the next phase of the 'Inspiring Libraries' strategy, as set out in the consultation document

6.1 Question 1

Which of the following statements best describes your thoughts about these ambitions?

The results show strong agreement with the ambitions of 'Inspiring Libraries', with 67.2% of respondents either agreeing or strongly agreeing, and only 13.1% either disagreeing or strongly disagreeing.



The full breakdown of responses was as follows:

Response	Number	Percentage
Strongly agree	513	25.0%
Agree	866	42.2%
Neither agree nor disagree	274	13.3%
Disagree	145	7.1%
Strongly disagree	123	6.0%
Don't know	49	2.4%
No response	82	4.0%

6.2 Question 2

Do you have any further comments about our ambitions? Is there anything missing? If there are any other services that you would like to see delivered in Hertfordshire libraries, please tell us here.

1171 respondents answered this question. There was a wide variety of comments, many of which related to very specific or local issues, but some common themes emerged.

Community asset

Around 10% of all comments referred to the importance of libraries as local community resources, and hubs for local services and activities. This view was particularly marked among those who supported the ambitions of the 'Inspiring Libraries' strategy.

- *"The library is very valuable to our Community as it provides a great source of information and support to all age groups."*
- *"The libraries are important community hubs. They are especially important for those with young children, disabilities and the elderly. Don't change them too much as they are a lifeline for some people".*

Books and information

Around 10% of all comments referred to the continuing importance of libraries as sources of books and information. This comment was common to those who agreed with the 'Inspiring Libraries' ambitions and those who disagreed. Those who disagreed felt that insufficient emphasis had been placed on this aspect of the service in 'Inspiring Libraries'

- *"There is no point in looking at alternative delivery models, longer hours and improving premises when all the time there are fewer and fewer books of poorer quality available."*
- *"I would have liked to see the word 'book' in there. While I am a great fan of digital information and enjoy a lot of my reading on a Kindle, books are still a key part of what I expect a library service to provide."*

Opening hours

Around 13% of all comments referred to the 'Inspiring Libraries' ambition to increase library opening hours by extending the availability of self-service access. The majority of these comments welcomed this move as a way of extending access to the service beyond core hours. However a significant minority (around a third) expressed opposition to the principle of swipe-card access to library buildings.

- *"Important to have libraries open at some times during evenings and weekends even if this requires some volunteer help during quiet periods in the week".*

- *"I have used a library in Denmark with swipe-card access, unattended, and was pleasantly surprised at how easy and secure the visit was (with a Danish resident). It made perfect sense because all the investment in books etc. is made to 'work harder' for the residents who can access it any time day or night".*
- *"I agree with the main aims e.g. longer hours. I do not agree with some of the proposed implementation e.g. self-service swipe systems are not a substitute or a satisfactory complement to staffed library hours".*
- *"Swipe card access to busy libraries is a dreadful idea. If you can't staff the library, don't open it".*

No change to services

Around 9% of all comments expressed opposition to any significant changes to existing library services. This was the most commonly expressed view among those who disagreed with the 'Inspiring Libraries' ambitions.

- *"Your 'Ambitions?' What is ambitious about them? Plans for destruction more like".*
- *"I have used Hertfordshire Libraries since at least 1945 and they have always served me well. As with many things these days, leave well alone, progress is not always good".*

Value of libraries in society

Around 9% of all comments referred to the wider value of public libraries in society through support for learning, literacy, health and wellbeing etc.

- *"I feel like the word learning or education could be added to the last ambition about being a gateway to reading, information and wellbeing."*
- *"I would like to see a commitment to raising the standards of literacy and a clear ambition to improve/aid the education of the users. This would mean more explicit commitment to online education and a better range of physical books beyond simply popular".*

Value of library staff

Around 8% of all comments referred to the expertise and helpfulness of library staff, and the important contribution this made to the quality of the service. This was often expressed in opposition to the increasing use of volunteers to support library services, particularly among those who disagreed with the 'Inspiring Libraries' ambitions.

- *"You are exploiting the goodwill of volunteers and expect volunteers to do everything instead of paying and rewarding staff".*
- *"Libraries require qualified librarians to be run efficiently and effectively, it requires an accredited professional qualification - not volunteers!"*
- *"Investing in video links between libraries is not a substitute for library staff being able to meet, share professional good practice and then advise members of the public".*

Online and digital services

Around 7% of all comments referred to the increased provision of online and digital services, including the loan of e-books. The great majority of these comments were positive, but some felt that the 'Inspiring Libraries' strategy placed too great an emphasis on technology, and there was some criticism of the quality of the IT provided in libraries.

- *"The improvements over the last few years with regard to digital services and availability of periodicals have reinvigorated my interest in the library system as a whole."*

- *“Improving the speed of wifi access in libraries and improving the computer equipment so it is faster”*

Increasing income and saving money

Around 7% of all comments referred to ideas for generating income for the service, or for saving money.

- *“You should be rationalising premises - I live in Ware and I would prefer to travel to Hertford if it were a better library. Why keep small ones in places like Cuffley, Goffs Oak”*
- *“One Stop Shop occupation that pays for having its office on library location.”*
- *“Putting in a coffee and cake shop within the library as a secondary funding source would be useful too”*
- *“Maybe the library should introduce a nominal membership fee, £2-3 pound a year. I'm sure the public is willing to pay that amount if it means to save the library. Also it will reduce the number of dormant account that the library needs to maintain in the system hence reduce maintenance cost.”*

Library buildings

Around 7% of all comments referred to the ‘Inspiring Libraries’ ambition to improve library buildings. The great majority of these comments were positive, with some praising the improvements that had been made in Hertfordshire libraries in recent years.

- *“More community hubs so people can access a variety of services which would then be mutually supportive.”*
- *“I like ideas about including other community type needs alongside provision of books etc. in library buildings; also creating a sort of social atmosphere - a place to meet with toys, coffee shop, etc. Also a source of information for other aspects of government and council services: a sort of 'one stop shop”.*
- *“Within the building there needs to be adequate space for seating, perusing, access to computer terminals etc”.*

Safe, inclusive public space

Around 6% of all comments referred to the value of libraries as safe, inclusive, accessible or non-judgemental public spaces open to everybody. All these comments were made by people who supported the ‘Inspiring Libraries’ ambitions.

- *“The library was formed to give free access to books & information, it now provides free access to computers, it is a ‘safe’ space for adults, females, teens, families & the elderly”.*
- *“Libraries remain an essential part of the fabric of our local communities.”*

7. An alternative delivery model

The second part of the questionnaire invited respondents to give their views on the proposal to establish an alternative delivery model for the delivery of library services.

7.1 Question 3

Which of the following statements best describes your thoughts about our proposal to establish an alternative delivery model for the library service in Hertfordshire?.

The results show a range of views. 30.9% of respondents either strongly agreed, or agreed with the proposal; 41.7% either disagreed or strongly disagreed; the remaining 27.4% either didn't know or expressed no preference. It is notable that those who disagreed with the proposal felt more strongly than those who agreed, with 23.5% strongly disagreeing.



The full breakdown of responses was as follows:

Response	Number	Percentage
Strongly agree	143	7.0%
Agree	491	23.9%
Neither agree nor disagree	401	19.5%
Disagree	372	18.1%
Strongly disagree	483	23.5%
Don't know	80	3.9%
No response	82	4.0%

7.2 Question 4

Please let us know the reasons for your choice

1595 respondents went on to make specific comments. The themes of these comments reflected the spread of views expressed in response to question 3.

There were 461 comments from respondents who either agreed or strongly agreed with the proposal.

Best way to maintain services

Around 26% of these comments expressed the view that an alternative delivery model appeared to be the best way to maintain the current quality of library services within a reduced budget.

- *“Remaining part of the county council may lead to further budget cuts and potential closure of library services”*
- *“Budgets are challenged and the options proposed would all provide for communities to still influence and shape their local services. I like several of the options including the charitable option and the trading company.”*
- *“Libraries are a vital community facility for all sorts of reasons and many people would suffer if they are lost. An alternative delivery method appears to be the best way to*

preserve the library service.”

- *“If this change allows more key services of health and education to be the focus whilst libraries become self-managing, under direction of the Council, I feel this would be beneficial. I also feel allowing members of the community to join libraries as charity board members would be of benefit and help cement the libraries within the community.”*

Support with caveats

Around 20% of these comments expressed a similar view with a slightly different emphasis – that they supported the proposal for an alternative delivery model as long as this did not lead to a reduction in the quality of services.

- *“Given the financial constraints, I find myself reluctantly agreeing it should be seriously considered. It is unfortunate that Library funding cannot be ring-fenced”*
- *“If an alternative model avoids the need for cuts in the budget for libraries, and means that services will at least be maintained, then an alternative is worth considering.”*

Opportunities

Around 16% of these comments referred to the new opportunities for the service that an alternative delivery model may bring.

- *“To allow for pooling of resources and the potential development in new sources of income and to set the library service at the centre of community development”*
- *“An organisation that just focuses on the library service will hopefully provide a better service tailored to local users’ requirements.”*
- *“If executed properly, the benefits could be numerous. Care must be taken to learn from other attempts at alternative models across the UK. York for instance has an independent library service now”*
- *“I feel more partnership working is crucial with people who have a keen interest in the library provision. This will benefit the service users and help to expand on how the service is currently being delivered. Outside agencies will invest money, time and resource to make the library more accessible and develop services to meet the needs of the service users on a long term basis.”*

There were 359 comments from respondents who neither agreed nor disagreed with the alternative delivery model proposal, or said they didn’t know.

Need more information

The most commonly expressed view in this group, accounting for around 23% of their comments, was that they felt they had insufficient information at this stage, or that there were too many variables and uncertainties around potential alternative delivery models to enable them to make an informed choice. Their primary concern was to maintain the quality of the library service.

- *“I don’t believe I know enough to agree or disagree with the proposal. If pursuing it would enable the libraries to be more sustainable and increase their opening hours, services, and provisions then I would support it. If it would have the opposite effect, then I would not.”*
- *It all depends where you wish to find the savings. No doubt the £500k savings could be found from elsewhere if there is a political desire to do so. If it has to come from Libraries then your proposals are certainly an option worth exploring but clearly bring their own risks. I am also not certain that the ability to attract external grants will in reality materialise.*

There were 766 comments from respondents who either disagreed or strongly disagreed with the proposal.

Opposed to the principle of outsourcing

By far the most frequently expressed view from this group (reflected in around 71% of their comments) was that they were opposed to the principle of outsourcing public services.

- *"Privatisation is not the answer - look at how the cost of the Railways, Electricity, Gas, etc, have gone up and up the pay of the bosses risen exponentially."*
- *"We've seen failures of outsourcing across the country and impact on a variety of services - including costs - in health, education etc, and most recently with the Carillion disaster. We do not need any more."*
- *"Provision of services cannot be outsourced - see what has happened with Carillion"*
- *"In principle I think libraries should be run by the council and this is part of what we pay our council tax for. They are a vital resource for the community - used by people of all ages and backgrounds."*

No change to current library service

Around 40% of comments from this group expressed opposition to any change in the way the library service is currently delivered. Some of these comments related the alternative delivery model and the use of volunteers to support community libraries.

- *"Our public libraries are one of our MOST important assets and should remain just that - ours and public."*
- *"Stop trying to get volunteers and 3rd parties to do the job you are paid to do. It's not difficult, just get on with it"*
- *"Libraries provide a crucial service and increasingly a strong community service which is scarce as local authority cuts continue and worsen. There is no serious benefit in changing the model and it will have negative impact on generations to come."*
- *"Why fix something if it is not broken? This questionnaire is simply a means of testing the waters because the council want to implement cuts. The library is exactly right the way it is. Leave it alone."*

Opposed to outsourcing to a profit making organisation

Around 28% of comments from this group expressed opposition to any model that would outsource the delivery of the library service to a profit-making organisation. Many felt that this would be incompatible with the public library ethos. Many specifically mentioned the example of Carillion, which had collapsed during the course of the consultation.

- *"I feel that libraries should remain part of the government/council services for the population. I very strongly do not want libraries to be tendered out to a for-profit company, as it would ultimately lead to profit being the main focus, which would detract from the real purpose of libraries as very important community resource."*
- *"Libraries should be a public service owned & funded by the public. If an alternative is chosen - which is probably inevitable, it should not be outsourced to a third party."*
- *"The private sector must not be allowed in. (look at Carillion)."*

Reduction in quality of service

Around 19% of comments from this group expressed the fear that an alternative delivery model would inevitably lead to a reduction in the quality of library services in Hertfordshire.

- *“This looks like an attempt to remove the ownership and running of libraries from being council responsibility so that paid staff will have to accept lower wages and pension provisions and assets sold off. The council can then continue to reduce the budget each year without having to take responsibility or blame for the ensuing cuts in service.”*
- *“Herts libraries offer a fantastic service. The various privatisation options will all dilute and eventually destroy this service in the name of efficiency and saving money.”*

No reductions in library funding

Around 13% of comments from this group rejected the proposal on the grounds of opposition to any further reductions in the library service budget.

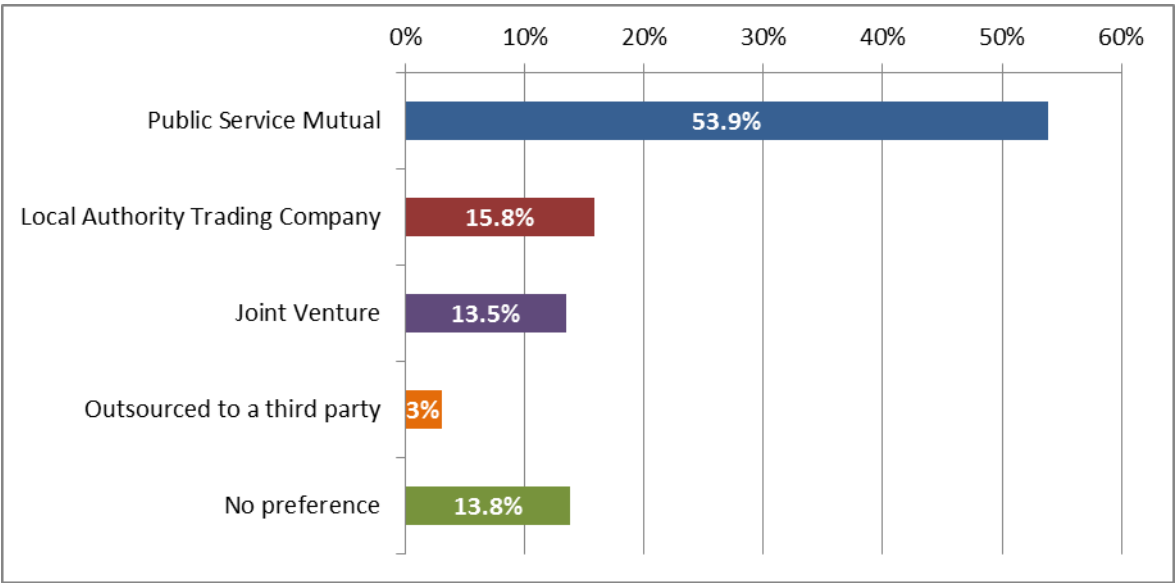
- *“I fail to see how spinning off the underfunded local libraries into underfunded independent vehicles will solve the problem -- they're still underfunded.”*
- *“Libraries remain an essential part of the fabric of our local communities. They should be given priority. Your ambitions sound good, but expecting the libraries to find a further £500K on top of huge savings already made is not reasonable.”*

8. Feedback on types of alternative delivery model

8.1 Question 5

If you agree that Hertfordshire should adopt an alternative delivery model for library services, which model would you prefer?

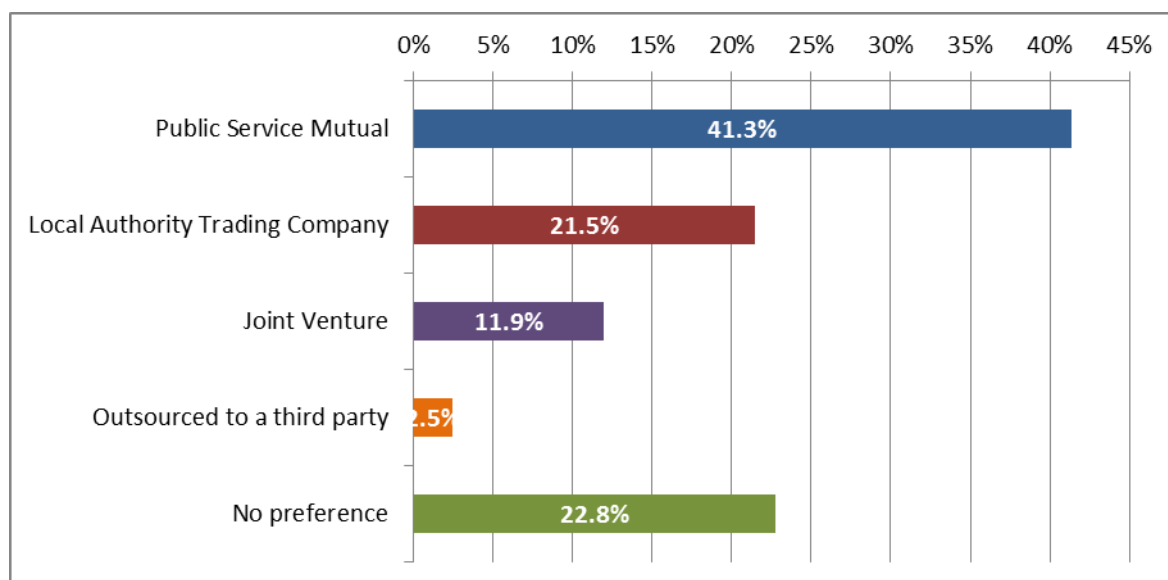
609 respondents who either agreed or strongly agreed with the proposal to adopt an alternative delivery model for library services went on to answer this question. The clear majority of responses expressed a preference for a Public Service Mutual.



The full breakdown of responses was as follows::

Response	Number	Percentage
Public Service Mutual	328	53.9%
Local Authority Trading Company	96	15.8%
Joint Venture	82	13.5%
Outsourced to a third party	19	3.1%
No preference	84	13.8%

However, a large number of respondents (731) who had disagreed with the alternative delivery model proposal in Question 3, or expressed no preference, went on to answer Question 5 in any case. If these views are taken into account, then the Public Service Mutual is still clearly the most popular option, but there is a stronger showing for the Local Authority Trading Company, reflecting the fact that this option retains the greatest level of control for the County Council, and most of these respondents' first preference would be for the service to be retained in-house.



The full breakdown of responses was as follows:

Response	Number	Percentage
Public Service Mutual	554	41.3%
Local Authority Trading Company	288	21.5%
Joint Venture	160	11.8%
Outsourced to a third party	33	2.5%
No preference	305	22.8%

8.2 Question 6

Please let us know the reasons for your choice.

Public Service Mutual

461 respondents who expressed a preference for a Public Service Mutual went on to make specific comments in answer to this question:

Best fit for the library service

Around 35% of the comments from this group expressed the view that a Public Service Mutual appeared to be the 'best fit' for the library service.

- *"A public service mutual would offer the best opportunity to deliver 'Inspiring Libraries' and maintain services with minimum risk of detrimental changes to the current service. It appears to offer more flexibility than the other options."*
- *"More independence while retaining public service ethos".*
- *"I suspect that such a body would have greater potential than any of the other options to provide an innovative and interesting solution to the problems facing libraries nowadays."*

Not for profit

Around 22% of comments from this group referred to the fact that a Public Service Mutual is a not-for-profit organisation that would invest any surplus back into the service.

- *"I am totally opposed to any form of outsourcing to the private sector either entirely or as a joint venture. The dangers of this have been amply demonstrated in recent times. It is unlikely much, if any, income would be re-invested in the service."*
- *"I wouldn't want a commercial company taking over the library service as that may lead to decisions being made for financial reasons rather than in the interest of the community."*
- *"I am against outsourcing to a third party or any joint venture including a third party because precious funds would be diverted to boost the profitability of those parties."*

County Council influence

Around 15% felt that it would allow the County Council to retain a fair degree of influence over service provision.

- *"I don't agree with the alternative model proposed. If there has to be one then keeping a very close contact with the council is appropriate as is the not-for-profit status"*
- *"I like the idea of the Public Service Mutual or Joint Venture models as I think they give greater flexibility over services to respond to trends in customer requirements and also embed the library in its community. I would like to ensure that the governance of libraries remains with the County Council as they have all the necessary expertise and regulations in place."*

Community input

Around 13% of comments from this group expressed the view that a Public Service Mutual would allow the library service to remain rooted in the local community.

- *"Public Service Mutual would be my choice if keeping the service in-house is not the approved option. This option seems the closest to providing for the needs of the community."*

- *“Ownership” increases commitment and prompts increased usage if members of community get involved. Where facilities are provided, there is a danger of taking things for granted and low usage may ensue. A library should be a vibrant community hub, vital for young and old alike, singles and marrieds, those facing transition/bereavement change of life circumstances.”*

New opportunities

Around 11% felt that a Public Service Mutual would offer new opportunities for the future development of the service.

- *“I feel option B (Public Service Mutual) offers more opportunities to expand the library and its provision. It will provide the best opportunity to work in partnership with a range of people from community involvement, investments from other people and working with libraries outside of Hertfordshire.”*

Financial viability

Around 11% felt that a Public Service Mutual would be the most viable option financially.

- *“Given financial constraints of Local Government the ability of the library to be able to enter into additional contracts outside HCC should be seen to be beneficial. By choosing a PSM which has charitable status it will be able to access charitable grants.”*

Local Authority Trading Company

214 people who expressed a preference for a Local Authority Trading Company went on to give the reasons for their choice. The principal reason given was that in this model, the County Council retains a greater degree of direct control.

- *“While I think getting local communities more involved in the running of local libraries is a positive step, it is important that the council is still held account for the provision of services. It is not clear how this can be achieved with the other models.”*
- *“More control, less risky, probably most experienced staff and management.”*
- *“Likely to be better regulated, accountable and wholly transparent model.”*
- *“Because there would still be some democratic accountability”*

9. Response from organisations

There was strong agreement with the ambitions of the Inspiring Libraries strategy amongst the organisations that responded; recognising the value of libraries in society, the services offered and the importance of these to their town or parish and Hertfordshire communities more widely, particularly disadvantaged and vulnerable groups .

Many did not comment directly on whether or not they supported the proposal to adopt an alternative delivery model but expressed their concern regarding further cuts to the library service budget and their opposition to any reduction in library services, paid staffing, opening hours or buildings.

Where there was comment, some expressed concern or caution about adopting an alternative delivery model and the risks to the standard of the service, but there was a clear preference for any alternative delivery model to be not for profit, charitable or mutual.

The majority preferences expressed directly were for a Public Service Mutual or a Joint Venture, with the latter preference more likely to be associated with comments on the opportunities for incorporation, collaboration and partnership working with other public and

local government services.

10. Conclusion

The consultation attracted 2060 responses. This is a considerably smaller number than previous 'Inspiring Libraries' consultations, but it is very much in line with expectations for a consultation about governance and delivery models, rather than changes to frontline services.

The results indicate the value that residents place on library services, and indicate a strong endorsement of the ambitions of the 'Inspiring Libraries' strategy, with 67.2% of respondents either agreeing or strongly agreeing with these ambitions.

The results indicate a spread of opinion regarding the adoption of an alternative delivery model for library services. More people (41.7%) disagreed with the proposal than agreed with it (30.9%), but the large number who expressed no preference (27.4%) meant that there was no majority either in favour or against the proposal. The principal concern for most respondents was maintaining the quality of the library service.

Most of those who agreed with the alternative delivery model proposal felt that it provided the best way of maintaining library services within a reduced budget. Some felt that it provided positive opportunities for the future development of the service.

Of those who disagreed with the proposal, many expressed opposition to the principle of outsourcing public services and did not want to see any change to the current delivery of library services. Some felt that an alternative delivery model would inevitably lead to a reduction in services, and some challenged the need for any further reductions in the libraries budget. There was particularly strong opposition to the outsourcing of the library service to a private company or profit-making organisation.

A clear majority of those who agreed with the proposal to adopt an alternative delivery model preferred the Public Service Mutual option.

11. Appendix 1 - Questionnaire

Foreword

Hertfordshire libraries are well used and highly valued by residents of all ages, and the County Council wants to see them thrive into the future. Over the last few years, through our 'Inspiring Libraries' strategy, we have continued to invest in the development and improvement of services, despite the constraints on funding for local government. This document includes examples of the range of services our libraries provide.

However, ongoing pressure on the County Council budget means that we have to consider further budget savings across all services. In order to achieve our ambitions for 'Inspiring Libraries' within a reduced budget, and put ourselves in the best position to grasp future opportunities, we need to identify the most appropriate way of managing the library services in the years ahead, and we welcome your views. You can help us by **reading this document and completing the attached questionnaire**. Your feedback will help council members to make a final decision in the spring of 2018.

Terry Douris, Executive Member for Education, Libraries and Localism

Inspiring Libraries

Hertfordshire County Council launched its 'Inspiring Libraries' strategy in 2014, following an extensive public consultation, which attracted more than 15,000 responses.

'Inspiring Libraries' aimed to set a vision and direction for the service over the next 10 years, based on three main themes:

- The library as a **vibrant community asset** – shaped with local people and partners to reflect local need, support sustainability and enrich communities.
- The **digital library** – a service that is ambitious in its use of technology and digital formats for the benefit of residents.
- The library as an **enhanced gateway** to reading, information and wellbeing.

Reading and Literacy

More than 21,000 children participate in the annual Summer Reading Challenge. 98% of Hertfordshire babies receive a Bookstart pack through the Library Service. Hertfordshire libraries support more than 450 reading groups across the county.

Our achievements

Since 2014, the implementation of 'Inspiring Libraries' has led to significant changes in the Library Service:

- Improvements to **library buildings**, including new libraries at Hemel Hempstead and Berkhamsted, and major refurbishments at Watford, Hitchin, Abbots Langley and North Watford.
- Innovations in **technology**, including new CreatorSpaces at Watford and Hemel Hempstead offering library users and community groups the opportunity to explore a range of creative technologies from coding to 3D printing.
- Developments in **online services**, including the Library App, the loan of e-books and e-magazines, and the use of social media to promote the service.
- The reorganisation of Hertfordshire's 46 libraries into three tiers, based on usage and population served.
- The introduction of **Community Libraries**, managed in partnership with local volunteer groups at Chorleywood, Redbourn, Goffs Oak, Kings Langley and Wheathampstead, with plans to roll-out to a further eleven communities.
- Expansion of the **Home Library Service** for people with disabilities and mobility difficulties and their carers, when the mobile library service was withdrawn.

Library Usage

Usage figures demonstrate the continuing popularity of library services, with the total number of library visits increasing by 10% since 2014.

Figures in thousands

	2013/14	2014/15	2015/16	2016/17
Physical visits	3,832	3,842	3,665	3,574
Online visits	1,279	1,549	2,045	2,055
Total Visits	5,111	5,391	5,710	5,629

Online Library visits include visits to the Libraries website, the library catalogue and online functions, the e-Library and the Online Reference Library.

Our ambitions

Over the next three years, from 2018 to 2021, we want to build on these achievements in the next phase of the Inspiring Libraries strategy:

- **Improving library buildings**
Our ambition is for Hertfordshire library buildings to be bright, attractive, welcoming, flexible, tech-enabled spaces in convenient locations. To achieve this, we aim to continue our programme of investment in the improvement of library buildings.

- **Extending access**

Our ambition is for Hertfordshire libraries to be open to residents for longer hours. To achieve this, we aim to seek opportunities to introduce swipe-card access and other self-service options in our 30 busiest libraries in order to extend access to the service beyond core staffed hours.

- **Developing technology**

Our ambition is to use technology and digital solutions to improve service delivery, to support digital inclusion, and to empower citizens. To achieve this, we aim to extend access to CreatorSpace technology to all our largest libraries, and to develop LibraryLink – our video link between libraries – to provide professional support for self-service access and volunteer-supervised libraries.

- **Maintaining service delivery**

Our ambition is to ensure that Hertfordshire libraries continue to provide a range of services to support reading, learning, access to information, digital literacy, health and wellbeing, cultural enrichment and participation in community life. We will achieve this through our workforce of skilled and trained library staff, supported, where appropriate by local volunteers.

Digital Access and Literacy

All Hertfordshire libraries offer self-service public access to computers and printing, including Wi-Fi printing. Our larger libraries offer tablet taster sessions for people who lack skills and confidence in using technology. 88 volunteer IT champions are available to assist members of the public in accessing digital services.

The financial challenge

Due to ongoing reductions in national funding for local government, and increasing demand for key services such as social care, the County Council budget has been under great pressure over the last few years.

The implementation of the Inspiring Libraries strategy was expected to achieve £2.5 million in savings from the annual revenue budget for Libraries over a three year period. More than £2 million has already been saved, and the remainder will be achieved through the roll-out of volunteer-partnered community libraries in smaller communities.

However, continuing pressure on funding for public services means that the County Council needs to find new ways to deliver more flexible and cost-effective library services in order to find an additional £500,000 in annual budget savings, over and above those already identified, by 2019/20.

Health and Wellbeing

Our Reading Well: Books on Prescription collections offer medically approved titles to help people suffering from long term illness and mental health problems to manage their conditions. Reminiscence collections support dementia sufferers and their carers. Libraries provide venues for health events and promotions.

An alternative delivery model?

[‘Libraries Deliver: Ambition for the Public Libraries in England 2016-2021’](#), published by the Department for Digital, Culture, Media and Sport (DCMS) in 2016, and endorsed by the Local Government Association, challenges local authorities “to explore alternative forms of delivery and financing for library services before making any reductions in library services.” In Hertfordshire, we now need to consider the best operating model to achieve the ambitions of the ‘Inspiring Libraries’ strategy within a reduced budget.

There are a number of local authorities, similar to Hertfordshire, which have successfully created independent, not for profit organisations with charitable status to deliver library services under contract to the County Council; for example:

- Suffolk Libraries
- Libraries Unlimited South West (Devon)
- Inspire Nottinghamshire

The County Council believes that an alternative delivery model could be a bold and positive way forward – an expression of confidence in the future of the library service and the ‘Inspiring Libraries’ strategy in challenging times.

Potential benefits

Delivery of library services through an alternative delivery model may:

- Enable the service to be more flexible and responsive, as it would be independent from the County Council, with a clear single focus on libraries.
- Enable the library service to access grants and alternative sources of funding that would not be available to the County Council.
- Enable the service to make some immediate savings in rates relief, and potentially some further long-term savings in overheads and administration costs.
- Allow the service to work more easily with partners across county borders, which could potentially bring efficiencies.
- Help to root the service in the communities it serves, by including community seats on the governing body.
- Enable the service to be more innovative, and respond more rapidly to market opportunities and changes in customer demand.
- Enable the service to develop more commercial behaviours and to take advantage of sponsorship and closer working with businesses.

If the decision is taken not to pursue an alternative delivery model, then the County Council will have to consider other options for making £500,000 savings from the Libraries budget.

Types of alternative delivery model

There are a number of different ways of organising and delivering library services, which are summarised in the [Alternative Delivery Models Toolkit](#), published by the DCMS in March 2017. These include:

- Keeping the service in-house – run by the County Council.
- Operating the service through a Local Authority Trading Company.
- Transferring the service to a Public Service Mutual – a not for profit organisation, created and commissioned by the County Council to run the service.
- Outsourcing the service to a third party – an independent organisation or business.
- Operating the service through a joint venture – a partnership between the County Council and a third party organisation.

Appendix A provides a summary of the advantages and disadvantages of each option, based on the DCMS Toolkit.

Next steps

Over the next few months we will be further exploring the pros and cons of creating an alternative delivery model for Hertfordshire Libraries, including the costs of establishing an alternative organisation, the business case and the governance arrangements.

Your views will form an important part of this work.

This exploratory work and feedback from this consultation exercise will enable the County Council to make a final decision on whether to adopt an alternative delivery model in the spring of 2018. If the decision is to go ahead, then a timetable will be set out with a view to launching the new organisation in 2019.

Appendix 1
Options' advantages and disadvantages (based on Department for Digital, Culture, Media and Sport 'Alternative Delivery Models Toolkit' – March 2017)

Option	Ownership	Governance	Services	Advantages	Disadvantages
Retain service in-house	100% county council	Within county council	Local public sector services	<ul style="list-style-type: none"> • No set up costs • Full county council control 	<ul style="list-style-type: none"> • No rates relief • Service reductions required to make budget saving • Limited opportunity for new funding streams • No added flexibility
Local Authority Trading Company	100% county council	Designed for flexibility/autonomy Council appointed Board. Service level agreement (SLA) with county council.	Flexible, but most services delivered on behalf of county council.	<ul style="list-style-type: none"> • No procurement • Full county council control • Added freedom to pursue commercial opportunities 	<ul style="list-style-type: none"> • Set up costs • Limited opportunity for new funding streams • Income from non-statutory service limited to 20% • Limited opportunities for community involvement • VAT and corporation tax liability
Public Service Mutual	Variety of options – county council/ community/ staff.	Designed as required Board membership dependent on ownership SLA/contract with county council.	Flexible – can deliver services to councils, private or voluntary and community sector customers.	<ul style="list-style-type: none"> • Community involvement • Opportunity to identify new funding streams • Most flexible model • Savings from rates relief • Opportunity for cross-border working 	<ul style="list-style-type: none"> • Set up costs • Need to disentangle central services – HR, IT, Property, Finance, etc. • VAT and corporation tax liability
Outsourced to Third Party	100% 3 rd party	Arranged under contract	Contracted services on behalf of county council	<ul style="list-style-type: none"> • Tap into expertise of larger organisation • Increased purchasing power • Potential savings from economies of scale 	<ul style="list-style-type: none"> • Risk of poor performance • Risk that income is not reinvested in service • Need to disentangle central services – HR, IT, Property, Finance, etc. • Limited opportunity for community involvement • VAT and corporation tax liability
Joint venture	Potential for joint ownership	Designed as required SLA/contract with county	Flexible – can deliver services to councils, private	<ul style="list-style-type: none"> • Various from the list above, depending on the 	<ul style="list-style-type: none"> • Various from the list above, depending on the model

	- council and 3 rd party.	council	or voluntary and community sector customers.	model	
--	-----------------------------------------	---------	-------------------------------------------------	-------	--

Inspiring Libraries - the next phase: Consultation Questionnaire

Question 1

We set out our ambitions for the next phase of 'Inspiring Libraries' from page 2. Which of the following statements best describes your thoughts about these ambitions? Do you: *(please tick ✓ one box)*

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree nor disagree
- ☐ Disagree
- ☐ Strongly disagree
- ☐ Don't know

Question 2

Do you have any further comments about our ambitions? Is there anything missing? If there are any other services that you would like to see delivered in Hertfordshire libraries, please tell us here:

Question 3

Which of the following statements best describes your thoughts about our proposal to establish an alternative delivery model for the library service in Hertfordshire? Do you: *(please tick ✓ one box)*

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree nor disagree
- ☐ Disagree
- ☐ Strongly disagree
- ☐ Don't know

Question 4

Please let us know the reasons for your choice:

Question 5

If you agree that Hertfordshire should adopt an alternative delivery model for library services, which model would you prefer: *(please tick ✓ one box)*

- ☐ Local Authority Trading Company
- ☐ Public Service Mutual
- ☐ Outsourced to a third party
- ☐ Joint Venture
- ☐ No preference

Question 6

Please let us know the reasons for your choice:

Question 7

Are you completing this questionnaire as an individual or on behalf of a group/organisation (*please tick ✓ one box*)

- ☐ As an individual
- ☐ For an organisation

Please state your organisation:

About You

Equal Opportunities Form



This Equal Opportunities Form is confidential and anonymous. It does not ask about your name or address (apart from your postcode). When we receive the completed form, we keep this data separate from any other information that could link it to you. The information you give us will remain strictly confidential and will be used for monitoring purposes only, in accordance with the Data Protection Act 1998.

Postcode							
----------	--	--	--	--	--	--	--

Age

Under 18	<input type="checkbox"/>	18 - 24	<input type="checkbox"/>	25 - 34	<input type="checkbox"/>	35 - 44	<input type="checkbox"/>	45 - 54	<input type="checkbox"/>
55 - 64	<input type="checkbox"/>	65 - 74	<input type="checkbox"/>	75 - 84	<input type="checkbox"/>	85 - 89	<input type="checkbox"/>	90+	<input type="checkbox"/>

Gender

<input type="checkbox"/> Male	<input type="checkbox"/> Female	<input type="checkbox"/> Other
-------------------------------	---------------------------------	--------------------------------

Ethnicity

<u>White</u> <input type="checkbox"/> British <input type="checkbox"/> Irish <input type="checkbox"/> Gypsy or Irish Traveller <input type="checkbox"/> Any other White background	<u>Mixed</u> <input type="checkbox"/> White and Black Caribbean <input type="checkbox"/> White and Black African <input type="checkbox"/> White and Asian <input type="checkbox"/> Any other mixed background	<u>Asian or Asian British</u> <input type="checkbox"/> Indian <input type="checkbox"/> Pakistani <input type="checkbox"/> Bangladeshi <input type="checkbox"/> Chinese <input type="checkbox"/> Any other Asian background <u>Other Ethnic Group</u> <input type="checkbox"/> Arab <input type="checkbox"/> Any other ethnic background <u>Prefer not to say</u> <input type="checkbox"/> Prefer not to say
<u>Black or Black British</u> <input type="checkbox"/> African <input type="checkbox"/> Caribbean <input type="checkbox"/> Any other black background		

Do you consider yourself to have a disability?	Do you have a caring responsibility for an adult and/or a child with a disability?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Prefer not to say	<input type="checkbox"/> Yes <input type="checkbox"/> No

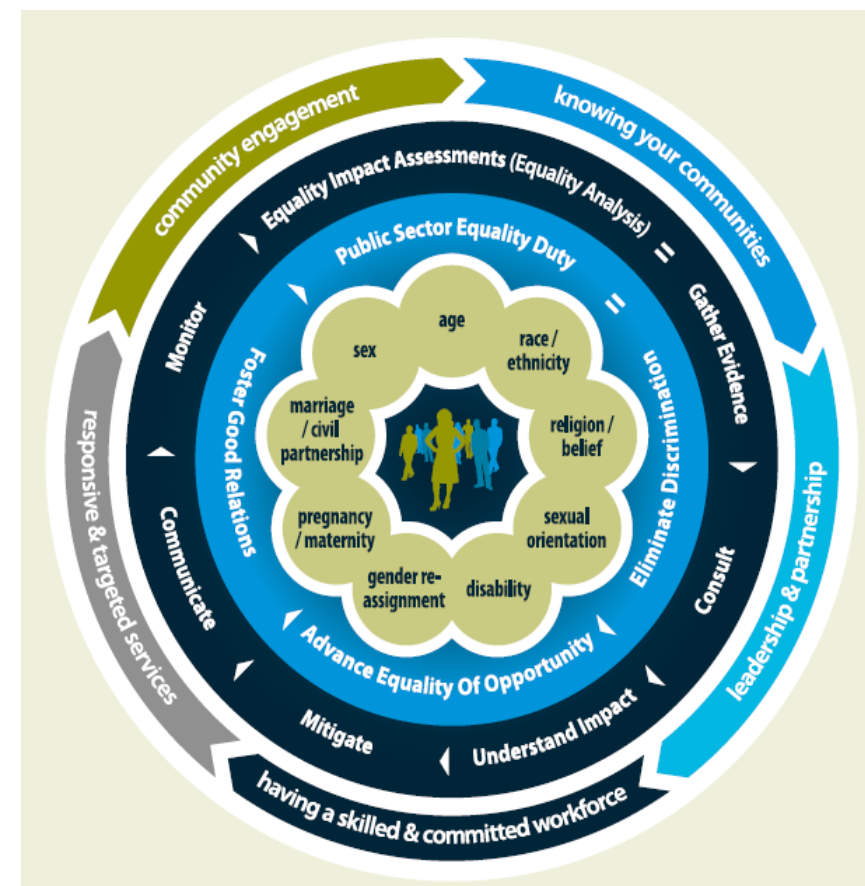
**Please return your completed questionnaire to your local library by
Sunday 18 February 2018**

Equality Impact Assessment (EqIA) Template

EqIAs make services better for everyone and support value for money by getting services right first time.

EqIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then create an action plan to get the best outcomes for staff and service-users¹. They analyse how all our work as a council might impact differently on different groups protected from discrimination by the Equality Act 2010². They help us make good decisions and evidence how we have reached them.³

An EqIA needs to be completed **as a project starts** to identify and consider possible differential impacts on people and their lives, inform project planning and, where appropriate, identify mitigating actions. It must be completed **before** any decisions are made or policy agreed so that the EqIA **informs that decision or policy**. It is also a live document; you should review and update it along with your project plan throughout.



Full guidance notes to help you are embedded in this form – see the End Notes or hover the mouse over the numbered notes.
If your project/proposal relates primarily to staff – e.g. a restructure – there is a specific EqIA template for this [here](#)

Please share your initial EqlA with the equalities team, equalities@hertfordshire.gov.uk and the final/updated version at the end of the project. Key EqlAs should be reviewed by the relevant Head of Service. Examples of EqlAs can be seen in the [EqlA Library](#).

1. Who is completing the EqlA⁴ and why is it being done?

Title of service / proposal / project / strategy / procurement you are assessing⁵	Delivering Library Services through Public Service Mutual
Names of those involved in completing the EqlA	Andrew Bignell Rachel Bilton Tobias Barker
Head of Service or Business Manager	Andrew Bignell
Team/Department	Libraries & Heritage Services
Lead officer contact details	Tobias.Barker@hertfordshire.gov.uk
Focus of EqlA – what are you assessing?⁶ What are the aims of the service, proposal, project? What outcomes do you want to achieve? What are the reasons for the proposal or change? Do you need to reference/consider any related projects?	<p>The County Council is exploring an alternative delivery model for Hertfordshire Libraries as the best means of delivering the ambitions of the Inspiring Libraries Strategy, achieving required budget savings and minimising reductions to the service in future.</p> <p>A multi-disciplinary working group has been established to further explore the business case for establishing an alternative delivery model, and independent professional support and advice sought through the DCMS Mutuals Support Programme.</p> <p>A consultation document was published online and in libraries 8 January to 18 February 2018 in order to seek feedback on the principle of creating an alternative delivery model from customers, partners, stakeholders, library staff and volunteers. The results of the consultation will help to inform a recommendation to Cabinet in the spring 2018.</p> <p>The purpose of this equality impact assessment is to consider what the impact would be if Hertfordshire Libraries adopted an alternative delivery model and delivered library services through a Public Service Mutual.</p> <p>This equality impact also identifies the new operating model, Public Service Mutuals and the potential for mitigation against disadvantageous and unequal access.</p>

	<p>This could arise through a reduction of service, in order to meet required budget savings, if Hertfordshire Libraries did not adopt an alternative delivery model and continued to deliver services as they are currently.</p>
<p>Stakeholders Who will be affected? Which protected characteristics (<i>see end-notes 11-20</i>) is it most relevant to? Consider the public, service users, partners, staff, Members, etc</p>	<p><u>Internal:</u></p> <ul style="list-style-type: none"> • Staff and volunteers in Libraries and Heritage Services • Hertfordshire County Councillors <p><u>External:</u></p> <ul style="list-style-type: none"> • Library customers and potential customers, including people from hard to reach groups and people who commonly experience barriers to participation (e.g. some people with protected characteristics) <p><u>External Organisations:</u></p> <ul style="list-style-type: none"> • County Council departments and other partners. (e.g. Schools, Children's Centres, local colleges, Citizen Advice, local groups who use library facilities such as reading groups, local history societies etc). • Community Library Steering Groups

2. List of data sources used for this EqIA (include relevant national/local data, research, monitoring information, service user feedback, complaints, audits, consultations, EqIAs from other projects or other local authorities, etc.)

A range of useful local data on our communities can be found on [Herts Insight](#) and on the [Equalities Hub](#)

Title and brief description (of data, research or engagement – include hyperlinks if available)	Date	Gaps in data Consider any gaps you need to address and add any relevant actions to the action plan in Section 4.
Hertfordshire County Council Community Profile data <ul style="list-style-type: none"> The Office of National Statistics projects that Hertfordshire’s population will become larger and more diverse over the next decade. This growth is not evenly distributed across the age range. By 2021 42.6 % of the population will either be under 20 or over 65. The 2011 census shows that the Hertfordshire population has become increasingly ethnically diverse over the last ten years and this trend is likely to continue. 19.2% of Hertfordshire residents identified themselves in the 2011 census in ethnic groups other than White British, compared to 11.23% in 2001. Over a quarter of school aged children in Hertfordshire, 26%, are from BME backgrounds. 	2011 Census	
Service user data <ul style="list-style-type: none"> Library membership statistics - equality monitoring data is recorded at the time of joining the library and this is recorded on the customer membership file. Data includes ethnicity; people under 16; people over 65; people on low incomes who receive benefits; people with disabilities; carers; people with dyslexia, basic skills needs, or who need help to read English. Feedback from customers including complaints and compliments are recorded on the Hertfordshire Libraries Customer Feedback Form (2017). Complaints that refer to an equalities issue are also recorded as part of this process. The feedback received is used 	<div>Ongoing</div> <div>Ongoing</div>	

<p>chances are improving over time (particularly for child poverty and educational attainment), family homelessness and hospital admissions among young people for both substance misuse and self-harm show worsening trends.</p> <ul style="list-style-type: none"> • “Children’s Life Chances” JSNA recommends that the County Council should improve linkages between services and strategies in order to address life chances issues. 		
<p><u>“Ageing Well” JSNA 2014</u></p> <ul style="list-style-type: none"> • The “Aging Well” JSNA highlights the fact that social isolation amongst older people can lead to depression and ill-health. Volunteering opportunities for older people improves health and wellbeing and diverts people away from health and social care services and towards community-based services and self-sufficiency. The provision of advice and information can support older people in relation to falls prevention, dementia, warmth and mental wellbeing. 	2014	
<p><u>Equality and Diversity” JSNA 2015</u></p> <ul style="list-style-type: none"> • “Equality and Diversity” JSNA says that service providers need to be aware of the prominent health inequalities experienced by Hertfordshire’s diverse communities, and consider their impact when planning, commissioning and delivering services. This should involve considering new ways to engage with these communities; to understand their needs and to identify and eliminate the barriers they face to accessing services. 	2015	

3. Analysis and assessment: review of information, impact analysis and mitigating actions

Protected characteristic group	<p>What do you know⁷? What do people tell you⁸?</p> <p>Summary of data and feedback about service users and the wider community/ public</p> <ul style="list-style-type: none"> • Who uses the service? • Who doesn't and why? • Feedback/complaints? • Any differences in outcomes? Why? 	<p>What does this mean – what are the potential impacts of the proposal(s)⁹?</p> <p>- Consider positive and negative impacts - On service users / the public - <i>AND, where relevant, staff*</i></p> <p><i>* if your proposals relate mainly to a staff restructure or reorganisation, you should use the template here</i></p>	<p>What can you do¹⁰?</p> <p>What reasonable mitigations to reduce or avoid the impact can you propose?</p> <p>How will you communicate/engage or provide services differently to create a 'level playing field' – e.g. consultation materials in easy read or hold targeted engagement events</p> <p><i>If there is no current way of mitigating any negative impacts, clearly state that here and consider other actions you could take in the action plan in section 4.</i></p>
Age ¹¹	<ul style="list-style-type: none"> • The Office of National Statistics predicts that by 2021 the number of over 65s will have increased by 22.4% and the number of over 80s will have increased by 28.2%. The number of young people is forecast to increase, with 0-19s up by 11.3% and 0-5s up by 11.7%. • The older population will increase significantly during the lifetime of the library strategy. Currently one out of every five households in Hertfordshire contains only residents that are aged 65+. 59% of these households contain one person living alone. 	<p><u>Positive impact</u></p> <ul style="list-style-type: none"> • Hertfordshire Libraries provide library services that are accessible to all. A Public Service Mutual model will provide a means of continuing current service provision. • A Public Service Mutual has the potential to mitigate against disadvantageous and unequal access that could arise through a reduction of service, in order to meet required budget savings if the service remains in-house. <p><u>Negative impact</u></p> <ul style="list-style-type: none"> • Younger and older people may believe that delivering library services in Hertfordshire through a Public Service Mutual will not reflect or meet their particular service needs. 	<ul style="list-style-type: none"> • When the governance of the Public Service Mutual organisation is determined we will ensure that the governance structure and management of the new organisation is: • representative and reflects the interests of

	<ul style="list-style-type: none"> The 2011 census found that 8.1% of Hertfordshire residents have never used the internet. In the 2013 public consultation, "The Future of Hertfordshire Libraries" 18% of library users responding to the questionnaire said that they did not have a home computer with internet access. 		<p>people with protected characteristics</p> <ul style="list-style-type: none"> members of the new organisation are fully aware of equalities legislation and act in accordance with the law and best practice the Public Service Mutual organisation adheres fully to the public library ethos and the vision and values of the library service in Hertfordshire and that this is stated clearly in the contractual arrangement between the County Council and the new organisation. We will actively promote the Public Service Mutual and any changes to the service to agencies and community groups representing the interests of older people, children and young people.
Disability¹²	<ul style="list-style-type: none"> The Council's community profile data shows that 69,000 people in Hertfordshire have a disability. This includes 23,000 people with a severe physical disability. Around 26,000 people have a learning disability. 	<p><u>Positive impact</u></p> <ul style="list-style-type: none"> Hertfordshire Libraries provide library services that are accessible to all. A Public Service Mutual model will provide a means of continuing current service provision. A Public Service Mutual has the potential to mitigate against disadvantageous and unequal access that could arise through a reduction of service, in order to meet required budget savings if the service remains in-house. <p><u>Negative Impact</u></p> <ul style="list-style-type: none"> People with a disability may believe that delivering library services in 	<ul style="list-style-type: none"> When the governance of the Public Service Mutual organisation is determined we will ensure that the governance structure and management of the new

		<p>Hertfordshire through a Public Service Mutual will not reflect or meet their particular needs of the service.</p>	<p>organisation is:</p> <ul style="list-style-type: none"> – representative and reflects the interests of people with protected characteristics – members of the new organisation are fully aware of equalities legislation and act in accordance with the law and best practice – the Public Service Mutual organisation adheres fully to the public library ethos and the vision and values of the library service in Hertfordshire and that this is stated clearly in the contractual arrangement between the County Council and the new organisation. • We will actively promote the Public Service Mutual and any changes to the service to agencies and community groups representing the interests of people with disabilities. • The service will ensure through its communications planning that publicity for any changes will be available in different formats, including large font, braille, easy read and BSL as needed.
<p>Gender reassignment¹³</p>	<p>There is currently a low expectation of the service amongst some of the gender reassignment population.</p>	<p><u>Positive impact</u></p> <ul style="list-style-type: none"> • Hertfordshire Libraries provide library services that are accessible to all. A Public Service Mutual model will provide a means of continuing current service provision. • A Public Service Mutual has the potential to mitigate against disadvantageous and unequal access that could arise through a reduction of services in order to meet required budget savings if the 	

		<p>service remains in-house.</p> <p><u>Negative impact</u></p> <ul style="list-style-type: none"> • People of gender reassignment may believe that delivering library services in Hertfordshire through a Public Service Mutual will not reflect or meet their particular needs of the service. 	<ul style="list-style-type: none"> • When the governance of the Public Service Mutual organisation is determined we will ensure that the governance structure and management of the new organisation is: <ul style="list-style-type: none"> – representative and reflects the interests of people with protected characteristics – members of the new organisation are fully aware of equalities legislation and act in accordance with the law and best practice – the Public Service Mutual organisation adheres fully to the public library ethos and the vision and values of the library service in Hertfordshire and that this is stated clearly in the contractual arrangement between the County Council and the new organisation. • We will actively promote the Public Service Mutual and any changes to the service to community groups.
Pregnancy and maternity¹⁴	<ul style="list-style-type: none"> • There are no unique impacts identified for this characteristic. 	<p><u>Positive impact</u></p> <ul style="list-style-type: none"> • Hertfordshire Libraries provide library services that are accessible to all. A Public Service Mutual model will provide a means of continuing current service provision. • A Public Service Mutual has the potential to mitigate against disadvantageous and unequal access that could arise through a reduction of service, in order to meet required budget savings if the service remains in-house. 	<ul style="list-style-type: none"> • The position will continue to be monitored and action will be taken to address any identified issues.

<p>Race¹⁵</p>	<ul style="list-style-type: none"> • In Hertfordshire, there is a growing BME community with 20% of the population having defined themselves as being from a non-white British background in the 2011 Census. • Watford, Welwyn, Hatfield and Hertsmere have some of the highest proportions of people from other ethnic groups, while Three Rivers, Stevenage and Broxbourne have relatively high proportions of 'White Other' (i.e. non UK European Union). St. Albans district has the highest proportion of Bangladeshi people in Hertfordshire (1.9%), but in terms of numbers, Watford has the highest number of Pakistani & Bangladeshi people with over 6,000 people. • People from BME communities are likely to experience inequalities in terms of health, including mental health, cancer, heart disease, HIV, TB and diabetes. 	<p><u>Positive impact</u></p> <ul style="list-style-type: none"> • Hertfordshire Libraries provide library services that are accessible to all. A Public Service Mutual model will provide a means of continuing current service provision. • A Public Service Mutual has the potential to mitigate against disadvantageous and unequal access that could arise through a reduction of service, in order to meet required budget savings if the service remains in-house. <p>.</p> <p><u>Negative impact</u></p> <ul style="list-style-type: none"> • People from the BME community may believe that delivering library services in Hertfordshire through a Public Service Mutual will not reflect or meet their particular needs of the service. <p>Agenda Pack 100 of 167</p>	<ul style="list-style-type: none"> • When the governance of the Public Service Mutual organisation is determined we will ensure that the governance structure and management of the new organisation is: <ul style="list-style-type: none"> – representative and reflects the interests of people with protected characteristics – members of the new organisation are fully aware of equalities legislation and act in accordance with the law and best practice – the Public Service Mutual organisation adheres fully to the public library ethos and the vision and values of the library service in Hertfordshire and that this is stated clearly in the contractual arrangement between the County Council and the new organisation. • We will actively promote the Public Service Mutual and any changes to the service to community groups. • Staff will have equalities and diversity training and the resources to provide its
---------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

			<p>information in different languages as required.</p> <ul style="list-style-type: none"> The County Council have access to the Interpreting and Translation Service to assist people whose first language is not English and need help.
Religion or belief¹⁶	<ul style="list-style-type: none"> Whilst there is no formal data at present for the religion or beliefs of the service users there may be some communities who feel isolated from the service. 	<p><u>Positive impact</u></p> <ul style="list-style-type: none"> Hertfordshire Libraries provide library services that are accessible to all. A Public Service Mutual model will provide a means of continuing current service provision. A Public Service Mutual has the potential to mitigate against disadvantageous and unequal access that could arise through a reduction of service, in order to meet required budget savings if the service remains in-house. <p><u>Negative impact</u></p> <ul style="list-style-type: none"> People of particular faith or religion may believe that delivering library services in Hertfordshire through a Public Service Mutual will not reflect or meet their particular needs of the service. 	<ul style="list-style-type: none"> When the governance of the Public Service Mutual organisation is determined we will ensure that the governance structure and management of the new organisation is: <ul style="list-style-type: none"> representative and reflects the interests of people with protected characteristics members of the new organisation are fully aware of equalities legislation and act in accordance with the law and best practice the Public Service Mutual organisation adheres fully to the public library ethos and the vision and values of the library service in Hertfordshire and that this is stated clearly in the contractual

			<p>arrangement between the County Council and the new organisation.</p> <ul style="list-style-type: none"> • Officers will actively promote the Public Service Mutual and any changes to the service to community groups. • Any promotion of service events will be at times when it suits people from all religions (i.e. Muslim communities might find it difficult to attend an event on Friday afternoon, and the same for Jewish communities on Saturdays).
Sex/Gender¹⁷	<ul style="list-style-type: none"> • Women in some communities may feel isolated from the service 	<p><u>Positive impact</u></p> <ul style="list-style-type: none"> • Hertfordshire Libraries provide library services that are accessible to all. A Public Service Mutual model will provide a means of continuing current service provision. • A Public Service Mutual has the potential to mitigate against disadvantageous and unequal access that could arise through a reduction of service, in order to meet required budget savings if the service remains in-house. • This may provide the opportunity for those women interested to get involved in the delivery of services. <p><u>Negative impact</u></p> <ul style="list-style-type: none"> • Women in some communities may believe that delivering library services in Hertfordshire through a Public Service Mutual will not reflect or meet their particular needs. 	<ul style="list-style-type: none"> • When the governance of the Public Service Mutual organisation is determined we will ensure that the governance structure and management of the new organisation is: <ul style="list-style-type: none"> – representative and reflects the interests of people with protected characteristics – members of the new organisation are fully

			<p>aware of equalities legislation and act in accordance with the law and best practice</p> <ul style="list-style-type: none"> – the Public Service Mutual organisation adheres fully to the public library ethos and the vision and values of the library service in Hertfordshire and that this is stated clearly in the contractual arrangement between the County Council and the new organisation. • We will actively promote the Public Service Mutual and any changes to the service to community groups.
Sexual orientation¹⁸	<ul style="list-style-type: none"> • That lesbian, gay and bisexual people are not a single homogenous group must be taken into account. 	<p><u>Positive impact</u></p> <ul style="list-style-type: none"> • Hertfordshire Libraries provide library services that are accessible to all. A Public Service Mutual model will provide a means of continuing current service provision. • A Public Service Mutual has the potential to mitigate against disadvantageous and unequal access that could arise through a reduction of service, in order to meet required budget savings if the service remains in-house. <p><u>Negative impact</u></p> <ul style="list-style-type: none"> • Lesbian, gay and bisexual people may believe that delivering library services in Hertfordshire through a Public Service Mutual will not reflect or meet their particular needs of the service. <p>Agenda Pack 103 of 167</p>	<ul style="list-style-type: none"> • When the governance of the Public Service Mutual organisation is determined we will ensure that the governance structure and management of the new organisation is: <ul style="list-style-type: none"> – representative and reflects the interests of people with protected characteristics – members of the new organisation are fully aware of equalities legislation and act in

			<p>accordance with the law and best practice</p> <ul style="list-style-type: none"> – the Public Service Mutual organisation adheres fully to the public library ethos and the vision and values of the library service in Hertfordshire and that this is stated clearly in the contractual arrangement between the County Council and the new organisation. • We will actively promote the Public Service Mutual and any changes to the service to community groups.
Marriage and civil partnership¹⁹	There are no unique impacts identified for this characteristic.	<p><u>Positive impact</u></p> <ul style="list-style-type: none"> • Hertfordshire Libraries provide library services that are accessible to all. A Public Service Mutual model will provide a means of continuing current service provision. • A Public Service Mutual has the potential to mitigate against disadvantageous and unequal access that could arise through a reduction of service, in order to meet required budget savings if the service remains in-house. 	<ul style="list-style-type: none"> • The position will continue to be monitored and action will be taken to address any identified issues.
Carers²⁰ (by association with any of the above)	Carers may be concerned about any possible changes and the impact that this may have on their ability to access library services, when compared with the current provision and support they receive from the County Council.	<p><u>Positive impact</u></p> <ul style="list-style-type: none"> • Hertfordshire Libraries provide library services that are accessible to all. A Public Service Mutual model will provide a means of continuing current service provision. • A Public Service Mutual has the potential to mitigate against 	

		<p>disadvantageous and unequal access that could arise through a reduction of service, in order to meet required budget savings if the service remains in-house.</p> <p><u>Negative impact</u></p> <ul style="list-style-type: none"> Carers may believe that delivering library services in Hertfordshire through a Public Service Mutual will not reflect or meet their particular needs of the service. 	<ul style="list-style-type: none"> When the governance of the Public Service Mutual organisation is determined we will ensure that the governance structure and management of the new organisation is: <ul style="list-style-type: none"> representative and reflects the interests of people with protected characteristics members of the new organisation are fully aware of equalities legislation and act in accordance with the law and best practice the Public Service Mutual organisation adheres fully to the public library ethos and the vision and values of the library service in Hertfordshire and that this is stated clearly in the contractual arrangement between the County Council and the new organisation. We will actively promote the Public Service Mutual and any changes to the service to agencies and community groups representing carers, such as Carers in Herts.
<p>Other relevant groups²¹ Consider if there is a potential impact (positive or negative) on areas such as health and wellbeing, crime and disorder,</p>		<p>Agenda Pack 105 of 167</p>	

Armed Forces community.			
Opportunity to advance equality of opportunity and/or foster good relations²²			
<p>The new operating model is likely to create further opportunities for partnership working and co-production of services. As an organisation independent from the County Council, there will be the chance to foster positive relations with local communities and greater flexibility to work with partners and suppliers.</p> <p>Depending on the structure and management of the new organisation, there may be an opportunity for communities to be actively involved in the governance of the service, and able to shape services so that they are responsive and meet the needs of local people.</p> <p>Greater experience within the communities of 'community led' initiatives to retain and develop local services may be applied to other areas of community need. Opportunities for volunteering will increase. The sense of community ownership in local libraries will be increased. All these elements will lead a growth in 'social capital'.</p>			
Conclusion of your analysis and assessment -			
OUTCOME AND NEXT STEPS		SUMMARY	
i. No equality impacts identified - No major change required to proposal			
ii. Minimal equality impacts identified - Adverse impacts have been identified, but have been objectively justified (provided you do not unlawfully discriminate) - Ensure decision makers consider the cumulative effect of how a number of decisions impact on equality - No major change required to proposal		Due to the wide and varied groups and communities that use the library service in Hertfordshire there is the potential for multiple groups to perceive that they are at greater risk of exclusion and isolation from accessing the service once an alternative delivery model, Public Service Mutual has been established. The proposed alternative delivery model would not make any fundamental changes to service delivery. It would largely be 'Business as Usual' once the service has been embedded into the new organisation. Any future service changes would be subject to new EqlAs.	

<p>iii. Potential equality impacts identified</p> <ul style="list-style-type: none"> - Take 'mitigating action' to change the original policy/proposal, remove barriers or better advance equality - Set out clear actions in the action plan in section 4. 	
<p>iv. Major equality impacts identified</p> <ul style="list-style-type: none"> - The adverse effects are not justified, cannot be mitigated or show unlawful discrimination - You must stop and remove the policy [you should consult with Legal Services] - Ensure decision makers understand the equality impact 	

4. Prioritised Action Plan²³

Impact identified and group(s) affected	Action planned Include actions relating to: • mitigation measures • getting further research • getting further data/consultation	Expected outcome	Measure of success	Lead officer and timeframe
All protected characteristics	<p>When the governance of the Public Service Mutual organisation is determined we will ensure that the governance structure and management of the new organisation is:</p> <ul style="list-style-type: none"> – representative and reflects the interests of people with protected characteristics – members of the new organisation are fully aware of equalities legislation and act in accordance with the law and best practice – the Public Service Mutual organisation adheres fully to the public library ethos and the vision and values of the library service in Hertfordshire and that this is stated clearly in the contractual arrangement between the County Council and the new organisation. 	<p>Positive engagement and take up of services delivered by Public Service Mutual by people of all protected characteristics in Hertfordshire.</p>	<ul style="list-style-type: none"> • Increase in KPI's evidencing take up of services by people of all protected characteristics. • Positive customer feedback via the Customer Relations Programme e.g. comment cards, library user surveys 	<p>Andrew Bignell April 2019</p>

	Officers will actively promote the Public Service Mutual and any changes to the service to agencies and community groups representing people with protected characteristics.	<ul style="list-style-type: none"> Positive engagement and take up of services delivered by Public Service Mutual by people of all protected characteristics in Hertfordshire. 	<ul style="list-style-type: none"> Increase in KPI's evidencing take up of services by people of all protected characteristics. Positive customer feedback via the Customer Relations Programme e.g. comment cards, library user surveys 	Andrew Bignell April 2019
Review of the EqlA	Officers will review the EqlA 'Delivering Library Services through Public Service Mutual' on a six monthly basis. A separate EqlA will be completed for any significant service changes that may take place as a result of establishing a Public Service Mutual.	EqlA is updated as required.	The interests of all people with a protected characteristic who use libraries in Hertfordshire are represented in the establishment of a Public Service Mutual	Andrew Bignell Six monthly
EqlA for TUPE process for staff	An EqlA will be completed to accompany the TUPE process for staff as they transfer from the County Council to a Public Service Mutual organisation.	Effective completion of TUPE process.	Transfer and implementation of Public Service Mutual organisation in Hertfordshire in line with agreed timescales.	Andrew Bignell April 2019

This EqlA has been signed off by:

Lead Equality Impact Assessment officer: Tobias Barker

Date: March 2018

Head of Service or Business Manager: Andrew Bignell

Date: March 2018

Review date: August 2018

Agenda Pack 109 of 167

¹ The following principles explain what we must do to fulfil our duties under the Equality Act when considering the effect of existing and new policies/practices/services on equality. They must all be met or the EqlA (and any decision based on it) may be open to challenge:

- **Knowledge:** everyone working for the council must be aware of our equality duties and apply them appropriately
- **Timeliness:** the duty applies at the time of considering proposals and **before** a final decision is taken
- **Real Consideration:** the duty must be an integral and rigorous part of your decision-making and influence the process.
- **Sufficient Information:** you must assess what information you have and what is needed to give proper consideration.
- **No delegation:** the council is responsible for ensuring that anyone who provides services on our behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.
- **Review:** the equality duty is a continuing duty – it continues after proposals are implemented/reviewed.
- **Proper Record Keeping:** we must keep records of the process and the impacts identified.

² **Our duties in the Equality Act 2010**

The County Council has a legal duty under this Act to show that we have identified and considered the impact and potential impact of our activities on all people with 'protected characteristics' (see end notes 11-20 for details of the nine-protected characteristics). This applies to policies, services (including commissioned services), and our employees. **If you are creating an 'arms-length' company**, seek advice from the Equality Team or Legal.

We use this template to do this and evidence our consideration. **You must give 'due regard' (pay conscious attention) to the need to:**

- **Avoid, reduce or minimise negative impact:** if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately.
- **Promote equality of opportunity:** by
 - Removing or minimising disadvantages suffered by equality groups
 - Taking steps to meet the needs of equality groups
 - Encouraging equality groups to participate in public life or any other activity where participation is disproportionately low
 - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **Foster good relations between people who share a protected characteristic and those who don't:** e.g. by promoting understanding.

³ EqlAs **should always be proportionate** to:

- The size of the service or scope of the policy/strategy
- The resources involved
- The size of the likely impact – e.g. the numbers of people affected and their vulnerability

The greater the potential adverse impact of the proposal(s) on a protected group (e.g. disabled people) and the more vulnerable the group is, the more thorough and demanding the process required by the Act will be. Unless they contain sensitive personal/employee data – EqlAs are public documents. They are published with Cabinet and Panel papers and public consultations and are available on request.

Agenda Pack 110 of 167

⁴ **Who completes the EqlA:** The person who is making the decision or advising the decision-maker about a policy. It is better to do this as a team, with people involved who understand the implementation of the policy.

⁵ **Title of EqlA:** This should clearly explain what service / policy / strategy / change you are assessing.

⁶ **Focus of EqlA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time. Also explain if there is a particular focus to your equality analysis:

- What are the main aims or purpose of the policy, practice, service or function? How does it fit with other services?
- What outcomes do you want to achieve, why and for whom? e.g. what do you want to provide, what will change/improve?
- Which aspects are most important to equality and should be the focus of your attention?
- You should state all teams/organisations involved in implementing, carrying out or delivering the policy, practice or service
- What are the **reason(s)** for the proposal or change (financial, service, legal etc)? The Act requires us to make these clear.

⁷ **Data & Information:** Your EqlA needs to be informed by data. You should consider the following:

- What data relevant to the impact on protected groups is available? (is there an existing EqlA?, local service data, national data, community data, similar proposal in another local authority).
- What further evidence is needed and how can you get it? (e.g. further research or engagement with the affected groups).
- What do you know from service/local data about needs, access and outcomes? Focus on each characteristic in turn.
- What might any local demographic changes or trends mean for the service or function? Also consider national data if appropriate
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any group(s)?
- Is the service having a positive or negative effect on particular people or groups in the community?

⁸ **What have people told you about the service, function, area?**

- Use service user feedback, complaints, audits, and/or the results of specific consultation/engagement
- Are there patterns or differences in what people from different groups tell you?
- Remember, you must engage/consult appropriately and in an inclusive way with those likely to be affected to fulfil the equality duty.
- You can read the County Council's [Consultation](#) and [Engagement](#) toolkits for full advice on this
- For practical tips and advice on consulting with people from protected groups, see this [‘How-to’ guide](#)

⁹ **Impact:** Your EqlA must consider fully and properly **actual and potential impacts** against each protected characteristic:

- The equality duty does not stop changes, but means we must fully consider and address the anticipated impacts on people.
- Be accurate and transparent, but also realistic: don't exaggerate speculative risks and negative impacts.
- Be detailed and specific where you can so decision-makers have a concrete sense of potential effects.
- Questions to ask when assessing whether and how the proposals impact on service users, staff and the wider community:
 - Are one or more protected groups affected differently and/or disadvantaged? How, and to what extent?
 - Is there evidence of higher/lower uptake among different groups? Which, and to what extent?
 - Does the project relate to an area with known inequalities (where national evidence or previous research is available)?
 - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
 - If there is negative differential impact, how can you minimise that while taking into account your overall aims?
 - Do the effects amount to unlawful discrimination? If so the plan **must** be modified.

-
- Does it relate to an area where equality objectives have been set by the County Council in our [Equality Strategy](#)?

¹⁰ **Consider actions relating to the following:**

- That specifically address the impacts you've identified and show how they will remove, reduce or avoid any negative impacts
- Explain clearly what any mitigating measures are, and the extent to which you think they will reduce / remove the adverse effect
- Will you need to communicate or provide services in different ways for different groups in order to create a "level playing field"?
- State how you can maximise any positive impacts or advance equality of opportunity.
- If you do not have sufficient equality information, state how you can fill the gaps.

¹¹ **Age:** People of all ages, but consider in particular children and young people, older people and carers, looked after children and young people leaving care. Also consider working age people.

¹² **Disability:** When looking at disability, consideration should be given to people with different types of impairments: physical (including mobility), learning, aural or sensory (including hearing and vision impairment), visible and non-visible impairment. Consideration should also be given to: people with HIV, people with mental health needs and people with drug and alcohol problems. People with conditions such as diabetes and cancer and some other health conditions also have protection under the Equality Act 2010.

¹³ **Gender Reassignment:** In the Act a transgender person is someone who proposes to, starts or has completed a process to change his or her gender. A person does **not** need to be under medical supervision to be protected. Consider transgender people, transsexual people and transvestites.

¹⁴ **Pregnancy and Maternity:** When looking at pregnancy and maternity, give consideration to pregnant women, breastfeeding mothers, part-time workers, women with caring responsibilities, women who are lone parents and parents on low incomes, women on maternity leave and Keeping in Touch days.

¹⁵ **Race/Ethnicity:** Apart from the common ethnic groups, consideration should also be given to Gypsy, Roma and Irish Travellers communities, people of other nationalities outside Britain who reside here, refugees and asylum seekers and speakers of other languages.

¹⁶ **Religion and Belief:** Religion includes any religion with a clear structure and belief system. As a minimum you should consider the most common religious groups (Christian, Muslim, Hindu, Jews, Sikh, Buddhist) and people with no religion or philosophical belief(s).

¹⁷ **Sex/Gender:** Consider girls and women, boys and men, married people, civil partners, part-time workers, carers (both of children with disabilities and older cares), parents (mothers and fathers), in particular lone parents and parents on low incomes.

¹⁸ **Sexual Orientation:** The Act protects bisexual, heterosexual, gay and lesbian people.

¹⁹ **Marriage and Civil Partnership:** consider married people and civil partners – e.g. do same sex couple in a civil partnership have the same rights and benefits as married people?

²⁰ **Carers:** From April 2015, carers (people who provide unpaid care to a friend or relative) have been entitled to an assessment of their own needs in the same way as those they care for. Although not a 'protected characteristic' the County Council Diversity Board has agreed that the impact of proposals on carers should also be considered.

²¹ **Other relevant groups:** You should consider the impact on our service users in other related areas, such as health and wellbeing, crime and disorder (e.g. people experiencing domestic abuse), community relations and socio-economic status (e.g. homelessness or low incomes). If the proposal is likely to have an impact on service users in these areas, the County Council Public Health and the County Community Safety Unit may be able to help. Also consider whether your policy or decision will impact current or former Armed Forces personnel living and working in Hertfordshire. The Council is committed to the Hertfordshire Community Covenant, a commitment from public and private organisations in the county to support the active and retired Armed Forces community.

²² **Equality of opportunity and good relations:** summarise anything that will have a potential positive impact over and above the work of your project – e.g. engaging with the community may help raise awareness and community understanding of the needs of certain groups.

²³ **Action Planning:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.

**ADDITIONAL SCHOOL PLACES - BELSWAINS PRIMARY SCHOOL,
HEMEL HEMPSTEAD AND ST PETER'S PRIMARY SCHOOL, ST ALBANS**

Report of the Director of Children's Services

Author: Gary Gant (Planning Officer (Operations))
(Tel: 01992 556347)
Pauline Davis, Head of School Planning
(Tel: 01992 555865)

Executive Member: Terry Douris (Education, Libraries & Localism)

Local Members: Tina Howard (Hemel Hempstead South East); Sandy
Walkington (St. Albans South); William Wyatt-Lowe
(Hemel Hempstead Town); Chris White (St. Albans
Central); Anthony Rowlands (St. Albans East)

1. Purpose of the Report

- 1.1 To inform Cabinet of the outcome of the public consultation on proposals for the permanent expansion of the premises of Belswains Primary School in Hemel Hempstead and St Peter's Primary School in St Albans from September 2019 and 2020 respectively.

2. Summary

- 2.1 Overall there has not been a significant response to the Belswains consultation, with respondents equally balanced between those in favour of the proposals and those against them. A total of 44 responses were received, of which 18 respondents disagreed with the proposal. The Governing Body has responded and agrees with the proposal: its full response can be seen attached at Appendix 3.
- 2.2 There has been a greater response to the public consultation on the proposal to enlarge St. Peter's School, with 78% of respondents in favour. A total of 192 responses were received, of which 29 respondents disagreed with the proposal. The Governing Body has responded and has indicated its willingness to engage in the expansion process.
- 2.3 Funds are available to support the provision of new school places in relation to the pupil yield from new housing, via developers' contributions under S106 of the Town and Country Planning Act 1990

as amended. Approval is sought to the application of funds held to these schemes, subject to the completion of relevant school expansion and town planning statutory processes where necessary. The balance of funding will be met through the basic need allocation. The capital funding implications are set out in section 5 of the report.

3. Recommendations

3.1 The Education, Libraries & Localism Cabinet Panel will consider a report on this item of business at its meeting on 17 April 2018. This Panel will be invited to recommend to Cabinet that Cabinet:

- (i) authorises the Director of Children's Services to publish statutory notices to enlarge the premises at both St Peter's Primary School, St Albans and Belswains Primary School, Hemel Hempstead, by the size and date below:

School name	Area	Date of expansion	Expansion by form of entry (FE)	Increase in admission number
Belswains	Hemel Hempstead	01.09.2019	1.0 f.e (to 2 f.e.)	30
St Peter's	St. Albans	01.09.2020	1.0 f.e (to 2 f.e.)	30

- (ii) to agree to the capital costs of enlarging both Belswains Primary School, Hemel Hempstead and St. Peter's Primary School, St Albans, as detailed in paragraph 5.2 of this report;
- (iii) to approve the application of S106 funds, as identified in Appendix 4, as attached to the report, subject to the completion of relevant school expansion and town planning processes where necessary.

3.2 The Panel's recommendations to Cabinet will be reported orally at the Cabinet meeting and circulated to Members in the Order of Business sheet.

4. Background

4.1 On 6 February 2018, the Education, Libraries & Localism Cabinet Panel noted the scale of the next primary expansion programme; that the Director of Children's Services was consulting on proposals for the permanent expansions of Belswains Primary School in Hemel Hempstead and St Peter's Primary School in St Albans; and of the

plan to consult. The report can be viewed here: [Panel 06 February 2018¹](#).

4.2 The County Council's public consultations for both schools were held over a seven week period to take into account the February half-term holidays. The consultation on the Belwains Primary School proposal began on 23 January 2018 and ended on 12 March 2018 whereas St. Peters started on 29 January 2018 and ended on 19 March 2018.

4.3 Consultation letters, attached at Appendix 2 to the report, were sent to all parents, governors and staff at both schools, as well as all schools in the area, and to all other statutory consultees. Copies of the consultation letter were sent or emailed to:

- (i) residents local to the school;
- (ii) MPs, County Councillors, District Councillors, Parish and Town Councils and Local Authority Chief Executives;
- (iii) Trade Union representatives;
- (iv) Church Diocese representatives;
- (v) NHS representatives;
- (vi) Parent Governor representatives;
- (vii) Pre-schools, playgroups, children's centres, toddler groups and day nurseries;
- (viii) Libraries and Citizen's Advice Bureaux.

The consultation letters and response form were also available on the County Council's website. A total of 3890 letters and 570 emails were sent out for the Belswains Primary School, Hemel Hempstead, consultation and 3490 letters and 554 emails sent out for the St Peter's Primary School, St Albans consultation.

Response to the consultation

4.4 Copies of the responses received are available to Members in the Members' Lounge and will also be available at Cabinet.

4.5 A detailed analysis of the responses is attached in Appendix 1 which includes:

- (i) a breakdown of the number of responses received, and who they are from;
- (ii) an analysis of the key issues raised and the response to them;
- (iii) a copy of the governing body responses;
- (iv) officer conclusion and recommendation.

4.6 Summary of the responses to the Belswains Primary School, Hemel Hempstead consultation:

¹

<https://cmis.hertfordshire.gov.uk/hertfordshire/Calendarofcouncilmeetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/775/Committee/105/SelectedTab/Documents/Default.aspx>

Capacity of respondent	Total responses	Agree	%	Disagree	%	Don't Know	%
Parent/carer	7	4	57.1%	3	42.9%	0	0.0%
Governor	1	1	100.0%	0	0.0%	0	0.0%
Member of staff	1	0	0.0%	1	100.0%	0	0.0%
Resident	31	11	35.5%	13	41.9%	7	22.6%
Grandparent	2	2	100.0%	0	0.0%	0	0.0%
Other	2	1	50.0%	1	50.0%	0	0.0%
Total responses	44	19	43.2%	18	40.9%	7	15.9%

4.7 Summary of the responses to the St Peter's Primary School, St Albans consultation:

Capacity of respondent	Total responses	Agree	%	Disagree	%	Don't Know	%
Parent/carer	91	74	81.3%	11	12.1%	6	6.6%
Governor	0	0		0		0	
Member of staff	2	0	0.0%	2	100.0%	0	0.0%
Resident	78	60	76.9%	14	17.9%	4	5.1%
Grandparent	4	4	100.0%	0	0.0%	0	0.0%
Other	17	12	70.6%	2	11.8%	3	17.6%
Total responses	192	150	78.1%	29	15.1%	13	6.8%

4.8 Panel is asked to consider whether to recommend to Cabinet on 23 April 2017 that it:

- (i) authorises the Director of Children's Services to publish statutory notices to enlarge the premises at Belswains Primary School, Hemel Hempstead and/or St Peter's Primary School, St Albans ;
- (ii) take no further action;
- (iii) initiate fresh consultation on any alternative suggestion(s); or
- (iv) take alternative action.

4.9 The timetable for the remainder of the statutory process for both schools would then be:

Statutory notice period	04 May - 07 June 2018
Decisions by Cabinet (if objections received to proposal)	09 July 2018

4.10 There continues to be a real and pressing need to provide the primary school places in both these areas of Hertfordshire. Not providing the premises to allow additional places to be offered will mean that very young children may be forced to access places some considerable distance from their homes (please see forecast tables in the consultation letters at Appendix 2).

5. Financial Implications

Revenue funding

- 5.1 Revenue funding has been made available to support the feasibility work for the school expansion programme.

Capital funding

- 5.2 The estimated cost of the permanent expansion of Belswains Primary School, Hemel Hempstead is £3.6m and £4.6m for St Peter's Primary School, St Albans.

- 5.3 Funds are available to support the provision of new school places in relation to the pupil yield from new housing, via developers' contributions under S106 of the Town and Country Planning Act 1990 as amended. Approval is sought to the application of funds held to these schemes as shown in Appendix 4, subject to the completion of relevant school expansion and town planning statutory processes where necessary.

- 5.4 The financial implication of the proposals contained in this report is:

Funds currently available up to 2019/20:	£32.128m
S106 funds to be approved	£0.91m
Sub total:	£33.037m
Less	
proposed cost of PEP8 proposals:	£8.2m
Allocation remaining	£24.823m

- 5.5 The allocation remaining will be required for newly emerging primary needs for 2020/21 and secondary needs from 2021 onwards. The figure is likely to change with any further basic need allocation for 2020/21 (which is due imminently) and any future approvals to the application of S106 funds.

- 5.6 Approval is therefore sought to the costs as identified in paragraph 5.2 above.

6. Equalities

- 6.1 When considering proposals placed before Members it is important that they are fully aware of, and have themselves rigorously considered the Equality implications of the decision that they are making

- 6.2 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the County Council's statutory obligations under the Public Sector Equality Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EQiA) produced by officers.
- 6.3 The Equality Act 2010 requires the County Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Equality Act 2010 are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief, sex and sexual orientation.
- 6.4 Equalities Impact Assessments (EqIAs) have been carried out and updated where necessary on all proposed school expansions contained within this report. They will be made available in the Members' Lounge prior to, and at the Cabinet meeting in order that Members are fully aware of any equality issues arising from the proposals. Consideration has been given to the likely impact of the proposals, and current assessments conclude that it is not anticipated that people with protected characteristics will be affected disproportionately. The EqIAs will be continued to be reviewed and updated as necessary.
- 6.5 The Local Authority is bound by the Admissions Code and Regulations² and this does not allow for any discrimination in this respect.
- 6.6 The expansion of school premises will enable additional school places to be made available as close as possible to the demand for them. In that way they will improve access to school places to all sectors of the communities in which they are located, and avoid very young children having to travel longer distances to access education.
- 6.7 The expansion of existing schools provides for enhanced education opportunities and an enriched curriculum offer which has a positive impact on the whole school community.
- 6.8 School expansion schemes provide positive impacts, offering the opportunity for improved facilities for disabled access in new buildings.

² The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012

Background Information

Report to the Enterprise, Libraries and Localism Cabinet Panel 06 February 2018: [Link to Report³](#)

Report to Cabinet 19 February 2018: [Link to Report⁴](#)

³

<https://cmis.hertfordshire.gov.uk/hertfordshire/Calendarofcouncilmeetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/775/Committee/105/SelectedTab/Documents/Default.aspx>

⁴

<https://cmis.hertfordshire.gov.uk/hertfordshire/Calendarofcouncilmeetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/658/Committee/8/SelectedTab/Documents/Default.aspx>

APPENDIX 1

BELSWAINS PRIMARY SCHOOL, HEMEL HEMPSTEAD:

PROPOSAL TO ENLARGE THE PREMISES by 1 f.e. from 2019

1. Response to the consultation.

- 1.1 A total of 44 responses were received to the consultation of which 43% were in agreement with the proposal and 41% disagreed. A breakdown of the responses is shown below:

Capacity of respondent	Total responses	Agree	%	Disagree	%	Don't Know	%
Parent/carer	7	4	57.1%	3	42.9%	0	0.0%
Governor	1	1	100.0%	0	0.0%	0	0.0%
Member of staff	1	0	0.0%	1	100.0%	0	0.0%
Resident	31	11	35.5%	13	41.9%	7	22.6%
Grandparent	2	2	100.0%	0	0.0%	0	0.0%
Other	2	1	50.0%	1	50.0%	0	0.0%
Total responses	44	19	43.2%	18	40.9%	7	15.9%

An Officer discussed with the Headteacher and confirmation of both the Headteacher's and Governing Body's agreement with the enlargement was given. A copy of the Governing Body's response is attached as Appendix 3.

- 1.2 Copies of every response received are available in the Members Room to enable Members to review the detail prior to the Education Panel and Cabinet meetings.

2. Key themes raised

- 2.1 There was one significant key theme raised by consultees and a response is provided below.

The enlargement will lead to increased levels of traffic and associated parking (including staff parking), road safety and congestion problems (26 respondents)

An independent highways assessment carried out at the initial feasibility stage indicates that, provided some mitigation measures are put in place, the highways network would cope sufficiently with the additional journeys that result from this proposed expansion.

The physical enlargement scheme and any associated traffic measures will be the subject of a separate town planning process. A detailed transport assessment and any required measures to mitigate the impact of additional traffic will form part of this town planning application, and part of this process will be formal consultation with the local community and the highways authority.

The school is reviewing its school travel plan which will proactively promote safe and sustainable travel to school. Officers are working with the school to ensure that the school travel plan takes account of the additional pupils that would result from the proposed expansion. The school travel plan will include a commitment to ensuring parents are encouraged to park safely and considerately in the surrounding areas thereby minimising inconvenience to local residents and other road users.

- 2.2 Other issues raised by small groups or individuals included concern over building works noise, the subsequent environmental impact of the new build (including loss of outside space) and a reduction in education standards. Some respondents felt the Local Authority had not provided adequate information to inform their decision, whilst others concluded that there were more appropriate schools fit for expansion locally.

3. Conclusions and recommendations

- 3.1 There have been mixed responses to the proposal with an even number of consultees for and against. Of those who disagreed, 26 respondents remarked on highways issues relating to traffic congestion, road safety and parking. This was identified as the single most serious issue of concern, which has been carefully considered and responded to here.
- 3.2 Having analysed all of the responses, it is the Officers' view that in light of:
- the full agreement of the Governing Body to the expansion;
 - the fact that Belswains is well located to meet the additional demand;

the enlargement of Belswains Primary School is the right solution to provide an additional 1 f.e. of school places needed in Hemel Hempstead South East from 2019/20.

- 3.3 Issues such as the impact of this expansion on the highways network and specific proposals for building the additional accommodation required for the school to expand will be the subject of a future town planning application which will involve formal consultation with local residents and the school community. Any school enlargement decision will be conditional upon the granting of town planning permission for the building scheme proposals.
- 3.4 It is therefore recommended that Panel recommend that Cabinet authorise the publication of a statutory notice to enlarge the premises of the school from 2019/20.

ST PETER'S PRIMARY SCHOOL, ST ALBANS:

PROPOSAL TO ENLARGE THE PREMISES by 1 f.e. from 2020

4. Response to the consultation.

- 4.1 A total of 192 responses were received to the consultation of which 78% were in agreement with the proposal and 15% disagreed. A breakdown of the responses is shown below:

Capacity of respondent	Total responses	Agree	%	Disagree	%	Don't Know	%
Parent/carer	91	74	81.3%	11	12.1%	6	6.6%
Governor	0	0		0		0	
Member of staff	2	0	0.0%	2	100.0%	0	0.0%
Resident	78	60	76.9%	14	17.9%	4	5.1%
Grandparent	4	4	100.0%	0	0.0%	0	0.0%
Other	17	12	70.6%	2	11.8%	3	17.6%
Total responses	192	150	78.1%	29	15.1%	13	6.8%

A copy of the Governing Body's response is attached as Appendix 3.

- 4.2 Copies of every response received are available in the Members Room to enable Members to review the detail prior to the Education Panel and Cabinet meetings.

5. Key themes raised

- 5.1 A significant majority of respondents welcomed the proposals to expand St Peter's Primary School, highlighting the need for more places locally.
- 5.2 The following key themes were raised and responses are provided below:

Concern over noise and disruption to children (and their education) and residents during building works (11 respondents)

The County Council works closely with schools to ensure minimal disruption during the building works. All building work carried out complies with the requirements of the Construction Design & Management Regulations (CDM) 2015 which control safety of construction work. Contractors are expected to implement the 'Considerate Contractor' code of practice to minimise disruption to local residents and businesses.

Expanding the school will adversely affect its small-school ethos i.e. the school is large enough already (12 respondents)

There is not a direct relationship between the size of a school, the standards it achieves and its overall effectiveness. Schools of differing sizes can, and do, perform very well. The key factors which contribute to school standards and effectiveness are the quality of leadership and management, and of learning and teaching. Where these factors are equal, larger schools have some significant benefits. The larger budget provides greater flexibility in terms of staffing and resources (including SEN provision and school clubs); there is a better distribution of management responsibilities; there are improved opportunities for staff promotion within the school leading to better capacity to sustain leadership; and consequently the school is less vulnerable to turbulence.

The County Council is confident that St Peter's School will maintain its ethos and standards

Concern over increased levels of traffic and associated parking (including staff parking), road safety, congestion problems and resultant pollution (42 respondents)

An independent highways assessment carried out at the initial feasibility stage indicates that, provided that some mitigation measures are put in place, the highways network would cope sufficiently with the additional journeys that result from this proposed expansion. It is noted that the additional pupils who would be admitted as a result of the proposed expansion would live within walking distance of the school.

The physical enlargement scheme and any associated traffic measures will be the subject of a separate town planning process. A detailed transport assessment and any required measures to mitigate the impact of additional traffic will form part of this town planning application, and part of this process will be formal consultation with the local community and the highways authority.

The school will review its school travel plan as part of the proposals. The travel plan will proactively promote safe and sustainable travel to school. Officers are working with the school to ensure that the school travel plan takes account of the additional pupils that would result from the proposed expansion. The school travel plan will include a commitment to ensuring parents are encouraged to park safely and considerately in the surrounding areas thereby minimising inconvenience to local residents and other road users.

Concern that enlargement could result in insufficient core facilities e.g. dining room, hall, playground (19 respondents)

The physical enlargement scheme currently being developed in conjunction with the school will ensure that sufficient additional accommodation is provided.

Proposals will include additional, permanent classrooms with associated cloaks/toilets appropriate to the number of additional children and additional spaces for small group activity. They will also consider the capacity of the school's core facilities, such as its hall and dining space, to ensure it is appropriate for the larger intake.

In addition, the school will be provided with further capital funding which they can use to improve its existing facilities.

The school site is considered to have the capacity to expand to 2f.e. and additional hard play space will be provided in proportion to the number of additional pupils that will arise from the expansion.

There was insufficient information provided by the council to enable consultees to make an informed decision (16 respondents)

Public consultation on the principle of enlargement of St Peter's School began on 29 January 2018 and ended on 19 March 2018.

<https://www.hertfordshire.gov.uk/about-the-council/consultations/schools/st-peters-school-consultation.aspx#>

The consultation letter outlined the proposal to expand the school and by when, and indicated the need for additional buildings and play space for these extra children. It also made it clear that the details of any building proposals (including any highways works) would be subject to another separate town planning process, which would include further formal consultation with local residents and the school community.

In addition, there will be another opportunity to comment on the enlargement proposals should Cabinet decide to approve the decision to proceed to the statutory notice stage. This is due to commence on 04 May 2018 and last for 4 weeks. This will enable interested parties to express their views which would then be taken into account in the county council's final decision.

The enlargement could result in the loss of outside space/playing field or lead to insufficient outdoor space for play/games (24 respondents)

If this proposal proceeds, the County Council will ensure that there is sufficient hard play for the additional pupils, as well as playing field space. Additional hard play space will be provided as a proportion to the number of additional pupils that will arise from the expansion.

Sport England is also a statutory consultee and advice will be sought with regard to the adequacy of the available playing field and the County Council will work with it to ensure that the school has adequate access to playing field space to properly deliver the PE curriculum.

The details of this physical enlargement scheme will be made available as part of the separate town planning process.

- 5.3 Issues were raised by small groups or individuals including concern over the subsequent environmental impact of the new build. Some respondents felt the Local Authority had provided inaccurate information to inform their decision, whilst others concluded that the site was not fit for expansion and more appropriate options should be considered.

6. Conclusions and recommendations

- 6.1 The overwhelming majority of respondents (78%) agreed with the proposal, as it would enable more children to access their local school. A number of concerns were, however, raised. The most common concerns related to highways issues including traffic congestion, road safety, parking and increased pollution. Moreover, some respondents felt that the expansion would result in the loss of core facilities including outside space for recreation. A small number of respondents felt that the Local Authority had not provided sufficient information to inform their decision. The issues raised have been carefully considered and responded to here.
- 6.2 Having analysed all of the responses, it is the Officer's view that in light of:
- the willingness of the Governing Body to engage with the expansion process,
 - the significant level of support from local parents for the proposal; and
 - the fact that St Peter's Primary School is well located to meet the demand for additional places;

the enlargement of St Peter's Primary School is the right solution to provide an additional 1 f.e. of school places in St. Albans from 2020/21.

- 6.3 Issues such as the impact of this expansion on the highways network and specific proposals for building the additional accommodation required for the school to expand will be the subject of a future town planning application which will involve formal consultation with local residents and the school community. Any school enlargement decision will be conditional upon the granting of town planning permission for the building scheme proposals.
- 6.4 It is therefore recommended that Panel recommend that Cabinet authorise the publication of a statutory notice to enlarge the premises of the school from 2020/21.

APPENDIX 2



**Hertfordshire County Council
County Hall
Hertford
SG13 8DF**

Tel: 0300 123 4043

My ref: School Planning

Date: 23 January 2018

Dear Consultee

Consultation on the proposal to enlarge the premises of Belswains Primary School, Barnfield, Hemel Hempstead, Hertfordshire, HP3 9QJ

We are consulting you on the following proposal:

The enlargement of the premises of Belswains Primary School, Barnfield, Hemel Hempstead, Hertfordshire, HP3 9QJ by 30 places (1 form of entry⁵) from September 2019.

The proposal will support a permanent increase in the size of this school by 30 places (1 f.e.). This means the school will then have the capacity to admit 60 reception aged children in September 2019 and in each subsequent year thereafter, growing to a full 2 f.e. school (with 420 places available) by September 2025. The current capacity of the school is 210 and the eventual capacity will be 420 pupils (excluding Nursery pupils).

The school does not currently have enough classrooms to accommodate the extra children. It is therefore proposed to provide additional accommodation and associated external play space to support the increased number of children.

Why is this being proposed?

In line with recent national trends we are seeing an increase in the demand for reception class places in parts of Hertfordshire. The county council considers it important to ensure that there are sufficient places available for very young children as near as possible to their homes. There is more information on how we plan to meet the demand for school places and our methods for forecasting pupil demand at www.hertfordshire.gov.uk/schoolplaces.

⁵ 1 form of entry (f.e.) is 30 pupils per year group.

The position in Hemel Hempstead

The latest forecast indicates that there is a deficit of places in South East Hemel Hempstead from 2018/19 onwards.

HEMEL HEMPSTEAD SOUTH EAST		2017/18 SUMMER INTERIM FORECAST					
	SCHOOL ADMISSIONS 2017	2015/2016 ACTUAL	2016/2017 ACTUAL	2017/18 FORECAST	2018/19 FORECAST	2019/20 FORECAST	2020/21 FORECAST
Actual Number on Roll		355	386				
Number of Reception Places Available	360			360	360	360	360
Demand				353	382	379	401
Surplus/Shortage				7	-22	-19	-41
% Surplus/Shortage				1.9%	-6.1%	-5.3%	-11.4%
No of FE				0.2	-0.7	-0.6	-1.4

Placing children in schools in the wider area is an unsustainable option as the forecast for the whole of Hemel Hempstead Town indicates a deficit of places from 2019/20 onwards. Some housing developments in the area have yet to be completed, the yield from which is not fully accounted for in the forecasts. Coupled with further new housing planned for within Dacorum Borough Council's Local Plan, the enlargement of Belswains School is the first proposal to meet rising demand for school places. A new school in the locality may also be required in the medium to long term.

Why this school has been chosen for enlargement

The proposal to enlarge this school has been assessed against, and is considered to meet, the county council's *Four Tests*. These are:

- Does it provide the right number of places in the right location?
- Does it support and not undermine school effectiveness?
- Are the implications for buildings, environment and cost, feasible and affordable?
- What are the transitional implications?

Belswains Primary School has been selected as it is located close to the area of demand. Initial feasibility work concludes that the site is capable of accommodating an enlargement, subject to further design work and town planning permission. An increase of 1 f.e. will mean the school becoming a 2 f.e. school permanently, which is the county council's preferred size, offering a broad curriculum and enhanced opportunities for staff development.

For further information on the possible options that were considered, please see www.hertfordshire.gov.uk/schoolplaces.

The alterations required for enlargement

If a decision is made to enlarge this school, the county council would work closely with the school to provide the additional accommodation required. We would work hard to make sure that the accommodation supports pupils' needs whilst also ensuring that good value for money is achieved in the context of restrictions on public sector finance. The work would be managed by the county council using contractors who would ensure a safe environment for pupils and staff, and minimise the impact of any building works at the school.

Have your say

The county council believes that the enlargement of Belswains Primary School would have a positive impact for its existing pupils, staff and local community by improving access to school places, providing for enhanced education opportunities and providing improved facilities in new buildings.

You have until 12 March 2018 to let us know your views. The easiest way you can do this is by completing the online response form on our website at www.hertfordshire.gov.uk/consultations. You can tell us if you agree or disagree with the proposal and leave your comments.

If you do not have access to the internet you can visit your local library where free access is available to all Hertfordshire residents. Should you wish to request a hard copy of the response form or need help understanding this information you can email contact@hertfordshire.gov.uk or alternatively please call us on 0300 123 4043. An interpreting service is available for those who need it.

Your comments must be received by 12 March 2018. We will not be able to acknowledge or respond individually to your comments but they will be taken into account, as explained below.

How the decision will be taken

This is a consultation and no decision has been made yet. All comments received will be made available to elected members who make the final decision. All responses may be made available in public reports, although personal details will be removed to respect individual privacy.

The following timetable outlines the decision-making process. Please note that meetings marked with * will be open to the public. Although it will not be possible to inform everyone individually of the decisions made, you will be able to access this information throughout the process at: www.hertfordshire.gov.uk/committees.

Process	Date
Public consultation	23 January – 12 March 2018
Education Panel*	17 April 2018
Cabinet*	23 April 2018
Statutory notice period (4 weeks)	Week commencing 30 April 2018
Cabinet * (for final approval if objections received)	9 July 2018
Implementation	September 2019

Yours faithfully

Jenny Coles
Director of Children's Services



**Hertfordshire County Council
County Hall
Hertford
SG13 8DF**

Tel: 0300 123 4043

My ref: School Planning

Date: 29 January 2018

Dear Consultee

Consultation on the proposal to enlarge the premises of St Peter's School, Cottonmill Lane, St Albans, Hertfordshire, AL1 1HL

We are consulting you on the following proposal:

The enlargement of the premises of St Peter's School, Cottonmill Lane, St Albans, Hertfordshire, AL1 1HL by 30 places (1 form of entry⁶) from September 2020.

The proposal will support a permanent increase in the size of this school by 30 places (1 f.e.). This means the school will then have the capacity to admit 60 reception aged children in September 2020 and in each subsequent year thereafter, growing to a full 2 f.e. school (with 420 places) by September 2026. The current capacity of the school is 210 and the eventual capacity will be 420 pupils (excluding Nursery pupils).

The school does not currently have enough classrooms to accommodate the extra children. It is therefore proposed to provide additional accommodation and associated external play space to support the increased number of children.

Why is this being proposed?

In line with recent national trends we are seeing an increase in the demand for reception class places in parts of Hertfordshire. The county council considers it important to ensure that there are sufficient places available for very young children as near as possible to their homes. There is more information on

⁶ 1 form of entry (f.e.) is 30 pupils per year group

how we plan to meet the demand for school places and our methods for forecasting pupil demand at www.hertfordshire.gov.uk/schoolplaces.

The position in St Albans

Whilst there are sufficient primary school places across the whole St Albans City area, there continues to be a high concentration of demand within the city centre, particularly in light of new housing development in the city centre and around London Road. The current forecast for these central areas indicates that from 2019/20 onwards there is minimal surplus available, which does not provide flexibility for any future increase in demand and/or in-year admissions.

ST ALBANS CENTRAL, SOUTHWEST & WEST (13.3, 13.8 & 13.12)	SCHOOL ADMISSIONS 2017	2017/18 SUMMER INTERIM FORECAST					
		2015/2016 ACTUAL	2016/2017 ACTUAL	2017/18 FORECAST	2018/19 FORECAST	2019/20 FORECAST	2020/21 FORECAST
Actual Number on Roll		479	517				
Number of Reception Places Available	487			487	487	487	487
Demand				500	477	486	486
Surplus/Shortage				-13	10	1	1
% Surplus/Shortage				-2.7%	2.1%	0.2%	0.2%
No of FE				-0.4	0.3	0.0	0.0

In addition, birth registration data indicates that there are significantly more children resident in the area than places available. A key area of pressure is around St Peter's School. By necessity, children in the area have been placed in schools located some distance away, at schools which are usually not within typical walking distance.

The county council wishes to ensure that, as far as is practicable, parents have access to good, local schools for their children.

Why this school has been chosen for enlargement

The proposal to enlarge this school has been assessed against, and is considered to meet, the county council's *Four Tests*. These are:

- Does it provide the right number of places in the right location?
- Does it support and not undermine school effectiveness?
- Are the implications for buildings, environment and cost, feasible and affordable?
- What are the transitional implications?

St Peter's School has been selected as it is located close to the area of demand. Initial feasibility work concludes that the site is capable of accommodating an enlargement, subject to further design work and town planning permission. An increase of 1 f.e. will mean the school becoming a 2 f.e. school permanently, which is the county council's preferred size, offering a broad curriculum and enhanced opportunities for staff development.

For further information on the possible options that were considered, please see www.hertfordshire.gov.uk/schoolplaces.

The alterations required for enlargement

If a decision is made to enlarge this school, the county council would work closely with the school to provide the additional accommodation required. We would work hard to make sure that the accommodation supports pupils' needs whilst also ensuring that good value for money is achieved in the context of restrictions on public sector finance. The work would be managed by the county council using contractors who would ensure a safe environment for pupils and staff, and minimise the impact of any building works at the school.

Planning permission will be necessary and any specific town planning matters associated with this school site would need to be addressed as part of the planning application, including highways, parking, flood risk and conservation area issues.

Have your say

The county council believes that the enlargement of St Peter's School would have a positive impact for its existing pupils, staff and local community by improving access to school places, providing for enhanced education opportunities and providing improved facilities in new buildings.

You have until 19 March 2018 to let us know your views. The easiest way you can do this is by completing the online response form on our website at www.hertfordshire.gov.uk/consultations. You can tell us if you agree or disagree with the proposal and leave your comments.

If you do not have access to the internet you can visit your local library where free access is available to all Hertfordshire residents. Should you wish to request a hard copy of the response form or need help understanding this information you can email contact@hertfordshire.gov.uk or alternatively please call us on 0300 123 4043. An interpreting service is available for those who need it.

Your comments must be received by 19 March 2018. We will not be able to acknowledge or respond individually to your comments but they will be taken into account, as explained below.

How the decision will be taken

This is a consultation and no decision has been made yet. All comments received will be made available to elected members who make the final decision. All responses may be made available in public reports, although personal details will be removed to respect individual privacy.

The following timetable outlines the decision-making process. Please note that meetings marked with * will be open to the public. Although it will not be possible to inform everyone individually of the decisions made, you will be able to access this information throughout the process at:

www.hertfordshire.gov.uk/committees.

Process	Date
Public consultation	29 January –19 March 2018
Education Panel*	17 April 2018
Cabinet*	23 April 2018
Statutory notice period (4 weeks)	Week commencing 30 April 2018
Cabinet * (for final approval if objections received)	9 July 2018
Implementation	September 2020

Yours faithfully

Jenny Coles
Director of Children's Services

APPENDIX 3

Consultation on the proposal to enlarge the premises of Belswains Primary School, Barnfield, Hemel Hempstead, Hertfordshire, HP3 9QJ

Response to the consultation from the Chair of Governors on behalf of the Governing Body of Belswains Primary School:

“The Governing Body of Belswains Primary School supports the proposal of HCC to expand the school to two form entry. The Governing Body will work with all relevant parties to ensure smooth transition.”

For and on behalf of the Governing Body - [REDACTED], Chair of Governors

What are your views on this proposal: Agree

Date response received: 21/02/2018

**Consultation on the proposal to enlarge the premises of
St Peter's Primary School, St Albans, Hertfordshire,
AL1 1HL**

**Response to the consultation from the Chair of Governors on behalf of
the Governing Body of St Peter's Primary School (via email dated 9th
March 2018):**

Dear [REDACTED],

Please find below a response on behalf of the governor's at St Peter's. Please let me know if you would like to discuss. I will also add the response online using the tool below.

As governors of the school we recognise our responsibilities to serve the local community. We are aware that some local parents are having to send their children a considerable distance to attend a primary school. We very much welcome the opportunity to investigate the feasibility of expanding our school and to gauge the formal response of local parents to an expansion.

As governors we have a duty to ensure that we provide the best quality education to the children that attend St Peters. We can see that there may be benefits in scale and scope from an expansion to the school. There will be opportunity for specialisation of staff and overheads can be shared across a larger number of pupils that will help the school budget. We also know that there are benefits in remaining as a smaller school. The environment and ethos of a smaller school is different to a larger school and some children will feel safer, more secure and less anonymous in a smaller school.

Our prime objective in considering any expansion is to improve and maintain the quality of education at St Peters. This applies to current and prospective pupils. When we see in more detail what an expansion will look like in practice and how implementation would be managed to avoid impacting on current pupils then we will be in a clear position to welcome or push back on any proposal. We will work constructively with all our stakeholders during this process. We very much welcome hearing the feedback from all stakeholders, particularly local parents.

Kind regards

[REDACTED]

APPENDIX 4

School Expansion S106 funds to be applied

District	Development address	Recommended school	Grand Total
Dacorum	175 -189 London Road	Belswains Primary	£30,488.02
Dacorum Total			£30,488.02
St Albans	Land Rear Of 96 To 114 Victoria Street	St Peter's Primary (St Albans)	£15,234.92
St Albans	Stuart House	St Peter's Primary (St Albans)	£45,901.17
St Albans Total			£61,136.09
Grand Total			£91,624.11

APPENDIX 5

Equality Impact Assessment (EqIA) – St Peter's School

STEP 1: Responsibility and involvement

Title of proposal/ project/strategy/ procurement/policy	Enlargement of the premises of St Peter's (St Alban's) Primary School, from 1FE to 2FE from September 2019.	Head of Service or Business Manager	Pauline Davis
Names of those involved in completing the EqIA:	Tom Stacey	Lead officer contact details:	Dan Hardy
Date completed:	27/03/2018	Reviewed: Review date:	20 March 2018 July 2018

STEP 2: Objectives of proposal and scope of assessment – what do you want to achieve?

Proposal objectives: –what you want to achieve –intended outcomes –purpose and need	<p>To identify the impact of the proposed enlargement of the premises of St Peter's School, Cottonmill Lane, St. Albans Hertfordshire, AL1 1HL to support an increase in the intake of the school from 30 to 60 places (1FE to 2FE) for September 2019.</p> <p>The proposed enlargement of the premises of St Peter's Primary School is part of the Primary Expansion Programme Phase 8 (PEP8) set up to identify and implement primary school expansion schemes to meet the need for additional school places as of September 2020. This need is based on current pupil forecasts.</p> <p>The eight-week public consultation was concluded on 19 March 2018.</p> <p>Consultation letters were provided to staff, parents, pupils and governing bodies of the affected schools and local residents and other key stakeholders, including neighbouring local authorities, MP's, local members, parish councils, local schools and nurseries, the Roman Catholic and Church of</p>
-----------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>England Dioceses, community groups and relevant staff at Hertfordshire County Council.</p> <p>Posters were displayed in local libraries and other selected public places. The consultation documents were also available on the Hertfordshire County Council website, Hertfordshire.gov.uk. The consultation documents were made available in other formats on request, including large print, braille and other languages.</p> <p>At the conclusion of the consultation all responses have been carefully considered and no issues have been raised that further impact any of the protected characteristics considered as part of this EqIA.</p>
<p><u>Stakeholders:</u> Who will be affected: the public, partners, staff, service users, local Member etc.</p>	<p>Parents/carers/pupils, staff and governors at the school concerned; Residents local to the school concerned; Local Pre-Schools, Nursery, Primary, Secondary and Special schools; MPs, County Councillors, District Councillors, Parish and Town Councils and Local Authority Chief Executives; Trade Union representatives; Church Diocese representatives; NHS representatives; Parent Governor representatives on the Overview and Scrutiny Committee at Hertfordshire County Council; Further Education establishments, pre-schools, playgroups, Children's Centres, toddler groups and day nurseries; Libraries and Citizen's Advice Bureaux; Senior officers in Hertfordshire County Council's Children's Services department and in Herts Property Services</p>

STEP 3: Available data and monitoring information

Relevant equality information	What the data tells us about equalities		
<p>January 2018 school census data on gender split, English as an additional language (EAL), ethnicity, free school meal (FSM) eligibility, number of children with SEN Statements (S), Education & Health Care Plans (E) or SEN Support (K). <i>Countywide data includes pupils at special schools.</i></p>	January 2018 school census data		
		St Peter's School	Primary Countywide
	Students (Years R to 6)	201	101019
	Number Minority Ethnic Students (not White British and excluding Refused and Not Obtained)	65	31683
	% Minority Ethnic Students (not White British and excluding Refused and Not Obtained)	32.34%	31.36%
	Number EAL (English as an alternative Language) (First language Not English or believed not to be English excluding Refused and Not Obtained)	43	17053
	% EAL (English as an alternative Language) (First language Not English or believed not to be English)	21.39%	16.88%
	Number with Statement (or EHCP (S or E))	5	2050
	% with Statement (or EHCP (S or E))	2.49%	2.03%
	Number SEN Provision (K)	17	12147
	% SEN Provision (K)	8.46%	12.02%
	Number Eligible for FSM (at date of Census)	9	8761
	% FSM (Free School Meals) (at date of Census)	4.48%	8.67%
	Number of Male Students	109	51668
	% of Male Students	54.23%	51.15%
	Number of Female Students	92	49351
	% of Female Students	45.77%	48.85%

	<p>The percentage of Minority Ethnic pupils, pupils with EAL and those with statements or EHCPs is higher than the County average whilst those eligible for free school meals and SEN is lower than the County Average.</p>
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

STEP 4: Impact Assessment – Service Users, communities and partners (where relevant)

Guidance on groups of service users to consider within each protected group can be found [here](#)

Protected characteristic	Potential for differential impact (positive or negative)	What reasonable mitigations can you propose?
Age	It is not anticipated that the proposals will affect people disproportionately because of their age. We are aware that some groups may require information in a different format.	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Disability Including Learning Disability	<p>School planning officers have liaised with the Headteacher and identified 2 children currently at the school, one who is a permanent wheelchair user and the other who has occasional use of a wheel chair. If so, we will liaise with the Headteacher and their staff to identify any potential negative impacts and take them into account accordingly.</p> <p>Should the proposals proceed, appropriate advice will be sought in respect of any changes that are made to the school.</p>	<p>The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.</p> <p>Any issues identified or known, as well as the duties found within Part 6, Section 149 and Schedules 10 and 13 of the Equality Act 2010 concerning disability will be factored into the individual scheme designs. Any building scheme will also meet the requirements to avoid Disability Discrimination under Section 15 of the Equality Act 2010.</p>

Protected characteristic	Potential for differential impact (positive or negative)	What reasonable mitigations can you propose?
	It is not currently anticipated that the proposals will affect people disproportionately because of their disability.	
Race	<p>The expansion of existing schools provides for enhanced education opportunities and an enriched curriculum offer which has a positive impact on the whole school community.</p> <p>It is not anticipated that the proposals will affect people disproportionately because of their race. However, school planning officers will liaise with the Headteacher and their staff to identify any potential negative impacts upon children from specific ethnic groups arising from the proposal related to their school, and these will be taken into account accordingly.</p>	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Gender reassignment	It is not currently anticipated that the proposals will affect people with this characteristic disproportionately.	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Pregnancy and maternity	It is not currently anticipated that the proposals will affect people with this characteristic disproportionately.	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Religion or belief	The expansion of existing schools provides for	The position will continue to be monitored and if any

Protected characteristic	Potential for differential impact (positive or negative)	What reasonable mitigations can you propose?
	<p>enhanced education opportunities and an enriched curriculum offer which has a positive impact on the whole school community.</p> <p>It is not anticipated that the proposals will affect people disproportionately because of their religion or belief.</p>	<p>issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.</p>
Sex	<p>It is not anticipated that the proposals will affect people disproportionately because of issues around sex.</p>	<p>The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.</p>
Sexual orientation	<p>It is not anticipated that the proposals will affect people disproportionately because of issues around sexual orientation.</p>	<p>The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.</p>
Marriage & civil partnership	<p>It is not anticipated that the proposals will affect people disproportionately because of issues around marriage and civil partnership.</p>	<p>The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.</p>
Carers (by association with any of the above)	<p>Should the expansion proposals go ahead it is anticipated that it will allow more children to attend a school in their locality and extend the range of successful preferences available to parents/carers.</p> <p>Currently it does not appear that there are any disproportionate negative impacts concerning this protected characteristic.</p>	<p>The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.</p>

Protected characteristic	Potential for differential impact (positive or negative)	What reasonable mitigations can you propose?
Opportunity to advance equality of opportunity and/or foster good relations (Please refer to the guidance for more information on the public sector duties)		
<p>Should the enlargement proposal for St Peter's Primary School (St Alban's) go ahead it is anticipated that it will allow more children to attend a school in their locality and extend the range of successful preferences available to parents/carers. It will also provide for enhanced education opportunities and an enriched curriculum offer which has a positive impact on the whole school community.</p> <p>The Council will ensure that all new accommodation provided to the school as part of enlargement works will be fully accessible to disabled pupils and staff. Any building scheme will be compliant with DDA regulations.</p>		

Impact Assessment – Staff (where relevant)

Protected characteristic	Potential for differential impact (positive or negative)	What reasonable mitigation can you propose?
Age	It is not anticipated that the proposals will affect people disproportionately because of their age. We are aware that some groups may require information in a different format.	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Disability Including Learning Disability	<p>It is not anticipated at this stage that the proposals will affect people disproportionately because of the issues of disability. In addition should the proposals proceed, appropriate professional advice will be sought in respect of any changes that are made to the School.</p> <p>The Council are aware that some groups may require information in a different format.</p>	<p>The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.</p> <p>Any issues identified or known as well as the duties found within Part 6, Section 149 and Schedules 10 and 13 of the Equality Act 2010 concerning disability will be factored into the individual scheme designs. Any building scheme will also</p>

Protected characteristic	Potential for differential impact (positive or negative)	What reasonable mitigation can you propose?
		meet the requirements to avoid Disability Discrimination under Section 15 of the Equality Act 2010.
Race	It is not anticipated that the proposals will affect people disproportionately because of their race.	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Gender reassignment	It is not anticipated that the proposals will affect people disproportionately because of their gender reassignment.	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Pregnancy and maternity	It is not anticipated that the proposals will affect people disproportionately because of their pregnancy and maternity.	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Religion or belief	It is not anticipated that the proposals will affect people disproportionately because of their religion/belief.	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Sex	It is not anticipated that the proposals will affect people disproportionately because of issues around sex.	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Sexual orientation	It is not anticipated that the proposals will affect people disproportionately because of issues around sexual orientation	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.

Protected characteristic	Potential for differential impact (positive or negative)	What reasonable mitigation can you propose?
Marriage & civil partnership	It is not anticipated that the proposals will affect people disproportionately because of issues around marriage and civil partnership	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Carers (by association with any of the above)	It is not anticipated that the proposals will affect people disproportionately because of issues around caring responsibilities.	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Opportunity to advance equality of opportunity and/or foster good relations (Please refer to the guidance for more information on the public sector duties)		
<p>Enlargement of the school will provide staff with more opportunities for career development.</p> <p>The Council ensure that all new accommodation provided to schools as part of enlargement works will be fully accessible to disabled pupils and staff. Any building scheme will be compliant with DDA regulations.</p>		

STEP 5: Gaps identified

Gaps identified Do you need to collect more data/information or carry out consultation? (A 'How to engage' consultation guide is on Compass). How will you make sure your consultation is accessible to those affected?	<p>The eight-week public consultation was completed on 19 March 2018. Consultation letters were provided to staff, parents, pupils and governing bodies of the affected schools and local residents and other key stakeholders, including the MP, neighbouring local authorities, local members, parish councils, local schools and nurseries, the RC and Church of England Dioceses, community groups and relevant staff at Hertfordshire County Council.</p> <p>Posters were displayed in local libraries and other selected public places. The consultation documents were also available on the Hertfordshire County Council website: https://www.hertfordshire.gov.uk/home.aspx</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

STEP 6: Other impacts

Consider if your proposal has the potential (positive and negative) to impact on areas such as health and wellbeing, crime and disorder and community relations. There is more information in the guidance.

STEP 7: Conclusion of your analysis

Select one conclusion of your analysis	Give details
<input type="checkbox"/> No equality impacts identified <ul style="list-style-type: none">– No change required to proposal.	
<input type="checkbox"/> Minimal equality impacts identified <ul style="list-style-type: none">– Adverse impacts have been identified, but have been objectively justified (provided you do not unlawfully discriminate).– Ensure decision makers consider the cumulative effect of how a number of decisions impact on equality.	
<input checked="" type="checkbox"/> Potential equality impacts identified <ul style="list-style-type: none">– Take 'mitigating action' to remove barriers or better advance equality.– Complete the action plan in the next section.	Ensure that the proposals do not impact adversely upon pupils with disabilities and ensure that the communications strategy takes into account the differing needs of the local community including staff.
<input type="checkbox"/> Major equality impacts identified <ul style="list-style-type: none">– Stop and remove the policy.– The adverse effects are not justified, cannot be mitigated or show unlawful discrimination.– Ensure decision makers understand the equality impact.	

STEP 8: Action Plan

Issue or opportunity identified relating to: <ul style="list-style-type: none"> – Mitigation measures – Further research – Consultation proposal – Monitor and review 	Action proposed	Officer Responsible and target date
Explore ways of supporting parents, carers, governors and staff through the change process.	Ensure the communication strategy recognises that some groups may require information in a different format for example if they have a disability or do not speak English as a first language. The Council are aware that the school may have its own communication strategy.	Dan Hardy July 2018
Catering for disabled pupils.	Ensure that any known issues around disability are factored into the individual scheme designs and that all building schemes are DDA compliant. Obtain information around individual needs of children with disabilities.	Dan Hardy July 2018 Dan Hardy July 2018

This EqIA has been reviewed and signed off by:

**Head of Service or Business Manager: P. Davis
2018**

Date: 19 March

Equality Action Group Chair:

Date:

Equality Impact Assessment (EqIA) – Belswains Primary School

STEP 1: Responsibility and involvement

Title of proposal/ project/strategy/ procurement/policy	Enlargement of the premises of Belswains Primary School, from 1FE to 2FE from September 2019.	Head of Service or Business Manager	Pauline Davis
Names of those involved in completing the EqIA:	Tom Stacey	Lead officer contact details:	Phil Brunt
Date completed:	27/03/2018	Reviewed: Review date:	13 March 2018 July 2018

STEP 2: Objectives of proposal and scope of assessment – what do you want to achieve?

Proposal objectives: –what you want to achieve –intended outcomes –purpose and need	<p>To identify the impact of the proposed enlargement of the premises of Belswains Primary School, Barnfield, Hemel Hempstead, Hertfordshire, HP3 9QJ, to support an increase in the intake of the school from 30 to 60 places (1FE to 2FE) for September 2019.</p> <p>The proposed enlargement of the premises of Belswains Primary School is part of the Primary Expansion Programme Phase 8 (PEP8) set up to identify and implement primary school expansion schemes to meet the need for additional school places as of September 2019. This need is based on current pupil forecasts.</p> <p>The eight-week public consultation was concluded on 12 March 2018.</p> <p>Consultation letters were provided to staff, parents, pupils and governing bodies of the affected schools and local residents and other key stakeholders, including neighbouring local authorities, MP's, local members, parish councils, local schools and nurseries, the Roman Catholic and Church of England Dioceses, community groups and relevant staff at Hertfordshire County Council.</p>
-----------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>Posters were displayed in local libraries and other selected public places. The consultation documents were also available on the Hertfordshire County Council website, Hertfordshire.gov.uk. The consultation documents were made available in other formats on request, including large print, braille and other languages.</p> <p>At the conclusion of the consultation all responses have been carefully considered and no issues have been raised that further impact any of the protected characteristics considered as part of this EqIA.</p>
<p><u>Stakeholders:</u> Who will be affected: the public, partners, staff, service users, local Member etc.</p>	<p>Parents/carers/pupils, staff and governors at the school concerned; Residents local to the school concerned; Local Pre-Schools, Nursery, Primary, Secondary and Special schools; MPs, County Councillors, District Councillors, Parish and Town Councils and Local Authority Chief Executives; Trade Union representatives; Church Diocese representatives; NHS representatives; Parent Governor representatives on the Overview and Scrutiny Committee at Hertfordshire County Council; Further Education establishments, pre-schools, playgroups, Children's Centres, toddler groups and day nurseries; Libraries and Citizen's Advice Bureaux; Senior officers in Hertfordshire County Council's Children's Services department and in Herts Property Services</p>

STEP 3: Available data and monitoring information

Relevant equality information	What the data tells us about equalities		
<p>January 2018 school census data on gender split, English as an additional language (EAL), ethnicity, free school meal (FSM) eligibility, number of children with SEN Statements (S), Education & Health Care Plans (E) or SEN Support (K). <i>Countywide data includes pupils at special schools.</i></p>	January 2018 school census data		
		Belswains Primary School	Primary Countywide
	Students (Years R to 6)	235	101019
	Number Minority Ethnic Students (not White British and excluding Refused and Not Obtained)	73	31683
	% Minority Ethnic Students (not White British and excluding Refused and Not Obtained)	31.06%	31.36%
	Number EAL (English as an alternative Language) (First language Not English or believed not to be English excluding Refused and Not Obtained)	32	17053
	% EAL (English as an alternative Language) (First language Not English or believed not to be English)	13.62%	16.88%
	Number with Statement (or EHCP (S or E))	4	2050
	% with Statement (or EHCP (S or E))	1.70%	2.03%
	Number SEN Provision (K)	34	12147
	% SEN Provision (K)	14.47%	12.02%
	Number Eligible for FSM (at date of Census)	27	8761

	% FSM (Free School Meals) (at date of Census)	11.49%	8.67%
	Number of Male Students	109	51668
	% of Male Students	46.38%	51.15%
	Number of Female Students	126	49351
	% of Female Students	53.62%	48.85%
The percentage of Minority Ethnic pupils and pupils with EAL is slightly lower than the County Average whilst those eligible for free school meals and SEN provision is higher.			

**STEP 4: Impact Assessment – Service Users, communities and partners
(where relevant)**

Protected characteristic	Potential for differential impact (positive or negative)	What reasonable mitigations can you propose?
Age	It is not anticipated that the proposals will affect people disproportionately because of their age. The Council are aware that some groups may require information in a different format.	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Disability Including Learning Disability	School planning officers have liaised with the Headteacher who has identified that there are no children currently at the school with physical disabilities but there is one student with a hearing impairment and one student with a visual impairment. Officers will liaise with the Headteacher and their staff to identify any potential negative impacts upon these children with disabilities and take them into account accordingly.	<p>The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.</p> <p>Any issues identified or known, as well as the duties found within Part 6, Section 149 and Schedules 10 and 13 of the Equality Act 2010 concerning disability will be factored into the individual scheme designs. Any building scheme will also meet the</p>

Protected characteristic	Potential for differential impact (positive or negative)	What reasonable mitigations can you propose?
	<p>Should the proposals proceed, appropriate advice will be sought in respect of any changes that are made to the school.</p> <p>It is not currently anticipated that the proposals will affect people disproportionately because of their disability.</p>	<p>requirements to avoid Disability Discrimination under Section 15 of the Equality Act 2010.</p>
Race	<p>The expansion of existing schools provides for enhanced education opportunities and an enriched curriculum offer which has a positive impact on the whole school community.</p> <p>It is not anticipated that the proposals will affect people disproportionately because of their race. However, school planning officers will liaise with the Headteacher and their staff to identify any potential negative impacts upon children from specific ethnic groups arising from the proposal related to their school, and these will be taken into account accordingly.</p>	<p>The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.</p>
Gender reassignment	<p>It is not currently anticipated that the proposals will affect people with this characteristic disproportionately.</p>	<p>The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.</p>

Protected characteristic	Potential for differential impact (positive or negative)	What reasonable mitigations can you propose?
Pregnancy and maternity	It is not currently anticipated that the proposals will affect people with this characteristic disproportionately.	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Religion or belief	<p>The expansion of existing schools provides for enhanced education opportunities and an enriched curriculum offer which has a positive impact on the whole school community.</p> <p>It is not anticipated that the proposals will affect people disproportionately because of their religion or belief.</p>	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Sex	It is not anticipated that the proposals will affect people disproportionately because of issues around sex.	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Sexual orientation	It is not anticipated that the proposals will affect people disproportionately because of issues around sexual orientation.	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Marriage & civil partnership	It is not anticipated that the proposals will affect people disproportionately because of issues around marriage and civil partnership.	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Carers (by association with any of the above)	Should the expansion proposals go ahead it is anticipated that it will allow more children to attend a school in their locality and extend the range of	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended

Protected characteristic	Potential for differential impact (positive or negative)	What reasonable mitigations can you propose?
	<p>successful preferences available to parents/carers.</p> <p>Currently it does not appear that there are any disproportionate negative impacts concerning this protected characteristic.</p>	accordingly.
Opportunity to advance equality of opportunity and/or foster good relations (Please refer to the guidance for more information on the public sector duties)		
<p>Should the enlargement proposal for Belswains Primary School go ahead it is anticipated that it will allow more children to attend a school in their locality and extend the range of successful preferences available to parents/carers. It will also provide for enhanced education opportunities and an enriched curriculum offer which has a positive impact on the whole school community.</p> <p>The Council will ensure that all new accommodation provided to the school as part of enlargement works will be fully accessible to disabled pupils and staff. Any building scheme will be compliant with Equality Act.</p>		

Impact Assessment – Staff (where relevant)

Protected characteristic	Potential for differential impact (positive or negative)	What reasonable mitigation can you propose?
Age	It is not anticipated that the proposals will affect people disproportionately because of their age. We are aware that some groups may require information in a different format.	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Disability Including Learning Disability	It is not anticipated at this stage that the proposals will affect people disproportionately because of the issues of disability. In addition should the proposals proceed, appropriate professional advice will be	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.

Protected characteristic	Potential for differential impact (positive or negative)	What reasonable mitigation can you propose?
	<p>sought in respect of any changes that are made to the School.</p> <p>The Council aware that some groups may require information in a different format.</p>	Any issues identified or known as well as the duties found within Part 6, Section 149 and Schedules 10 and 13 of the Equality Act 2010 concerning disability will be factored into the individual scheme designs. Any building scheme will also meet the requirements to avoid Disability Discrimination under Section 15 of the Equality Act 2010.
Race	It is not anticipated that the proposals will affect people disproportionately because of their race.	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Gender reassignment	It is not anticipated that the proposals will affect people disproportionately because of their gender reassignment.	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Pregnancy and maternity	It is not anticipated that the proposals will affect people disproportionately because of their pregnancy and maternity.	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Religion or belief	It is not anticipated that the proposals will affect people disproportionately because of their religion/belief.	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Sex	It is not anticipated that the proposals will affect people disproportionately because of issues around sex.	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended

Protected characteristic	Potential for differential impact (positive or negative)	What reasonable mitigation can you propose?
		accordingly.
Sexual orientation	It is not anticipated that the proposals will affect people disproportionately because of issues around sexual orientation	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Marriage & civil partnership	It is not anticipated that the proposals will affect people disproportionately because of issues around marriage and civil partnership	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Carers (by association with any of the above)	It is not anticipated that the proposals will affect people disproportionately because of issues around caring responsibilities.	The position will continue to be monitored and if any issues in respect of the protected characteristic are identified then the Action Plan will be amended accordingly.
Opportunity to advance equality of opportunity and/or foster good relations (Please refer to the guidance for more information on the public sector duties)		
<p>Enlargement of the school will provide staff with more opportunities for career development.</p> <p>The Council ensure that all new accommodation provided to schools as part of enlargement works will be fully accessible to disabled pupils and staff. Any building scheme will be compliant with Equality Act.</p>		

STEP 5: Gaps identified

Gaps identified Do you need to collect more data/information or carry out consultation? (A 'How to engage' consultation guide is on Compass). How will you make sure your	The eight-week public consultation was completed on 12 March 2018. Consultation letters were provided to staff, parents, pupils and governing bodies of the affected schools and local residents and other key stakeholders, including the MP, neighbouring local authorities, local members, parish councils, local schools and nurseries, the RC and Church of England Dioceses, community groups and relevant staff at Hertfordshire County Council.
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

consultation is accessible to those affected?	Posters were displayed in local libraries and other selected public places. The consultation documents were also available on the Hertfordshire County Council website: https://www.hertfordshire.gov.uk/home.aspx
-----------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

STEP 6: Other impacts

STEP 7: Conclusion of your analysis

Select one conclusion of your analysis	Give details
<input type="checkbox"/> No equality impacts identified <ul style="list-style-type: none"> – No change required to proposal. 	
<input type="checkbox"/> Minimal equality impacts identified <ul style="list-style-type: none"> – Adverse impacts have been identified, but have been objectively justified (provided you do not unlawfully discriminate). – Ensure decision makers consider the cumulative effect of how a number of decisions impact on equality. 	
<input checked="" type="checkbox"/> Potential equality impacts identified <ul style="list-style-type: none"> – Take 'mitigating action' to remove barriers or better advance equality. – Complete the action plan in the next section. 	Ensure that the proposals do not impact adversely upon pupils with disabilities and ensure that the communications strategy takes into account the differing needs of the local community including staff.
<input type="checkbox"/> Major equality impacts identified <ul style="list-style-type: none"> – Stop and remove the policy. – The adverse effects are not justified, cannot be mitigated or show unlawful discrimination. – Ensure decision makers understand the equality impact. 	

Select one conclusion of your analysis	Give details

STEP 8: Action Plan

Issue or opportunity identified relating to: – Mitigation measures – Further research – Consultation proposal – Monitor and review	Action proposed	Officer Responsible and target date
Explore ways of supporting parents, carers, governors and staff through the change process.	Ensure the communication strategy recognises that some groups may require information in a different format for example if they have a disability or do not speak English as a first language. The Council are aware that the school may have its own communication strategy.	Phil Brunt July 2018
Catering for disabled pupils.	Ensure that any known issues around disability are factored into the individual scheme designs and that all building schemes are compliant with the Equalities Act. Obtain information around individual needs of children with disabilities.	Phil Brunt July 2018 Phil Brunt July 2018

This EqlA has been reviewed and signed off by:

**Head of Service or Business Manager: P. Davis
2018**

Date: 27 March

Equality Action Group Chair:

Date:

HERTFORDSHIRE COUNTY COUNCIL

CABINET

MONDAY, 23 APRIL 2018 AT 2.00PM

Agenda Item
No.

6

FUTURE OF TOWER PRIMARY SCHOOL, WARE

Report of the Director of Children's Services

Author: Juliet Whitehead, Education Leadership Team,
Tel: 01438 844880

Executive Member: Terry Douris

Local Member: David Andrews (Ware North)

1. Purpose of report

- 1.1 To seek Cabinet agreement on the future arrangements and finances required for managing Tower Primary School, Ware, in order for the Ivy Learning Trust Board to approve sponsorship.

2. Summary

- 2.1 In March 2017, Tower Primary School ("the School") in Ware was judged by Ofsted to be Inadequate. The School is a maintained 2 to 11 years school and has a current roll of 138 pupils (as of January 2018) out of a total capacity of 210 pupils in reception through to year 6. The School is therefore currently only 66% full and has modest reserves for 17-18 financial year.
- 2.2 Since the School has been judged by Ofsted to be Inadequate, the Secretary of State for Education is required to issue an Order directing its conversion to Academy status under Section 4 of the Academies Act 2010 ("the Act").
- 2.3 Discussions were held by the Regional Schools Commissioner on behalf of the Secretary of State for Education with a number of academy trusts already operating within Hertfordshire but no suitable solution was found. As a result, the Ivy Learning Trust based in Enfield was approached by the DfE to sponsor Tower Primary School, Ware.
- 2.4 Initial discussions between the County Council and the Ivy Learning Trust board were positive and the Ivy Learning Trust board has approved in principle the sponsorship of the School.

3. Recommendations

- 3.1 The Education, Libraries & Localism Cabinet Panel and the Resources, Property & the Economy Cabinet Panel will each consider a report on this item of business at their meetings on 17 April 2018 and 18 April 2018 respective. The Panels will be invited to recommend to Cabinet that Cabinet agrees:
- (i) that the County Council conclude an agreement with the Ivy Learning Trust Board around the sponsorship of Tower Primary School, Ware as set out in the Part II report;
 - (ii) to delegate to the Director of Children's Services, in consultation with the Executive Member for Education, Libraries and Localism, authority to agree the required terms and conditions required for the agreement between the County Council and Ivy Learning Trust Board with regards the sponsorship of Tower Primary School, Ware;
 - (iii) that the County Council provide Tower Primary School, Ware with £37,000 of additional capital funding to deal with outstanding building condition and ICT issues;
 - (iv) that an application for an in-year variation to the school's Published Admission Number to reduce it to 15 in September 2019 will be made to the Office of the School Adjudicator;
 - (v) that the revenue funding required, as set out in the Part 2 Report, be agreed by the Director of Resources, in consultation with the Director of Children's Services and the Executive Members for Resources, Property and the Economy and for Education, Libraries and Localism.
- 3.2 The Panels recommendations to Cabinet will be reported orally at the Cabinet meeting and circulated to Members in the Order of Business sheet.

4. Background

- 4.1 Meetings have been held between the County Council, the (DfE) Academies Regional Delivery Group and the Ivy Learning Trust where the following options were considered:
- a. To close the School immediately.
 - b. To close the School to new pupils.
 - c. Sponsorship of the School by the Ivy Learning Trust.
- 4.2 In Section 5, below, options a, b and c are considered in some further detail.
- 4.3 In the interim, following a meeting between the County Council and the Ivy Learning Trust in December 2017, it was agreed that Ivy Learning Trust would commit to short term support (until September 2018) by providing school improvement support, including strong leadership, for two terms during which

the School would continue to be a maintained school. At the same time the Ivy Learning Trust and the County Council would work together to restructure the School to prepare it for future financial viability, with the Ivy Learning Trust looking to sponsor the School to become an academy.

4.4 The following action has now taken place:

- An Acting Head of School has been appointed by the Ivy Learning Trust and is now working in the School.
- The Ivy Learning Trust has produced a Raising Achievement Plan (school improvement plan) with costings based on the Ofsted and Statement of Action report. Implementation of the Raising Achievement Plan began at the start of spring term i.e. January 2018 and the progress of work undertaken has been significant. Leadership presence is evident across the school and a full-time Head is having a positive impact. Standards including teaching across the school are being addressed and training has been provided to staff across a number of areas including English, maths, safeguarding, and mindfulness.

5. Feasibility of closure of the School in the context of supply and demand for school places

5.1 There are currently 138 on the school roll at School, broken down as follows:

School Name	Number On Roll	R	1	2	3	4	5	6
Tower Primary	138	22	15	20	21	25	14	21

- 5.2 Applications for reception 2018 are very low with only 6 having the School as their first preference (5 of these are siblings) and 19 naming it somewhere in their list of preferences. These figures compare to 15 as first preference and 28 altogether having the School in their list of preferences for last year. At this stage it is not thought that there will be any Non Ranked Allocations to Tower Primary School as there will be a surplus of places in Ware.
- 5.3 Officers and the Ivy Learning Trust have therefore also agreed that an application for an in-year variation to the school's PAN be made to the Office of the School Adjudicator to reduce it to 15 in September 2019 to support the sustainability of the school whilst it recovers from consecutive low intakes.
- 5.4 The Ivy Learning Trust is confident that it will be able to increase the reception intake back to 30 after two years of their sponsorship especially in light of the fact that there are well in excess of 15 children who live closer to Tower Primary School than any other school.
- 5.5 The alternative to the Ivy Learning Trust sponsoring Tower Primary school is closure which we believe is not feasible for a number of reasons including complications around accommodating the children in other schools particularly in terms of travel and the loss of places for children moving in-year to the Ware

area and also in the longer-term when significant new housing development is being planned. The cost would not be insignificant as the Council would need to consider bulge classes in neighbouring schools based on providing additional temporary accommodation with the total likely to be in the region £600,000.

- 5.6 Officers forecast for Ware for 2018/19 is 38 surplus places out of the 285 available. Please see Table A below.

Table A: Showing Reception Place pupil number demand forecast for Ware Town using 2017/18 census data

8.3	Ware Town	Interim Forecast - Primary Schools						
School No	School	PAN	2015/16 Actual	2016/17 Actual	2017/18 Actual	2018/19 Forecast	2019/20 Forecast	2020/21 Forecast
305	Christ Church CoE (VA)	45	45	44	44			
306	St Mary's (VC) CofE Junior	0	0	0	0			
307	St Catherines Primary*	60	57	57	49			
309	TOWER PRIMARY	30	25	22	24			
310	Priors Wood Primary	30	30	31	25			
311	Kingshill Infant	60	60	60	56			
312	Sacred Heart Catholic Primary	30	30	30	30			
316	St. John the Baptist	30	30	28	24			
	Actual Number on Roll		277	272	252			
	Number of Reception Places Available	285				285	285	285
	Demand					247	241	240
	Surplus/Shortage					38	44	45
	% Surplus/Shortage					13.3%	15.4%	15.8%
	No of FE					1.3	1.5	1.5

- 5.7 However, the situation with regard to places is usually tight with the forecast generally lower than the actual demand historically. Ware children normally attend Ware schools with more children coming into the area than leaving. There are in fact well in excess of 15 children who live closer to Tower Primary School than any other school (53 children in 2018, 49 in 2019, 56 in 2020 and 47 in 2021).

- 5.8 Whilst it can be seen that in the short and medium term there are surplus primary places in Ware, in the longer term major housing development to the North of Ware will lead to a requirement for new places. In the first instance officers would expect that to be met by a new school within the new development area.

Impact of closure of the School

- 5.9 If the School were to be closed during the next academic year, officers would not expect an immediate and acute shortage of reception places. However, the key challenge lies in accommodation of existing children in older year groups, currently within Tower Primary School. Table B below shows the 'surplus capacity' in each Ware primary school from reception through to year 6. There are not enough spaces in every year group to accommodate the

pupils if Tower Primary School was closed with the current years 1, 2, 3 and 4 being an issue.

- 5.10 To deal with this, in the event of closure, there are two theoretical options, which are not mutually exclusive. Firstly, the County Council would need to consider bulge classes in neighbouring schools for year groups 1, 2, 3 and 4 based on providing additional temporary accommodation. There is not the physical capacity to absorb bulge classes onto one site, so classes would need to be absorbed into different sites, potentially causing an issue for siblings that would be located to different sites. There are considerable site constraints at primary schools in Ware, so there is no guarantee that the option of providing additional temporary accommodation would be deliverable. Importantly, it is not at all clear that existing schools in Ware would be willing to accept expansion in such circumstances, given the potential negative impacts of this on their schools. The costs of this arrangement are likely to be of the order of £600,000 in additional temporary accommodation costs, to the extent that full provision in this way is eventually proved feasible.
- 5.11 An alternative method to manage the closure of the School would be to disperse children to Ware in the first instance with the remaining capacity dispersed to village schools in the area. There are 138 children at the School and a total of 158 school places across the area including outlying villages up to ten miles away. The distribution of places by age-group does not match the distribution of spaces needed, most particularly in year 4. The educational impact of dispersing handfuls of children per class to so many schools is considered detrimental to the education of all children in the area. This strategy would also fill many schools leaving few spaces and meaning that children moving in to the area may have to travel considerable distances to schools- ten of the children from the School would need to travel over 9 miles. Clearly this raises a number of issues for the very youngest children. It is also likely that some of the schools will be under pressure with the upcoming Gilston/'Harlow North' development where schools will not be built until an unknown, but assumed high, number of families will require school places.
- 5.12 The infrastructures of village schools receiving the pupils would require additional investment in both in terms of capital and revenue. Village schools operate at equilibrium and are not geared towards being full. Many operate a vertical teaching structure and the impact of a significant influx of pupils in disparate age groups would be significant both in terms of investment that would be needed from Herts for Learning (HfL) to support standards during a period of significant change, additional staffing and classroom resources. It is likely that some form of significant transport costs would also be incurred. This option is therefore considered most undesirable given detrimental impact to education, the loss of any school places for children moving-in to the area.

Table B- School Vacancies in surrounding schools excluding Tower

School Name	Parish	Distance to Tower (miles)	Year Group							Total
			YR	1	2	3	4	5	6	
Priors Wood Primary School	Ware	0.4	3	0	0	1	1	2	1	8
Christ Church (C of E) VA Primary & Nursery	Ware	0.5	0	2	0	0	0	6	0	8
St Mary's (VC) C of E Junior School	Ware	0.7				0	0	0	0	0
Kingshill Infant School	Ware	0.8	1	1	0					2
Sacred Heart Catholic Primary	Ware	1.2	-1	-1	1	0	0	-1	1	-1
St Catherine's (C of E) Primary School	Ware	1.2	10	0	1	4	-1	-3	3	14
Thundridge Primary School	Thundridge	2.3	7	4	2	1	0	3	2	19
St Andrew's C of E (V C) Primary	Stanstead Abbots	2.8	0	0	2	0	0	0	1	3
Wareside C of E Primary School	Wareside	2.9	4	0	2	3	1	2	0	12
Puller Memorial C of E Voluntary Aided Primary School	Thundridge	3.3	8	5	8	4	7	5	6	43
Widford Primary School	Widford	4.6	3	2	-2	2	0	0	2	7
Hunsdon JMI School	Hunsdon	5.6	-5	-1	0	0	-3	0	0	-9
St Andrew's C of E Primary and Nursery	Much Hadham	6.7	12	8	-1	3	-2	-2	5	23
High Wych C of E Primary School	High Wych	9.6	-2	0	-1	1	0	3	-1	0
Watton-at-Stone Primary and Nursery School	Watton-at-Stone	9.7	0	0	0	0	0	0	0	0
Little Hadham Primary School	Little Hadham	10.2	10	4	3	0	-3	1	0	15
Total			50	24	15	19	0	16	20	144

Progressive closure of the School, to new pupils

- 5.13 The option of closing the School to new pupils has not been considered in great detail. However, this would be a poor option for the children at the School. The School would find it hard to recruit staff and even harder to maintain a strong vision for the future. Moreover, it would be impossible to operate it in an acceptable way without an appreciable financial deficit; and this would very likely be greater than the deficit that would emerge under Ivy Learning Trust management, because of the lack of economies of scale that would become progressively worse. In any event, the Regional Schools Commissioner might well choose to direct the County Council to undertake an early closure in any case.

Sponsorship by the Ivy Learning Trust

- 5.14 Since December 2017, extensive discussions have taken place between the County Council and the Ivy Learning Trust. In these discussions officers have been pursuing four objectives:
- The best education for the children currently at the School
 - No adverse impact on the quality of education in other local schools
 - That the local community has a choice of school places available of an appropriate quality, now and for the future
 - A solution for the School with the minimum financial cost to the County Council.
- 5.15 There is little doubt that the first three of these objectives would be best met by a successful sponsorship of the School by the Ivy Learning Trust. The Ivy Learning Trust board has approved in principle the sponsorship of the School and we have now reached a preliminary agreement with the Ivy Learning Trust. The main issues for debate within the discussions to date have been round the financial cost to the County Council.
- 5.16 Given the adverse educational consequences of seeking to close the School immediately, as well as the major practical difficulties and unquantifiable costs and feasibility of dispersing existing pupils, it is therefore proposed to go forward to seek to agree a sponsorship deal with the Ivy Learning Trust.
- 5.17 It should be noted that this may not be accepted by the Regional Schools Commissioner, in which case our expectation would be that closure would become likely.

6. Financial implications

- 6.1 Details of the financial implications are contained in the Part II report.

7. Equality Implications

- 7.1 When considering proposals placed before Members it is important that they are fully aware of, and have themselves rigorously considered the Equality implications of the decision that they are making
- 7.2 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the County Council's statutory obligations under the Public Sector Equality Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EQiA) produced by officers.
- 7.3 The Equality Act 2010 requires the County Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good

relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Equality Act 2010 are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief, sex and sexual orientation.

- 7.4 There will be sufficient places within Tower Primary school, even with a reduced PAN of 15, to accommodate all the first choice preferences for reception 2018 and additional requests for places, including for children with SEN. In addition, in the event that the proposal is taken forward the School's admissions policy will not change and Officers are of the view that the objectives noted in paragraph 5.9 will be met. Officers have therefore concluded that the proposal would allow the County Council to discharge its duties under Section 149 of the Equality Act.

Background Information

None.