

Scrutiny committee

Date: Thursday, 23 November 2017

Time: 16:30

Venue: Mancroft room, City Hall, St Peters Street, Norwich, NR2 1NH

All group pre-meeting briefing – 16:00 Mancroft Room

This is for members only and is not part of the formal scrutiny committee meeting which will follow at 16:30. The pre-meeting is an opportunity for the committee to make final preparations before the start of the formal meeting. The public will not be given access to the Mancroft room before 16:30.

Committee members:

Councillors:

Wright (chair)
Brociek-Coulton (vice chair)
Bogelein
Bradford
Bremner
Coleshill
Grahame
Haynes
Jones (B)
Manning
Malik
Packer
Thomas (Va)

For further information please contact:

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Information for members of the public

Members of the public and the media have the right to attend meetings of full council, the cabinet and committees except where confidential information or exempt information is likely to be disclosed, and the meeting is therefore held in private.

For information about attending or speaking at meetings, please contact the committee officer above or refer to the council's website

Agenda

Page nos

- 1 Apologies**
To receive apologies for absence
- 2 Public questions/petitions**

To receive questions / petitions from the public

Please note that all questions must be received by the committee officer detailed on the front of the agenda by **10am on Monday 20 November**.

Petitions must be received must be received by the committee officer detailed on the front of the agenda by **10am on Wednesday 22 November**

For guidance on submitting public questions or petitions please see appendix 1 of the council's constitution.
- 3 Declarations of interest**

(Please note that it is the responsibility of individual members to declare an interest prior to the item if they arrive late for the meeting)
- 4 Minutes** **7 - 12**
To approve the accuracy of the minutes of the meeting held on 19 October 2017
- 5 Work programme 2017-18** **13 - 30**
Purpose - To consider the scrutiny committee work programme 2017 - 18
- 6 Update of the representative on the Norfolk Health Overview and Scrutiny Committee (verbal update)**
Purpose - To note the work of the NHOSC and comment on any implications for Norwich residents for the representative to take to the next NHOSC meeting
- 7 Access to justice** **31 - 40**
Purpose - To review the impact of legal aid cuts, changes to tribunal fees, debt, and impact of cuts to probation, prisons, and courts and to to determine any recommendations on the council's or other organisations approaches to access to

justice issues in Norwich.

Date of publication: **Wednesday, 15 November 2017**

- T** is this, the right **TIME** to review the issue and is there sufficient officer time and resource available?
- O** what would be the **OBJECTIVE** of the scrutiny?
- P** can **PERFORMANCE** in this area be improved by scrutiny input?
- I** what would be the public **INTEREST** in placing this topic onto the work programme?
- C** will any scrutiny activity on this matter contribute to the council's activities as agreed to in the **CORPORATE PLAN**?

Once the TOPIC analysis has been undertaken, a joint decision should then be reached as to whether a report to the scrutiny committee is required. If it is decided that a report is not required, the issue will not be pursued any further. However, if there are outstanding issues, these could be picked up by agreeing that a briefing email to members be sent, or other appropriate action by the relevant officer.

If it is agreed that the scrutiny request topic should be explored further by the scrutiny committee a short report should be written for a future meeting of the scrutiny committee, to be taken under the standing work programme item, so that members are able to consider if they should place the item on to the work programme. This report should outline a suggested approach if the committee was minded to take on the topic and outline the purpose using the outcome of the consideration of the topic via the TOPIC analysis. Also the report should provide an overview of the current position with regard to the topic under consideration.

By using the flowchart, it is hoped that members and officers will be aided when giving consideration to whether or not the item should be added to the scrutiny committee work programme. This should help to ensure that the scope and purpose will be covered by any future report. The outcome of this should further assist the committee and the officers working with the committee to be able to produce informed outcomes that are credible, influential with SMART recommendations.

Specific, Measurable, Attainable, Relevant and Time-bound

Scrutiny committee and a protocol for those attending meetings of the scrutiny committee

- All scrutiny committee meetings will be carried out in a spirit of mutual trust and respect
- Members of the scrutiny committee will not be subject to whipping arrangements by party groups
- Scrutiny committee members will work together and will attempt to achieve evidence based consensus and recommendations
- Members of the committee will take the lead in the selection of topics for scrutiny
- The scrutiny committee operates as a critical friend and offers constructive challenge to decision makers to support improved outcomes
- Invited attendees will be advised of the time, date and location of the meeting to which they are invited to give evidence
- The invited attendee will be made aware of the reasons for the invitation and of any documents and information that the committee wish them to provide
- Reasonable notice will be given to the invited attendee of **all** of the committees requirements so that these can be provided for in full at the earliest opportunity (there should be no nasty surprises at committee)
- Whenever possible it is expected that members of the scrutiny committee will share and plan questioning with the rest of the committee in advance of the meeting
- The invited attendee will be provided with copies of **all relevant** reports, papers and background information
- Practical arrangements, such as facilities for presentations will be in place. The layout of the meeting room will be appropriate
- The chair of the committee will introduce themselves to the invited attendee before evidence is given and; all those attending will be treated with courtesy and respect. The chair of the committee will make sure that all questions put to the witness are made in a clear and orderly manner



SCRUTINY COMMITTEE

16:30 to 19:15

19 October 2017

Present: Councillors Wright (chair), Brociek-Coulton (vice chair) Bogelein, Button (substitute for Bremner), Driver (substitute for Manning) Grahame, Haynes, Jones (B), Malik, Packer and Thomas (Va)

Apologies: Councillors Bradford, Bremner, Coleshill and Manning

Also present: Nadia Jones, Norfolk County Council, public health, Rachel Hunt, Norwich Clinical Commissioning Group, Stephen Hulme, Active Norfolk Mary Fisher, Making It Real

1. Declarations of interest

There were no declarations of interest.

2. Public questions/petitions

The following public question was received from Richard Bearman:

“On page thirty nine, the report refers to access to green spaces as important for both physical and mental health and well being. Introducing regular (thirty minutes a day) physical activity is the recommended minimum by Healthy Norwich. What are the city council and Norwich Clinical Commissioning Group doing to make access to all green spaces easier by cycling or walking?”

The chair gave the following response:

"In November 2014 this committee undertook a piece of work entitled 'street scene and road safety overview' and as part of that inquiry took evidence from Norfolk County Council and the Norwich Clinical Commissioning Group. Part of that submission related to encouragement of healthy and sustainable transport modes such as walking and cycling by the introduction of 20mph zones.

At the meeting Doctor Augustine Pereira from Norfolk County Council presented a report and outlined the key findings of the research into the efficacy of 20mph speed limits in reducing fatalities and the benefits of 20mph speed limit zones. He also referred to the “softer outcomes” of 20mph zones which included making it safer to walk and for interaction between neighbours. Doctor Chis Price from the Norwich Clinical Commissioning Group added that walking to schools strengthened communities and encouraged exercise as part of life.

The rollout of 20mph zones continues across the city, with initial feedback that I have suggesting that pedestrians feel safer walking around, and as a consequence are more likely to walk.

In addition, the ‘Pushing Ahead’ initiative is a Department for Transport funded project of £1.6m over three years, delivered by Norfolk County Council and Active Norfolk in partnership with Norwich City Council and Great Yarmouth Borough Council. The primary aim of the fund is to reduce single occupancy car journeys by encouraging modal shift to cycling and walking. The project will aim to do this through various methods, primarily targeting workplaces, communities and schools with a combination of training, awareness raising and events.

It is hoped that if this project is successful then more people in Norwich will be cycling and walking, the knock on effect of which will be more local journeys by bike or on foot, be it to work, the shops or the park etc.

The development of the pedalway network – again something that this committee has previously addressed – had the aim of opening up further opportunities to access open space. The pink pedalway improved cycling and walking access to Mousehold Heath with the opening up of a new facility between Heathgate and Gurney Road and the surface and lighting improvements on the link between Gurney Road and Valley Drive. It also improved the access to Chapelfield Gardens. As part of the implementation of the yellow pedalway a route across Pointers Field was created which as well as giving access to the open space, provides a convenient walking and cycling route between Aylsham Road and Angel Road.

Looking forward the city and county council have recently been successful in securing a grant from the Department for Transport to produce a Local Cycling and Walking Investment Plan which will look to identify where the gaps are in the walking and cycling network and identify key areas for investment.

While this is not specifically targeted at access to open spaces, the resulting improvements should see greater access to the wide range of open spaces throughout our city.”

Richard Bearman asked the following supplementary question:

“Cycling enhancements can be made at low cost across the network of council owned community centres; for example the cycle parking at Eaton Park community centre is not to modern Sheffield standard?”

The chair replied that additional cycle parking at Eaton Park would be included as part of the upgrade work undertaken on the tennis courts.

3. Health inequality in Norwich

The chair took this item first.

The strategy manager presented the report. He thanked the speakers for attending to give context to the information within the report.

He said that access to GPs was only one of the factors that affected an individual's health outcomes. He drew member's attention to the map showing the spread of deprivation within Norwich on page 36 of the agenda pack.

Nadia Jones, Norfolk County Council public health, presented to the committee. She gave an overview of public health statistics. She said that many public health staff had a medical background but they were mostly looking at preventative measures and the promotion of wellbeing with immunisation being a good example of this work. She highlighted the work being undertaken in conjunction with other district authorities around wider health inequalities and said that healthy choices and lifestyle had a great impact on health inequality.

A public health profile was being pulled together which aimed to rank factors across local authorities. Child poverty had a huge impact as well as attainment of GCSEs. Norwich was ranked ninth worst for GCSE attainment and pupil absence was also high. Other notable factors included statutory homelessness for vulnerable people, fuel poverty, hospital admissions for deliberate injuries and high smoking rates.

A member asked whether any work had been undertaken with regards to ease of access to alcohol. It was noted that data around alcohol licensing would be the remit of the city council and not public health.

Members discussed suicide rates and the breakdown of age and gender, with three quarters of suicides in Norfolk being men in their fifties. Data was gathered by the coroner's office and was available online.

Employment was also a factor in health inequality with those who earn higher salaries in Norwich tending to live outside of the city. This meant that meaningful employment was lower. Mary Fisher added that the disabled community was less likely to have any kind of employment which meant that they had less money to spend on healthy living.

Rachel Hunt, Clinical Commissioning Group (CCG) gave an overview of the work of Health Norwich. She said that it was a programme of work to acknowledge Norwich as a World Health Organisation healthy city on the worldwide stage.

Three key areas had been identified to add value to; smoking cessation, healthy weight and lifestyle and affordable warmth. Primary children were being encouraged to take part in the 'daily mile' – running one mile a day to instil healthy behaviour.

A member commented that school run traffic was a key factor in healthy behaviours and that parents should be encouraged to stop driving children to school. Members also discussed the measures being taken to reduce sugar intake with Anglian Water

producing a short animation for schools to show the risks of consuming too much sugar.

Work was also being undertaken by the CCG around breastfeeding with champions identified to raise awareness of the importance of maintaining breastfeeding and creating a breastfeeding culture. A member commented that more work was needed with regards to promoting this to new mothers and those supporting them. Rachel Hunt said that information was being provided to new mothers on combination feeding and also wider information around breastfeeding.

In response to a member's question, Rachel Hunt said that preventing ill health was achieved by equipping young people with the skills they need to live a healthy lifestyle. Grants had been awarded to schools to fund 'grow your own' programmes as well as other activities within the community such as the 'Good Gym'. Ensuring that young children were being as active as possible was vital to preventing a diabetes and obesity crisis. Social prescribing was also being piloted in two GP surgeries which would inform how this was rolled out across Norwich.

(Rachel Hunt left the meeting at this point)

The chair introduced Mary Fisher, representative of Making it Real. She explained that Making it Real was a partnership between those who use and those who design services. She had asked service users whether they felt they experienced health inequality and what Norwich City Council could do about this.

Housing was the biggest issue as some properties were not sufficiently accessible. For those with disabilities requiring carers, carers were not able to afford their own properties. She suggested that the council could build affordable housing for care workers to live in. Access to toilet facilities for those with complex needs was also an issue to allow these service users to attend events, go shopping or visit a GP. She suggested that the council could work with those who use services when designing new schemes. She added that businesses needed to be encouraged to take on those with disabilities.

Members were pleased to note the imminent opening of an adult changing place in the Chapelfield shopping centre as there was currently only one in the city.

The chair thanked Mary Fisher for her participation in the meeting after which she left

The chair invited Stephen Hulme, strategic lead for physical activity for Active Norfolk to address the committee. Stephen explained that aims of the sector were to advocate the importance of physical activity, increase participation, improve health by decreasing inactivity and look to improve communities through sport and physical activity.

The benefits of physical activity were underestimated as he said that it reduced the risk of many diseases and conditions, could aid recovery of conditions such as heart disease and type 2 diabetes, led to a reduction in falls by improving mobility and could improve mental health and resilience.

Stephen said that a locality approach had been taken to understand how Active Norfolk could contribute to the wellbeing of residents in different areas. Data relevant to physical activity had been reviewed, including factors such as instances of disease and anti-social behaviour. Where there was a high prevalence of these factors, the mapping exercise aided with understanding these geographically and thematically. Four priorities had been identified in areas that the greatest contribution could be made, which were healthy weight, anti-social behaviour, access to skills and employability. Where a need was identified, a service audit was undertaken to investigate how to attract investment to fill service gaps. Organisations with an interest in health outcomes could also be involved in projects.

A programme called 'Man vs Fat' had been set up as weight loss programmes weren't often targeted at men. The programme worked with football clubs at a national level and was postcode restricted to ensure those most at need could benefit from it.

A member asked if any broader work was being undertaken that wasn't geographically restricted. Stephen Hulme said that Active Norfolk was trying to offer activities outside of the usual avenues. A pilot was being worked on through primary care on a physical education pathway. This would be expanded if positive results were achieved.

In response to a member's question, the director of customers and culture said that Norwich City Council had a sports development team which worked with Active Norfolk and the neighbourhood team. This was a good example of partnership working around health outcomes.

Members discussed the mapping of community resources and ensuring that these were accessible to all. The director of communications and culture said that this was a piece of work being undertaken as part of the work on the Digital Sharing Platform and was about linking the resources so they could be easily found.

RESOLVED

- (1) To ask the chair of scrutiny to liaise with the leader of the council around progressing accessibility charter and to acknowledge all recommendations from June scrutiny committee meeting on city access
- (2) To ensure provision of web information linked across organisations
- (3) To ensure health and wellbeing is taken into consideration when the review of parks and open spaces takes place
- (4) To scrutinise the river Wensum strategy to ensure health inequality actions are considered
- (5) To scrutinise the social value and procurement framework as part of next year's work programme; and

- (6) For the strategy manager to feedback to members regarding the significantly negative outliers for Norwich from the Public Health Outcomes Framework

4. Minutes

RESOLVED to agree the minutes of the meeting held on 21 September 2017.

5. Scrutiny committee work programme 2016 -17

Members discussed the item on access to justice and whether scrutiny of the topic should take place over two meetings, November and December.

It was suggested that this could be added to the December meeting if the items on equality information and performance indicators could have questions in advance of the meeting and a written report be submitted by the representative on the meeting of the Norfolk Health Overview and Scrutiny Committee.

RESOLVED to include access to justice in the December meeting of the scrutiny committee.

CHAIR

Norwich City Council
SCRUTINY COMMITTEE

Item No 5

REPORT for meeting to be held on 23 November 2017

Work Programme for 2017-18

Summary:

The purpose of this report is to provide an update to members on the items on the scrutiny work programme for the remainder of 2017-18 to support them in agreeing scopes for these.

Conclusions:

The work programme is appended to this report (appendix A). It is proposed that any discussion is a whole committee discussion based on this documentation, to assist members in providing a clear scope for the items on future agendas to facilitate robust scrutiny.

Recommendation:

To agree items and how these will be scoped and prepared for the remaining meetings of 2017-18.

Contact Officers:

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Beth Clark, Scrutiny liaison officer
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BethanyClark@norwich.gov.uk

Items for 2017-18

1. The attached appendix A shows the work programme as it currently stands, with items that have been assigned to future meetings. Members are encouraged to discuss the scope for the following items so that officers can undertake appropriate background work:

The private rented sector: This is currently scheduled for 22 February 2018, members are invited to comment and establish what background information they require, and which officers they would like to attend for the item.

Review of the council's enforcement service: This is currently scheduled for 22 March 2018, members are invited to comment and establish what background information they require, and which officers they would like to attend for the item.

2. To ensure the best use of the committee's time, officers have proposed adding an additional item to the work programme for the proposed budget item. Therefore, at the November scrutiny committee meeting, members will receive an oral update from officers on the budget consultation process.
Then at the December committee meeting scrutiny will have a formal opportunity to look at the finance papers including the savings list and the wider financial position. Members will receive the cabinet papers for this item on 5 December, and can submit detailed questions in advance by 8 December, which will be addressed at the scrutiny committee meeting on 14 December.
The scrutiny committee will then look at the actual budget papers on 25 January 2018.

Scrutiny committee work programme 2017 – 2018

DATE OF MEETING	TOPIC FOR SCRUTINY	RESPONSIBLE OFFICER, CABINET, PORTFOLIO HOLDER, COUNCILLOR,	SCOPE – REASON FOR TOPIC REQUEST and OUTCOME SOUGHT
13 July 2017	Setting of the work programme	Beth Clark (Scrutiny liaison officer), Cllr Wright	To assist committee members in setting the work programme for 2017/18
13 July 2017	Quarterly performance report	Adam Clark (Strategy manager)	To consider if there are any measures within report to consider for future analysis and how the committee would like to scrutinise corporate performance in the future
21 September 2017	Update from 20th July and 7th September meetings of the Norfolk Health and Overview Scrutiny Committee	Cllr Brociek-Coulton	For the committee to note the work of NHOSC and comment on any implications for Norwich residents for the rep to take back to the next NHOSC meeting.
21 September 2017	Pre-scrutiny of the proposed budget consultation	Nikki Rotsos (Director of communications and culture)	To look at the proposed approach to engaging residents and other stakeholders in the development of the council's vision and strategy for 2019-2022 as well as the 2018-19 budget and transformation programme.
21 September 2017	The cooperative agenda in local government	Cllr Herries	To agree areas for further review and to consider identifying a suitable time for an all members briefing/workshop about co-operatives.

Scrutiny committee work programme 2017 – 2018

DATE OF MEETING	TOPIC FOR SCRUTINY	RESPONSIBLE OFFICER, CABINET, PORTFOLIO HOLDER, COUNCILLOR,	SCOPE – REASON FOR TOPIC REQUEST and OUTCOME SOUGHT
19 October 2017	Health inequality in Norwich	Adam Clark (Strategy manager)	Review of health inequality in Norwich and the role of the city council
23 November 2017	Access to justice	Cllr Thomas	The impact of legal aid cuts, changes to tribunal fees, debt, impact of cuts to probation/prisons/courts. The city council commissions advice services which provide elements of legal advice and how these work in Norwich
23 November 2017	Update from 26th October meeting of the Norfolk Health and Overview Scrutiny Committee	Cllr Brociek-Coulton	For the committee to note the work of NHOSC and comment on any implications for Norwich residents for the rep to take back to the next NHOSC meeting.
14 December 2017	Update from 7th December meeting of the Norfolk Health and Overview Scrutiny Committee	Cllr Brociek-Coulton	For the committee to note the work of NHOSC and comment on any implications for Norwich residents for the rep to take back to the next NHOSC meeting.
14 December 2017	Corporate plan and performance framework	Adam Clark (Strategy manager)	Members to submit questions in advance by Friday 8 th . To consider amendments to corporate performance KPIs

Scrutiny committee work programme 2017 – 2018

DATE OF MEETING	TOPIC FOR SCRUTINY	RESPONSIBLE OFFICER, CABINET, PORTFOLIO HOLDER, COUNCILLOR,	SCOPE – REASON FOR TOPIC REQUEST and OUTCOME SOUGHT
14 December 2017	Equality information report	Adam Clark (Strategy manager)	Members to submit questions in advance by Friday 8 th . Pre scrutiny of the report before it goes to cabinet.
14 December 2017	Emerging position on the 2018/19 budget and MTFS	Karen Watling (Chief finance officer)	Members to submit questions in advance by Friday 8 th . To note latest financial forecasts, savings options and capital plans which will inform budget setting for 2018/19.
14 December 2017	Access to justice: recommendations	Cllr Vaughan Thomas	To agree recommendations following the evidence given at the November meeting
25 January 2018	Update from 11th January meeting of the Norfolk Health and Overview Scrutiny Committee	Cllr Brociek-Coulton	For the committee to note the work of NHOSC and comment on any implications for Norwich residents for the rep to take back to the next NHOSC meeting.
25 January 2018 BELOW THE LINE	Scrutiny of the proposed budget, MTFS, and transformation programme	Helen Chamberlin (Head of strategy and transformation), Karen Watling (Chief finance officer)	To make suggestions to cabinet regarding the proposed budget's ability to deliver the council's overarching policy. This report is not for publication because it

Scrutiny committee work programme 2017 – 2018

DATE OF MEETING	TOPIC FOR SCRUTINY	RESPONSIBLE OFFICER, CABINET, PORTFOLIO HOLDER, COUNCILLOR,	SCOPE – REASON FOR TOPIC REQUEST and OUTCOME SOUGHT
			would disclose information relating to the financial or business affairs of any particular person (including the authority holding that information) as in para 3 of Schedule 12A to the Local Government Act 1972.
25 January 2018	Environmental strategy (yearly update)	Richard Willson (Environmental strategy manager)	Identification of any issues to consider and note successes and progress reported in the progress statement.
22 February 2018	Update from 22nd February meeting of the Norfolk Health and Overview Scrutiny Committee	Cllr Brociek-Coulton	For the committee to note the work of NHOSC and comment on any implications for Norwich residents for the rep to take back to the next NHOSC meeting.
22 February 2018	The private rented sector	Paul Swanborough	To be agreed
22 March 2018	Review of the council's enforcement service	Bob Cronk, Adrian Akester	To be agreed
22 March 2018	Annual review of the scrutiny committee	Beth Clark (Scrutiny liaison officer)	To agree the annual review of the scrutiny committee's work 2017 to 2018 and recommend it for adoption of the council

The scrutiny committee tracker 2017 – 2018

Completed
Ongoing
Not started

DATE OF MEETING	TOPIC FOR SCRUTINY	RESPONSIBLE OFFICER/LEAD MEMBER	SCRUTINY REQUEST	OUTCOMES OR CURRENT POSITION
6 April 2017	Food poverty in Norwich	Adam Clark, Cllr Maguire	Ask cabinet to consider;- (1) trying to access charitable trust funding to resource projects such as social supermarkets (2) developing a food poverty strategy to act as an umbrella document for existing actions (3) increasing awareness and availability of financial advice and early intervention (4) developing community led food literacy projects (5) increasing awareness of the Go4less cards which entitle residents to reduced allotment fees; and (6) linking older and socially isolated people with good food literacy skills with younger generations in need of such skills	A report was taken to cabinet on 13 September. Link to the agenda here: https://cmis.norwich.gov.uk/live/Meetingscalendar/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/392/Committee/1/Default.aspx
22 June 2017	City accessibility	Bruce Bentley	Ask cabinet to formulate a city access charter and to extend consultations on such a charter to groups representing all disabilities including those with hidden disabilities.	This recommendation is part of a scrutiny report which is going to the cabinet meeting on 13 December.

The scrutiny committee tracker 2017 – 2018

Completed
Ongoing
Not started

DATE OF MEETING	TOPIC FOR SCRUTINY	RESPONSIBLE OFFICER/LEAD MEMBER	SCRUTINY REQUEST	OUTCOMES OR CURRENT POSITION
13 July 2017	Quarterly performance report	Adam Clark	Ask the financial inclusion manager for some anecdotal evidence around timely access to debt advice,	The advice services in the FI consortium report that waiting times are variable and depend on a complex range of factors, including how urgent a case is e.g. if there are court dates or statutory time limits then these will be prioritised. However, overall, capacity is stretched within the social welfare advice sector; one proxy for this is that only around 50% of calls to the CAB advice line are currently answered, although this is improving.
13 July 2017			Ask the strategy manager to investigate why the performance target for measure FAC5 was so high; and	Response from Environmental Strategy Manger is that the 2016/17 performance above target was due to additional funding being available in 2016/17. Cosy City is fully dependent on government grants and/or funding from 3rd sector organisations. We are unlikely to see the same level of external grants and funding this year so we should not amend the target.

The scrutiny committee tracker 2017 – 2018

Completed
Ongoing
Not started

DATE OF MEETING	TOPIC FOR SCRUTINY	RESPONSIBLE OFFICER/LEAD MEMBER	SCRUTINY REQUEST	OUTCOMES OR CURRENT POSITION
13 July 2017	Quarterly performance report		Ask the head of neighbourhood services to circulate any commentary captured around why residents felt unsafe.	With the director of neighbourhood services
13 July 2017			SCL05 – exceed target by 6% - what is the anomalous reason for over performance? Otherwise, should the target be raised to 96%? The committee also required why didn't expect of 100% of businesses to achieve safety compliance?	The Environmental Health Manager (Food & Safety) suggested that the target be raised to 94% to show how food businesses in Norwich compare to the National picture.
21 September 2017	Pre-scrutiny of the proposed budget consultation	Nikki Rotsos	Consider how best to involve members in shaping the budget consultation with an update brought back to scrutiny at appropriate time to allow changes to be considered	The members will receive a verbal update from the director of customers and culture at the 23 November meeting on the budget consultation.
21 September 2017			Include an 'easy-read' sheet to sit alongside the budget consultation	This recommendation is part of a scrutiny report which is going to the cabinet meeting on 13 December.
21 September 2017	Cooperatives	Bethany Clark	To ask the democratic and elections manager to arrange an all members briefing on co-operatives to include examples of how co-operatives have worked with other local authorities and what services were available to Norwich City Council.	An all members briefing will take place on Monday 19 February 2018.

The scrutiny committee tracker 2017 – 2018

Completed
Ongoing
Not started

DATE OF MEETING	TOPIC FOR SCRUTINY	RESPONSIBLE OFFICER/LEAD MEMBER	SCRUTINY REQUEST	OUTCOMES OR CURRENT POSITION
21 September 2017	Call-in of cabinet delegated decision	Anton Bull	Ask the director of business services to liaise with the head of customer services to discuss the Councillor enquiry system	Councillor enquiry system discussed with the head of customer services. Overall enquiries are being answered within an average of 5 days. There are some outside of this. The head of customer services has this on the agenda to discuss at business management group (corporate leadership team and heads of service) to review performance.
21 September 2017			To note the work being undertaken on publishing delegated decisions and progress on motions to council	Delegated decision and motions tracker are in the process of being finalised and will be published shortly and at regular intervals thereafter.
19 October 2017	Health inequality	Cllr Wright	To ask the chair of scrutiny to liaise with the leader of the council around progressing accessibility charter and to acknowledge all recommendations from June scrutiny committee meeting on city access	This recommendation is part of a scrutiny report which is going to the cabinet meeting on 13 December.
		Adam Clark	To ensure provision of web information linked across organisations	With the strategy manager

The scrutiny committee tracker 2017 – 2018

Completed
Ongoing
Not started

DATE OF MEETING	TOPIC FOR SCRUTINY	RESPONSIBLE OFFICER/LEAD MEMBER	SCRUTINY REQUEST	OUTCOMES OR CURRENT POSITION
19 October 2017	Health inequality	Adrian Akester	To ensure health and wellbeing is taken into consideration when the review of parks and open spaces takes place	This recommendation has been forwarded to the head of citywide services.
		Cllr Wright	To scrutinise the river Wensum strategy to ensure health inequality actions are considered	This has been noted to be carried forward to the scrutiny committee's work programme 2018/19
		Cllr Wright	To scrutinise the social value and procurement framework as part of next year's work programme	This has been noted to be carried forward to the scrutiny committee's work programme 2018/19
		Adam Clark	For the strategy manager to feedback to members regarding the significantly negative outliers for Norwich from the Public Health Outcomes Framework	With the strategy manager

FORWARD AGENDA: CABINET and COUNCIL MEETINGS 2017 - 2018

ALLOCATED ITEMS						
Meeting	Report	Purpose	Portfolio holder + Senior Officer + Report author	Date report signed off by	Management clearance	Exempt?
COUNCIL 28 NOV 2017	Municipal Bonds Agency borrowing framework	To seek approval for the use of the Municipal Bonds Agency for future borrowing needs.	Cllr Kendrick Karen Watling		Karen Watling	NO
COUNCIL 28 NOV 2017	Treasury management full year review 2016/17	To consider the Treasury Management performance for the financial year to 31 March 2017.	Cllr Kendrick Karen Watling		Karen Watling	NO
COUNCIL 28 NOV 2017	Proposed additions to non-housing capital programme.	To consider the proposed additions to the non-housing capital programme.	Cllr Kendrick Karen Watling		Karen Watling	NO
COUNCIL 28 NOV 2017	Local Government Boundary Review	To approve the recommendation to the boundary commission.	Cllr Waters		Anton Bull	NO
COUNCIL 28 NOV 2017	Review of the Corporate Code of Governance	To review and approve the council's Corporate Code of Governance in line with the 2016 update to the CIPFA/SOLACE guidance and the Local Government Framework for Delivering Good Governance	Cllr Kendrick Anton Bull Jonathan Tully		Anton Bull	NO
CABINET DEC 13 2017	Norwich rough sleeping strategy 2017-22: breaking the cycle of homelessness - KEY DECISION	To adopt the city council's approach to tackle rough sleeping as set out in the Norwich rough sleeping strategy 2017-22: breaking the cycle of homelessness	Cllr Maguire Andy Watt/Paul Swanborough Chris Hancock		Andy Watt	NO

ALLOCATED ITEMS						
Meeting	Report	Purpose	Portfolio holder + Senior Officer + Report author	Date report signed off by	Management clearance	Exempt?
CABINET DEC 13 2017	Norwich City Council – Fit for the Future	To update cabinet on the progress made during the 17/18 financial year.	Cllr Kendrick Laura McGillivray		Laura McGillivray	NO
CABINET DEC 13 2017	Emerging position on the 2018/19 budget and the Medium Term Financial Strategy (MTFS)	To consider the latest position on the 2018/19 budget for general fund revenue, housing revenue account and capital programme including the emerging proposals for budget savings and MTFS.	Cllr Kendrick Karen Watling		Karen Watling	NO
CABINET DEC 13 2017	Report of the chair of the scrutiny committee	To consider the recommendations from the scrutiny committee.	Cllr Kendrick Adam Clark Cllr Wright		Adam Clark	NO
CABINET DEC 13 2017	Treasury management mid-year review 2017/18	To update members on the Treasury Management performance for the financial year to 30 September 2017.	Cllr Kendrick Karen Watling		Karen Watling	NO
CABINET DEC 13 2017	Quarter 2 2017/18 quarterly performance report	To report progress against the delivery of the corporate plan priorities and key performance measures for quarter 2 of 2017/18.	Councillor Waters Adam Clark		Adam Clark	NO
CABINET DEC 13 2017	Draft Consultation Document on Greater Norwich Local Plan under Regulation 18 of the Town and Country Planning (local planning) Regulations 2012	To approve the documents for the Greater Norwich Local Plan consultation in early 2018.	Cllr Stonard Graham Nelson Mike Burrell		Dave Moorcroft	NO
CABINET DEC 13	Procurement of a housing structural	To consider the procurement of a housing structural repairs contract and to seek	Cllr. Harris Bob Cronk		Bob Cronk	NO

ALLOCATED ITEMS						
Meeting	Report	Purpose	Portfolio holder + Senior Officer + Report author	Date report signed off by	Management clearance	Exempt?
2017	repairs contract – Key Decision	delegated authority to award the contract.				
CABINET DEC 13 2017	Norwich Regeneration Ltd business plans 2018-19 – KEY DECISION	To consider the latest business plan of Norwich Regeneration Ltd.	Cllr Harris Gwyn Jones Andy Watt		Dave Moorcroft Karen Watling	NO
CABINET DEC 13 2017	Norwich Regeneration Ltd business plan 2018-19 – KEY DECISION	To consider the exempt appendices to the Norwich Regeneration Ltd business plan 2018/19 report.	Cllr Harris Gwyn Jones Andy Watt		Dave Moorcroft Karen Watling	YES (Para 3)
CABINET DEC 13 2017	Managing assets (housing) – KEY DECISION	To seek approval for the disposal of the council owned assets described in the report.	Cllr Harris Andy Watt		Bob Cronk	YES (Para 3)
CABINET DEC 13 2017	Managing assets (non housing) – KEY DECISION	To seek approval for disposal of the council owned assets described in the report.	Cllr Kendrick Andy Watt		Dave Moorcroft	YES (Para 3)
CABINET 17 JAN 2018	Norwich Airport Industrial estate - procurement of joint venture partner	To approve the brief for procurement of a joint venture partner	Cllr Stonard Andy Watt Gwyn Jones		Andy Watt	NO
CABINET 17 JAN 2018	Report of the chair of the scrutiny committee	To consider the recommendations from the scrutiny committee	Cllr Kendrick Adam Clark Cllr Wright		Adam Clark	NO
CABINET 17 JAN	Review of the corporate risk register	To update members on the results of the key risks facing the council and the	Cllr Kendrick Karen Watling		Karen Watling	NO

ALLOCATED ITEMS						
Meeting	Report	Purpose	Portfolio holder + Senior Officer + Report author	Date report signed off by	Management clearance	Exempt?
2018	and policy	associated mitigating actions, recorded in the council's corporate risk register.				
CABINET 17 JAN 2018	Bethel Hospital Repairs Notice	To consider the possible service of a Repairs Notice or Notices under Section 48 of the Listed Buildings Act 1990 specifying those works considered reasonably necessary for the proper preservation of the Bethel Hospital complex of buildings	Cllrs Stonard and Herries Graham Nelson		Dave Moorcroft	NO
CABINET 17 JAN 2018	Budget monitoring 2017/18 period 8	To update Cabinet on the provisional financial position as at 30 November 2017, for the General Fund revenue budget, the Housing Revenue Account and the capital programme.	Cllr Kendrick Karen Watling		Karen Watling	NO
COUNCIL 23 JAN 2017						
COUNCIL 23 JAN 2017						
CABINET FEB 07 2018	Report of the chair of the scrutiny committee	To consider the recommendations from the scrutiny committee	Cllr Kendrick Adam Clark Cllr Wright		Adam Clark	NO
CABINET FEB 07 2018	2018/19 budget report and Medium Term Financial Strategy (MTFS).	To recommend to council the 2018/19 budget and the MTFS for the general fund, housing revenue account and capital programme.	Cllr Kendrick Karen Watling		Karen Watling	

ALLOCATED ITEMS						
Meeting	Report	Purpose	Portfolio holder + Senior Officer + Report author	Date report signed off by	Management clearance	Exempt?
CABINET FEB 07 2018	Treasury management strategy 2018/19	To recommend to council the capital prudential indicators and limits, the borrowing strategy, the treasury prudential indicators, the minimum revenue provision.	Cllr Kendrick Karen Watling		Karen Watling	
COUNCIL 20/27 FEB 2018	2018/19 budget report and Medium Term Financial Strategy (MTFS).	To recommend to council the 2018/19 budget and the MTFS for the general fund, housing revenue account and capital programme.	Cllr Kendrick Karen Watling		Karen Watling	
COUNCIL 20/27 FEB 2018	Treasury management strategy 2018/19 (Corporate Plan update should also go if not taken earlier)	To recommend to council the capital prudential indicators and limits, the borrowing strategy, the treasury prudential indicators, the minimum revenue provision.	Cllr Kendrick Karen Watling		Karen Watling	
CABINET MARCH 14 2018	Report of the chair of the scrutiny committee	To consider the recommendations from the scrutiny committee	Cllr Kendrick Adam Clark Cllr Wright		Adam Clark	NO
CABINET MARCH 14 2018	Budget monitoring 2017/18 period 10	To update Cabinet on the provisional financial position as at 31 January 2018, the forecast outturn for the year 2017-18, the General Fund revenue budget, the Housing Revenue Account and the capital programme.	Cllr Kendrick Karen Watling		Karen Watling	NO

ALLOCATED ITEMS						
Meeting	Report	Purpose	Portfolio holder + Senior Officer + Report author	Date report signed off by	Management clearance	Exempt?
CABINET MARCH 14 2018	Proposed right off of bad debt (KEY DECISION)	The proposed write of debt deemed to be non recoverable.	Cllr Kendrick Karen Watling		Karen Watling	
CABINET MARCH 14 2018	Quarter 3 2017/18 quarterly performance report	To report progress against the delivery of the corporate plan priorities and key performance measures for quarter 3 of 2017/18	Councillor Waters Ben Foster		Adam Clark	NO

Norwich City Council
SCRUTINY COMMITTEE

Item No 7

REPORT for meeting to be held on 23 November 2017

Access to justice

Summary:

The purpose of this item is to review the impact of legal aid cuts, changes to tribunal fees, debt, and impact of cuts to probation, prisons, and courts. The city council commission's advice services which provide elements of legal advice and how these work in Norwich. The following report provides background on the Norfolk Community Law Service (NCLS), Family Court Support Service and Norfolk Community Advice Network (NCAN), and how these organisations assist people in court.

There is also further evidence on how benefit sanctions and debt affect access to justice, as well as case studies of people in family courts.

Conclusions:

The report should enable the scrutiny committee to determine any recommendations they would wish to make on the council's or other organisations approaches to access to justice issues in Norwich.

Recommendation:

To make recommendations on how the city council can enhance its role in collaboration with partners to address issues around access to justice.

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Background

The scrutiny committee opted to dedicate two meetings to the topic of access to justice. The meeting on 23 November will provide evidence and background on the topic, and the meeting on 14 December will be the opportunity to identify any recommendations.

Members will hear from four speakers who will provide evidence on access to justice and answer questions to help inform any recommendations the committee may make. The speakers:

Janka Rodziewicz – Norfolk Community Advice Network (NCAN)
Gareth Thomas - Director of the UEA Law Clinic, and as a trustee of the Eastern Legal Support Trust
Judi Lincoln – Norfolk Community Law Service (NCLS)
Sue Bailey – President of the Law Society

1. What is access to justice?

1.1 According to the United Nations website 'Access to justice is a basic principle of the rule of law. In the absence of access to justice, people are unable to have their voice heard, exercise their rights, challenge discrimination or hold decision-makers accountable.'

1.2 The Law Society explains the difficulties people experience around access to justice as 'ordinary people are finding it more difficult to access justice because of issues including legal aid cuts, court closures and increased court fees, as well as changes to the rules regarding the legal costs a client can recover.'

2. Civil cases vs criminal cases

2.1 Civil law – is a system which tries to set out rules to cover all the sorts of situation that may arise in life, and provides for disputes to be decided by a Judge if the parties are unable to sort it out themselves. Examples of cases in civil court include: breach of contract claims, equitable claims, and landlord tenant issues.

2.2 Criminal law – is a system for punishing wrong doing. The criminal law sets out all the things which are considered unacceptable, and which will render someone liable for prosecution.

This report considers civil law, particularly those areas known collectively as 'social welfare law'.

3. Social welfare law

3.1 Social Welfare Law (SWL) is the term used in the UK to describe those areas of civil law with which people on low incomes, who are typically disadvantaged, are prone to experience difficulties. Internationally, the term Poverty Law is used. SWL is a very large and diverse area of law that draws on, and overlaps with many other.

3.2 The majority of definitions class SWL as encompassing debt, discrimination, mental health, welfare benefits, employment, education, community care, immigration and housing. Of these, debt, welfare benefits, employment and housing are the areas which have in the past, in respective order, receive the greatest number of public enquiries at advice centres.

<http://www.law.ac.uk/futurelawyers/practice-areas/social-welfare/>

4. Factors which affect access to justice

4.1 According to the annual report of Norfolk Community Law Service (NCLS), the main factors contributing to the increase in demand on their service are the impact of legal aid cuts, changes in welfare benefits, and reductions in public expenditure which are both impacting on clients' income levels but also reducing the funding for advice provision across the sector. The NCLS say they are also seeing clients experiencing debt and rent arrears resulting from the impact of the benefit cap, sanctioning and the 'bedroom tax', and, more recently, the impact of the roll out of universal credit.

5. Legal aid reform

5.1 Four years ago, the then government implemented the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO). Hundreds of thousands of people who were eligible for legal aid on 31 March 2013 became ineligible the very next day. Four years on, the Law Society has conducted a review of the legal aid changes introduced under the act. This review concludes that:

- Legal aid is no longer available for many of those who need it
- Those eligible for legal aid find it hard to access it
- Wide gaps in provision are not being addressed
- LASPO has had a wider and detrimental impact on the state and society

5.2 Since the introduction of major reforms to legal aid it is harder than ever to get free access to a lawyer for those who cannot afford one. The result is that in courts around the country, growing numbers of people with no legal experience are representing themselves in court to maintain their homes and possessions, exercise their right to stay in the UK or even keep custody of their children. These people are known as 'litigants in person'.

5.3 One online news source gathered the following data about litigants in person:

- The Personal Support Unit (PSU), which works in 20 courts to provide emotional support and advice for people without lawyer, has seen a 520% increase in people going to it for help since 2011.
- Six years ago the PSU had 200 volunteers helping people on just over 9000 occasions. In the financial year to 2017 more

than 700 volunteers helped people on more than 56,000 occasions. This represents a quarter of all those who have received help from PSU since the charity's foundation 16 years ago.

- A previously unreported study into litigants in person published earlier this year by the University of Birmingham reveals the vast educational gulf between postgraduate qualified lawyers and those representing themselves in court.
- Almost two-thirds of the almost 200 litigants in person they surveyed in Birmingham did not have A-levels. A quarter had no formal qualifications at all.
- Only 45% of people said they had understood what was said in court and 22% did not have English as a first language.

The full article is available here:

https://www.buzzfeed.com/emilydugan/a-record-number-of-people-are-representing-themselves-in?utm_term=.je1dPOvMO#.sogazJD5J

6. The impact locally

The below table shows the number of civil law cases funded through legal aid in Norfolk vs. nationally from 2011 – 2017. There has been a 65% decrease in Norfolk, and a 46% decrease nationally.

6.1

	Norfolk	National
2011-2012	807	59530
2012-2013	750	55358
2013-2014	585	51961
2014-2015	477	43537
2015-2016	376	35936
2016-2017	282	32079

6.2 This breaks down for different areas of social welfare law over the same timescale as follows:

- 100% decrease in debt cases in Norfolk (96% decrease nationally)
- 65% decrease in domestic violence cases in Norfolk (47% decrease nationally)
- 100% decrease in employment cases in Norfolk (99% decrease nationally)
- 67% decrease in family cases in Norfolk (50% decrease nationally)
- 69% decrease in housing cases in Norfolk (31% decrease nationally)
- 100% decrease in welfare benefit cases in Norfolk (96% decrease national)

6.3 This has resulted in an increased demand for free social welfare legal advice as provided by advice providers in the VCSE sector. For example, the Norfolk Community Law Service (NCLS) reported that in 2016/2017 they saw an increase in the number of clients seeking advice combined with an increase in the complexity of the issues involved. They saw a total of 2493 new clients, a 6.7% increase on the previous year.

6.4 National research has shown that access to social welfare legal advice has a positive impact on health and wellbeing outcomes. This has been supported by local data gathered by Norfolk Community Advice Network, showing that individuals receiving help from NCAN providers have seen increased wellbeing scores and increased income.

Source: <http://www.norfolkcan.org.uk>

7. Family law

7.1 The highest reduction in social welfare legal aid cases locally has been in private family law – mostly in connection with divorce or parents' separation, including parental disputes over access to and upbringing of children. This is one of the areas in which litigants in person are highly prevalent, with estimates that a third of all private family law cases now have no solicitor representing either side.

7.2 One of the responses to this has been the development of so-called 'McKenzie Friends' schemes. These schemes vary but essentially provide individuals with basic support from non-legal-professionals who may help them with understanding and navigating the courts, completing paperwork or understanding the judge's direction. In some schemes these are paid-for services and in others these are free. NCLS have developed one such free scheme known as the Family Court Support Service. The Family Court Support Service is in its fourth year of assisting clients seeking help when they have a dispute over contact with their children. During 2016/17 it assisted 125 clients, compared to 21 in 2015/2016.

7.3 Case study from the scheme:

Carl and Nicola were at Court over a dispute about how much time their children should spend with each parent. The family court supporter was able to act as messenger for Carol in dealing with Nicola who had a solicitor. She was also able to emphasise that the hearing was not about past enmities but about the child's well-being.

By liaising with Nicola and her solicitor before the hearing, it became clear that the solicitor was going to raise concerns about Carl's mental health which gave Carl an opportunity to prepare a response to the court. During the hearing, we

supported Carl by calming him when comments were made about him and to prompt him to make the points he felt important. Carl is diagnosed with depression, anxiety and ADHD and he found the support really useful.

Nicola's solicitor drafted the Order for the Court and the Court Supporter asked the solicitor to go through it with Carl so that he was clear about the meaning. Following the hearing, the Court Supporter helped Carl who has dyslexia, to draft his statement for the next hearing and we had the statement for the next hearing and we had the statement checked by one of our FLA solicitors.

7.4 Court staff in Norwich have reported that 'the Family Panel welcomes the initiative of the Family Court Support Service which provides assistance to those who are unsure how to prepare and fully participate in the Court hearing. Many of those who find themselves in this position have been the subject of domestic violence; therefore, to have the assistance of someone who can help identify the paramount issues for their child, assist in the preparation of the paperwork, provide guidance to focus on the relevant issues for the court and then quietly support them through the hearing is invaluable and can make a real difference both to the individuals and the court process.'

8. Other issues

8.1 There has also been a significant reduction in benefits, debt and housing cases supported through legal aid, driving demand to other sources and limiting access to justice. These exacerbate changes to the wider benefits system that leave people in difficult situations.

8.2 Welfare benefit decisions (including sanctions) continue to create issues. Most benefit decisions, including sanctions, can be appealed but there are a relatively low number of appeals being lodged, as individuals may not know whether or not they know have a valid appeal and may not know how to appeal. However the high rate of success with the cases that are pursued indicates a worryingly high number of 'bad' decisions are being made by authorities, which suggests that more people may be losing their entitlements as a result of not pursuing appeals.

8.3 Evidence from Leeway domestic violence and abuse service shows that restrictions in legal aid leave individuals in difficult and dangerous situations: "Ladies working part-time and accessing tax credits can often be above the financial limit for legal aid. Ladies that are working are unable to access any legal aid which leaves them stuck in very difficult situations. With their only options being DIY, non-molestation order etc. Not all solicitors now offer the first ½ hour free so can be difficult to get basic legal advice"

8.4 Particular client groups who face specific issues around access to justice include members of BAME communities. Beatrice Humarau from Bridge Plus submitted the following statement to the committee:

“We at The Bridge Plus+ believe that there is a strong link between diversity, social inclusion and access to justice for BAME communities. We have identified the following key issues regarding access to justice:

- Race equality/race hate crime and incidents: anecdotal evidence we have gathered and findings from our community surveys indicate that most incidents remain unreported. Community members do not believe that something can be done about such incidents and are concerned that reporting them could affect their immigration status. Without proper resourcing for a race equality project, The Bridge Plus+ does not have the capacity to influence change – e.g. to provide communities with skills and/or mechanisms that would encourage reporting. Unfortunately, we do not anticipate the newly launched “Stop Hate in Norfolk” website to address the issue of under reporting, especially given that the role of Police diversity liaison officer may no longer exist in a near future.
- Access to social welfare benefits: although our advice work does not cover welfare benefits appeals (we support individuals up to the mandatory reconsideration/review stage then refer them onto other specialist agencies), ‘lower level’ benefits advice work provided on a one to one, face to face basis is essential to ensure that BAME individuals can exercise their right to apply and/or retain welfare benefits. We are concerned that some of the letters received by benefits claimants lack clarity and transparency and make it harder for individuals to understand their rights and entitlements and to dispute decisions. This is especially the case with housing benefits (e.g. letters detailing calculations and informing claimants of an overpayment issue) and with tax credits overpayment issues.
- Digital by default agenda: The majority of our services users have limited English language skills and IT skills. We are already working with the Digital Champions project to encourage people to go online however we believe maintaining one to one, face to face support for those service users who face additional barriers and/or are particularly vulnerable, should be prioritised.
- Universal Credit full service from June 2018. Because most of our advice service users are foreign nationals and/or have families, they have not yet been affected by Universal Credit. We are engaging with Norwich City Council’s UC lead and with DWP staff to try and prepare our service users for June 2018 Full service implementation. Our key concerns in relation to Universal Credit are similar to those expressed by other support agencies i.e. money management issues, the minimum 6-week

wait and the expectation that claimants will do everything online. We are also concerned that unlike Norwich City Council, JobcentrePlus Norwich does not always provide interpretation support for claimants who have limited English language skills. We have direct evidence of this unfortunately. We are concerned that access to justice for BAME claimants may be affected if such support cannot be accessed and BAME claimants find themselves in situations where they feel they have to sign documents (e.g. "Claimant Commitments") without fully understanding them."

9. Employment Tribunals

9.1 One area of social welfare law that has changed recently is employment tribunals, arguably with a positive impact on access to justice, as laid out in this case study:

Case study – UNISON:

On Wednesday 26 July, UNISON members and staff gathered outside the Supreme Court in London, awaiting the outcome of a four-year legal battle.

In 2013, this access to justice was restricted when the government decided to charge fees to everyone who wanted to go to an employment tribunal.

The fees were brought in at a time when the Ministry of Justice was facing huge budget cuts and the government said the aim of them was to transfer part of the cost of the tribunals to users of the service, to "deter unmeritorious claims", and to encourage disputes to be settled earlier.

Anyone who felt they had been illegally treated by their employer suddenly had to include a cheque when they sent off their claim form, or pay with a card online, or the form wouldn't even be looked at.

The Supreme Court decided that employment tribunal fees conflicted with the right to access to justice, and therefore undermined the rule of law.

It said the rule of law was undermined because, if people couldn't reasonably afford to bring employment tribunal claims, this damaged the ability of the courts to enforce the law, and if the laws Parliament makes can't be enforced then the electoral process could become "a meaningless charade".

Not only does the result mean that anyone who needs to take their employer to court can do so for free from now on, it also means that anyone who has had to pay for that access to justice over the last four years will be reimbursed.

Source: <https://www.unison.org.uk/news/article/2017/08/employment-tribunal-fees-story-behind-success/>

This shows that the issue of access to justice continues to develop as new case law is developed.

10. The role of the city council

The city council has provided significant funding to a range of VCSE sector agencies in the city over recent years to delivery social welfare advice and advocacy. This is currently being reappraised with a few to an open tender process to deliver this support to Norwich residents over coming years as part of the annual grants process. This is in addition to the provision of money and budgeting advice to council tenants provided by the housing income team .

10.1 The council is an active part of the NCAN referral system which allows for individuals who are identified by council officers as being in need of social welfare advice and advocacy to be quickly and securely referred to an appropriate source of that advice.

10.2 This complements other initiatives that seek to identify people who may have presented in other public sector settings with social welfare issues that are unresolved, and thence to triage and support them to resolve those issues. Notably, there is increasing amount of interest and activity in the field of 'social prescribing' which embeds non-medical advice (including social welfare advice) in GPs' surgeries. The city council are actively working with health and VCSE sector partners to pilot and expand this in Norwich.

10.3 The city council also has a role as a provider of services such as housing and benefits which may drive demand for social welfare advice. Alongside funding for the VCSE sector, the council maintains ongoing dialogue with the providers of these services to understand where council policy and practice is driving system demand, with a view to reducing this where possible and compliant with statutory duties.

11. Access to justice is a broad topic with a range of factors that limit how easily or otherwise individuals can exercise their rights. The evidence here suggests that there has been a reduction in the availability of support and advice resulting in significant issues for residents. The committee is invited to consider how the city council can enhance its role in collaboration with partners to improve access to justice and address some of the issues raised in this briefing.

