

**Shadow Authority for Westmorland and Furness Council**

To: **ALL MEMBERS OF THE SHADOW AUTHORITY FOR  
WESTMORLAND AND FURNESS COUNCIL**

You are hereby summoned to attend the meeting of the Shadow Authority for Westmorland and Furness Council to be held at the County Hall, Kendal, LA7 9RQ, on Wednesday, 28 September 2022 at 10.30 am

Yours sincerely

**Caroline Elwood  
Interim Monitoring Officer  
Shadow Authority for Westmorland and Furness Shadow Council**

20 September 2022

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## **A.G.E.N.D.A**

### **PART I - ITEMS CONSIDERED IN THE PRESENCE OF THE PRESS AND PUBLIC**

#### **1. ROLL CALL AND APOLOGIES FOR ABSENCE**

To carry out the roll call and receive any apologies for absence.

#### **2. DECLARATIONS OF INTEREST/DISPENSATIONS**

To receive declarations of interest by Members of interests in respect of items on this Agenda, and to consider any dispensations.

Members may however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests which they have already declared in the Register, as well as any other registrable or other interests.

#### **3. EXCLUSION OF PRESS AND PUBLIC**

To consider whether the press and public should be excluded from the meeting during consideration on any item on the agenda.

#### **4. MINUTES OF PREVIOUS MEETING**

To consider the minutes from the previous meeting held on 22 July 2022 (copy enclosed)

**(Pages 9 - 18)**

#### **5. PUBLIC PARTICIPATION**

To receive any questions or representations which have been received from members of the public and to receive any petitions.

*(note any member of the public who wishes to ask a question or make representations or present a petition at the meeting should apply to do so no later than two working days before the day of the meeting. Information on how to apply can be obtained from the person named on the front of the agenda).*

#### **6. ANNOUNCEMENTS**

To receive any announcements from the Chair, Leader, Members of the Cabinet or the Chief Executive.

## **7. APPOINTMENT OF THE INTERIM STATUTORY CHIEF FINANCE (SECTION 151) OFFICER**

To consider a report from the Leader of the Council and Chair of the Senior Appointments Committee (copy enclosed)

**(Pages 19 - 22)**

## **8. APPOINTMENT OF THE CHIEF LEGAL AND MONITORING OFFICER AND DIRECTOR OF RESOURCES (SECTION 151 OFFICER)**

To consider a report from the Leader of the Council and Chair of the Senior Appointments Committee (copy enclosed)

**Pages 23 - 28)**

## **9. SENIOR LEADERSHIP PAY POLICY**

To consider a report from the Leader of the Council (copy to follow)

## **10. APPOINTMENT OF EXTERNAL AUDITOR**

To consider a report from the Cabinet Member for Finance (copy enclosed)

**(Pages 29 - 40)**

## **11. NOTICE OF MOTIONS**

The Shadow Council to consider the following notices of motion;

### **1. Climate and Biodiversity Emergencies**

Cllr Giles Archibald to move (Cllr A Thomson to second) the following:

This Council confirms that we face climate and biodiversity crises which will have potentially catastrophic impact locally, nationally and internationally.

The Shadow Authority for Westmorland and Furness Council acknowledges that man-made greenhouse gas emissions play a major part in the climate crisis. Greenhouse gases are also diminishing our biodiversity, which is further adversely affected by habitat loss, pollution, overexploitation, increases of non native species and systemic weather disruption.

Climate change and biodiversity loss will have far-reaching effects on our economy, our society and our environment in the District, across the UK and across the globe.

Building on, and integrating the work of the current Councils (Cumbria County Council, Eden and South Lakeland District Councils and Barrow Borough Council), Cafs and many volunteer organisations, this council is committed to (a) reducing its own carbon emissions to net zero as soon as possible; (b) working with others to target a net zero carbon Westmorland and Furness by 2037; and (c) increasing biodiversity by, for example, restoring natural habitats, restricting invasive species and reducing pollution.

We are committed to working with Town and Parish Councils, communities and other partner organisations in tackling these emergencies in a just and fair manner.

Council further urges government to work with local authorities, health services, businesses, farmers, educational institutions and all other interested bodies to address the climate and biodiversity emergencies as quickly as possible.

## **2. Protected Characteristics**

Cllr Judy Filmore to move (Cllr J Drake to second) the following:

The Independent Review of Children's Social Care headed by Josh McCallister published in May 2022 a final report and recommendations that included:

- "Government should make care experience a protected characteristic" and
- "New legislation should be passed which broadens corporate parenting responsibilities across a wider set of public bodies and organisations."

On Protected Characteristics for Care Experience

- "Many care experienced people face discrimination, stigma and prejudice in their day to day lives. Public perceptions of care experience centre on the idea that children are irredeemably damaged and that can lead to discrimination and assumptions being made." *Care Review May 2022*

One young person told the review that a teacher had told them "You're smart - for a kid in care" another young person said "I don't want people to point out that I am in care if I don't want that mentioned. It makes me so cross - that shouldn't happen."

This stigma and discrimination can be explicit and often comes with assumptions about the likely characteristics of children and adults that have care experience. They can also be implicit and are evidenced in the way care experience is discussed in schools, workplaces and the media.

At its worst this can lead to care experienced people being refused employment, failing to succeed in education or facing unfair judgements about their ability to parent when they have children and families of their own.

Hearing testimony from care experienced people sharing the discrimination they have experienced, even from a very young age, it is clear that such discrimination can be similar in nature to other groups that have a legally protected characteristic under the Equality Act (2010).

So, while there may be ways that society can help reduce stigma and discrimination, including creating greater public consciousness on these issues, just as with other areas of equality, there is a case to go further. Therefore, the government should make care experience a protected characteristic.

“Making care experience a protected characteristic would provide greater authority to employers, businesses, public services, and policy makers to put in place policies and programmes which promote better outcomes for care experienced people. It will make the UK the first country in the world to recognise care experienced people in this way. As a measure, it will bolster and pave the way for a number of the recommendations in this chapter.”  
*Care Review May 2022*

Care experienced people face significant barriers that impact them throughout their lives;

- Despite the resilience of many care experienced people, society too often does not take their needs into account
- Care experienced people often face discrimination and stigma across housing, health, education, relationships, employment and in the criminal justice system
- Care experienced people often face a postcode lottery of support
- As corporate parents, councillors have a collective responsibility for providing the best possible care and safeguarding for the children who are looked after by us as an authority
- All corporate parents should commit to acting as mentors, hearing the voices of looked after children and young people and to consider their needs in any aspect of council work
- Councillors should be champions of our looked after children and challenge the negative attitudes and prejudice that exists in all aspects of society
- The Public Sector Equality Duty requires public bodies, such as councils, to eliminate unlawful discrimination, harassment and victimisation of people with protected characteristics

Westmorland & Furness Shadow Authority therefore **RESOLVES:**

That in preparing to become a Unitary Authority when making any decisions in relation to its policies or formulating its Council Plan that it recognises that Care Experienced people are an oppressed group who face discrimination;

That it recognises that Councils have a duty to put the needs of oppressed people at the heart of decision-making through co-production and collaboration;

That future decision, services and policies made and adopted by the Council should be assessed through Equality Impact Assessments to determine the impact of changes on people with care experience, alongside those who formally share a Protected Characteristic;

That in the delivery of the Public Sector Equality Duty the Council includes care experience in the publication and review of Equality Objectives and the annual publication of information relating to people who share a Protected Characteristic in services and employment;

That when it becomes a Unitary Authority it will treat care experience as if it were a Protected Characteristic;

To formally call upon all other bodies to treat care experience as a Protected Characteristic until such time as it may be introduced by legislation;

For the Council to proactively seek out and listen to the voices of care experienced people when developing new policies based on their views.

### **3. Cost of Living Crisis in Westmorland and Furness**

Cllr John Murray to move (Cllr J Derbyshire to second) the following:

This Council is deeply aware of the pressure facing residents and businesses across Westmorland and Furness due to the cost of living crisis. Households, schools, health services and businesses are faced with successive and unaffordable price rises in fuel and energy and removal of additional benefit support, with the resultant increases in costs and prices across the board. The Council notes the energy policy announced 8<sup>th</sup> September, and further notes that the 'typical home' will still be paying more than twice as much this winter for energy compared to last winter. In rural areas the Council notes the increases in fuel costs further impact the costs incurred by residents, farmers and all businesses in travelling to shops, health centres, markets and customers. The Council notes the impact of all these additional costs combined with real terms pay cuts and the steady removal of support for families under pressure.

The Council is grateful for the support provided by Barrow Borough Council, Eden District Council, South Lakes District Council and Cumbria County Council has already provided for their residents and businesses and is committed to continuing and building on this support from 1 April 2023.

The Shadow Authority for Westmorland and Furness Council urges central government further to support our residents, businesses and services;

1. To take immediate action to freeze the price cap at April's rate, stop further increases in the price of fuel, including solid fuel, LPG and fuel oil as well as electricity and gas prices, and to tax energy firm's profits.
2. To immediately reduce VAT, including VAT on energy bills.
3. To bring back the supplement to Universal Credit.
4. To implement for immediate financial help/relief for small businesses to prevent imminent closures and job losses.

The Council calls for a local Cost of Living Emergency Summit building on the work of, for example, the Cumbria Poverty Working Group, with stakeholders, including Citizens Advice, Food Banks, Local Trades Unions, town and parish councils and Chambers of Commerce and local MPs to explore how more local help can be provided for those struggling with the cost of living.

The Council requests the Chief Executive Designate to write to the leaders of Cumbria County, Barrow Borough, Eden District and South Lakes District Councils as well as Cumberland, Copeland, Allerdale and Carlisle Councils asking them to pass similar emergency motions so we can take a united stand as Local Government to force the Government to do more to help local businesses and residents.

## **12. URGENT ITEMS**

To consider any urgent items of business.

## **PART II - ITEMS NOT CONSIDERED IN THE PRESENCE OF THE PRESS AND PUBLIC**

None for this meeting.