

## EXECUTIVE

<b>Date:</b>	<b>Wednesday 8th October, 2025</b>
<b>Time:</b>	<b>5.00 pm</b>
<b>Venue:</b>	<b>Mandela Room</b>

## AGENDA

1. Welcome and Fire Evacuation Procedure

*In the event the fire alarm sounds attendees will be advised to evacuate the building via the nearest fire exit and assemble at the Bottle of Notes opposite MIMA.*

2. Apologies for Absence

*To receive any apologies for absence.*

3. Declarations of Interest

*To receive any declarations of interest.*

4. Minutes - Executive - 3 September 2025

5 - 10

*To receive the minutes of the previous meeting.*

5. Announcements from the Mayor

*To receive any announcements from the Mayor.*

6. Questions from Members of the Public (if any)

*To receive questions from members of the public.*

7. Questions from Elected Members (if any)

*To receive questions from elected members.*

8. Matters referred to Executive for reconsideration from Scrutiny or Council (if any)

*To consider reports of Overview and Scrutiny Board following the Call-In process or Council following the Budget setting process.*

## **OVERVIEW AND SCRUTINY BOARD**

*To consider any final reports from Scrutiny Panels.*

9. Final Report of the People Scrutiny Panel - Children Missing Education 11 - 52

*Executive Report for Decision.  
Scrutiny Report to Note.*

10. Final Report of the Place Scrutiny Panel – Home to School Transport Service 53 - 96

*Executive Report for Decision.  
Scrutiny Report to Note.*

## **THE MAYOR**

11. Information Strategy 2025-2029 97 - 124

*Report for Decision*

## **EXECUTIVE MEMBER - ENVIRONMENT AND SUSTAINABILITY**

12. Waste Disposal Contract: Tees Valley Energy Recovery Facility 125 - 152

*Report for Decision.*

## **EXECUTIVE MEMBER - FINANCE**

13. Household Support Fund 2025/26 amendment 153 - 172

*Report for Decision.*

## **EXECUTIVE MEMBER - PUBLIC HEALTH**

14. Recovery Solutions Delivery Model 173 - 204

*Report for Decision.*

15. Any other urgent items which in the opinion of the Chair, may be considered.

Charlotte Benjamin  
Director of Legal and Governance Services

Town Hall  
Middlesbrough  
Tuesday 30 September 2025

### **MEMBERSHIP**

Mayor C Cooke (Chair) and Councillors I Blades, T Furness, P Gavigan, L Henman, J Rostron, J Ryles, P Storey and N Walker

### **Assistance in accessing information**

**Should you have any queries on accessing the Agenda and associated information please contact Scott Bonner, 01642 729708, [scott\\_bonner@middlesbrough.gov.uk](mailto:scott_bonner@middlesbrough.gov.uk)**

This page is intentionally left blank



**EXECUTIVE**

A meeting of the Executive was held on Wednesday 3 September 2025.

**PRESENT:** Mayor C Cooke (Chair) and Councillors I Blades, P Gavigan, L Henman, J Rostron, J Ryles and P Storey

**PRESENT BY INVITATION:** Councillor L Young (Chair of Overview and Scrutiny Board)

**OFFICERS:** D Alaszewski, S Bonner, M Brown, B Carr, C Cannon, G Field, L Grabham, R Horniman, A Humble, A Johnstone and E Scollay

**APOLOGIES FOR ABSENCE:** Councillors T Furness and N Walker

25/17 **WELCOME AND FIRE EVACUATION PROCEDURE**

The Mayor welcomed all those present to the meeting and explained the fire evacuation procedure.

25/18 **DECLARATIONS OF INTEREST**

There were no declarations of interest received at this point in the meeting.

25/19 **MINUTES - EXECUTIVE - 16 JULY 2025**

The minutes of the Executive meeting held on xxxx were submitted and approved as a correct record.

25/20 **CORPORATE PERFORMANCE QUARTER ONE 2025/2026**

The Mayor submitted a report for Executive's consideration, the purpose of which was to advise the Executive of corporate performance at the end of Quarter One 2025/2026, and where appropriate, sought approval of any changes, where those were within the authority of the Executive. The primary purpose of the report was to set out how effectively the Council was delivering activity to deliver against each of the Council Plan priorities, aims and underpinning workplan activities.

The Council's Scheme of Delegation gave the Executive collective responsibility for corporate strategic performance, together with associated action.

The report provided the necessary information to enable the Executive to discharge its performance management responsibilities, setting out progress against priority performance disciplines and other key associated items, together with actions to be taken to address any issued identified.

The projected financial outturn at Quarter One and 2025/2026, was presented separately at the meeting and was not repeated here. There were plans in development to integrate performance, risk and financial reporting for future financial years.

As part of continuous improvement in performance and risk management, the Council's Leadership Management Team (LMT) had implemented monthly reviews of corporate performance utilising a Directorate Performance dashboard, drawing data from a range of performance feeder systems.

The output from these sessions was reflected through quarterly updates to the Executive and covering, in addition, progress in delivering actions agreed by the Executive, key Directorate performance issues and other performance-related matters.

The Council's overall performance at the end of Quarter One 2025/26 saw progress towards expected performance standards, as set out in the Council's risk appetite, achieved in two of

the five corporate performance disciplines.

As activity within the Council Plan workplan had rolled over from Quarter Four 2024/25 to Quarter One 2025/26, trend data had been carried forward to demonstrate progress.

It was noted that performance against Council Plan outcomes for Quarter One 2025/26 was measured by tracking progress against baseline key performance indicators, as outlined in the Council Plan 2024-27 and its associated workplan. It was expected that over time, 90% of the outcome measures would be achieved.

The Mayor commented that future reports of this nature needed to be more explicit that overspends were predictions in most cases. There was a need to take management of public funds seriously and there was a need to review ongoing pressures. The Mayor had seen an action plan for Children's Services which looked promising and he commented he felt confident about the progress of Children's Services, despite previous funding cuts and rising costs.

The Mayor also commented that he, and the Council as a whole was working with central government to ensure Middlesbrough received a fair funding settlement.

The Mayor stated that a Member's briefing be set up

## **OPTIONS**

**The Council was required to operate a performance management framework in order to ensure delivery of its best value duty; to not do so would place the council at risk of failing in its statutory responsibility in this regard.**

### **ORDERED that Executive**

1. Approves the proposed changes to the Executive actions, as detailed at Appendix 1 of the report.
2. Approves the proposed changes to the Council Plan 2024-27 supporting workplan actions, as detailed at Appendix 3 of the report.

### **AGREED that Executive**

1. Notes the progress and position of the corporate performance disciplines, including the Transformation Portfolio.
2. Notes the delivery status of the Council Plan 2024-27 supporting workplan at Quarter One, detailed at Appendix 2 in the report.
3. Notes the Strategic Risk Register, at detailed in Appendix 4 of the report.

## **REASONS**

**To enable the effective management of performance and risk in line with the Council's Local Code of Corporate Governance.**

25/21

## **REVENUE AND CAPITAL BUDGET – FORECAST YEAR-END OUTTURN POSITION AT QUARTER ONE 2025/26**

The Executive Member for Finance submitted a report for Executive's consideration, the purpose of which was to discharge the responsibilities of the Executive to manage and control the revenue budget, capital programme, and overall balance sheet position of the Council.

The Council's Scheme of Delegation gave Executive collective responsibility for corporate strategic performance and financial management / monitoring, together with associated actions. Standing Orders and Financial Procedures required Executive's approval for major virements between revenue budgets, and in-year changes to the Council's Capital Programme within approved Council resources.

The report enabled Executive to discharge its financial management responsibilities by setting out the following position at Quarter One (30 June 2025):

- General Fund Revenue Budget forecast outturn;
- Virements
- Statement of the Council's reserves and provisions;
- Capital Programme forecast outturn;
- Statement of the Council's borrowing and prudential indicators;
- Statement of the level of debt owed to and to be recovered by the Council;
- Actions that have been taken and are planned to be taken in order address the issues identified.

Financial Procedure Rule 18.38.3 of the Council's constitution required Executive's approval of revenue and capital programme budget virements over £250,000 and Financial Procedure Rule 18.80.2 required approval by Executive of the write off of debt over financial thresholds set out in the Financial Limits Annex of the Council's Constitution.

The forecasts within the report, as of 31 March 2026, were prepared using the following major assumptions:

- All known staffing changes had been captured
- Agreed pay award of 3.2% for local government officers for 2025/26 included
- Income and Expenditure forecasts had been prepared in conjunction with budget holders using the best information currently available.

The 2025/26 Revenue Budget, Medium Term Financial 2025/26 to 2028/29, and Council Tax report to Council on 19 February 2025 set out the future financial position of the Council.

Executive were advised that both the report presented, and the report submitted to Council, should be read together to fully understand the context within which the Council was operating and the financial challenges it faced.

As part of the report submitted to Council, a net revenue budget for 2025/26 of £143.304m was approved by Full Council. Within the report the Director of Finance and Transformation (S151 Officer) issued his Section 25 Report which set out the basis upon which the revenue budget was seen as robust and the basis upon which reserves were considered adequate.

While the Council had achieved significant improvement in its financial position since the start of 2024/25, there was still a need to control expenditure within the approved 2025/26 budget. There was also a need to develop further savings and income generating opportunities through the Recover, Reset, Deliver Transformation Portfolio to balance the MTFP and stabilise the Council's financial position as well as rebuilding its financial resilience.

This required the delivery of all approved 2025/26 savings plans in full. Budgetary control measures as detailed in the 2024/25 Revenue and Capital Outturn report to Executive on 11 June 2025 would continue to be implemented during 2025/26.

Table one in the report summarised the overall position per Directorate and showed that the 2025/26 forecast year-end outturn position, as of 30 June 2025 (Quarter One), was an overspend of £10.677m (7.5%) against the approved budget of £143.304m.

Table one in the report showed if actions to reduce the overspend were not successful it was proposed to use central contingencies, which were set aside for this purpose. This would be done alongside other central budgets to reduce the forecast year end overspend to £4.482m (3.1%).

This would mean there would be limited central contingencies for use in 2025/26. Therefore, Directorates needed to make every effort to reduce their forecast overspends and achieve a balanced budget by the end of 2025/26.

A summary of the main variances for each Directorate was detailed in paragraphs 4.17 to 4.30 of the report and included any recovery plans proposed by Directorates.

The Mayor commented that future reports of this nature needed to reflect that overspends, in most cases, were predictions. There was a need to be realistic and take the management of

public funds seriously, especially in the face of current pressures.

The Mayor also stated he had seen an action plan for Children's Services that helped to address the issues identified in the report and he was confident in its approach, especially in light of rising service costs.

The Mayor, and the Council were working with government to ensure Middlesbrough received a better funding settlement from government.

The Mayor requested a Member Briefing be set up to explain the current position within Adults and Children's Services once the full situation was understood.

## **OPTIONS**

**The alternative would be to not approve the revenue budget virements over £250,000 and the changes to the Council's capital programme, and to not report on the Council's forecast year-end financial outturn for the financial year 2025/26. This would not enable the Executive to discharge their responsibilities to manage and control the revenue budget, capital programme and overall balance sheet position of the Council.**

### **ORDERED that Executive:**

1. Approves budget virements over £250,000 within the revenue budget (Appendix 1)
2. Approves the inclusion of new schemes and additions to existing schemes to the Capital Programme totalling £5.004m for 2025/26, of which £1.818m were externally funded and £3.186m was from existing Council funded resources (detailed in Appendix 5). Subject to approval this will increase the approved 2025/26 Capital Programme budget to £87.575m

### **AGREED that Executive:**

1. Notes the Council's financial performance and forecast year-end financial outturns for revenue and capital budgets for the financial year 2025/26 as at Quarter One, including that if there was no further action the overspend on the revenue budget at year end was currently forecast to be £4.482m (3.1%) after the proposed use of central contingencies and other budgets.
2. Notes the requirement for Directors to develop and submit further recovery plans and mitigations in order to reduce their forecast overspends and seek to achieve a balanced budget for their Directorate by the end of 2025/26, and also that corporate revenue budget spending controls would continue to be applied during 2025/26.

## **REASONS**

**To enable the effective management of finances, in line with the Council's Local Code of Corporate Governance, the Scheme of Delegation and financial regulations.**

25/22

## **MEDIUM TERM FINANCIAL PLAN (MTFP) UPDATE AND 2026/27 BUDGET APPROACH AND TIMETABLE**

The Mayor submitted a report for Executive consideration, the purpose of which provided an update for Executive of the issues affecting the Council's current Medium Term Financial Plan.

The report also sought approval of the budget development approach and timetable within which Officers would work with the Mayor, Executive and other elected Members to develop the 2026/27 budget and Medium-Term Financial Plan (MTFP) for the four-year period to 2029/30.

Each year the Council engaged in an annual financial planning and budget setting cycle with the intention to achieve a balanced annual revenue budget and MTFP. The cycle also set the council tax and set out the capital and treasury management strategy. A high-level overview of

the annual financial planning cycle was summarised in Figure 1 at section four in the report. A more detailed timetable for the 2026/27 budget and MTFP was summarised in Table one and set out in Appendix 2 of the report.

The annual financial planning cycle involved the periodic review and updating of financial planning assumptions in the light of new information and data at key stages of the financial year to inform the Council's budgetary control, financial forecasting and medium to long term financial planning. Areas of focus included The Council's actual financial performance against its financial forecasts, Changes in information and intelligence concerning external factors outside the Council's direct control, Internal factors relating to the design and operation of service delivery models and the level of reserves and forecast impact of all factors upon reserves.

The cycle needed to align with the Recover, Rest, Deliver Transformation Programme which itself aimed to improve, modernise, and transform the delivery of services by the Council, and potentially providing savings for use in the MTFP.

Funding of £26.7m had been allocated for the costs of the Transformation Programme from 2024/25 to 2028/29.

The report was the first stage of the budget development strategy for the four-year period 2026/27 to 2029/30. It built upon the MTFP approved by Council on 19 February 2025, the 2024/25 financial outturn reported to Executive on 11 June 2025, and the 2025/26 forecast financial position at Quarter One reported to the meeting. It set out the financial framework and timetable within which Officers would work with the Mayor and Executive, with input from elected Members, to develop budget proposals that would deliver the Council Plan within available resources.

## **OPTIONS**

**The Council was required by law to set a balanced budget and to operate robust and meaningful financial planning arrangements. The report set out the development process and timeline for achieving that objective. Therefore, no other options were submitted as part of the report.**

**ORDERED that the budget development approach and timetable set out in Appendix two of the report, for developing the 2026/27 Budget and Medium-Term Financial Plan (MTFP) to 2029/30, be approved.**

**AGREED that the update of the Council's Medium Term Financial Plan (MTFP), be noted.**

## **REASONS**

**The forward planning for, and setting of a robust budget and balanced MTFP, enabled the Council to provide and deliver services within its overall corporate and financial planning framework. The MTFP underpinned the delivery of the Council's vision for Middlesbrough to be a thriving, healthier, safer, and more ambitious place where people wanted to live, work, invest, and visit, and where the Council would support its residents to live fulfilling lives, to ensure that its communities thrived.**

**All Council elected Members had a legal obligation to agree a balanced robust budget and set the Council Tax by 11 March 2026. In addition, the Council had a Best Value duty to demonstrate financial sustainability through the delivery of a balanced MTFP over a period of at least three years. The setting of the budget was part of the budget and policy framework and therefore required Full Council approval scheduled for 18 February 2026.**

**The Council was required to take a systematic, coherent, and controlled approach to addressing its ongoing financial challenges over the medium-term, while enabling the delivery of the Mayor's vision and priorities for Middlesbrough through delivery of the wider Council Plan.**

25/23

**ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.**

None.

The decision(s) will come into force after five working days following the day the decision(s) was/ were published unless the decision(s) become subject to the call in procedures

<b>MIDDLESBROUGH COUNCIL</b>	
------------------------------	--

<b>Report of:</b>	Interim Director of Education and Partnerships - Caroline Cannon
-------------------	--

<b>Relevant Executive Member:</b>	Deputy Mayor and Executive Member for Education and Culture - Cllr P Storey
-----------------------------------	---

<b>Submitted to:</b>	Executive
----------------------	-----------

<b>Date:</b>	8 October 2025
--------------	----------------

<b>Title:</b>	Final Report of the People Scrutiny Panel - Children Missing Education
---------------	--

<b>Report for:</b>	Decision
--------------------	----------

<b>Status:</b>	Public
----------------	--------

<b>Council Plan priority:</b>	A successful and ambitious town
-------------------------------	---------------------------------

<b>Key decision:</b>	Yes
----------------------	-----

<b>Why:</b>	Decision(s) will have a significant impact in two or more wards
-------------	---

<b>Subject to call in?</b>	Yes
----------------------------	-----

<b>Why:</b>	Non-urgent Report
-------------	-------------------

<b>Proposed decision(s)</b>
<p>That Executive:</p> <ol style="list-style-type: none"> <li>1. Notes the report of the People Scrutiny Panel into Children Missing Education and the accompanying recommendations; and</li> <li>2. Approves the Action Plan prepared by the service in response to the recommendations.</li> </ol>

<b>Executive summary</b>
<p>Children missing education (CME) are a distinct group of children defined by the Department for Education (DfE). CME are uniquely vulnerable because they do not enjoy the protection and support offered by schools.</p> <p>The People Scrutiny Panel has carried out an investigation into the issue, and created a report and action plan setting out its intention to help tackle the problem. The aim of Scrutiny Panel is to reduce the overall number of CME and hence make children safer.</p> <p>This report provides background and contextual information to support the Council's decision making regarding the actions identified by the People Scrutiny Panel.</p>





## Purpose of this report and its contribution to the achievement of the Council Plan ambitions

Our ambitions	Summary of how this report will support delivery of these ambitions and the underpinning aims
<b>A successful and ambitious town</b>	The People Scrutiny Panel Report focuses on reducing the number of CME, and hence reducing the number of school days missed by the children contained within this cohort. By being in school more and therefore able to learn and achieve, it is hoped that the overall level of academic achievement improves. Simultaneously this group of vulnerable children will benefit from the oversight and care of professionals in school.
<b>A healthy place</b>	Promote inclusivity for all.

### 1. Recommendations

That Executive:

1. Notes the report of the People Scrutiny Panel into Children Missing Education and the accompanying recommendations; and
2. Approves the Action Plan prepared by the service in response to the recommendations.

### 2 Rationale for the recommended decision(s)

2.1 The CME cohort is a highly vulnerable group of children who should be in school where they can learn, grow and be cared for. Taking positive action as outlined in the People Scrutiny Panel report which aims to reduce the size of the cohort, will result in more children achieving well in school and benefitting from the professional oversight that schools provide.

### 3 Background and relevant information

#### 4.1 Definition:

Children missing education (CME) is a term used by DfE to identify a particular subset of children who are at increased risk and are not attending school.

To be CME, children must satisfy all three of the following criteria:

- be of compulsory school age
- not be registered at a school
- not be receiving suitable education otherwise than at a school

#### 4.2 LA Responsibility:

Local Authorities have a duty under section 436A of the Education Act 1996 to make arrangements to establish the identities of children missing education and return them

to full time education. Where there is concern for a child's welfare or criminal activity, then other key partners should be involved such as Children's Social Care and the Police.

In addition, LA's have a range of other duties which include:

1. Arranging suitable full-time education for permanently excluded pupils from the sixth school day of exclusion.
2. Serving notice on parents requiring them to satisfy the local authority that the child is receiving suitable education, when it comes to the local authority's attention that a child might not be receiving such education.
3. Issuing School Attendance Orders (SAOs) to parents who fail to satisfy the local authority that their child is receiving suitable education, if the local authority deems it is appropriate that the child should attend school.
4. Prosecuting or issuing penalty notices to parents who fail to ensure their school-registered child attends school regularly.
5. Applying to court for an Education Supervision Order for a child to support them to go to school.

#### 4.3 Middlesbrough's Context:

The various categories of CME children are as set out below:

***Children who are referred by schools to the Authority as missing.***

- The number of referrals the LA receive from schools varies each month, but on average the LA receive around 25 referrals. Within the Access to Education Service there is a dedicated CME Officer who manages these referrals and conducts extensive searches across other local authorities in an attempt to find the children. In the majority of cases the children are believed to have left the UK and returned to their country of origin.

***Children who are electively home educated, but the Authority has deemed are not receiving an adequate education.***

- The Elective Home Education team (EHE) review the quality of education that parents are providing for their children. Where this is deemed to be inadequate, the team will make arrangements for the child to return to school. This may involve use of our statutory powers by way of a School Attendance Order. New legislation which is about to be introduced gives LA slightly more power to intervene when children at risk are considering EHE.

***Children who have recently arrived in the town and are awaiting a school place.***

- Historically there has been a shortage of primary school places in the town centre which has resulted in newly arrived children waiting for a suitable place to become available. There are however sufficient places available for all the children in Middlesbrough but sometimes families find it difficult to travel longer

distances to attend school in other parts of the town. Over recent months the problem has become less acute as the number of newly arrived families has reduced.

***Children who have been permanently excluded from school and are not in a full-time alternative setting.***

The Local Authority has a duty to arrange suitable full-time education for permanently excluded pupils from the sixth school day of exclusion.

- Education arrangements for children who have been excluded from school are managed by the Inclusion Team. This team is responsible for the placement of children following an exclusion, regular placement reviews and the quality assurance of alternative provision.
- In Middlesbrough, 6<sup>th</sup> day education provision is delivered by several registered alternative provisions/ schools.
- At times when exclusion figures are high, some pupils wait for a placement to become available at one of the registered providers. During this period, they receive an interim education package which is coordinated by the Local Authority.

***Children in the Authority's care for whom full time education has not yet been secured.***

The reasons why care experienced children may not be in school vary, but they usually fit one of the criteria below:

- They have special needs and are awaiting a suitable specialist provision to become available
- They have recently come into care and had no school place prior to this, so a suitable school is in the process of being identified.
- They have been moved to an out-of-town location for safeguarding reasons.

In addition, the LA consider children who access school on a reduced timetable basis. Although this cohort is not CME, it nevertheless represents a group of children who may be vulnerable and for whom the LA needs to be additionally vigilant. Similarly, as part of the approach to prevention and early intervention, the LA provide specialist support for children in schools who are in danger of becoming permanently excluded. This work is delivered as a partnership between schools and the LA Inclusion and Outreach Team and is complemented with a range of commissioned intervention places at several registered alternative provisions.

The LA has a robust understanding of the issues underpinning CME and a clear line of sight across the individual children's circumstances. The LA is actively engaged in work to reduce the overall number of children involved. This activity includes:

1. Developing local provision to support CLA who are CME to join a school roll.
2. Working in partnership with schools to review the processes for supporting the children to identify good practice and areas for development.
3. Seeking additional resource to bolster the EHE team so that more support can be delivered.
4. Delivering a SEND & Inclusion Sufficiency plan to ensure adequate, appropriate and good quality provision for children with special educational needs, and those at risk of exclusion or who have been excluded from school.

## 5 Ward Member Engagement if relevant and appropriate

Not relevant

## 6 Other potential alternative(s) and why these have not been recommended

6.1 The Council could continue with the current delivery model and processes but in doing so the cohort of CME is likely to continue to increase in size resulting in more children missing out on their education.

## 7 Impact(s) of the recommended decision(s)

Topic	Impact
Financial (including procurement and Social Value)	There are no financial implications.
Legal	The report and actions do not have any legal impacts.
Risk	The report and actions do not create any additional risks for the Council.
Human Rights, Public Sector Equality Duty and Community Cohesion	There are no impacts or implications for human rights, public sector equality duty or community cohesion.
Reducing Poverty	The recommendations are likely to reduce poverty as the children in the cohort access more education, achieve better and enhance their life chances.
Climate Change / Environmental	There are no climate change or environmental implications.
Children and Young People Cared for by the Authority and Care Leavers	Any member of the cohort who is looked after presents an even greater level of vulnerability so ensuring they are in school and well supported is of crucial importance.
Data Protection	Data protection has been considered in all sections of the report and no concerns are anticipated.

7.1 The action plan responding to the recommendations from the People Scrutiny Panel can be found in Appendix 2 of this report.

## Appendices

1a	Final Report of the People Scrutiny Panel
1b	Final Report of the People Scrutiny Panel – Appendix A
1c	Final Report of the People Scrutiny Panel – Appendix B
2	Service Area Response

## Background papers

Body	Report title	Date
n/a		

**Contact:** Trevor Dunn  
**Email:** Trevor\_dunn@middlesbrough.gov.uk

This page is intentionally left blank

# MIDDLESBROUGH COUNCIL

## Final Report of the People Scrutiny Panel CHILDREN MISSING EDUCATION (CME)

### CONTENTS

<b>THE AIM OF THE SCRUTINY REVIEW</b>	<b>Page 2</b>
<b>TERMS OF REFERENCE</b>	<b>Page 2</b>
<b>BACKGROUND INFORMATION</b>	<b>Page 2</b>
<b>SUMMARY OF EVIDENCE:</b> <b>Term of Reference A</b> - To understand the current position in terms of Middlesbrough Council's Children Missing Education to examine key data and demographics/characteristics in respect of CME in Middlesbrough and compare with regional and national statistics.	<b>Page 3</b>
<b>Term of Reference B</b> – To examine how the Local Authority (LA) works with children, young people and their families, and education providers to identify and support CME (e.g. referrals and proactive identification).	<b>Page 7</b>
<b>Term of Reference C</b> – To investigate what additional resources, if any, could be accessed to assist with CME.	<b>Page 11</b>
<b>Term of Reference D</b> – To consider any potential implications/impact/challenges of CME on providers and services.	<b>Page 12</b>
<b>Term of Reference E</b> – To consider the challenges of transient communities and how the Ethnic Minority Achievement Team (EMAT) track and work with newly arrived families.	<b>Page 13</b>
<b>Term of Reference F</b> – To consider the increasing number of permanently excluded children in respect of CME.	<b>Page 16</b>
<b>CONCLUSIONS</b>	<b>Page 18</b>
<b>RECOMMENDATIONS</b>	<b>Page 19</b>
<b>ACKNOWLEDGEMENTS</b>	<b>Page 20</b>
<b>ACRONYMS</b>	<b>Page 20</b>
<b>BACKGROUND PAPERS</b>	<b>Page 21</b>
<b>APPENDIX A</b>	<b>Page 23</b>
<b>APPENDIX B</b>	<b>Page 24</b>

## **THE AIMS OF THE SCRUTINY REVIEW**

1. The aims of the review are to:
  - Examine and understand the current issues relating to CME in Middlesbrough.
  - Identify suggestions for developing support for applicable children and their families.
2. The review also aims to assist the LA in achieving the following priorities from the Council Plan 2024-2027:
  - **A successful and ambitious town** - Improve attainment in education and skills; and
  - **A healthy place** - Promote inclusivity for all.

## **TERMS OF REFERENCE**

3. The Terms of Reference for the Scrutiny Panel's review, are as follows:
  - A. To understand the current position in terms of Middlesbrough Council's CME; to examine key data and demographics/characteristics in respect of CME in Middlesbrough; and compare with regional and national statistics.
  - B. To examine how the LA works with children, young people and their families, and education providers to identify and support CME (e.g. referrals and proactive identification).
  - C. To investigate what additional resources, if any, could be accessed to assist with CME.
  - D. To consider any potential implications/impact/challenges of CME providers and services.
  - E. To consider the challenges of transient communities and how EMAT track and work with newly arrived families.
  - F. To consider the increasing number of permanently excluded children in respect of CME.

## **BACKGROUND INFORMATION**

4. The Department for Education (DfE) (GOV.UK, 2024a) defines CME as a particular subset of children who are at increased risk and are not attending school. To be classified as a child missing education, children must satisfy all three of the following criteria:
  - Be of compulsory school age.
  - Not be registered at a school.
  - Not be receiving suitable education otherwise than at a school.
5. The various categories of CME are as follows:
  - a) Children who are referred by schools to the Authority as missing.
  - b) Children who are EHE, but the Authority has deemed are not receiving an adequate education.
  - c) Children who have recently arrived in the town and are awaiting a school place.
  - d) Children who have been permanently excluded from school and are not in a full time alternative setting.
  - e) Children in the Authority's care for whom full time education has not yet been secured.



6. According to the Social Care Institute for Excellence (SCIE, 2025), CME may be at significant risk of:
- Not meeting their academic potential and underachieving.
  - Becoming NEET (Not in Employment, Education or Training) in later life.
  - Being victims of harm, abuse or exploitation.
  - Involvement in criminal or gang-related activity.
7. There is also a higher proportion of children recorded as missing education when there is a link to poverty, deprivation or involvement with social services.
8. Guidance for LAs, issued by the DfE (GOV.UK, 2024a) indicates that there should be robust policies and procedures in place to enable them to meet their duties and responsibilities in relation to these children. These include ensuring that there are effective tracking and enquiry systems in place; and appointing a named person to whom schools and other agencies can refer. In Middlesbrough, CME Officers are in post to fulfil this role.
9. Under Section 436A of the Education Act 1996 (GOV.UK, 2025) there is a duty for LAs to make arrangements to establish the identities of CME who reside in the respective area; are not registered pupils at a school; and are not receiving a suitable education. Those applicable children should be returned to full time education either at a school or alternative provision.
10. In addition, LAs also have a range of other duties, powers and expectations, which include:
- Arranging suitable full-time education for permanently excluded pupils from the sixth school day of exclusion.
  - Serving notice on parents requiring them to satisfy the LA that the child is receiving suitable education.
  - Issuing School Attendance Orders (SAOs) to parents who fail to satisfy the LA that their child is receiving suitable education, if the LA deems it appropriate that the child should attend school.
  - Prosecute or issue penalty notices to parents who fail to ensure their school-registered child/ren attend school regularly.
11. Where there is concern for a child's welfare, this should be referred to the LA's Children's Social Care department. If there is reason to suspect a crime has been committed, the police should also be involved. In Middlesbrough, the CME Officer will initiate and pursue appropriate enquiries to trace the pupil and regularly review the case until the pupil is re-engaged in education, or was found to be resident in and known to another LA.

### **SUMMARY OF EVIDENCE:**

**Term of Reference A - To understand the current position in terms of Middlesbrough Council's CME; to examine key data and demographics/characteristics in respect of CME in Middlesbrough; and compare with regional and national statistics.**

12. CME are children of compulsory school age who are not registered pupils at a school and are not receiving suitable education other than at a school. This includes children who are awaiting a school place and children in receipt of unsuitable education, including those children that LAs are supporting to place into suitable education.

## **National Picture**

13. As per the table below, the DfE's most recent data (census date in Autumn 2024, Thursday 3 October 2024) shows that LAs reported 39,200 children missing education, which was an increase of 6,200 from an estimated 33,000 in the previous Autumn term.
14. The rate of CME was 0.5% of the population of comparable ages for children aged 5 to 16 years. At the same time, Middlesbrough's rate of CME was higher than the national rate at 0.6%.
15. The information in this release is based on the EHE and CME data collection. The collection from LAs started in Autumn 2022 and became mandatory in Autumn 2024. The proportion of LAs providing data reached 100% for the first time in Autumn 2024.

Children missing education at census date, autumn 2022/23 to autumn 2024/25							
	2022/23 Autumn term	2022/23 Spring term	2022/23 Summer term	2023/24 Autumn term	2023/24 Spring term	2023/24 Summer term	2024/25 Autumn term
Number of CME on census date	24,700	24,700	28,100	33,000	36,700	36,600	39,200
Rate of CME on census day by population	0.3%	0.3%	0.3%	0.4%	0.4%	0.4%	0.5%

(SOURCE: GOV.UK, 2024a)

## **Local Picture**

16. When comparing LAs, the following statistics indicate that Middlesbrough has the highest rate of CME in the Tees Valley area:

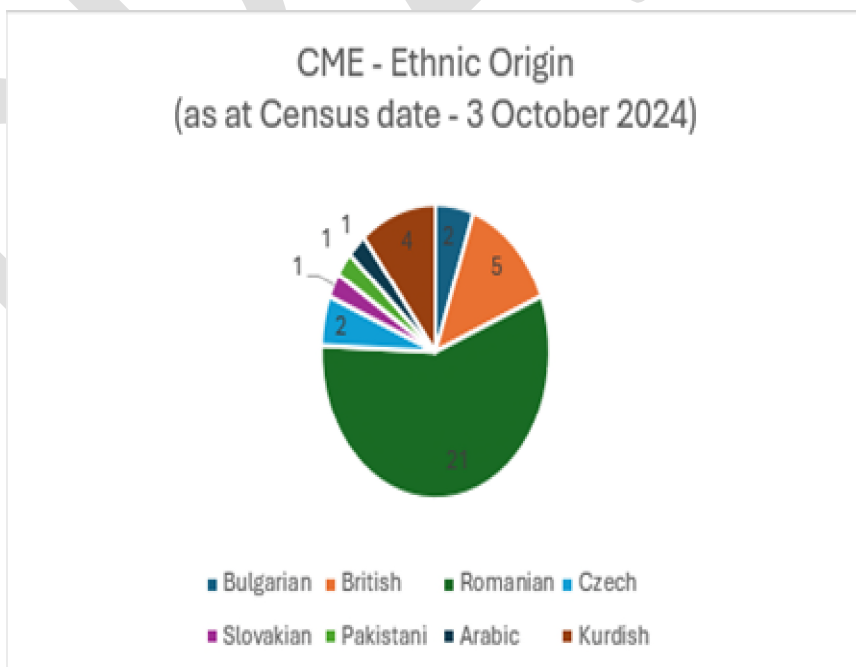
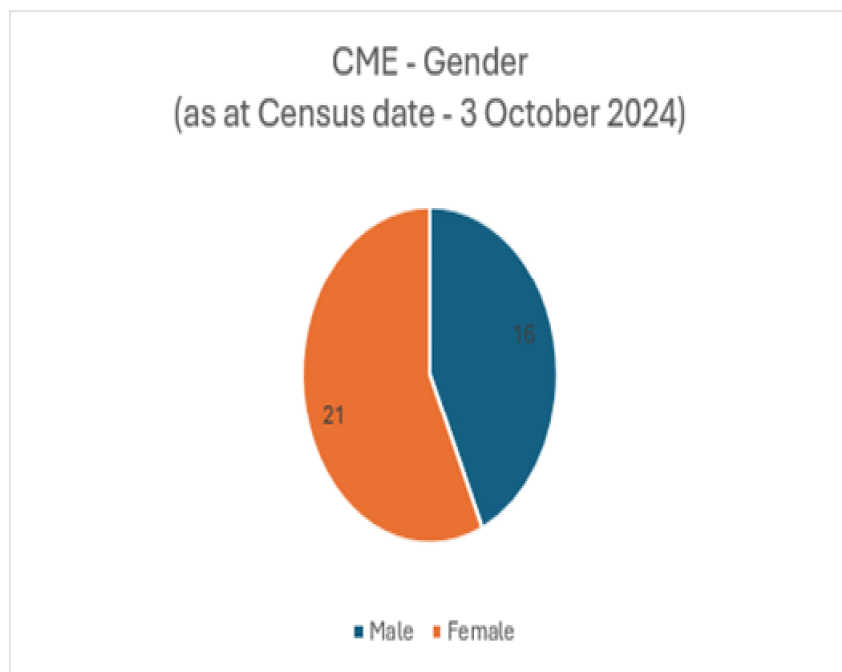
Rate of CME on census day by population (2024/25 Autumn term)

Local Authority	Rate of CME by population
Darlington	0.1%
Hartlepool	0.2%
Middlesbrough	0.6%
Redcar and Cleveland	0.4%
Stockton	0.1%

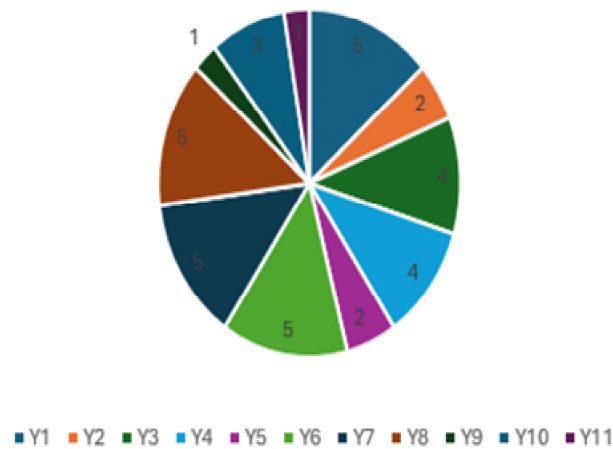
(SOURCE: GOV.UK, 2024a)

## **Middlesbrough**

17. As at 3<sup>rd</sup> October 2024 (census date), Middlesbrough had 37 children missing from education  
The demographics were as follows:



**CME - Year Group**  
(as at Census date - 3 October 2024)



### Supplementary Evidence

18. Following presentation of the CME statistics to the Panel during the formal meetings, Members were keen to understand whether the statistics had changed or remained static. To this end, officers sought to obtain more recent data. The following table shows the demographics (i.e. gender, age/year group and ethnicity) of CME in Middlesbrough the course of the scrutiny review:

	Total CME	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25
		37	26	29	38	29
<b>GENDER</b>	Male	16	11	12	18	12
	Female	21	15	17	20	17
	Total	37	26	29	38	29

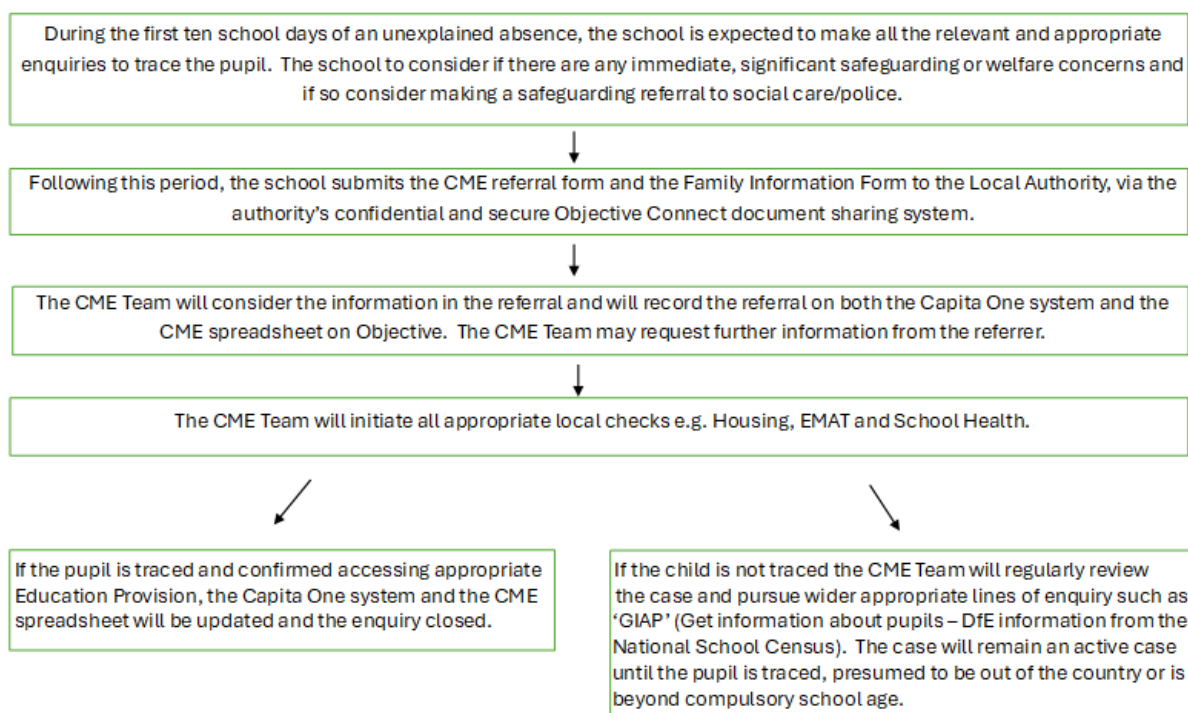
<b>YEAR GROUP</b>	Reception & Nursery	0	0	0	1	1
	Year 1	5	6	5	5	5
	Year 2	2	3	3	5	4
	Year 3	4	3	4	4	4
	Year 4	4	1	1	1	0
	Year 5	2	1	2	3	2
	Year 6	5	2	3	3	1
	Year 7	5	4	4	6	5
	Year 8	5	0	2	2	1
	Year 9	1	1	1	4	3
	Year 10	3	3	4	3	2
	Year 11	1	2	0	1	1
	Total	37	26	29	38	29

ETHNICITY	Bulgarian	2	0	0	0	0
	British	5	3	4	4	3
	Romanian	21	22	21	25	21
	Czech	2	1	3	4	2
	Slovakian	1	0	0	0	0
	Pakistani	1	0	0	0	0
	Arabic	1	0	0	0	0
	Kurdish	4	0	0	0	0
	Nigerian	0	0	0	1	1
	Afghan	0	0	1	1	0
	Iranian	0	0	0	1	0
	Kuwaiti	0	0	0	2	02
	Total	37	26	29	38	29

**Term of Reference B – To examine how the LA works with children, young people and their families, and education providers to identify and support CME (e.g. referrals and proactive identification).**

19. Guidance issued by the DfE advises that the Education and Inspections Act 2006, Part 1, Section 4 places a statutory duty on all LAs to arrange to identify all children of compulsory school age missing from education in their area (DfE August 2024b).
20. The Education (Pupil Registration) (Amendment) (England) Regulations 2016 (GOV.UK, 2023) placed new statutory duties on all schools from the 1 September 2016 requiring them to inform the LA whenever they were about to remove a pupil from their registers.
21. Circumstances around individual cases can be complex and are not the same for every child. There are a variety of reasons why children miss education, which may include:
  - Children not entering the educational system at the appropriate time.
  - Children being removed from school by their parents due to poor attendance and/or issues at school, which may include bullying, illness and attendance issues/exclusion.
  - The availability of suitable school places when moving to a new area.
  - Children/families having difficult personal circumstances, for example, homelessness/living in temporary accommodation or refuge, or experiencing long-term medical/mental health problems.
  - Children with SEND who may not receive the necessary support in mainstream schooling.
22. In Middlesbrough, the Access to Education service is responsible for children who are missing from education. The team uses a proactive system for finding information about CME, to trace and ensure the return of children to education.
23. The CME Officer monitors information given to the Council by parents, schools, and other agencies (e.g. Child Health Information Service, Child Benefits Agency and Border Force) about children missing from education. For example, excluded pupils, children whose families are seeking a school place, and pupils not enrolled at a school for other reasons.
24. The following diagram illustrates the referrals process currently in place at Middlesbrough Council:

## CME Referral Process



## Children Looked After – CME

25. The reasons why LAC may not be in school varies, but they usually fit one of the following criteria:

- They have special needs and are awaiting a suitable specialist provision to become available.
- They have recently come into care and have had no school place prior to this. Therefore, a suitable school is in the process of being identified.
- They have moved to an out-of-town location for safeguarding reasons.

26. The most recent statistics released by the Children's Commissioner showed that, in March 2022, across the UK there were approximately 1,363 Looked After Children (LAC) (2.7%) who were not in school. This included children who were not registered at any school and were not receiving suitable education otherwise. By LA, this varied from 0% to 13.4% (Children's Commissioner, 2023a).

27. Data collected from 149 of the 152 local authorities in England showed that, of the 50,846 school-age children who had been in care for at least four weeks in March 2022, 1,363 (2.7%) were missing from school. Of these children:

- 541 were not enrolled with any school or education provider at all;
- 673 were in unregistered settings, such as private tuition, home education or a patchwork of other provision that is not inspected; and
- 149 were enrolled in a school but missing without authorisation 100% of the time.

28. At the 20 January 2025 meeting, Members heard that there were 14 LAC missing from education, which equated to 3.5% of the overall LAC cohort. Further to this, 10 (71%) had an Education, Health and Care Plan and 4 (29%) received SEND support.
29. As per the table below, a trend analysis showed that LAC missing from education had risen from 4 (1.2% of the cohort) in September 2023 to 14 (4.2%) in December 2024. Further figures were received upon the drafting of the final report, to include January and February 2025.

Trend	
September 2023	4 (1.2%)
October 2023	4 (1.2%)
November 2023	5 (1.5%)
December 2023	6 (1.7%)
January 2024	8 (2.3%)
February 2024	11 (3.1%)
March 2024	7 (1.9%)
April 2024	7 (1.9%)
May 2024	7 (1.9%)
June 2024	7 (2.0%)
July 2024	8 (2.3%)
September 2024	15 (4.4%)
October 2024	13 (3.8%)
November 2024	14 (4.1%)
December 2024	14 (4.2%)
January 2025	10 (2.9%)
February 2025	11 (3.2%)

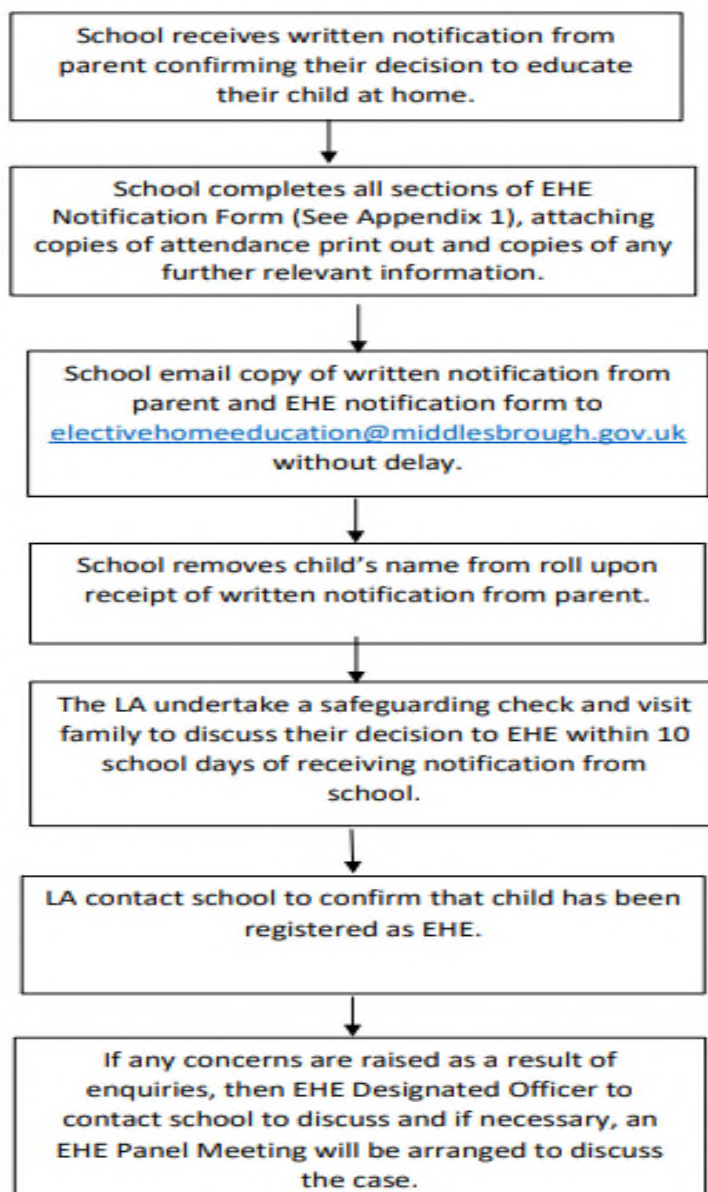
30. Virtual Schools were established by the Children and Families Act 2014. The role of the Virtual School Middlesbrough (VSM) is to promote the educational achievement of LAC and children previously in care. This includes children with a Social Worker and from September 2024, children in kinship care. The Head of Virtual School works closely with Schools, Social Workers and other professionals to share information and ensure that all parties are aware of the child's educational needs and progress.
31. The VSM plays a crucial role in tracking and monitoring the educational progress of children in care and assists with attendance monitoring, and Personal Education Plans (PEPs).

### **Elective Home Education (EHE)**

32. The King's Speech in July 2024 set out plans to require LAs to maintain a register of CME children and EHE children.
33. Parents and carers have a legal responsibility to ensure that every child of compulsory school age receives an efficient full-time education. This must be suitable to the age, ability and aptitude of the child and to any SEN the child may have.



34. EHE is a term used to describe a choice by parents to provide education for their children at home, or at home and in some other way which they choose - instead of sending them to school full time.
35. Once schools receive notification from parents on their intentions to 'home school' their child(ren), the school has a duty to notify the LA without delay that the child is to be removed from their school roll.
36. The school should then follow the procedure below:



37. The EHE team reviews the quality of education that parents are providing for their children. Where this is deemed to be inadequate, the team will make arrangements for the child to return to school. This may involve the use of statutory powers by way of a School Attendance Order (SAO)
38. At the 20 January 2025 meeting, the Panel was advised that there were around 272 EHE children in Middlesbrough. This represents a significant upward trend in comparison to the figure of 120, two years ago. The Panel recognises that schools are encouraged to take attendance issues seriously, however that there is a concern that the more pressure placed on



parents, the more likely they are to remove children from school to commence EHE. The Panel acknowledges that this is particularly apparent for children with significant attendance issues and where SAOs were in progress.

**Term of Reference C – To investigate what additional resources, if any, could be accessed to assist with CME.**

39. During the evidence-gathering process, a number of Middlesbrough's Primary and Secondary Schools were approached and invited to participate in the review. A copy of the correspondence sent to school Headteachers is shown at Appendix A. Representatives were asked for their views on how CME affected their schools and if there were any specific support/improvements that could be identified. The Panel was particularly interested in matters relating to suspensions/permanent exclusion and transient communities.
40. Overall, two Secondary Schools and one Primary School indicated that they wished to participate:
- A representative from Secondary School A attended the Panel meeting on 20 January 2025 to provide information and respond to Members' queries.
  - A representative from Secondary School B had agreed to attend the 17 February 2025 meeting of the Panel, but unfortunately needed to submit late apologies due to unforeseen circumstances.
  - A representative from Primary School A provided a written statement to the Panel, which facilitated discussion at the 17 February 2025 meeting.

**Secondary School A**

41. At the 20 January 2025 meeting, the representative of Secondary School A, expressed their views that CME was a national problem but felt that Middlesbrough's deep-entrenched issue of poverty simply magnified the issues.
42. The representative advised that an increase in the number of family support workers would be beneficial and felt that the Early Help model in Middlesbrough could be improved. In addition, the representative was of the view that Middlesbrough does have issues with permanent exclusion, however the LA has limited resources to assist schools with this.
43. The representative also felt that the level of resource within the existing SEND provision was insufficient and may influence the number of CME. It was envisaged that although Middlesbrough has SEN facilities rated as outstanding, waiting lists could be significant. These views were echoed by the Head of Virtual School as a contributory factor of the increase in LAC missing from education. Members note that there is difficulty in finding school places for SEN; and therefore, an instability in places and insufficiency nationally has driven the increase in the number of CME.
44. Members are of the view that these issues could be examined further by the service area.

**Primary School A**

45. Primary School A, submitted the following information in writing, which was considered by the Panel at the 17 February 2025 meeting:

*"At our school, we have a lot of families that move between authorities and as a school, we sometimes struggle to get an update on the child/ren and their wellbeing from parents."*

*We sometimes can't provide support to families that need to get their child in to school due to language barriers and when they have left the area abruptly, not giving school the opportunity to discuss their options with them.*

*We feel like 20 days is a long time and a lot can change in family circumstances during this time and when the child is in a different authority there is no way of ensuring that they are safe."*

46. As the school's statement refers to issues of CME and transient communities, this is further discussed within Term of Reference E: 'To consider the challenges of transient communities and how the EMAT track and work with newly arrived families.'

**Term of Reference D – To consider any potential implications/impact/challenges of CME on providers and services**

47. Over the course of the investigation, it became apparent that service providers face a number of potential barriers. Equally, however, similar barriers can also be faced by service users (e.g. parents, carers, children and their wider families). The issues are particularly relevant to children with SEN.

48. In terms of national challenges, the Children's Commissioner found the following to be pertinent (Children's Commissioner, 2023b):

- Delays in transferring EHCPs when children are placed out of area.
- Schools often lack capacity or expertise to support children with SEN.
- Some children receive education from unregistered settings, posing risks to their education and safety.
- Placement type, stability, and location of care placement affects school attendance.

49. The Representative of Secondary School A suggested that there were challenges on schools and can be summarised as follows:

- Local demographics and the impact of poverty.
- Middlesbrough's Early Help model.
- Attendance issues / permanent exclusions and lack of resource to assist with this.
- Parents choosing EHE when challenged by service providers on attendance/behavioural issues. Schools chase non-attendance rigorously and are monitored by Ofsted on their attendance figures; schools tend to have their own Attendance Officers and Safeguarding Officers in place.
- Lack of SEN places / resource.

50. The Representative of Primary School A suggested that the following situations prove challenging to schools:

- Transience: Families moving in and out of the local area, sometimes abruptly with no communication from parents/carers.
- Language barriers affecting support given from schools.
- The 20-day period of children being absent from school, before referrals can be made to the LA/children can be removed from the school roll ('off-rolling').

51. Throughout the evidence-gathering process, challenges highlighted by the LA included:

- Local demographics.

- The high rate of permanent exclusion and suspension from Middlesbrough secondary schools and no nationally recognised definition of persistent disruptive behaviour.
- Ensuring that all relevant partners are aware of CME and are appropriately trained to identify potential cases effectively and efficiently.
- Difficulty in sourcing SEN/Alternative Provision (AP) places (a national issue).
- Reasons behind parental choice in EHE.
- Shortage of Primary School places in central Middlesbrough due to the transient nature of this area.

**Term of Reference E - To consider the challenges of transient communities and how the Ethnic Minority Achievement Team (EMAT) track and work with newly arrived families**

52. According to a report by the Children's Commissioner (2024), families moving into the local area may experience issues that would result in CME, for example:

- ***Families moving into the Local Authority area from another country.*** LAs reported that in some areas there was a growing immigrant community and they had been unable to plan for their arrival, which meant that they were suffering from a shortage of suitable school places. LAs also advised of refugees arriving and not being given the support needed to navigate the education system and enrol in school. LAs said that they did not get information on children who arrived in their area and therefore children arriving from abroad sometimes 'fell below the radar' and consequently did not receive a suitable education.
- ***Families moving from one Local Authority area to another.*** LAs said that this was becoming a bigger problem as some schools, such as secondaries, were increasingly at capacity. It was noted that this could be a problem in cases where children were moved into temporary accommodation. In this scenario, sometimes children were not enrolled in school because parents thought their move would be short term. When children move from one LA to another at non-standard transition points, their families sometimes have trouble applying to schools. LAs said that children who arrived new to an area would have limited choice about which school to go to. Sometimes a suitable school could not be found, which was especially likely in instances where a child had SEN and required extra support.

53. The town centre is the main area of residence for transient communities in Middlesbrough and, as such, there is a shortage of Primary School places in this location which could result in newly arrived children waiting for a suitable place to become available. However, the Panel notes that there are sufficient school places available for all of the children in Middlesbrough, but sometimes families find it difficult to travel longer distances to attend school in other parts of the town. Members were provided with the most recent Middlesbrough data in respect of this matter which showed that in the Summer of 2024, 11 primary-aged children had been waiting for a school place for over one month (but none had been waiting over three months). At the same time, there were around 45 secondary-aged children awaiting places, (the majority of these children had received offers of school places before the end of term).

**Ethnic Minority Achievement Team (EMAT)**

54. At the 11 November 2024 meeting, the Panel heard of the challenges of transient communities in Middlesbrough and how EMAT track and work with newly arrived families.

55. EMAT comprises of a variety of professionals including teachers, teaching assistants, and family support workers. EMAT works with schools to support pupils who speak English as an

additional language (EAL), and traveller, fair and circus pupils, to access education. The team also works with families who speak English as an additional language to help them to apply for school places for children.

56. EMAT provides the following support to schools and families:

- Supports and promotes the educational achievement of Black, Asian and Minority Ethnic (BAME) students.
- Welcomes International New Arrivals (INA) and supports them in accessing school and educational opportunities.
- In partnership with schools, offers targeted in-school support to promote EAL across the curriculum and support EAL learners to achieve.
- Acts as an important link between school and home; attending admissions meetings and providing translation and interpreting services to help with communication between school and home.
- Provides and promotes cultural awareness.
- Delivers training, including bespoke training packages in schools.
- Assesses students' language upon first arrival to accurately identify need and provide a focus on pupil progression.
- Attends meetings and networks with other professionals working with EAL learners and their families to ensure a co-ordinated approach.
- Provides in-school support to traveller, fair and circus students and family liaison to improve attendance and educational opportunities.

57. EMAT is a buyback service and therefore in-school support is limited to partner schools and LAs that have signed a Service Level Agreement (SLA). In November 2024, the position of EMAT was:

- 22 schools had signed up to the EMAT SLA and been invited to attend support training.
- 1 Local Authority had signed up to the EMAT SLA for Traveller Education Services (TES).
- 5 Specialist/Bilingual Teaching Assistants had been deployed in schools.
- 4 Family Support Workers provided daily liaison between EMAT and schools to provide support in matters such as behavioural issues, attendance support and school transport applications, etc.
- 30 children from the traveller community supported in Middlesbrough Council.
- 40 children from the traveller community supported in Redcar and Cleveland.

58. Currently an overwhelming majority of CME referrals in Middlesbrough are children from the families of migrant workers from central Europe. The families will often return to their home countries either permanently or for extended periods or move to other areas of the UK but fail to declare accurately their intentions to schools at the time the pupils cease attending, which then causes issues for the education providers.

59. Should the family return to the UK they may well return to a different LA area dependant on work and housing availability. In the main, the families do not usually present with significant welfare or safeguarding concerns. The impact on Middlesbrough's central cluster Primary Schools is significant with schools carrying high levels of absence whilst enquiries are made to trace such pupils before the schools can remove them from roll. There is a similar burden placed on the LA in recording these cases and conducting enquiries to try to trace families who are no longer in the UK.

60. Primary School A, based in central Middlesbrough with a large transient population, responded to the Panel's request for their views on how CME impacts their school offer. The response included;

*“We sometimes can’t provide support to families that need to get their child in to school due to language barriers and when they have left the area abruptly, not giving school the opportunity to discuss their options with them.*

*We feel like 20 days is a long time and a lot can change in family circumstances during this time and when the child is in a different authority there is no way of ensuring that they are safe.”*

61. In response to this statement, the Head of Access to Education and Alternative Provision explained that the 20-day timescale referred to in the school’s statement is the timescale that children need to be continually absent from school before schools can refer the issue to the LA. In addition, schools must ensure that children remain on their school roll until the 20-days have expired.
62. After 20 days, LAs could use resources to trace CME including health agencies, housing benefit services and other LAs. LAs will continue to search for CME until they are found in another LA or if evidence suggests that they had left the country.
63. All schools (including academies and independent schools) must notify their LA when they are about to remove a pupil’s name from the school admission register under any of the 15 grounds listed in the regulations (Appendix B)
64. Where the pupil’s name is to be removed from the register under grounds 8(1)(f) - failure to return to school following a granted period of leave – or 8(1)(h) following a period of 20 days unauthorised absence, the school and the LA must show they have jointly made reasonable enquiries to establish the whereabouts of the pupil. In order to manage the volume of removals from roll and not impede or delay the freeing up of school places, the pragmatic decision has been made within Middlesbrough to allow schools to remove pupils from roll and inform the LA weekly of the necessary details and grounds for removal via the secure Objective Connect Shared Workspaces.
65. The regulations Reg 8(1)(f) relating to families taking extended unauthorised holidays and Regulation 8(1)(h) relating to ‘lost pupils’ are often not a good fit and require the school to keep the pupils on roll for up to 20 days absence before they can be removed from the roll. Provided the school is satisfied that the family has returned to a known address in their home country, either permanently or indefinitely, the pupil can be removed from roll in compliance with regulation 8(1)(e) and without the need to make a CME referral. To facilitate this process, a Family Information Form has been produced to:
  - Support schools to remove pupils from roll in compliance with the regulations.
  - Minimise the negative impact on school attendance.
  - Support and direct the reasonable enquiries that must be jointly undertaken with the LA for confirmed CME cases
66. The concerns raised by Primary School A are noted by the Panel, who also appreciate that this particular school has a large transient community, with an above average movement of children on and off the school roll. It was suggested that the school may appreciate discussions with the LA ahead of the 20-day period of absence to ensure school places were utilised effectively. Members are of the view that this could be explored further with the service area.

**Term of Reference F - To consider the increasing number of permanently excluded children in respect of Children Missing Education**

67. A permanent exclusion is when a pupil is no longer allowed to attend a school, unless the pupil is reinstated. The decision to exclude a pupil permanently should only be taken:

- in response to a serious breach or persistent breaches of the school's behaviour policy; and
- where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school.

68. Only the Headteacher of a school can suspend or permanently exclude a pupil on disciplinary grounds. A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently excluded.

69. The Government trusts Headteachers to use their professional judgement based on the individual circumstances of the case when considering whether to exclude a pupil. The following reasons are examples of the types of circumstances that may warrant a suspension or permanent exclusion:

- Physical assault against a pupil.
- Physical assault against an adult.
- Verbal abuse or threatening behaviour against a pupil.
- Verbal abuse or threatening behaviour against an adult.
- Use, or threat of use, of an offensive weapon or prohibited item that has been prohibited by a school's behaviour policy.
- Bullying.
- Racist abuse.
- Abuse against sexual orientation or gender reassignment.
- Abuse relating to disability.

(Source: DfE, 2024c)

70. This list is not exhaustive and is intended to offer examples rather than be complete or definitive.

71. Nationally, the rate of permanently excluded children is increasing. Data published by the DfE showed the permanent exclusion rate across England had increased from 0.04 in autumn 2022/23 to 0.05 autumn 2023/24 - an increase of 25%. The number of permanent exclusions had increased from 3,104 to 4,168. (DfE, 2024d).

72. In a local context, data for the 2023/24 academic year identified that 111 pupils were permanently excluded from Middlesbrough schools. The reasons for the permanent exclusions were as follows:

Reason for school exclusion:	Number of children excluded:
Persistent Disruptive Behaviour	66
Physical Assault on an Adult	14
Physical Assault on a Pupil	10
Damage to Property	9
Verbal Abuse / Threatening Behaviour towards an Adult	5

Verbal Abuse / Threatening Behaviour towards a Pupil	3
Other	3
Use / Threat of an Offensive Weapon	1

### Alternative Provision

73. The LA has a duty to arrange suitable full-time education for permanently excluded pupils from the sixth school day of exclusion. School exclusions and CME are dealt with by the Access to Education team. In Middlesbrough, sixth day education provision is delivered by several registered APs.
74. AP offers an adapted or alternative curriculum for children unsuccessful in accessing or engaging with a mainstream education. AP also encompasses provision available for children who are unable to attend school because of their physical and/ or mental health needs. A proportion of children in AP have additional vulnerabilities or characteristics, often because of trauma and adverse childhood experiences. For the children in AP, it offers an opportunity to gain qualifications (both vocational and academic) alongside participating in personal development activities whilst developing transferable skills and knowledge, which support onward progression into post-16 pathways after Year 11.
75. In education, Middlesbrough has witnessed significant increases in children and young people requiring AP; being referred for Education, Health and Care needs assessments; being persistently absent; and being subject to permanent exclusions from educational settings. This data, coupled with increases in children and young people requiring social care intervention; support from mental health services; and the lasting impact of the global pandemic, highlights an ever-growing need to provide environments that are rich in positive and nurturing relationships, and one where children and young people can achieve their potential ('grow and prosper' (Middlesbrough SEND strategy 2020-2024)). Specifically in relation to LAC, Middlesbrough has recently developed the PROCLAIM Project to support children and address their needs.
76. The majority of children accessing AP in Middlesbrough do so as a consequence of Permanent Exclusion. However, access to AP may also be due to other reasons such as children having multiple complexities and vulnerabilities. These children receive support from numerous external agencies and education providers.
77. As at December 2024, 279 children (264 secondary, 15 primary) were accessing education in AP, as follows:
- 188 accessed as result of being permanently excluded from their mainstream school.
  - 108 had identified SEN.
  - 42 had an EHCP for their SEN.
  - 38 were open to Social Care on a Child in Need plan (CIN).
  - 13 were open to Social Care on a Child Protection Plan (CPP).
  - 8 were LAC.
  - 7 were open to the Youth Justice Service.
78. Most pupils in AP receive a full-time education, however, 39% of children access the provision on a reduced timetable basis. These reduced timetables are used to accommodate an

assessment/ transition plan or because it is in the child's best interests to reflect their individual needs.

79. At times when exclusion rates are high or there is a high volume of permanent exclusions over a short period of time, some pupils wait for a place to become available at one of the registered providers. During this period, these children are offered an interim education package which is coordinated by the LA, and they receive regular visits from LA staff. At the 16 December 2024 meeting, Members noted that there were 22 children receiving an interim education package.
80. Due to the high number of permanently excluded children, the cohort of children in AP has grown significantly from 147 in 2021 to 279 in 2024. To ensure there is sufficient capacity in the system to meet sixth-day responsibilities and to allow children to experience their mainstream education entitlement wherever possible, the LA is working with Secondary School partners to prioritise reintegration back into mainstream education. This will allow children who are in AP to move back into mainstream education when they are ready. It also means that an increased number of newly excluded children can be reviewed and reintegrated into another mainstream school quickly to avoid them entering AP.
81. Middlesbrough Council has commissioned a range of good quality AP and specialist assessment provision. A 0-25 Inclusion and Outreach service has been developed in partnership with and is available to all schools.
82. The Panel notes that the 0-25 Inclusion and Outreach model has recently been restructured based on feedback from schools to ensure it meets local needs. Preventative AP pathways are in place, commissioned using high needs funding, to offer opportunity for off-site assessment of children's needs. New preventative AP has been commissioned, e.g. Latitude at Acklam Grange School, to avoid exclusions. A new primary age support base is being built for children with trauma and adverse childhood experiences to support early identification of needs ahead of a transition to secondary school. The LA is delivering project work in other key areas, such as: workforce development; transitions; and support for parent/carers as part of the Delivering Better Value programme with the DfE.

## **CONCLUSIONS**

83. Based on the evidence provided throughout the investigation, the People Scrutiny Panel concluded that:
  - CME is a national and local issue; there are often higher numbers of children recorded as missing from education when there is a link to poverty, deprivation or involvement with social services. During the scope of the review, Middlesbrough had the highest rate of CME in the Tees Valley area, with an average of 30 children each month missing education.
  - Middlesbrough Council has robust policies in place for CME, adheres to statutory legislation and works well with schools with a CME referrals process. When investigating CME and considering the data around CME referrals, it was identified that Middlesbrough has issues with transience and permanent exclusions.

### **Transience**

- Romanian children were noted to be the highest of all ethnicities recorded as missing from education. Most CME referrals in Middlesbrough are children from the families of migrant workers from central Europe.



- Middlesbrough Council has an Ethnic Minority Achievement Team that works closely with schools and international new arrivals to provide a package of support to assist families to access education.
- There is sometimes a shortage of Primary School places in central Middlesbrough due to the transient nature of this area. One Primary School suggested that the 20-day period of children being absent from school, before referrals can be made to the council / children can be removed from the school roll, sometimes causes difficulty with providing school places.

### **Permanent Exclusion**

- Nationally, the rate of permanently excluded children is increasing. In Middlesbrough, the most common reason for permanent exclusion is persistent disruptive behaviour. During the most recent school year, 2023/24 there was a total of 111 permanently excluded children; 66 of which were excluded due to persistent disruptive behaviour.
- Only the Headteacher of a school can suspend or permanently exclude a pupil on disciplinary grounds; the Government allows Headteachers to use their professional judgement based on the individual circumstances of the case when considering whether to exclude a pupil.
- The Local Authority has a duty to arrange suitable full-time education for permanently excluded children, from the sixth day of school exclusion. In Middlesbrough, this is provided by several registered Alternative Providers (APs).
- In Middlesbrough, new AP has recently been commissioned with an aim to avoid exclusions. A new primary age facility is being built for children with trauma and adverse childhood experiences to support early identification of needs ahead of a transition to secondary school.
- Most children accessing APs in Middlesbrough, do so due to permanent exclusion, however, there has been a significant increase in children requiring AP due to SEN.
- The difficulty in sourcing suitable school places for SEN was also highlighted as a concern throughout the review. This is a national issue and has increased the number of CME and EHE, due to parents not feeling that mainstream education is best able to support the needs of their child(ren).

## **RECOMMENDATIONS**

84. The People Scrutiny Panel recommends to the Executive that the Council:

- A. Ensures that CME forms an integral part of Middlesbrough Council's Draft Poverty Strategy. CME, and its impact, should be explicitly referenced and included in any performance regime underpinning the strategy. Members of the Children's Scrutiny Panel should be briefed on how CME will feature within the Poverty Strategy no later than January 2026, or sooner if the strategy is available.
- B. Ensures that Education & Partnerships are fully prepared for the Children's Wellbeing in Schools Bill, in particular the monitoring of Elective Home Education and the implementation of a single unique identifier (SUI) for children. The Children's Scrutiny Panel should be briefed on the preparations, no later than December 2025.

- C. Establishes a Working Group between Primary Schools in the Central areas of Middlesbrough, Education and Partnerships, Stronger Communities and local Councillors to explore if further assistance can be provided in respect of the large transient community and the issues of school roll turnover. The Working Group should report back on its progress by March 2026.
- D. Establishes a Working Group between Education & Partnerships and Stronger Communities to understand the nature of the higher rate of CME in the Romanian community. The Working Group should produce an action plan to help reduce this number against the baseline average of 22, at the time of the review. The Working Group should provide a progress update against their action plan to the Children's Scrutiny Panel by March 2026.
- E. An update be provided to the Children's Scrutiny Panel that provides assurance to the on the ongoing work of assisting children at risk of permanent exclusion. This should happen no later than October 2026.
- F. An update be provided to the Children's Scrutiny Panel on the new Alternative Provision and the restructure of the Inclusion and Outreach Model. This should happen no later than April 2026.

## **ACKNOWLEDGEMENTS**

85. The People Scrutiny Panel would like to thank the following for their assistance with its work:

Dawn Alaszewski, Director of Children's Care, Middlesbrough Council  
 Victoria Banks, Head of Virtual School, Middlesbrough Council  
 Caroline Cannon, Interim Director of Education and Partnerships, Middlesbrough Council  
 Emma Cowley, Interim Strategic Lead for Inclusion and Specialist Support Services, Middlesbrough Council  
 Trevor Dunn, Head of Access to Education and Alternative Provision, Middlesbrough Council  
 Joe Tynan, Executive Director of Children's Services, Middlesbrough Council  
 Newport Primary School, Middlesbrough  
 Outwood Academy, Ormesby, Middlesbrough

## **ACRONYMS**

86. A-Z listing of common acronyms used in the report:

AP	Alternative Provision
BAME	Black, Asian and Minority Ethnic
CIN	Children in Need
CLA	Children Looked After
CME	Children Missing Education
CPP	Child Protection Plan
DfE	Department for Education
EAL	English as an Additional Language
EHCP	Education, Health & Care Plan
EHE	Electively Home Education /Educated
EMAT	Ethnic Minority Achievement Team
INA	International New Arrival
LA	Local Authority
LAC	Looked After Children
NEET	Not in Education, Employment or Training

PEP	Personal Education Plan
SAO	School Attendance Order
SCIE	Social Care Institute for Excellence
SEN	Special Educational Needs
SLA	Service Level Agreement
VSM	Virtual School Middlesbrough

## **BACKGROUND PAPERS**

87. The following sources were consulted or referred to in preparing this report:

- Children's Commissioner (2023a), '*Invisible*' Children in Care are Missing School Every Day, Unique New Data Shows'  
<https://www.childrenscommissioner.gov.uk/media-centre/invisible-children-in-care-are-missing-school-every-day-unique-new-data-shows/>  
Accessed 13 February 2025.
- Children's Commissioner (2023b), '*Looked After Children who are not in school*'  
<https://assets.childrenscommissioner.gov.uk/wpuploads/2023/05/cc-lac-not-in-school.pdf>  
Accessed 6 March 2025.
- Children's Commissioner (2024), '*Children Missing Education: The Unrolled Story*'  
<https://assets.childrenscommissioner.gov.uk/wpuploads/2024/09/Children-Missing-Education-The-Unrolled-Story.pdf>  
Accessed 20 November 2024.
- Department for Education (DfE) (2023), '*Education, England: School Attendance (Pupil Registration) (England) Regulations 2023*'  
[https://consult.education.gov.uk/school-attendance-policy-and-strategy-team/school-registers-and-national-thresholds-for-legal/supporting\\_documents/220617\\_Draft\\_School%20Attendance%20Pupil%20Registration%20England%20Regulations%202023.pdf](https://consult.education.gov.uk/school-attendance-policy-and-strategy-team/school-registers-and-national-thresholds-for-legal/supporting_documents/220617_Draft_School%20Attendance%20Pupil%20Registration%20England%20Regulations%202023.pdf)  
Accessed 13 February 2025.
- Department for Education (DfE) (2024a), '*Children Missing Education: Autumn Term 2024/25*'  
<https://explore-education-statistics.service.gov.uk/find-statistics/children-missing-education>  
Accessed 17 December 2024.
- Department for Education (DfE) (2024b), '*Children Missing Education: Guidance for Local Authorities*'  
[https://assets.publishing.service.gov.uk/media/66bf57a4dcb0757928e5bd39/Children\\_missing\\_education\\_guidance\\_-\\_August\\_2024.pdf](https://assets.publishing.service.gov.uk/media/66bf57a4dcb0757928e5bd39/Children_missing_education_guidance_-_August_2024.pdf)  
Accessed 17 December 2024.
- Department for Education (DfE) (2024c), '*Suspension and Permanent Exclusion from Maintained Schools, Academies and Pupil Referral Units in England, including Pupil Movement Guidance for Maintained Schools, Academies, and Pupil Referral Units in England*'  
[https://assets.publishing.service.gov.uk/media/66be0d92c32366481ca4918a/Suspension\\_and\\_permanent\\_exclusions\\_guidance.pdf](https://assets.publishing.service.gov.uk/media/66be0d92c32366481ca4918a/Suspension_and_permanent_exclusions_guidance.pdf)  
Accessed 6 March 2025.

- Department for Education (DfE) (2024d), '*Suspensions and Permanent Exclusions in England: Autumn Term 2023/24*'  
<https://explore-education-statistics.service.gov.uk/find-statistics/suspensions-and-permanent-exclusions-in-england>  
Accessed 13 January 2025.
- Legislation.GOV.UK (2024), '*Children and Families Act, 2014: Section 99: Promotion of Educational Achievement of Children Looked After by Local Authorities*'  
<https://www.legislation.gov.uk/ukpga/2014/6/notes/division/4/5/10>  
Accessed 17 December 2024.
- Legislation.GOV.UK (2025), '*Children Act 1996*'  
<https://www.legislation.gov.uk/ukpga/1996/56/section/436A>  
Accessed 4 March 2025.
- People Scrutiny Panel - reports/presentations to, and minutes of, meetings held on 16 September 2024, 14 October 2024, 11 November 2024, 16 December 2024, 20 January 2025 and 17 February 2025.  
[Browse meetings - People Scrutiny Panel | Middlesbrough Council](#)
- SCIE (2025), '*Safeguarding Children in Education: Children Missing Education*'  
<https://www.scie.org.uk/safeguarding/children/education/missing/>  
Accessed 13 January 2025.

## **APPENDICES**

Appendix A	Correspondence to Headteachers/Schools inviting them to participate in the Panel's review.
Appendix B	School Off-Rolling Criteria

### **COUNCILLOR EDWARD CLYNCH CHAIR OF THE PEOPLE SCRUTINY PANEL**

**People Scrutiny Panel Membership:** Councillors E Clynch (Chair), J Banks (Vice-Chair), L Hurst, D Jackson, M McClintock, T Mohan, M Nugent, S Platt, S Tranter, Z Uddin, G Wilson and L Young.

#### **Contact Officers:**

Claire Jones  
Democratic Services  
Telephone: 01642 729112  
Email: [claire\\_jones@middlesbrough.gov.uk](mailto:claire_jones@middlesbrough.gov.uk)

Chris Lunn  
Democratic Services  
Telephone: 01642 729742  
Email: [chris\\_lunn@middlesbrough.gov.uk](mailto:chris_lunn@middlesbrough.gov.uk)

**Claire Jones**

---

**From:** Claire Jones  
**Sent:** Thursday, 19 December 2024 15:33  
**Subject:** Middlesbrough Council People Scrutiny Panel - Children Missing Education (CME)

Dear Headteachers,

I am writing on behalf of the Chair of Middlesbrough Council's People Scrutiny Panel, Edward Clynch, to gather the views of schools in relation to the current Scrutiny Topic - 'Children Missing Education (CME)'.

The principal power of a Scrutiny Committee is to influence the policies and decisions made by the Council and other organisations in delivering public services. The Scrutiny Committee gathers evidence on issues affecting local people and makes recommendations based on its findings.

The Middlesbrough Council People Scrutiny Panel would like to ask Middlesbrough Schools for their views on how 'Children Missing from Education' affects your schools, and if there are any specific support or improvements that you can identify. The Panel is particularly interested in matters relating to suspensions /permanent exclusion and transient communities (i.e. children and families who move more frequently between local authorities including homeless families, asylum seekers and refugees, gypsy, traveller and Roma families and families experiencing domestic abuse).

If you would like to provide your thoughts, the Panel would be delighted to invite you or a representative to the next public meeting as follows;

**Monday 20<sup>th</sup> January, 4.30pm at the Mandela Room, Town Hall, Middlesbrough, TS1 2RT**

If you would like to attend this meeting, please advise of your availability and an invitation will be sent.

Should you prefer to provide written comments, please respond to this email with your written information which will be passed to the Panel to consider. The Chair, Edward, is a local schoolteacher and would be extremely grateful for any insight from schools that you are able to share. Please note that any information provided will be used to formulate the Panel's final report. Please can I ask that you respond to this email with any commentary by 12 noon on Wednesday 15<sup>th</sup> January.

If you require any further information, please do not hesitate to contact me.

Thank you for your time.

Kind regards

**Claire Jones**

Democratic Services Officer

Democratic Services

Middlesbrough Council

PO Box 500, Middlesbrough, TS1 9FT

E: [claire\\_jones@middlesbrough.gov.uk](mailto:claire_jones@middlesbrough.gov.uk) | T: 01642 729112 | W: [middlesbrough.gov.uk](https://middlesbrough.gov.uk)

This page is intentionally left blank

## Appendix B

## Deleting the name of a pupil of compulsory school age from the school admission register

Grounds for deleting a pupil of compulsory school age from the school admission register set out in the School Attendance (Pupil Registration (England) Regulations 2024		
Code	Ground description	Further information
9(1)(a)	<p><b>Ground A - The pupil has been registered at another school</b></p> <p>Where a pupil has been registered at another school, unless –</p> <ul style="list-style-type: none"> <li>a school attendance order naming the school is in force in relation to the pupil (see further information);</li> <li>the pupil is a mobile child and the school is their main school (see further information);</li> <li>the school has agreed with a person with control of the pupil's attendance at the other school that the pupil should be registered at more than one school (see further information on dual registration); or</li> <li>the school itself has control of the pupil's attendance at the other school and has decided that the pupil should be registered at more than one school (see further information on dual registration).</li> </ul>	<p><b>Transfer between schools:</b></p> <p>Where a pupil is transferring to another school, the original school must delete the pupil's name from the admission register as soon as they are entered on the admission register of the new school. The new school must enter the pupil's name on the admission register on the first day that it has agreed or been told the pupil will attend the school as explained under Expected First Day of Attendance.</p> <p>For example, if a pupil leaves School A on 28 March and their expected first day of attendance at School B is 29 March, they would be added to the admission register of School B and deleted from that of School A on 29 March.</p> <p>School A will: • record the pupil's attendance and absence up to and including 28 March, and • delete the pupil's name from the admission register on 29 March, and • transfer the appropriate pupil information via the S2S system.</p> <p>School B will: • enter the pupil's name on the admission register on 29 March, • record the pupil's attendance and absence from 29 March, • follow up any unexpected absence on or after the 29 March, and • request the transfer of the pupil information.</p> <p>There are a small number of exceptions, these are:</p> <p><b>School attendance order</b></p> <p>If a school attendance order is in place for the pupil, and the name of the school has been replaced by the relevant local authority with that of another school, their name must be deleted from the admission register under the reason for deletion at ground D (regulation 9(1)(d)).</p> <p>If the school attendance order has not been amended and still names the school, the pupil's name must not be deleted under ground A even if they have been registered at another school as well.</p> <p><b>Mobile child</b></p> <p>Where a child of compulsory school age has no fixed abode and their parent(s) is engaged in a trade or business of such a nature as to require them to travel from place to place, the child can temporarily attend another school without the need for their main school to remove their name.</p> <p>Main school in this context means the school that, during the last 18 months, the child has attended during periods when their parent was not travelling in the course of their trade or business, or, if there is more than one school that fits that description, the school that most recently fulfils those criteria.</p> <p><b>Dual registration</b></p> <p>In circumstances where it has been agreed between the school and a person with control of the pupil's attendance that the pupil will be registered at more than one school, the pupil's name will remain on the admission register. This is also the case where it has been decided by the school if it has control of the pupil's attendance at the other school. The main examples of dual registration are pupils who are attending another school on a temporary basis, such as a pupil referral unit, a hospital school or a special school.</p>
9(1)(b)	<p><b>Ground B - The pupil has not continued at the school following completion of nursery education</b></p>	

	Where a pupil has been admitted to the school to receive nursery education and on completing nursery does not continue into reception (or more senior class).	
<b>9(1)(c)</b>	<p><b>Ground C – The pupil is also registered at one or more other schools and the other schools have agreed the deletion</b></p> <p>Where a pupil is registered at one or more other schools, and:</p> <ul style="list-style-type: none"> <li>the school does not have reasonable grounds to believe that the pupil will attend the school again;</li> <li>each school where the pupil is registered has given consent to the deletion;</li> <li>there is no school attendance order naming the school in force in relation to the pupil (see further information); and</li> <li>the pupil is not a mobile child, or if they are, the school is not their main school (see further information).</li> </ul>	<p><b>School attendance order</b></p> <p>If a school attendance order is in place for the pupil, and the name of the school has been replaced by the relevant local authority with that of another school, their name must be deleted from the admission register under the reason for deletion at ground D (regulation 9(1)(d)).</p> <p>If the school attendance order has not been amended and still names the school, the pupil's name must not be deleted under ground C even if the other criteria are satisfied.</p> <p><b>Mobile child</b></p> <p>Where a child of compulsory school age has no fixed abode and their parent(s) is engaged in a trade or business of such a nature as to require them to travel from place to place, the child can temporarily attend another school without the need for their main school to remove their name.</p> <p>Main school in this context means the school that, during the last 18 months, the child has attended during periods when their parent was not travelling in the course of their trade or business, or, if there is more than one school that fits that description, the school that most recently fulfils those criteria.</p>
<b>9(1)(d)</b>	<p><b>Ground D - The pupil has a school attendance order which has been changed to name another school</b></p> <p>Where the pupil is the subject of a school attendance order that previously named the school, but another school has now been named on that order instead.</p>	
<b>9(1)(e)</b>	<p><b>Ground E - The pupil had a school attendance order which has been revoked</b></p> <p>Where the pupil was the subject of a school attendance order naming the school, but the order is revoked because the local authority that made the order is satisfied that arrangements have been made for the child to receive suitable full-time education for their age, ability and aptitude and special educational needs somewhere other than at a school.</p>	
<b>9(1)(f)</b>	<p><b>Ground F - The parent of a pupil has notified the school in writing that the pupil will be leaving the school to be educated otherwise than at a school</b></p> <p>Where the pupil's parent has informed the school in writing that the pupil will no longer attend the school after a certain day and will receive education otherwise than at a school and that day has passed, and there is no school attendance order naming the school in force in relation to the pupil.</p>	<p><b>School Attendance Order</b></p> <p>If a school attendance order has been revoked because the local authority that made the order is satisfied that arrangements have been made for the child to receive suitable full-time education for their age, ability and aptitude somewhere other than at a school, the pupil's name must be deleted from the admission register under the reason for deletion at regulation 9(1)(e).</p>
<b>9(1)(g)</b>	<p><b>Ground G - The pupil no longer normally lives a reasonable distance from the school</b></p> <p>Where a pupil no longer normally lives a reasonable distance from the school, the school does not have reasonable grounds to believe the pupil will attend the school again, and the pupil is not a boarder at the school.</p>	<p>In circumstances where parents are moving away and withdrawing their child but are unable to say how their child will continue with their education, for example, the family are relocating but have not been able to secure a place at a new school in advance, once the pupil has completed their final day at school and moved out of the area, the school must delete the pupil's name from the admission register and the pupil's</p>



		<p>information should then be transferred to the Lost Pupil Database via the S2S system.</p> <p><b>Reasonable distance</b></p> <p>DfE does not define reasonable distance because each case depends on the family situation and the geography of the area for example, the parent's ability to get the child to the school, a safe walking route or the accessibility of local transportation.</p> <p><b>Temporary or occasional absence</b></p> <p>Relevant regulation 9(5)(a) - Whether a pupil normally lives a reasonable distance from the school is not affected by a temporary or occasional absence. A judgement should be made in an individual case as to whether an absence is temporary or occasional, but a prolonged absence is not generally considered as temporary.</p>
9(1)(h)	<p><b>Ground H - The pupil has not returned following a leave of absence</b></p> <p>Where a pupil has been granted a leave of absence and:</p> <ul style="list-style-type: none"> <li>the pupil has not attended school within the ten school days immediately after the end of the period that the leave was granted for;</li> <li>the school does not have reasonable grounds to believe that the pupil is unable to attend because of sickness or an unavoidable cause; and</li> <li>the school and the local authority have jointly made reasonable efforts to find out the pupil's location and circumstances; but: <ul style="list-style-type: none"> <li>they have not succeeded; or</li> <li>they have succeeded but they agree that there are no reasonable grounds to believe that the pupil will attend the school again, taking into account any reasonable steps that could be taken (either jointly or separately) to secure the pupil's attendance.</li> </ul> </li> </ul>	<p>DfE's guidance on <a href="#">Children missing education</a> sets out the expectations for schools and local authorities in respect of making reasonable efforts to find out a pupil's location and circumstances.</p> <p><b>Pupils who have been located but have not returned to school</b></p> <p>Where a pupil has been located and their circumstances discovered but they have not returned to school, a joint decision is required between the school and the local authority before this ground is used. Both must agree that there are no reasonable grounds to believe the child will return to the school, even with reasonable support and/or enforcement to try to cause their return to school. This means the final criterion will be met very rarely, usually when a pupil has been out of the country for a prolonged period and there are no signs of the pupil returning.</p> <p>This ground cannot be used in any case where the pupil could reasonably be supported to return to school regardless of whether that support has been provided. It cannot be used where a pupil is absent because of a health reason. It also cannot be used in cases where attendance legal action to cause the pupil to return to school could reasonably be taken instead. In such cases, the appropriate support or enforcement should be taken rather than the pupil's name being deleted from roll.</p> <p>Examples of appropriate use include:</p> <ul style="list-style-type: none"> <li>The pupil is still away from home and the parent has refused to give a date for their return but there is no reason to think there is anything preventing them from returning.</li> <li>No date or evidence of the pupil returning has been provided by the deadline set out in the school's contact with the parent and there is no reason to think there is anything preventing them from returning.</li> <li>The parent has given a date, or several dates, for returning and the pupil has failed to return by or on the last given date.</li> </ul> <p>Examples of where ground G may be appropriate instead:</p> <ul style="list-style-type: none"> <li>The date for return the parent has provided is too vague or too far in the future to reasonably believe the pupil still normally lives a reasonable distance from the school.</li> <li>The school does not believe, taking account of any information from the parent, that the pupil still resides within the area and the pupil's absence does not appear to be temporary.</li> </ul>
9(1)(i)	<p><b>The pupil has been continually absent from school for 20 school days</b></p>	<p>DfE's guidance on <a href="#">Children missing education</a> sets out the expectations for schools and local authorities in respect of making reasonable efforts to find out a pupil's location and circumstances.</p>

	<p>Where a pupil has been continuously absent from the school for a period of 20 school days or more and:</p> <ul style="list-style-type: none"> <li>at no point during that period did any of the circumstances in regulation 10(3) Table 2 or 10(4) Table 3 other than the ones for codes G, N, or O apply;</li> <li>the school does not have reasonable grounds to believe that the pupil is unable to attend because of sickness or an unavoidable cause; and</li> <li>the school and the local authority have jointly made reasonable efforts to find out the pupil's location and circumstances, but: <ul style="list-style-type: none"> <li>they have not succeeded; or</li> <li>they have succeeded but they agree that there are no reasonable grounds to believe that the pupil will attend the school again, taking into account any reasonable steps they could take (either jointly or separately) to secure the pupil's attendance.</li> </ul> </li> </ul>	<p><b>Pupils who have been located but have not returned to school</b></p> <p>Where a pupil has been located and their circumstances discovered but they have not returned to school, a joint decision is required between the school and the local authority before this ground is used. Both must agree that there are no reasonable grounds to believe the child will return to the school, even with reasonable support and/or enforcement to try to cause their return to school. This means the final criterion will be met very rarely, usually when a pupil has been out of the country for a prolonged period and there are no signs of the pupil returning.</p> <p>This ground cannot be used in any case where the pupil could reasonably be supported to return to school regardless of whether that support has been provided. It cannot be used where a pupil is absent because of a health reason. It also cannot be used in cases where attendance legal action to cause the pupil to return to school could reasonably be taken instead. In these cases, the appropriate support or enforcement should be taken rather than the pupil's name being deleted from roll.</p> <p>Examples of appropriate use include:</p> <ul style="list-style-type: none"> <li>The pupil is away from home and the parent has refused to give a date for their return but there is no reason to think there is anything preventing them from returning.</li> <li>No date or evidence of the pupil returning has been provided by the deadline set out in the school's contact with the parent and there is no reason to think there is anything preventing them from returning.</li> <li>The parent has given a date, or several dates, for returning and the pupil has failed to return by or on the last given date.</li> </ul> <p>Examples of where regulation 9(1)(g) may be appropriate instead:</p> <ul style="list-style-type: none"> <li>The date for return the parent has provided is too vague or too far in the future to reasonably believe the pupil normally lives a reasonable distance from the school.</li> <li>The school does not believe, taking account of any information from the parent, that the pupil still resides within the area and the pupil's absence does not appear to be temporary.</li> </ul>
9(1)(j)	<p><b>Ground J - The pupil is detained under a sentence of detention</b></p> <p>Where a pupil is found guilty of a crime and detained under a sentence of detention (as defined in regulation 3) before the pupil's name can be deleted from the admission register the school must have reasonable grounds to believe the pupil will not return to the school once they are released.</p>	<p>This must be decided on a case by case basis after considering whether the pupil will return at the end, or part way through their sentence (e.g. where part is served on licence in the community). In determining whether there are reasonable grounds to believe the pupil will return to the school following their detention, it is expected that schools will discuss this with the pupil's youth offending team worker.</p> <p>Pupils who are remanded to custody awaiting trial or sentencing cannot be removed under this ground.</p>
9(1)(k)	<p><b>Ground K - The pupil has died</b></p> <p>Where a pupil has died.</p>	<p>A pupil's name should only be deleted from the admission register when the school is informed of the death.</p> <p>This would normally come from the pupil's parent but it is possible that notification comes from another source, such as relatives or the police.</p> <p>Once the school receives the information, it is particularly important to delete the pupil's name as quickly as possible to prevent inadvertent and unnecessary contact with the family about the child.</p>
9(1)(l)	<p><b>Ground L - The pupil will be over compulsory school age and will not continue into the sixth form</b></p>	<p><b>Compulsory school age</b></p> <p>A pupil ceases to be of compulsory school age on the last Friday in June of the school year in which they reach the age of 16.</p>

	Where a pupil will be over compulsory school age by the time the school next meets, and: <ul style="list-style-type: none"> <li>the school does not have reasonable grounds to believe the pupil will attend the school again; or</li> <li>the pupil does not meet the academic entry requirements to be transferred to the school's sixth form.</li> </ul>	
<b>9(1)(m)</b>	<b>Ground M - The pupil is a boarder at a school maintained by a local authority or academy and their boarding fees have not been paid</b>	Where a pupil is a boarder at the school and: <ul style="list-style-type: none"> <li>the school is maintained by a local authority or is an academy;</li> <li>charges for the pupil's board and lodgings are payable by the pupil's parent; and</li> <li>those charges remain unpaid by the pupil's parent at the end of the school term to which they relate.</li> </ul>
<b>9(1)(n)</b>	<b>Ground N - The pupil has ceased to be a pupil at an independent school or non-maintained special school</b>	Where a pupil has ceased to be a pupil at the school and the school is not maintained by a local authority or an academy (including a city technology college or a city college for the technology of the arts).
<b>9(1)(o)</b>	<b>Ground O - The pupil has been permanently excluded from the school</b> Where a pupil has been permanently excluded from the school.	A pupil's name cannot be deleted from the admission register until the outcome of any consideration of reinstatement and independent review (in the case of a disciplinary exclusion from a maintained school, pupil referral unit, or academy) or appeal (in the case of a city technology college or city college for the technology of the arts) is known.

### Deleting the name of a pupil not of compulsory school age

<b>Grounds for deleting a pupil of non-compulsory school age from the school admission register set out in the School Attendance (Pupil Registration (England) Regulations 2024</b>		
<b>Code</b>	<b>Ground description</b>	<b>Further information</b>
<b>9(3)(a)</b>	<b>Ground A - The pupil is not a boarder and will not attend the school again</b> Where a pupil is not a boarder, and the school does not have reasonable grounds to believe the pupil will attend the school again.	
<b>9(3)(b)</b>	<b>Ground B - The pupil is a boarder and has ceased to be a pupil at the school</b> Where a pupil is a boarder and has ceased to be a pupil at the school.	
<b>9(3)(c)</b>	<b>Ground C - The pupil has been continually absent from school for 20 school days</b> Where a pupil has been continuously absent from the school for a period of 20 school days or more and: <ul style="list-style-type: none"> <li>the pupil was not absent with leave during the period;</li> <li>the school does not have reasonable grounds to believe that the pupil is unable to attend because of sickness or an unavoidable cause; and</li> <li>the school has made reasonable efforts to find out the pupil's location and circumstances but: <ul style="list-style-type: none"> <li>has not succeeded; or</li> <li>has succeeded and has no reasonable grounds to believe the pupil will attend the school again.</li> </ul> </li> </ul>	When determining if there are no reasonable grounds to believe that the pupil will attend the school again, the school may wish to consider the following factors: <ul style="list-style-type: none"> <li>Has the parent or pupil (if at sixth form) given a date for the pupil's return?</li> <li>Has a date or evidence of the pupil returning been provided by the deadline set out in the school's contact with the parent or pupil (if at sixth form)?</li> <li>Has the parent or pupil (if at sixth form) given a date, or several dates, for returning but the pupil has failed to return by or on the last given date?</li> </ul>
<b>9(3)(d)</b>	<b>Ground D - The pupil has died</b> Where a pupil has died.	A pupil's name should only be deleted from the admission register when the school is informed of the death. This would normally come from the pupil's parent but it is possible that notification comes from another source, such as relatives or the police.

This page is intentionally left blank

**PEOPLE SCRUTINY PANEL  
CHILDREN MISSING EDUCATION - ACTION PLAN**

**(EXECUTIVE DATE : 8 OCTOBER 2025)**

<b>SCRUTINY RECOMMENDATION</b>	<b>PROPOSED ACTION</b>	<b>POST TITLE</b>	<b>BUDGET COST</b>	<b>TIMESCALE</b>
A) Ensure that CME forms an integral part of Middlesbrough Council's Draft Poverty Strategy. CME, and its impact, should be explicitly referenced and included in any performance regime underpinning the strategy. Members of the Children's Scrutiny Panel should be briefed on how CME will feature within the Poverty Strategy no later than January 2026, or sooner if the strategy is available.	Support work to develop the Poverty Strategy, and ensure CME is prioritised within it. To do this we will work with the Director of Public Health to review the Poverty Strategy and determine how to embed CME within it.	Head of Access to Education	None	January 2026
	Review and amend the draft performance metrics to ensure CME is explicitly referenced.	Head of Access to Education		
	Submit a progress report to the Children's Scrutiny Panel	Head of Access to Education		January 2026
B) Ensure that Education & Partnerships are fully prepared for the Children's Wellbeing in Schools Bill, in particular the monitoring of Elective Home Education and the implementation of a single unique identifier (SUI) for children. The Children's Scrutiny Panel should be briefed on the preparations, no later than December 2025.	Once the Children's Wellbeing and Schools Bill is finalised and introduced, any required changes within Children's Service will be implemented to ensure the LA is fully compliant. An update to these changes will be reported to Scrutiny Panel.	Head of Access to Education	None	December 2026

SCRUTINY RECOMMENDATION	PROPOSED ACTION	POST TITLE	BUDGET COST	TIMESCALE
<p>C) Establish a Working Group between Primary Schools in the Central areas of Middlesbrough, Education and Partnerships, Stronger Communities and local Councillors to:</p> <ul style="list-style-type: none"> <li>explore if further assistance can be provided in respect of the large transient community and the issues of school roll turnover.</li> </ul> <p>The Working Group should report back on its progress by March 2026</p>	Establish a Working Group between Primary Schools in the Central areas of Middlesbrough, Education and Partnerships, Stronger Communities and local Councillors	Head of Access to Education	None	November 2025
	Consult with stakeholders and understand the nature of their concerns.	Head of Access to Education		December 2025
	Create a plan that sets out the actions to be taken.	Head of Access to Education		December 2025
	Submit a progress report to the Children's Scrutiny Panel	Head of Access to Education		March 26
<p>D) Establish a Working Group between Education &amp; Partnerships and Stronger Communities to:</p> <ul style="list-style-type: none"> <li>understand the nature of the higher rate of CME in the Romanian community.</li> <li>The Working Group should produce an action plan to help reduce this number against the baseline average of 22, at the time of the review.</li> </ul> <p>The Working Group should provide a progress update against their action plan to the Children's Scrutiny Panel by March 2026.</p>	Establish a Working Group between Primary Schools in the Central areas of Middlesbrough, Education and Partnerships, Stronger Communities and local Councillors	Head of Access to Education	None	November 2025
	Consult with stakeholders and understand the nature of their concerns	Head of Access to Education		December 2025
	Create a plan that sets out the action to be taken.	Head of Access to Education		December 2025
	Submit a progress report on the above actions to the Children's Scrutiny Panel	Head of Access to Education		March 26

E) An update is to be provided to the Children's Scrutiny Panel that provides assurance to the on the ongoing work of assisting children at risk of permanent exclusion. This should happen no later than October 2026.	Submit a report to Children's Scrutiny Panel to provide an update with regard to permanent exclusions and the impact of ongoing development work.	Interim Strategic Lead for Inclusion and Specialist Support Service	None	October 26
SCRUTINY RECOMMENDATION	PROPOSED ACTION	POST TITLE	BUDGET COST	TIMESCALE
F) An update is be provided to the Children's Scrutiny Panel on the new Alternative Provision and the restructure of the Inclusion and Outreach Model. This should happen no later than April 2026.	Submit a report to Children's Scrutiny Panel to provide an update on the impact of the new alternative provision, and the changes to the inclusion and outreach model.	Interim Strategic Lead for Inclusion and Specialist Support Service	None	April 26





**MIDDLESBROUGH COUNCIL**

<b>Report of:</b>	Director of Environment and Community Services – Geoff Field
<b>Relevant Executive Member:</b>	Executive Member for Environment and Sustainability – Peter Gavigan
<b>Submitted to:</b>	Executive
<b>Date:</b>	8 October 2025
<b>Title:</b>	Final Report of the Place Scrutiny Panel – Home to School Transport Service
<b>Report for:</b>	Decision
<b>Status:</b>	Public
<b>Council Plan priority:</b>	Delivering Best Value
<b>Key decision:</b>	Yes
<b>Why:</b>	Decision(s) will have a significant impact in two or more wards
<b>Subject to call in?</b>	Yes
<b>Why:</b>	Non-Urgent Report

**Proposed decision(s)****That Executive:**

1. Notes the report of the Place Scrutiny Panel into Home to School Transport Service and the accompanying recommendations; and
2. Approves the Service Response and Action Plan appended to this report which contains several alternative suggestions to the recommendations provided by the Place Scrutiny Panel Report.

**Executive summary**

The Place Scrutiny Panel examined Home to School Transport Service in Middlesbrough, with a focus on ensuring that the Council is meeting its obligations to provide Home to School Transport whilst effectively controlling costs. The Scrutiny report can be found at Appendix 1.

A service response to the recommendations has been developed in the form of an Action Plan and this is attached as Appendix 2.

The purpose of this report is to inform Executive of the Scrutiny review in the Home to School Transport Service and to set out the proposed actions of the Integrated Transport Unit to address the recommendations from the report.

The review aimed to assist the Local Authority (LA) in achieving its priority of Delivering Best Value – changing how we operate, to deliver affordable and cost-effective outcomes for residents and businesses from the Council Plan 2024-2027. A decision is required, as the proposals contained will impact upon the whole Borough. Approval will ensure that the proposals are aligned with the Council's ambitions and objectives.

It is proposed that Executive note the Place Scrutiny Report attached at Appendix 1 and consider alternative suggestions to the recommendations by the service as detailed in the Action Plan attached at Appendix 2.

Members are advised that while the service welcomes the scrutiny report and its recommendations; the proposals recommended at A, C, D, E and F are not feasible due to either financial or other constraints. Were the service to accept the Scrutiny panel's recommendations that are listed, the impact could be detrimental to the Council when carrying out its legal duties. Alternative service suggestions have been made and are detailed in the Action Plan attached to this report.

Members are advised that recommendations B and G are feasible and detailed in the Action Plan attached to this report.

## 1. Purpose of this report and its contribution to the achievement of the Council Plan ambitions:

- 1.1 To inform Executive of the review undertaken by the Place Scrutiny Panel into the Home to School Transport Service which took place from September 2024- February 2025.
- 1.2 To set out the proposed actions to address the recommendations from the report. Executive approval of these actions is requested as it affects more than two wards and requires approval for the outlined financial implications.
- 1.3 The review aimed to assist the Local Authority (LA) in achieving its priority of Delivering Best Value - changing how we operate, to deliver affordable and cost-effective outcomes for residents and businesses from the Council Plan 2024-2027.

Our ambitions	Summary of how this report will support delivery of these ambitions and the underpinning aims
<b>A successful and ambitious town</b>	Aims within this ambition are to: <ul style="list-style-type: none"> <li>- Improve attainment in education and skills by providing travel support to eligible students to meet their needs.</li> </ul>
<b>A healthy place</b>	Aims within this ambition are to: <ul style="list-style-type: none"> <li>- Improve life chances of our residents by responding to health inequalities by promoting active travel and travel training.</li> <li>- Protect and improve our environment by encouraging sustainable modes of transport and travel, shared use of vehicles, increased levels of walking, cycling and wheeling.</li> <li>- Promote inclusivity for all by supporting vulnerable pupils to their education setting or providing transport where appropriate based on robust assessments of needs.</li> </ul>
<b>Safe and resilient communities</b>	Aims within this ambition are to: <ul style="list-style-type: none"> <li>- Support vulnerable children and adults to be independent for longer by making independent travel training available to eligible students.</li> <li>- Improve transport and digital connectivity in the use of online / web-based journey planning for passengers.</li> </ul>
<b>Delivering best value</b>	Aims within this ambition are to: <ul style="list-style-type: none"> <li>- To deliver best value through operational and financial management, focusing on:</li> <li>- Ensuring effective corporate procurement by extending the supplier chain creating an increased and competitive marketplace, exploring new types of procurement frameworks that can meet cost, demand and sufficiency.</li> <li>- Set a balanced revenue budget and Medium-Term Financial Plan to retain financial resilience and sustainability by validating expenditure monthly with</li> </ul>

	<p>financial partners and managing demand as timely as possible.</p> <ul style="list-style-type: none"> <li>- Compliance with statutory duties for travel and transport support by assessing needs, having effective route planning and journey times, ensuring vehicle maintenance, insurances and DBS checks are conducted timely.</li> <li>- Manage increasing demand whilst supporting sustainable travel and other travel assistance options by carrying out assessments and offering travel support that meets the needs of the pupil in line with discussions with SEND and other colleagues and professionals.</li> <li>- Supporting access to education for young and vulnerable children and adults by providing other travel support options such as use of rail or service bus routes, offering independent travel training or journey planning to eligible students.</li> <li>- Reducing potential future vehicle maintenance costs by utilising revised procurement frameworks or SLA's that include maintenance agreements, having internal staff able to deliver driver assessments and vehicle care to staff</li> <li>- Encouraging modal shift and reducing carbon emissions by encouraging walking, cycling or wheeling as well as other forms of shared travel such as use of service buses, rail or parental travel allowances.</li> </ul>
--	---

## 2. Recommendations

### 2.1 That the Executive:

- Notes the report of the Place Scrutiny Panel into Home to School Transport Service and the accompanying recommendations; and
- Approves the Service Response and Action Plan appended to this report which contains several alternative suggestions to the recommendations provided by the Place Scrutiny Panel Report.

## 3. Rationale for the recommended decision(s)

- 3.1 Implementation of the Action Plan at Appendix 2 will ensure decisions for home to school eligibility are in line with the Home to School Travel Support & Transport Policy, Post 16 Transport Statement and with statutory guidance issued by DfE and align to government reforms for child hunger and SEND.

[Home to school travel assistance policy - academic year 2025/2026](#)  
[Post-16 travel and transport statement - academic year 2025/2026](#)

- 3.2 Ongoing financial governance of the budget is managed to maximise cost avoidance where possible whilst supporting increased demands on the service.
- 3.3 Continuation of working practices to continually review and assess delivery of transport to enable increased demands in both mainstream and SEND provisions to be met.
- 3.4 To apply prudent allocation of resources both staffing and financial to ensure that the Council is not only working toward its ambitions and objectives but is allocating resources to ensure statutory requirements placed upon the Council for home to school travel and transport support is safely delivered.

#### **4. Background and relevant information**

- 4.1 The Place Scrutiny Panel undertook a review of Home to School Transport Service provided by Middlesbrough Council from September 2024 – February 2025. The scrutiny panel report is attached at Appendix 1. The report recommendations are detailed below:

#### **SCRUTINY PANEL RECOMMENDATIONS**

- 75. Based on the findings of the scrutiny review, the Place Scrutiny Panel recommends to the Executive that the Council should:
  - A Investigate whether it would be cost effective to devolve the provision of Home to School Transport to individual schools, as they may be able to provide a more localised service. Ideally the funding could be passed directly to the schools making them responsible for controlling costs, ensuring there was no additional cost to the Local Authority.
  - B Review the eligibility requirements for free school travel, especially for post-16 students and for pupils who attend a school that is not in the catchment/nearest school by parental choice, but they meet the low-income criteria. There would need to be an option included for consideration of special circumstances.
  - C Ensure closer collaboration between Children's Services, Schools and the Home to School Transport Unit to make certain that the most cost-effective and suitable transport arrangements are in place for each student, particularly in relation to students with SEND. The requirement for transport assistance should be included as a consideration in SEND assessments.
  - D Prioritise the promotion of independent travel to all parents and students, increase the number of travel trainers and bus buddies and encourage greater use of personal travel budgets.
  - E Introduce a spare seat scheme to offer discretionary transport assistance on existing transport for students who are not eligible for free travel assistance, with an option for part payment of the full cost.

- F Investigate whether increasing the Council's fleet of vehicles and reducing dependency on third party providers would be cost effective and whether this would enable better route planning.
- G Explore whether entering into longer-term contracts with third party providers would provide for greater flexibility and consistency.

Some of the information within the report has been updated for Executive Members:

- Para 17: 1263 SEND pupils received various levels of travel support during Academic Year 2024/25
- Outwood Riverside (non-statutory)
  - Academic 2024/25 - Year 7's = 210
  - Academic 2024/25 - Year 8's = 150
  - ITU operated 189 taxi routes for approx. 349 pupils
- Para 43: Home to School Travel Support and Transport Policy has been reviewed in preparation for Academic Year 2025/26 from September 2025 and is uploaded on to the Home to School Transport page on council's website

[Home to school travel assistance policy - academic year 2025/2026](#)

- ITU intend to explore how 'Teach-ins' can be developed with SEND Caseworkers and colleagues at the Integrated Care Board (ICB) to ensure that any Travel Health Plan can be implemented by the ITU or if an alternative approach needs to be taken i.e. not to delegate the medical care of a child to ITU if staff are not trained or able to accept this responsibility which may also include an alternative offer of support i.e. Parental Travel Allowance.
- ITU re-assess each year the number of students eligible for free travel. The offer of travel may differ from previous offers if the use of a coach or similar vehicle is not economically advantageous to the council. The alternative would be refund of bus fares.
- Para 58:
  - 2024/25 ITU Budget was originally £6.7m
  - Reduced to £6.1m mid financial year
  - 2024/25 Outturn was £5.6m – as predicted
  - 2025/26 ITU Budget is £5.01m
- Para 67: SLA's under review can be affected if the academy setting alters it's operating model and has split sites, each having their own management structure in place

## **5. Ward Member Engagement if relevant and appropriate**

- 5.1 No Ward Member consultation has been undertaken as part of this report. All Members will be consulted on any revised draft policy as part of a wider consultation that will be undertaken for the review of policy if approved by Executive.

## 6. Other potential alternative(s) and why these have not been recommended

- 6.1 Option 1: Do nothing and continue to manage the ITU Budget and Service as it is now.
- 6.2 Option 2: Accept Scrutiny Panel recommendations at A, B C, D, E, F & G and the reasons and risks why the service proposed they are not feasible due to legal, financial or for other reasons are detailed in the action plan attached at Appendix 2.

## 7. Impact(s) of the recommended decision(s)

Topic	Impact
Financial (including procurement and Social Value)	<p>Statutory Home to School Transport for Children of Compulsory School Age, Post 19 Transport and all Post 16 and other discretionary transport is funded from the ITU Budget. Financial Year 2025/26 the ITU budget is set at £5.01m. There is no longer the DfE Grant Funding for Extended Free Rights which was previously £57,700. All other non-Statutory Transport requested by DfE has been confirmed that it will be 100% funded by DfE.</p> <p>Transformation Steering Group receives monthly updates on cost avoidance actions and monthly meetings are held with Finance to validate expenditure and forecasting.</p> <p>Should additional funding be required during the financial year, this will be considered in the Medium-Term Financial Plan (MTFP) as a demand pressure and form part of the next financial year budget allocation for Council decision.</p> <p>The utilisation of the ITU Budget should have a positive impact on Social Value as the service provision is delivered by a combination of internal fleet and local private operators.</p>
Legal	<p>Legal or contractual issues associated with the approved programme will be managed through the Council's established procedures. The allocations within this report are indicative, are not committed and can alter during 2025/26. Should the figures vary beyond the delegation sought in this report, appropriate Executive approvals will be sought.</p>
Risk	<p>The Scrutiny Panel proposals will require change to the Council's Home to School Travel Assistance Policy and the Post 16 Education Transport Statement for future years. The risk from the recommendations in the scrutiny can be mitigated by approving the recommendations by the service detailed in the action plan either in part or in full. Offering transport to non-statutory students creates both financial and legal risk as well as the possibility of legal prosecution for operating current routes using vehicles outside of what the law permits.</p>

	<p>Monthly financial management and validation of expenditure and cost avoidance will ensure that any risk is highlighted at the earliest opportunity.</p> <p>By approving service recommendations, the Council is positively and actively managing financial risk to support the outcomes of the service and reflective of demand increases and other changes across the service. Any negative impact on students across the Borough would be mitigated by accepting the service area recommendations in part or in full.</p> <p>If the Service Area proposals are accepted there will be no required change to the Council's Home to School Travel Assistance Policy and the Post 16 Education Transport Statement for Academic Year 2025/26, however depending on the proposals to review policies, the Home to School and Post 16 transport policies and statements may need to be amended for future academic years.</p> <p>The approval of the amended recommendations will allow implementation of service delivery for Academic Year 2025/26 and future planning for other academic years from 2026/27 and beyond.</p> <p>The service area recommendations should mitigate the risk of providing Best Value in the use of the ITU Budget 2025/26.</p>
Human Rights, Public Sector Equality Duty and Community Cohesion	<p>There are potential applicable issues to consider within this report affecting Human Rights or the Equality Duty.</p> <p>There will be no immediate negative, differential impact on protected groups. The report is not seeking a revised policy but an agreement to undertake a review of the Home to School Travel and Transport Policy and Post 16 Transport Statement/Policy whereby an impact assessment will be undertaken against any proposed revised policy.</p>
Reducing Poverty	The proposed decision will not contribute to an increase or reduction in poverty.
Climate Change / Environmental	The proposals may assist the Borough's impact on climate change and the environment by providing support for alternative modes of travel therefore improving the public realm.
Children and Young People Cared for by the Authority and Care Leavers	The proposals outlined will not negatively impact children and young people currently cared for by the authority and care leavers as there are no proposed changes to home to school travel recommended for children of compulsory school age.



Data Protection	There are no concerns that the proposals within the report will impact negatively on data protection or GDPR.
-----------------	---

### **Actions to be taken to implement the recommended decision(s)**

<b>Action</b>	<b>Responsible Officer</b>	<b>Deadline</b>
Produce an Action Plan and Timeline for approved recommendations in place and start any new process for all actions.	Ged Faint	September 2026 (Start of Academic Year 2026/27)

### **Appendices**

1	Final Report of the Place Scrutiny Panel
2	Service Area Response

### **Background papers**

<b>Body</b>	<b>Report title</b>	<b>Date</b>
Central Government	Travel to School for Children of Compulsory School Age Statutory Guidance	January 2024
Central Government	Post 16 transport and travel support to education and training	January 2019
Middlesbrough Council	Home to School Travel Assistance Policy Academic Year 2025/26	29 July 2025
Middlesbrough Council	Post 16 Education Transport Statement Academic Year 2025/26	May 2025

**Contact:** Ged Faint  
**Email:** [ged\\_faint@middlesbrough.gov.uk](mailto:ged_faint@middlesbrough.gov.uk)

This page is intentionally left blank

# MIDDLESBROUGH COUNCIL

## OVERVIEW AND SCRUTINY BOARD 9 APRIL 2025

### Final Report of the Place Scrutiny Panel

### HOME TO SCHOOL TRANSPORT

## CONTENTS

<b>THE AIM OF THE SCRUTINY REVIEW</b>	<b>Page 2</b>
<b>TERMS OF REFERENCE</b>	<b>Page 2</b>
<b>BACKGROUND INFORMATION</b>	<b>Page 2</b>
<b>SUMMARY OF EVIDENCE:</b>	
<b>Term of Reference A</b> - To establish the nature of the Home to School Transport Service currently provided by Middlesbrough Council's Integrated Transport Unit.	<b>Page 3</b>
<b>Term of Reference B</b> – To examine the nature of the Home to School Transport policy in light of the relevant statutory guidance.	<b>Page 7</b>
<b>Term of Reference C</b> – To establish whether the present system is providing adequate support for students travelling on school transport.	<b>Page 10</b>
<b>Term of Reference D</b> – To identify the reasons for the increase in costs over time and the implications for the overall funding on the service.	<b>Page 10</b>
<b>Term of Reference E</b> – To investigate how other similar local authorities provide this service and to identify ways in which the service could be improved and any costs minimised.	<b>Page 12</b>
<b>ADDITIONAL INFORMATION</b>	<b>Page 13</b>
<b>CONCLUSIONS</b>	<b>Page 13</b>
<b>RECOMMENDATIONS</b>	<b>Page 15</b>
<b>ACKNOWLEDGEMENTS</b>	<b>Page 15</b>
<b>ACRONYMS</b>	<b>Page 16</b>
<b>BACKGROUND PAPERS</b>	<b>Page 16</b>
<b>APPENDIX A</b>	<b>Page 18</b>
<b>APPENDIX B</b>	<b>Page 19</b>
<b>APPENDIX C</b>	<b>Page 20</b>

## THE AIM OF THE SCRUTINY REVIEW

1. The aim of the review is to ensure that the Council is meeting its obligations to provide Home to School Transport whilst effectively controlling costs.
2. The review also aims to assist the Local Authority (LA) in achieving the following priority from the Council Plan 2024-2027:

**Delivering best value** - Changing how we operate, to deliver affordable and cost-effective outcomes for residents and businesses.

### **TERMS OF REFERENCE**

3. The terms of reference for the scrutiny panel's review, are as follows:
  - A) To establish the nature of the Home to School Transport Service currently provided by Middlesbrough Council's Integrated Transport Unit.
  - B) To examine the nature of the Home to School Transport policy in light of the relevant statutory guidance.
  - C) To establish whether the present system is providing adequate support for students travelling on school transport.
  - D) To identify the reasons for the increase in costs over time and the implications for the overall funding on the service.
  - E) To investigate how other similar local authorities provide this service and to identify ways in which the service could be improved and any costs minimized.

### **BACKGROUND INFORMATION**

4. The legal requirement for ensuring that a child attends education is that of the parent or carer. However, it is the LA's responsibility to provide travel assistance for all eligible children.
5. The ever-increasing need for the provision of home to school transport and travel assistance is a national issue. According to data obtained by the BBC and released in March 2024, costs of Special Educational Needs and Disability (SEND) school transport have increased nationally from £727m in 2019 to £1.4bn in 2024 and are predicted to rise further by 2027/28 to £2.2bn.
6. The County Councils Network (CCN) reported in November 2023 that growing costs were largely driven by an increase in pupils eligible for Education, Health and Care Plans (EHCPs), which has doubled from 240,000 in 2015 to 517,000 in 2023.<sup>1</sup> Other contributory factors to rises in demand and costs include: increasing complexity of children's needs, lack of sufficient special school places, availability of drivers with D1 entitlement, availability of suppliers with vehicles in the private sector, economic climate, and supply and maintenance of the Council's internal fleet.

---

<sup>1</sup> <https://www.countycouncilsnetwork.org.uk/councils-call-for-reform-of-send-school-transport-services>.

7. National guidance issued by the Department for Education (DFE) sets out the expectations of Local Authorities regarding home to school travel and transport arrangements. In particular, the guidance sets out the circumstances in which the Local Authority has a duty to provide or arrange free school transport or travel support for children of compulsory school age.
8. Middlesbrough Council's Home to School Travel Assistance Policy is informed by the Education Act 1996 and additional duties required by the Education and Inspections Act 2006.
9. A Home to School Transport Task and Finish Group has been established by the Place Scrutiny Panel to assist with the scrutiny review and comprises the following membership:  
  
Councillor D Branson  
Councillor J Cooke  
Councillor D Jackson  
Councillor J Kabuye
10. The Task and Finish Group has met four times throughout the period of the review to gather further information in relation to this scrutiny investigation.
11. At the meeting held on 14 October 2024, the Task and Finish Group agreed the terms of reference for the scrutiny review for approval by the Place Scrutiny Panel. The Group noted that the review should consider how the Council can reduce costs and also ensure that a suitable Home to School Transport Service is provided. Sources of evidence were also discussed.

### **SUMMARY OF EVIDENCE:**

#### **Term of Reference A - To establish the nature of the Home to School Transport Service currently provided by Middlesbrough Council's Integrated Transport Unit (ITU).**

12. During 2023-2024 Middlesbrough Council provided over 600,000 elements of travel assistance including journeys, payments to parents and provision of bus fares to eligible students. This is delivered through a combination of in-house and external suppliers and vehicles, including minibuses, wheelchair accessible vehicles, taxis and coaches.
13. The 2024/2025 budget is set at £6.7 million and the Council receives grant funding from the Department for Education (DfE) for Extended Free Right Transport. The grant for 2024/2025 is £57,700 for transporting children from low-income households and travel over the statutory walking distance of 2 miles from their eligible school. The DfE are recharged for all costs related to any non-statutory transport that Middlesbrough Council provide on their behalf for Outwood Academy Riverside whilst their students are educated at off-site at Normanby and Middlesbrough College. There are evolving pressures in the 2024/2025 budget and weekly management of expenditure to ensure that there are sufficient resources to meet the statutory duty of care.
14. The ITU workforce currently comprises approximately 29 Drivers, 85 Passenger Assistants, 13 Office Staff, 4 Medical Carers (Private Sector) and 137 Contractors.
15. Routine maintenance on all vehicles whether owned, leased or hired has to be carried out every ten weeks. All in-house vehicles operate on a Section 19 permit. All drivers and

passenger assistants engaged on education transport contracts are subject to an enhanced DBS (Disclosure and Barring Service) check as part of their contract.

16. Middlesbrough Council has 31 buses covering 43 routes. This equates to 20% of students being transport by Local Authority provided vehicles. Contractors provide for the other 80%, including 70 taxis. The Council has minibuses adapted for wheelchair access which limits their use. In total the Council costs are £1.5m for its own buses and £3.6m is paid to contractors.
17. In 2023/2024 there were 1069 young people on record with SEND and 1067 young people receiving transport assistance. There were 388 mainstream pupils, 150 of whom attend Outwood Academy Riverside, and 238 low income, distance needs. 189 routes operated daily across 61 education settings. All these figures are approximate and change on a daily basis. The key issue to highlight is that the number of pupils with SEND who receive travel assistance from the LA is almost three times higher than pupils who are eligible due to low income, distance needs or who attend Outwood Academy Riverside.
18. Whilst there is no statutory duty to provide Adult Social Care Transport, the ITU also provides a service in line with requirements under the Care Act 2014.

19. Eligibility

For pupils in primary, secondary and special schools, funded home to school travel assistance is provided for the following eligible pupils who are of compulsory school age during the relevant academic year<sup>2</sup>:

- a) A primary school age pupil attends the nearest suitable school, and that school is over 2 miles from the home address where the distance is determined by the Council and uses the shortest walking distance along which a child, accompanied as necessary, may walk with reasonable safety;
  - b) A secondary school age pupil attends the nearest suitable school, and that school is over 3 miles from the home address, where the distance is determined by the Council and uses the shortest walking distance along which a child, accompanied as necessary, may walk with reasonable safety;
  - c) A secondary school age pupil from a low-income family and attends: any one of their three nearest suitable schools and the school is between 2 and 6 miles away from their home address; or the nearest school preferred by their parents on the grounds of religion or belief and the school is between 2 and 15 miles away from their home address.
20. Parents have a right to express a preference for a school that is not their catchment area school/nearest school. Where the pupil attends a school that is not the catchment/nearest school and places are available at a nearer school which could meet their needs, the parents will not be assisted with travel assistance, whether the actual catchment area school is over the statutory distance, unless they meet the low-income criteria.
  21. Travel assistance is not normally provided during the normal school day.

---

<sup>2</sup> Middlesbrough Council – Home to School Travel Assistance Policy Academic Year 2024/2025

22. For school age pupils with SEND, transport requirements are considered as part of a full assessment. If a student is assessed as unable to walk the statutory distance to their nearest appropriate school because of their special educational needs or disability, even if accompanied by a responsible adult; the Council will provide travel assistance which is subject to a statutory assessment or subsequent annual review.
23. Pupils who meet the legal threshold for an EHCP will be issued one by the SEND Team on the advice of the local authority's multi-agency panel. Once a pupil has an EHCP, they may then be eligible for travel support. Staff from the ITU have access to the necessary assessment information and copies of the EHCPs to help inform decision making regarding eligibility and ensure that individual needs are planned for.
24. Eligibility is assessed at the earliest opportunity and in all instances, assessments are carried out to ensure that the eligibility criteria is followed. SEND student applications are initially raised during a SEND resource panel which links with a student's EHCP, with a more detailed assessment carried out once a referral has been received by the ITU.
25. A number of children with an EHCP attend their local mainstream school and therefore do not require any additional travel assistance. However, when a child does need a placement in a school that is further away from their home but is more suitable to meet their needs, these decisions are taken to the local authority's multi-agency panel for review. Staff from the transport team attend these panels, and consideration is given to the provision of transport before any placement is agreed. This means that transport needs, requirements and costs can be identified as early as possible to inform decision-making.
26. Eligibility criteria, application forms, FAQs and parent/carers information is provided on Middlesbrough Council's Home to School web page.
27. When considering a placement for a pupil, the assessor is mindful of the principle that it is the family's responsibility to take their own child to school. However, there are exceptional circumstances as to why a pupil who is not eligible may need travel support and these pupils are assessed on an individual basis. Examples can include: a pupil with a mobility issue caused by a temporary medical condition, no safe walking route or for parents/carers with disabilities who would need to accompany their child along a walking route for it to be considered safe.
28. When a student is assessed as being eligible for support - a hierarchy of travel assistance is made and the parent/carers may be asked "How do you intend to get your child to school?" Types of travel assistance that might be offered include:
- Travel training, walking bus, use of existing resources where available.
  - 45p per mile as Parental Travel Allowance (PTA).
  - Transport for a limited period to give parents time to arrange their own transport with a refund of fuel or other costs to be made.
  - Full time transport up to Year 8 Assessment when the offer may be amended to meet the relevant needs of the student (if available).
  - Refund of bus fares or seat on a designated bus.
  - Multiple modes of transport, for example, use of a bicycle in Spring/Summer terms and refund of bus fares to use on public bus services in the Winter months.
29. Independent Travel Training
- Independent Travel Training (ITT) is provided for both walking and the use of public transport services. Payments are made to parents and carers and assistance is provided

with journey planning and other support in the form of assistance and direct delivery in partnership with schools.

30. ITT enables students to gain the confidence to use public transport, demonstrate road safety awareness and be able to travel by themselves without confusion or anxiety. ITT involves young people being taken on practical journeys by a travel trainer, who highlights important aspects of travel, the rules of road safety, personal safety, and what to do if they became lost or anxious. Travel training is a gradual process which culminates in a young person being able to complete unaccompanied journeys. ITT is a bespoke service that builds on a young person's existing skills, as well as teaching them new ones, with the goal of being confident and safe to travel on their own.
31. ITT also aims to demonstrate to parents that their child is capable of travelling independently. Students are empowered to feel more confident and independent and this helps with preparation for adulthood, as well as being able to go out with friends and have more freedom. Once trained, students no longer need to rely on specialist transport or parents or carers. In turn, this provides parents or carers with some respite and confidence that their child can be more independent. By gaining new skills, including who to ask for help and what to do if things go wrong, students can feel safer in the community and have a better chance of finding and maintaining employment.
32. In June 2024, there were 34 students on Middlesbrough Council's waiting list for travel training. Two have since moved out of area, 4 students' parents had declined the offer, 6 had been deemed not ready yet but would be reviewed annually, 9 were reassessed after more information was provided and 13 had been successfully travel Trained.
33. Outside of school term time, when the Council's Passenger Assistants are not needed to accompany students on the regular school runs, they sometimes provide additional support as "Bus Buddies". "Bus Buddies" accompany students who are training to travel to school independently. Increased use of "Bus Buddies" could enable a greater number of students to be trained more quickly as it frees up more of the Travel Trainers' time to work with other students.
34. Whilst Travel Training does achieve some monetary savings, in terms of students no longer needing Council provided transport, the main purpose is to prepare students for adulthood and support those with SEND to become independent. Travel Trainers work with students aged from 11 up to 25 years old who have a Middlesbrough address and attend an education establishment within Middlesbrough's boundaries as per Council policy.
35. Permanently Excluded Pupils (PEX)

Should a student be permanently excluded from a school or other education provider, the Council is required to secure alternative provision for them. This may entitle the student to free transport or travel assistance to an approved alternative provider. Applications for travel assistance are assessed in accordance with the Home to School Travel and Transport Policy for mainstream and special schools if the student has an EHCP. It is expected that assistance will be on a temporary basis until such time as the student is re-integrated into mainstream or special school and will be subject to review. Until a full transport assessment can be carried out the student is also supported temporarily with travel assistance in the form of a bus ticket - usually a two-week pass.

36. Demand Planning

The number of children with complex educational and medical needs with an EHCP aged between 5-25 in both Middlesbrough and out of area continues to increase, with



approximately 45 additional children becoming eligible for transport assistance each year. The ITU works closely with colleagues in Education and the SEND team to ensure sufficiency of localised placements and help to plan for the future and ensure that:

- Demand data from SEND/Education/Children's Services undergoes a comprehensive Quality Assurance (QA) process.
- Transformation across the service is co-ordinated.
- Policies and working practices are streamlined and robustly followed.
- Eligibility is assessed at the earliest opportunity to aid continuity of all relevant services including Education and Adult Social Care.
- Capital and Revenue Investments are made in a timely manner.
- Medium Term Financial Plan (MTFP) projections are based on validated information to ensure robust financial planning.

37. Since 2019, there has been significant investment in the growth of special school places and Middlesbrough is above regional and national averages for the number of children placed in a special school. A local area sufficiency plan is in place to analyse the data and demand for specialist provision to ensure to help inform any plans for investment. As part of this plan, there is another new neurodiversity free school which is scheduled to open in 2026-27 in Middlesbrough, and this should add another 100 school places into the system locally. The focus for the renewed sufficiency plan which will take the local authority beyond 2026, aligns with the national agenda to support mainstream schools to build capacity for inclusion; allowing more children have their special educational needs met in their local mainstream school wherever possible.
38. Service Level Agreements (SLAs) are in place with education establishments and providers, including a Multi-Academy Trust, mainstream and SEND schools in order to help with resourcing delivery of the Home to School Transport Service. Those establishments that provide transport on the Council's behalf are funded via the SLA. Wider benefits include children arriving at school ready to learn and utilising the school's specialist training and their detailed knowledge of the children and familiarisation.
39. The ITU also offers transport support over the winter months (when walking or cycling routes might not be deemed safe or suitable) and use of a personal budget for the Spring/Summer months, Parental Travel Assistance, Top Ups or Personal Budgets. Wider benefits of this support are improved health, greater independence, and opening-up opportunities to meet with peers outside of school times.
40. In terms of Health and Safety, travel routes are monitored and improvements made as necessary. This helps to minimise risks, improve relationships with staff, operators, parents/carers, schools and most of all, passengers.

**Term of Reference B – To examine the nature of the Home to School Transport policy in light of the relevant statutory guidance.**

41. Statutory guidance was issued by the Department for Education (DfE) in June 2024 under the duties placed on the Secretary of State by sections 508A (7) and 508D (1) of the Education Act 1996. The main points are highlighted below:
- *Parents are responsible for ensuring their child attends school. This means they must take all the action necessary to enable their child to attend school.*
  - *For most parents, this includes making arrangements for their child to travel to and from school. Local authorities must make arrangements, free-of-charge, for eligible children to travel to school.*

- *Local authority school travel and special educational needs teams should work together to ensure travel arrangements are considered when deciding what school to name in a child's EHCP.*
- *Local authorities have a discretionary power to arrange travel to school for other children.*
- *Local authorities are responsible for deciding what travel arrangements to make, provided they are suitable for the needs of the children for which they are made.*
- *Schools should support local authorities to deliver their home-to-school travel functions, for example, by promoting good behaviour on transport, and sharing information to ensure children's needs are met, and taking travel arrangements into account when making changes to their school day.*
- *Local authorities' school travel policies should be easy for parents to find and understand.*
- *Local authorities should have a fair and transparent process so that parents can appeal a decision about travel to school for their child.*
- *Local authorities have a duty to promote sustainable and active travel to school.*<sup>3</sup>

42. Local authorities are under a duty to have regard to the DfE guidance when:

- carrying out their duties in relation to arrangements for travel to school for eligible children of compulsory school age;
- exercising their discretionary power to arrange travel for other children;
- carrying out their duties in relation to the promotion of sustainable travel to school (this duty applies in relation to young people of sixth form age as well as children of compulsory school age). There is separate guidance on travel for post-16 education and training.

43. The Council's updated Home to School Travel Assistance Policy<sup>4</sup> was last published prior to the start of the new academic year 2024/25. The policy aims to ensure the Council meets its statutory obligations to provide travel assistance for eligible pupils, whilst ensuring that school/sixth form travel assistance arrangements support social mobility and independence. The Post-16 Transport Statement for the Academic Year 2024/25 was also reviewed.<sup>5</sup>

44. An Academy is an eligible school for free travel support where the pupil attending meets the eligibility criteria and this is funded by the Local Authority.

45. In line with the Council's policy and the national guidance, assessments are carried out and/or validated by the Independent Needs Assessor using the eligibility criteria set out in Middlesbrough Council's Home to School Travel Assistance Policy Academic Year 2024/2025. The assessment also takes into consideration information from SEND, school or previous setting, parents/carers and other professionals such as Epilepsy, Asthma, Diabetic

---

<sup>3</sup> Department for Education - Travel to school for children of compulsory school age - Statutory guidance for local authorities

<sup>4</sup> Middlesbrough Council – Home to School Travel Assistance Policy Academic Year 2024/25

<sup>5</sup> Middlesbrough Council – Post-16 Education Transport Statement Academic Year 2024/25

Teams at JCUH and CAMHS for areas including mobility, medical, behavioural, vulnerability, practicality and training.

46. Those SEND students who do not have an EHCP but attend their nearest qualifying setting, also have a needs assessment using a scoring matrix which covers the areas listed above.
47. Risk assessments are undertaken in line with the Council's Risk Management Strategy and there are 4 levels of risk which range from Level 1: passenger has no additional needs other than transport and does not require an individual risk assessment or protocol, up to Level 4: passenger may be too high risk for ITU to transport or further measures and mitigation needs to be a major factor in any transport provision: alternative transport provisions should be considered.
48. Children who meet the legal threshold for an EHCP will be issued one by the SEND Team on the advice of a multi-agency panel. Once a child has an EHCP, they may then be eligible for travel support. Staff from the ITU have access to the necessary assessment information and copies of the EHCPs to help inform decision making regarding eligibility and ensure that individual children's needs are planned for.
49. A number of children with an EHCP attend their local mainstream school and therefore do not require any additional travel assistance. However, when a child does need a placement in a school that is further away from their home but is more suitable to meet their needs, these decisions are taken to a local authority panel for review. Staff from the transport team attend these panels, and consideration is given to the provision of transport before any placement is agreed. This means that transport needs, requirements and costs can be identified as early as possible to inform decision making.
50. The legislation regarding travel assistance for Post-16 students is covered under Section 509 of the Education Act 1996, amended by Schedule 19 of the Education Act 2002. Middlesbrough Council assesses and provides travel assistance for students aged 16 to 18 (over compulsory school age) and for those continuing learners who commenced their learning programme before the age of 19. Particular consideration is given to Post-16 students with disabilities and/or learning difficulties.<sup>6</sup> Eligible students aged between 5-25 may be offered travel support which can be travel training or journey planning as opposed to transport or other types of travel assistance.
51. Appeals against a decision not to provide transport can be submitted in accordance with the Home to School and Post 16 Transport Appeals Policy. The Council is responsible for home to school transport if the student is eligible. However, if the Council identifies a suitable school and the parent wants their child to attend a different school, the pupil would be deemed not eligible for travel support. For the academic year 2023/2024, 115 mainstream students were declined for travel support over the whole year and 505 appeals (50%) were not upheld. In the current academic year, 59 students have been declined and 7 parents have appealed. Five appeals have been won by the Council. It should be noted that the cost and resources required defending decisions, in line with the Home to School Travel Assistance Appeals Policy, is significant to the Council.
53. The ITU's working practices in relation to policy implementation have recently been reviewed with a view to improving communications, earlier assessment for future years' offer with parents, carers and other stakeholders. The ITU works closely with SEND, school specific and health colleagues to gain a better understanding of the needs of students based on their diagnosis or EHCP needs.

---

<sup>6</sup> Middlesbrough Council Post-16 Education Transport Statement – Academic Year 2024/2025

**Term of Reference C – To establish whether the present system is providing adequate support for students travelling on school transport.**

54. During their investigations, the Task and Finish Group Members visited several Middlesbrough Schools whose pupils use the Council's Home to School Transport service. Panel Members Headteachers and staff responsible for SEND. Some of the issues raised by the schools visited included:
- Number of students eligible for home to school transport has increased sharply due greater awareness of mental issues and possibly the effect of COVID.
  - Lack of Passenger Assistants on school buses.
  - Reliability of school buses.
  - Not all seats are taken on some buses.
  - Insufficient provision of vehicles with wheelchair accessibility.
  - Driver recruitment.
  - Schools running their own transport service do not always have clarity on which students are entitled to free transport and unable to recoup costs from parents/carers.
  - Evidence that some parents were receiving financial help with travel but not using it for that purpose
55. At the meeting held on 21 November 2024, discussion took place as to whether the Council provide transport to students whose parents have their own transport. The Group also discussed whether the Council could recoup the cost of home to school transport from academies.
56. At the meeting held on 13 December 2024, Members reported back on visits to two schools that provided some of their own transport. The Group considered whether schools should be given more responsibility for arranging home to school transport for their students.
57. On 14 January 2025, the Task and Finish Group met with the Integrated Transport Unit Manager, and gathered further information in relation to passenger data, funding, commissioning costs, academies' responsibilities in relation to home to school transport and decision-making.

**Term of Reference D – To identify the reasons for the increase in costs over time and the implications for the overall funding on the service.**

58. Home to School Transport Budget

Over the last six years, the Home to School Transport Budget has increased from £2,474,000 to £6,644,770. The projected outturn @ 24.9.24 is £5.9 m. A table showing the annual budget increases is attached at Appendix A to this report.

59. The 2024/2025 budget includes approximately £147,600 transport costs for Adult Social Care, mainly for procured taxis and minibuses. The remainder of the transport is provided by the Council's internal fleet and the costs are included within the management code as an overall budget figure for home to school, adult social care fleet and salaries.
60. Since 2021, costs have been impacted by the following:

- Higher levels of price index increases: was 2.3% then rose to 9.9% for contracted routes over and above any inflation costs – alters each year.
- New Schools opening: Discovery, Discovery at Brambles, more recently Beverley Park, and Discovery Phase 2 with increases in demand. Beverley Park was an increase of 44 students.
- Increase in out of area placements.
- Increase of EHCP provision - extending the age range to from 5 to 25.
- Implementation of statutory guidance which permits greater accessibility to travel support.
- COVID, Economic Supplier Relief and price inflation across the whole service and for both internal and external provision.
- Increased supplier costs and decrease in suppliers – demand and supply.
- Salary increases due to pay awards, increasing demand for drivers and passenger assistants, increase in training costs.
- Increased complexity of passengers, distance travelled, for example, if they live out of the area or are educated out of the area.
- Cost to the Council of lost appeals.

61. Details of the numbers of students in receipt of travel assistance from Middlesbrough Council on 19 September 2024 are shown at Appendix B to this report. It should be noted that the numbers are subject to change on a daily basis.
62. The number of SEND students requiring transport has increased sharply in recent years from 658 in 2013/14 to 1092 in 2024/2025 and there was a marked increase from 855 in 2020/21 to 1079 in 2021/22. A table showing the annual increases is attached at Appendix C to this report
63. The number of mainstream students who receive transport for distance or low income is 299 and this includes 30 students who are permanently excluded from school (PEX) and who travel over the statutory walking distance to the education establishment they now attend.
64. The year end forecast for externally procured statutory transport during financial year 2024-2025 is £3.6m - this does not include any demand increase between December 2024 and 31st March 2025 or other costs such as internally operated routes or staffing costs.
65. Breakdown of costs incurred and income received from Government:

	<b>COST</b>	<b>INCOME</b>
Transport for SEND students with EHCP	£4.5m	
Transport for other special needs or students entitled on grounds of income or distance	£1.6m	£57,700
Total costs	£6.1m	£57,700

66. Whilst the £57,700 income from DfE for eligible pupils from low-income households offsets the expenditure, it does not cover the whole cost.
67. Some schools provide some transport themselves and the Council funds the cost of the driver and assistants. The current cost is £165,000 per annum.
68. Due to the many factors involved in providing school transport in terms of pupil numbers, providers, different modes of transport, requirement for passenger assistants, routes - it is not possible to provide cost comparisons with other local authorities.

**Term of Reference E – To investigate how other similar local authorities provide this service and to identify ways in which the service could be improved and any costs minimised.**

69. A review of the Home to School Transport Policies (including Post-16) published by the other Tees Valley Local Authorities : Darlington, Hartlepool, Stockton and Redcar and Cleveland, identified that they operate in a broadly similar manner to Middlesbrough and in accordance with government legislation and guidance.
70. Hartlepool Borough Council, along with several other LAs, including West Northants, a statistical neighbour of Middlesbrough, offer discretionary transport assistance through spare seat schemes on existing transport for students not eligible for free school transport. Their vehicles are compliant with Public Service Vehicle Accessibility Regulations 2000 (PSVAR).  
  
Spare seats are usually offered after the start of the academic year, once those students who are eligible for free school transport have been accommodated. West Northants Council currently offer this scheme and the annual cost for the academic year 2024-2025 is £1,000<sup>7</sup>. There is an opportunity to pay in full or in instalments.
71. Newcastle City Council have recently undertaken a strategic review of its home-to-school transport policy for post-16 learners who have SEND. The Council had determined that maintaining current arrangements was no longer affordable. The outcome of the review is a proposal that from September 2025 there will be no home-to-school transport commissioned by the Council for any new post-16 students with SEND. The provision of commissioned SEND transport support to those Post-16 students currently in receipt will continue until their educational studies end. However, at the time of writing this report no decision on the policy change has been approved.
72. In relation to discretionary travel, other authorities, including Darlington Borough Council, do charge parents/carers for all or part of their children's travel arrangements. Included in Middlesbrough Council's 2025/26 Revenue Budget recommendations, is a proposal that where the Council provides discretionary, as opposed to statutory home to school transport services, these costs will be recharged to the relevant schools and/ or health services.

---

<sup>7</sup> - West Northamptonshire Council – Home to School Transport Spare Seat Scheme Academic Year 2024-2025

## **ADDITIONAL INFORMATION**

73. The following 2025/2026 budget savings proposals were approved by Council on 19 February 2025:

<b>Budget Savings Proposal</b>	<b>25/26 (£m)</b>	<b>26/27 (£m)</b>	<b>27/28 (£m)</b>	<b>28/29 (£m)</b>	<b>Total (£m)</b>
<b>Deliver passenger assistance training internally</b> ( <i>Efficiency</i> ) Passenger assistants who support children on home to school transport would be trained by Council staff.	(0.037)	0.000	0.000	0.000	(0.037)
<b>Increase transport capacity</b> ( <i>Efficiency</i> ) Increasing the number of vehicles the Council can lease or buy, along with extra staff, would reduce the amount spent on external businesses for home to school transport.	(0.084)	0.000	0.000	0.000	(0.084)
<b>Management review</b> ( <i>Efficiency</i> ) Up to one management post would be removed from Education and Partnerships following a review of the operational practices.	(0.044)	0.000	0.000	0.000	(0.044)
<b>Increase management fee income</b> ( <i>Income</i> ) The Council will receive more income for services provided on behalf of the Department for Education in relation to home to school transport.	(0.015)	0.000	0.000	0.000	(0.015)
<b>Travel training</b> ( <i>Efficiency</i> ) Providing training and support to enable more students to travel to school independently, reducing the reliance upon Council provision of home to school transport.	(0.102)	0.000	0.000	0.000	(0.102)
	(0.281)	0.000	0.000	0.000	(0.281)

## **CONCLUSIONS**

Based on the evidence provided throughout the investigation, the Place Scrutiny Panel concluded that:

- Recent years have seen a sharp increase in the cost of Home to School Transport provided by LAs by up to 50% in some cases. Middlesbrough Council's 2024-2025 budget for providing the Home to School Transport Service is £6.7m.
- Free school transport is provided for students of compulsory school age based on distance from a suitable school, ability to get there safely, or on low family income.

However, the largest amount is spent on transporting students who have SEND or who have an EHCP.

- Last year Middlesbrough Council provided free transport for 1069 SEND students and 238 other students. The key issue is SEND students under the age of 11 since they are provided with free transport in almost all cases. Middlesbrough also has higher numbers of SEND students than other LAs in the north east region and nationally according to the Local Authority Interactive Tool (LAIT).
- The number of SEND students has increased rapidly due to the rise of self-diagnosis and the unwillingness of councils to challenge SEND attribution. Parents are appealing more SEND decisions, with an increase in the number appealed nationally, from 6,000 in 2018 to 15,600 in 2023. Of these, 98% of decisions found in favour of parents.<sup>8</sup>
- According to research commissioned by the Local Government Association (LGA) in 2019, there is a mismatch between the responsibilities of parents in getting their children to school versus their expectations in the level and type of assistance that LAs can provide. There have been a number of high-profile judicial reviews which have been found in favour of parents where local authorities have tried to reduce transport entitlements.<sup>9</sup>
- Since 2020 the number of school exclusions in Middlesbrough has been increasing. However, the number of permanent exclusions has remained the same in the last two academic years. Whilst it cannot yet be concluded that the rate has stabilised, current in-year data suggests this may be the case. It should be noted however that any future significant increases could potentially further impact the home to school transport budget.
- In addition, there is a rise in the number of such students with more complex needs or more challenging behaviour, both of which often require personalised transport such as a taxi.
- Other factors contributing to rising costs include a shortage of special school places locally, the reduction in public transport bus routes and greater movement of residents in rented accommodation.
- The cost of providing transport has increased sharply due to the lack of competition from service providers as well as the difficulty in arranging cost-effective routing as towns expand the area of housing into the new suburbs. The Council currently does not have sufficient in-house provision to transport all passengers and utilises a supply chain from the private sector across a range of different types of vehicles.
- Some of the schools contacted by the Task and Finish Working Group are unhappy at the service provided. The main concerns raised are the lack of passenger assistants on the buses provided and the failure to provide back-up services when drivers are unavailable.
- It is evident from the proposals included in Middlesbrough Council's 2025/26 Revenue Budget that efforts to effect efficiencies and increase income have already been

---

<sup>8</sup> Support for children and young people with special educational needs - Public Accounts Committee - First Report of Session 2024–25

<sup>9</sup> Understanding the drivers for rising demand and associated costs for home-to-school transport – Beth Swords, Natalie Parish and Karina Kulawik – May 2019



considered. Whilst the predicted savings are welcome, there is still a need to deal with ongoing pressures on the home to school transport budget as a result of those issues outlined above.

## **RECOMMENDATIONS**

75. Based on the findings of the scrutiny review, the Place Scrutiny Panel recommends to the Executive that the Council should:
- A Investigate whether it would be cost effective to devolve the provision of Home to School Transport to individual schools, as they may be able to provide a more localised service. Ideally the funding could be passed directly to the schools making them responsible for controlling costs, ensuring there was no additional cost to the Local Authority.
  - B Review the eligibility requirements for free school travel, especially for post-16 students and for pupils who attend a school that is not in the catchment/nearest school by parental choice, but they meet the low-income criteria. There would need to be an option included for consideration of special circumstances.
  - C Ensure closer collaboration between Children's Services, Schools and the Home to School Transport Unit to make certain that the most cost-effective and suitable transport arrangements are in place for each student, particularly in relation to students with SEND. The requirement for transport assistance should be included as a consideration in SEND assessments.
  - D Prioritise the promotion of independent travel to all parents and students, increase the number of travel trainers and bus buddies and encourage greater use of personal travel budgets.
  - E Introduce a spare seat scheme to offer discretionary transport assistance on existing transport for students who are not eligible for free travel assistance, with an option for part payment of the full cost.
  - F Investigate whether increasing the Council's fleet of vehicles and reducing dependency on third party providers would be cost effective and whether this would enable better route planning.
  - H Explore whether entering into longer-term contracts with third party providers would provide for greater flexibility and consistency.

## **ACKNOWLEDGEMENTS**

76. The Place Scrutiny Panel would like to thank the following for their assistance with its work:

G Bergman, Independent Travel Trainer, Middlesbrough Council  
C Cowley, Head of Transport and Infrastructure, Middlesbrough Council  
G Faint, Integrated Transport Unit Manager, Middlesbrough Council  
G Field, Director of Environment and Community Services, Middlesbrough Council  
Beverley Park, Holmwood School, The King's Academy, Pallister Park Primary School, Sunnyside Academy, Trinity Catholic College.

## **ACRONYMS**

77. A-Z listing of common acronyms used in the report:

CCN – County Council Network  
DBS – Disclosure and Barring Service  
DFE – Department for Education  
EHCP – Education, Health and Care Plan  
ITU – Integrated Transport Unit  
LA – Local Authority  
LAIT – Local Authority Interactive Tool  
LGA – Local Government Association  
LGO – Local Government Ombudsman  
PEX – Permanently Excluded Pupils  
PTA – Parental Travel Allowance  
RTMAT – River Tees Multi Academy Trust  
SEND – Special Educational Needs and Disability

## **BACKGROUND PAPERS**

78. The following sources were consulted or referred to in preparing this report:

- Darlington Borough Council – Travel and Transport Assistance Policy, SEND Travel Assistance Policy, Post-16 Policy Statement.
- Department for Education (DfE): Travel to school for children of compulsory school age - Statutory guidance for local authorities
- Hartlepool Borough Council – Home to School Transport Policy – updated June 2021.
- Local Authority Interactive Tool (LAIT).
- Middlesbrough Council - Home to School Travel Assistance Policy - Academic Year 2024/25.
- Middlesbrough Council - Post 16 Education Transport Statement - Academic Year 2024/25.
- News Article: County Councils Network:  
<https://www.countycouncilsnetwork.org.uk/councils-call-for-reform-of-send-school-transport-services>
- Notes of the Task and Finish Group meetings held on 14 October, 21 November, 13 December 2024 and 14 January 2025
- Reports/presentations to, and minutes of, the Place Scrutiny Panel meetings held on 2 September, 7 October and 4 November 2024.
- Redcar and Cleveland -
- Stockton on Tees Council – Home to School Transport Policy.
- Support for children and young people with special educational needs - Public Accounts Committee - First Report of Session 2024–25
- Understanding the drivers for rising demand and associated costs for home-to-school transport – Beth Swords, Natalie Parish and Karina Kulawik – May 2019
- West Northamptonshire Council – Home to School Transport Spare Seat Scheme Academic Year 2024-2025.

**COUNCILLOR DAVID BRANSON  
CHAIR OF THE PLACE SCRUTINY PANEL**

**Place Scrutiny Panel Membership:** Councillors D Branson (Chair), T Livingstone (Vice Chair), J Banks, J Cooke, C Cooper, J Ewan, N Hussain, D Jackson, J Kabuye, L Mason, D McCabe, A Romaine, L Young

**Contact Officers:**

Susan Lightwing  
Democratic Services

Telephone: 01642 729712 (direct line)

Email: [susan\\_lightwing@middlesbrough.gov.uk](mailto:susan_lightwing@middlesbrough.gov.uk)

Joanne McNally

Democratic Services

Telephone: 01642 728329

Email: [joanne\\_mcnally@middlesbrough.gov.uk](mailto:joanne_mcnally@middlesbrough.gov.uk)

**INCREASE IN HOME TO SCHOOL TRANSPORT BUDGETS 2018 TO 2025**

<b>FINANCIAL YEAR</b>	<b>BUDGET</b>	<b>NOTES</b>
2018/19	£2,474,000	
2019/20	£2,477,000	
2020/21 (Covid-19 Pandemic)	£2,459,000	Covid and Supplier relief funded in part by Central Government economic supplier relief/inflation affected future outturns.
2021/22 (Covid-19 Pandemic)	£2,495,000	Covid and Supplier relief funded in part by Central Government economic supplier relief/ inflation affected future outturns.
2022/23 (Covid-19 Pandemic)	£2,769,000	Covid and Supplier relief NOT funded in part by Central Government economic supplier relief/inflation affected future outturns. Spend was £3,338,816.
2023/24	£3,778,800	Spend was £5,222,000 (Inflation, rising supplier costs, staffing increases to meet demand, salary and pay award increases not funded by Central Government).
2024/25	£6,644,770	Projected outturn set @ 24.9.24 - £5.9 m (the overall costs include transport for Adult Social Care).

**APPENDIX B**

	<b>SEND</b>	<b>SEND Parental Travel Allowance (PTA) Payments</b>	<b>Mainstream</b>
Total number of students	1083	46	373
Number of students who receive travel support to be educated outside of Middlesbrough	100	12	8
Numbers of students carried by private sector rather than Council provided transport	755	46	262 with Pass 111 Refund of Bus Pass

Please note: all figures in the above table are correct as at 19 September 2024 but are subject to change on a daily basis.

Home to School Transport - Passenger Data			
Academic Year End	Total	SEND	Alternative Provision (AP)
2013/14	714	658	56
2014/15	860	747	113
2015/16	892	796	96
2016/17	959	905	54
2017/18	819	766	53
2018/19	901	720	181
2019/20	932	816	116
2020/21	969	855	114
2021/22	1224	1079	145
2022/23	1254	1089	165
2023/24	1119	1092	27
2024/25 @ 14.1.25	1165	1062	103 (Including 90 places for River Tees Multi Academy Trust)

**PLACE SCRUTINY PANEL  
HOME TO SCHOOL TRANSPORT**

SCRUTINY RECOMMENDATION	PROPOSED ACTION	POST TITLE	BUDGET COST	TIMESCALE
<p>A) Investigate whether it would be cost effective to devolve the provision of Home to School Transport to individual schools, as they may be able to provide a more localised service. Ideally the funding could be passed directly to the schools making them responsible for controlling costs, ensuring there was no additional cost to the Local Authority.</p>	<p>The service accepts the recommendation. The Council has a statutory duty to provide home to school transport and travel support. However, the Council currently fulfils its statutory duty to provide home to school transport under and Service Level Agreements (SLA) with some education settings. Each academic year, the service contacts schools, academies and settings for the delivery of their own home to school transport since 2020 with little or no take up.</p> <p>For the Academic Year 2025/6 the service will continue with an existing SLA and agree new SLA's for other staff support; adding resilience into the service for both transport and passenger assistant support.</p> <p>The service will further promote opportunities to settings to promote greater sustainable and active travel themselves. Relevant SLA's &amp; purchase orders will be raised in line with procurement regulations and invoices submitted for timely payment by each setting in line with any agreed payment plan.</p>	<p><b>Integrated Transport Unit Manager</b></p> <p><b>Independent Needs Assessor</b></p>	<p><b>Within Existing Budget for 2025/26 of £5.01m</b></p>	<p><b>New SLA by August 2025</b></p> <p><b>Further opportunities to be explored during Academic Year 2025/26 and implemented as soon as practicable.</b></p>

	<p>Moving forwards the service will retain the responsibility for advice &amp; guidance on referrals, communications with parents/carers, other stakeholders, assessments for eligibility and appeals.</p> <p>The service would suggest as an alternative:</p> <ol style="list-style-type: none"> <li>1) To continue existing discussions with schools and settings and to further explore opportunities to engage with the Council with an aim of delivering travel support &amp; transport in an agreed Service Level Agreement (SLA).</li> </ol>			
B) Review the eligibility requirements for free school travel, especially for post-16 students and for pupils who attend a school that is not in the catchment/nearest school by parental choice, but they meet the low-income criteria. There would need to be an option included for consideration of special circumstances.	<p>Whilst the service acknowledges the concept of the recommendation in the report, it is unable to accept it; as currently all applications and referrals for free school travel and support are assessed (robustly) in line with the Home to School Travel Assistance Policy (Reception – Year 11 pupils) and Post 16 Transport Statement already making an offer of statutory minimum for eligible pupils (which meets their individual needs) including consideration of any special or exceptional circumstances.</p> <p>Currently, if a request for travel support is to attend a school which they are not eligible for support under the existing</p>	<p><b>Integrated Transport Unit Manager</b></p> <p><b>Independent Needs Assessor</b></p>	<p><b>Within Existing Budget for 2025/26 of £5.01m</b></p>	<p><b>During Academic Year 2025/26</b></p>



	<p>Home to School Support &amp; Travel Assistance Policy and by association any statutory guidance, then the application is declined. This includes where a child is to attend a school that is over the statutory walking distance by parental choice, or not an eligible school based on distance and low income.</p> <p>Robust, evidence-based assessments mitigate the opportunity of a legal challenge or judicial review which could negatively impact the student's education, preparation for adulthood and the Council.</p> <p>To provide wider accessibility to education, the service is currently providing support to the DfE, whereby some students are educated off-site or not in a permanent setting. This exceptional and specific service provision is fully funded by the DfE.</p> <p>Middlesbrough Council does not provide transport or travel support for pupils once they leave education in Year 11, unless they have an EHCP with the setting named in it at Section I as per SEND Code of Practice and Children and Families Act.</p> <p>The removal of Post 16 SEND Transport could adversely affect the</p>			
			<b>£79,600 per academic</b>	

	<p>education and preparation for adulthood outcomes for students and move financial responsibility to other areas of the Council with potentially no immediate or significant financial gain.</p> <p>It would not be possible to make any changes to planned support for Academic Year 2025/26.</p> <p>The service would suggest as an alternative:</p> <p>1) To continue with existing practices to robustly assess evidenced based applications for pupils in Reception – Year 11 and Post 16 Transport in line with the current statutory guidance or council policy offering support at statutory minimum level to meet the needs of that student.</p> <p>2) That Executive authorise a review of the current Home to School Travel and Transport Support Policy and Post 16 Transport Statement / Policy (including impact assessments and consultations including Members) and to present a revised draft policy for Executive's consideration during Academic Year 2025/26.</p>		<b>school year for students not based in a provision aged 5-18</b>	
C) Ensure closer collaboration between Children's Services, Schools and the Home to School Transport Unit to make certain that the most cost-effective and	Whilst the service acknowledges the recommendation, it is unable to accept it as it is in the report. This is because legally, transport itself cannot be	<b>Independent Needs Assessor</b>	<b>Within Existing Budget for 2025/26 of</b>	<b>Continually during Academic Year 2025/26</b>

<p>suitable transport arrangements are in place for each student, particularly in relation to students with SEND. The requirement for transport assistance should be included as a consideration in SEND assessments.</p>	<p>detailed within the pupil's EHCP assessment. The service assesses all applications attempting to provide the most cost-effective support to meet the needs of the pupils.</p> <p>ITU officers attend SEND Resource Panel weekly and are party to transport discussions on how an eligible child could attend a certain setting and its potential cost, the service attends the Middlesbrough SEND Parent &amp; Carer Forum, are diarising education and awareness sessions (teach-ins) with Middlesbrough Council colleagues in SEND, Social Care - Caseworkers and other professional across the Tees Valley Team and other stakeholders including Schools, Colleges and health professionals.</p> <p>Referral outcomes (accept/decline) for SEND &amp; Mainstream students (usually due to low income/distance) are reviewed at a weekly transport team meeting.</p> <p>This continued approach will mitigate the risk of not meeting the needs of the students at their allocated placement, enable any appeal to be defended also assist in making it clear the fiscal impact as well as the individual's own impact i.e. travelling times.</p>		<p><b>£5.01m</b></p>	
---	--	--	----------------------	--

	<p>As an alternative, the service suggests:</p> <p>1) ITU to continue to attend SEND Resource Panel weekly, Middlesbrough SEND Parent &amp; Carer Forum(s), diarise education and awareness sessions (teach-ins) and continue review transport decisions weekly. Also, to explore what other links can be made to develop the service going forward.</p> <p>This continued approach will mitigate the risk of not meeting the needs of the students to their allocated placement but also assist in making it clear to colleagues the fiscal impact as well as the individual's own impact i.e. travelling times.</p> <p>2) To continue with evidence-based assessment for eligibility and needs conducted with a hierarchy of offer in place, to make certain that the most cost-effective and suitable transport arrangements are in place for each student, particularly in relation to students with SEND.</p>			
D) Prioritise the promotion of independent travel to all parents and students, increase the number of travel trainers and bus buddies and encourage greater use of personal travel budgets.	Whilst the service acknowledges the recommendation to increase other forms of travel support, it is unable to accept it as it is in the report as transport assessments for eligible	<p><b>Integrated Transport Unit Manager</b></p> <p><b>Independent</b></p>	<p><b>Within Existing Budget for 2025/26 of £5.01m</b></p>	<p><b>Standard practice across all Academic Years</b></p>

	<p>pupils must be carried out and take account of any individual needs and abilities of the pupil.</p> <p>Promotion for greater independence is incorporated into the EHCP &amp; at the early stage. Any transport assessment (with families being an integral part of these processes) family barriers to accepting support for Independent Travel Training (ITT) and Personal Travel Allowances are successfully addressed at this stage.</p> <p>If appropriate, travel support offers currently prioritise the promotion of independent travel, refund of bus fares, parental travel allowances and travel training.</p> <p>Actively encouraging the promotion of independence for eligible children with special educational needs or disabilities and mainstream pupils aligns with Paras 55-62 of the Home to School Travel and Transport Statutory Guidance. Offers of support are currently made and attempt to mitigate any legal challenge under Para 62 of the Travel to School Transport Statutory Guidance where it stipulates that unless a parent is agreeable to their child undertaking ITT then the local authority must provide alternative support as per the successful</p>	<p><b>Needs Assessor</b></p> <p><b>Support and Compliance Officers</b></p> <p><b>Independent Travel Trainer</b></p>		
--	--	---	--	--

	<p>challenge made to Birmingham City Council in 2025.</p> <p>The current programme for Independent Travel Training programme has 43 candidates ranging from pupils who are to start Secondary Education (Year 7) from September 2025 – Post 16 students. This assessed cohort is well within any delivery parameters before and during Academic Year 2025/26. If the candidate is unable to take part or complete their ITT prior to the start of term, travel training will continue during the term and temporary travel support will be offered to enable them to access their education setting. Recruitment of more travel trainers is not required at this time, however, weekly progress reviews of the programme enable timely reassessment.</p> <p>As an alternative to the Scrutiny recommendation the service suggests:</p> <p>1) Continue to assess eligible pupils transport needs in line with their abilities, policy and statutory guidance and if appropriate, continue to prioritise the promotion of independent travel and other types of support to eligible students.</p> <p>2) Continue to review progress of the</p>			
--	--	--	--	--

	current candidate base for ITT. Where ITT take up exceeds delivery timescales, consider the possibility of an increase in the number of travel trainers and/ or bus buddies and continue to encourage greater use of personal travel allowances.			
E) Introduce a spare seat scheme to offer discretionary transport assistance on existing transport for students who are not eligible for free travel assistance, with an option for part payment of the full cost.	<p>The service is unable to support this Scrutiny recommendation as the Introduction of the Public Service Vehicle Accessibility Regulations 2000 (PSVAR) makes the sale of unused seats on non-wheelchair accessible vehicles with 22 seats or over illegal to do so for non-statutory pupils.</p> <p>The Council has procured non-wheelchair accessible vehicles to provide statutory transport to eligible pupils who travel, free of charge. After the introduction of PSVAR enforcement nationally in January 2020 there was a subsequent High Court challenge against North Yorkshire County Council about sale of seats on school buses where empty seats were sold to non-statutory pupils. The court decided that where unused seats were being sold, those seats could not be ringfenced for pupils only, which highlighted safeguarding issues.</p> <p>Allocation of spare seats to fare paying pupils would:</p>	<b>Support and Compliance Officers</b>	<b>Within Existing Budget for 2025/26 of £5.01m</b>	<b>Standard practice across all Academic Years</b>

	<ul style="list-style-type: none"> <li>• require procurement of wheelchair accessible vehicles to comply with PSVAR 2000 and</li> <li>• would impact the opportunity to offer vacant seats to eligible students and may require further procurement of more vehicles to meet changing demand levels for eligible pupils creating greater expense.</li> </ul> <p>Route planning for both Mainstream &amp; SEND transport considers the needs of the pupil, risks for other pupils, staff, contractors and other road users to ensure that they travel safely. Seats may be left empty for various reasons including being able to meet statutory travelling times, the use of a harness or car seat or that a pupil is not able to travel safely with someone beside them. To mitigate risk and where it is safe to do so, routes are planned to utilise the maximum seating capacity of vehicles.</p> <p>Reviews of existing transport take place and where it is economically advantageous to the council, the offer of an alternative travel support option to eligible students including refund of bus fares and parental travel allowance are made.</p>			
--	--	--	--	--



	<p>To mitigate this proposed change of policy further offers for travel support are made only to eligible pupils or those who have exceptional circumstances. There are an estimated 16350 non-statutory pupils across the Borough. Providing travel support to eligible pupils only, ensures fairness, equality and removal of significant fiscal and administrative risk for the council.</p> <p>As an alternative the service recommends: 1) To continue with existing practices and to robustly assess evidenced - based applications for home to school compulsory transport and Post 16 Transport and in line with current policies and statutory guidance offering support to eligible pupils only (as assessed) at statutory minimum level to safely meet their needs.</p>			
F) Investigate whether increasing the Council's fleet of vehicles and reducing dependency on third party providers would be cost effective and whether this would enable better route planning.	Whilst the service agrees with the intent of the scrutiny recommendation it is unable to accept it as it is in the report as currently route planning carried out by the ITU is based on multiple factors and includes the needs of the students, kerbside pickups, statutory travelling times and where possible, localisation of the home which is in line with best practice. Any	<p><b>Integrated Transport Unit Manager</b></p> <p><b>Independent Needs Assessor Support and Compliance Officers</b></p>	<p><b>Within Existing Budget for 2025/26 of £5.01m</b></p>	<p><b>During Financial Year 2025/26 i.e. by 31.3.26</b></p>

	<p>reduction of 3<sup>rd</sup> party dependency may reduce expenditure but should not affect route planning and the considerations noted.</p> <p>In some areas, providing transport internally ensures service delivery for the most vulnerable pupils with an increased level of internal delivery of routes planned for Academic Year 2025/26. This supports financial stability as routes with our most vulnerable pupils usually incur higher external procurement costs and limited providers.</p> <p>To aid passenger demand, resource sufficiency and validated financial reporting, data is recorded using DfE and SEND reportable pupil code references.</p> <p>As home to school transport provision changes significantly throughout any academic year continual assessment of demand and sufficiency is carried out within the service which provides valuable indicators on supply needs and other financial planning. This could require vacancy control actions to recruit staffing or prompt discussions (as are currently being held) to review what wider framework agreements may be available, assessing the longer-term economical options for</p>			
--	---	--	--	--

	<p>revenue and capital investments and sufficiency and demand levels which are currently under review for Academic Year 2025/26 and 2026/27.</p> <p>As an alternative the service recommends:</p> <p>1) ITU to complete the implementation of home to school transport for Academic Year 2025/26 and continue to re-evaluate demand and sufficiency during the academic year in line with current and or known future demand levels for 2026/27.</p> <p>2) To conduct an evaluation of internal and external like for like costings to be validated by Finance and devise a cost analysis report in accordance with other reporting procedures.</p>			
G) Explore whether entering into longer-term contracts with third party providers would provide for greater flexibility and consistency.	The service agrees with the Scrutiny recommendation.	<p><b>Integrated Transport Unit Manager</b></p> <p><b>Support and Compliance Officers</b></p>	<p><b>Within Existing Budget for 2025/26 of £5.01m and future years budget allocations</b></p>	31.3.26

This page is intentionally left blank

<b>MIDDLESBROUGH COUNCIL</b>	
------------------------------	--

<b>Report of:</b>	Director of Legal and Governance Services - Charlotte Benjamin
<b>Relevant Executive Member:</b>	Elected Mayor - Chris Cooke
<b>Submitted to:</b>	Executive
<b>Date:</b>	8 October 2025
<b>Title:</b>	Information Strategy 2025 - 2029
<b>Report for:</b>	Decision
<b>Status:</b>	Public
<b>Council Plan priority:</b>	Delivering Best Value
<b>Key decision:</b>	No
<b>Why:</b>	Decision does not reach the threshold to be a key decision
<b>Subject to call in?</b>	Yes
<b>Why:</b>	Non-Urgent Report.

<b>Proposed decision(s)</b>
That the Executive: <ul style="list-style-type: none"> <li>• <b>APPROVES</b> the Information Strategy 2025-29.</li> </ul>

<b>Executive summary</b>
<p>This report sets out a proposed Information Strategy for the Council, following completion of the previous strategy.</p> <p>The report sets out that an effective information strategy is crucial for ensuring that data is handled efficiently, securely, and in a way that supports the Council's Strategic priorities. This report outlines the key reasons why having a robust information strategy is essential for complex organisations and proposes that the draft Information Strategy is adopted by the Council.</p> <p>The report sets out the vision for information articulated in the Strategy which is that 'the right information will be available to the right users, at any time, accessible and used ethically to support achievement of the Council Plan.'</p>

The report structures the Strategy around three themes:

- Good Data management
- Ethical use and reuse of data
- Use of data to transform.

Progress against the Strategy will be reported on an annual basis within the annual SIRO report and overseen by the Information Strategy Officer working group.

## 1. Purpose of this report and its contribution to the achievement of the Council Plan ambitions

1.1 The purpose of this report is to set out a proposed Information Strategy for the Council. In today's fast-paced and data-driven world, complex organisations face the challenge of managing vast amounts of information. An effective strategy for information management is crucial for ensuring that data is handled efficiently, securely, and in a way that supports the Council's Strategic priorities. This report outlines the key reasons why having a robust information strategy is essential for complex organisations and proposes that the draft Information Strategy, attached to this report at Appendix 1, is adopted by the Council.

1.2 A Member decision is required as it within the Mayor's remit to agree a strategy that will drive the Council's approach to the management of its information.

Our ambitions	Summary of how this report will support delivery of these ambitions and the underpinning aims
<b>A successful and ambitious town</b>	Delivery of this strategy will positively support these ambitions by ensuring the Council is able to transform the way we deliver public services, ensuring they are more efficient, responsive, and tailored to the needs of residents.
<b>A healthy Place</b>	Delivering activity which will ensure the Council's data is fit for purpose, ethically used and able to be used to improve and transform service delivery, will directly support compliance with the elements of the Best Value Statutory Duty, set out below:
<b>Safe and resilient communities</b>	
<b>Delivering best value</b>	



## 2. Recommendations

2.1 That the Executive:

- **APPROVES** the Information Strategy 2025-29.

### **3. Rationale for the recommended decision(s)**

3.1 Having a strategy in place to manage information effectively is vital for a complex organisation. It enhances decision-making, improves operational efficiency, ensures data security and compliance, facilitates collaboration, and supports innovation and growth. Prioritising information management will enhance the ability of the Council to achieve the Council Plan objectives.

### **4. Background and relevant information**

4.1 This is the second Information Strategy developed by the Council and it builds on the progress made in the previous Strategy.

4.2 This Strategy will act as the basis for efforts to improve and exploit information for the benefit of Middlesbrough and its residents within an ethical framework.

4.3 This Strategy closely interlinks with the Council's emerging Digital Strategy and Transformation Strategy. Both of which will rely on information being held appropriately to enable improved services to customers to be delivered.

4.4 An effective Information Strategy will deliver the following benefits:

- Enhanced decision making by ensuring accurate and timely decisions are taken, using excellent data and intelligence
- Improved operational efficiency through use of efficient information management to support activity to transform and streamline services through the Council's transformation programme and business as usual performance management
- Ensuring good data security and compliance with information governance legislation, regulations and standards
- Improving the Council's ability to use data to drive innovation.

4.5 The Information Strategy, appended to this report at Appendix 1, sets out:

- The legislative, regulatory and governance framework that the Strategy will operate within
- The vision of the strategy, which is that 'the right information will be available to the right users, at any time, accessible and used ethically to support achievement of the Council Plan.'
- The current position of the plan and its ambitions over the next four years
- The key principles that underpin the Strategy which are derived from government's seven information principles for the public sector
- The strategic objectives of the strategy, around which activity will be structured:
  - Good Data management
  - Ethical use and reuse of data
  - Use of data to transform.

4.6 Following adoption of this Strategy, progress against this Strategy will be overseen by the existing Information Strategy working group which comprises representatives from ICT and Information Governance and is chaired by the Senior Information Risk Owner



(SIRO). This group will develop and deliver a detailed implementation plan for the key actions identified in the strategy. Progress against this Strategy will be reported annually within the Annual SIRO report to Audit Committee.

## 5. Ward Member Engagement if relevant and appropriate

5.1 Not applicable to this report.

## 6. Other potential alternative(s) and why these have not been recommended

6.1 The Council could choose to operate without a strategy, however codifying its activities against a stated vision provides the best chance of achieving that vision and improving outcomes for the residents and businesses of Middlesbrough.

## 7. Impact(s) of the recommended decision(s)

Topic	Impact
Financial (including procurement and Social Value)	The strategy, during the life of its implementation, may result in financial impacts as the detailed delivery plan is developed and individual decisions are implemented. Where this is the case, those decisions will be brought forward and taken through the Council's decision making processes to ensure the financial impact is fully understood and considered.
Legal	The purpose of this Strategy is to ensure ongoing compliance with the Council's legal obligations in relation to information management, implementation of measures to support good practice in relation to data protection and records management
Data Protection	
Risk	Implementation of the Strategy will positively contribute towards management of the following risk within the Strategic Risk Register: <ul style="list-style-type: none"> <li>(SRR 13) If the Council's Corporate Governance arrangements are not fit for purpose and appropriate action is not taken to rectify this at pace, this could result, censure from the Council's auditors within a public interest report that would damage the Council's reputation and/or in government formal intervention including removal of powers from officers and members and direction of council spend.</li> </ul>
Human Rights, Public Sector Equality Duty and Community Cohesion	Implementation of the Strategy will positively impact on the Council's ability to demonstrate compliance with its obligations in this area through delivery of the theme within the Strategy focussed on ensuring data is ethically used and re-used.
Reducing Poverty	Effective implementation of the Strategy will support the organisation to be better able to use its data to understand its communities and individuals, enabling to identify where
Climate Change / Environmental	

Children and Young People Cared for by the Authority and Care Leavers	targeted interventions can be made to improve outcomes. It will also improve the quality of policy making by ensuring policy authors use data driven insights to design and implement their policies in these areas.
---	--

### **Actions to be taken to implement the recommended decision(s)**

Action	Responsible Officer	Deadline
Publication of the Strategy	Head of Governance, Policy and Information	31 August 2025
Provide a first report on the Strategy within the next annual report of the Senior Information Risk Owner to Audit Committee	Head of Governance, Policy and Information	30 September 2025

### **Appendices**

1	Information Strategy 2025 - 2029
2	Impact Assessment level 1

### **Background papers**

Not applicable.

**Contact:** Ann-Marie Johnstone  
**Email:** ann-marie\_johnstone@middlesbrough.gov.uk

# Information Strategy 2025 - 2029

Title	Information Strategy 2025 - 2029			
Creator	Author(s)	Ann-Marie Johnstone; Michael Brearley; Leanne Hamer; Victoria Holmes.		
	Approved by	LMT		
	Department	Governance, Policy and Information		
	Service area	Legal and Governance Support		
	Head of Service	Ann-Marie Johnstone		
	Director	Charlotte Benjamin		
Date	Created	2025/04/10		
	Submitted	TBC		
	Approved	TBC		
	Updating Frequency	4 years		
Status	Version: 2.0			
Contributor(s)	Head of Governance, Policy and Information and SIRO; Governance and Information Manager; Data Protection Officer; Data and Analytics Manager.			
Subject	Information			
Type	Strategy			
	Vital Record		EIR	
Coverage	Middlesbrough Council			
Language	English			
Document Control				
Version	Date	Revision History		Reviser
1.1	20250419	Draft New strategy		A Johnstone
2.20	20250709	Second strategy		A Johnstone
Distribution List				
Version	Date	Name/Service area		Action
1.1	20250601	Data leads and Information Strategy group members		Consultation
2.0	202508xx	Mayor and Executive Member for Governance, Chris Cooke		Consideration
Contact:	<a href="mailto:data@middlesbrough.gov.uk">data@middlesbrough.gov.uk</a>			

## Foreword

By harnessing the power of data, we can transform the way we deliver public services, ensuring they are more efficient, responsive, and tailored to the needs of our residents.

This strategy will enhance transparency and accountability, allowing us to make informed decisions and build trust with the public. Furthermore, it will support economic development, optimise resource allocation, and promote innovation, driving sustainable growth and improving the quality of life for all residents. Together, we can leverage data to create a brighter, more prosperous future for our everyone in our town.



**Chris Cooke**  
Mayor



**Erik Scollay**  
Chief Executive

## Introduction

Following on from the successful delivery of the Council's previous Information Strategy, a refreshed Strategy has been developed to ensure the Council continues to use data effectively to support delivery of its Council Plan ambitions and ensures that information and the way it's used, is not a barrier to delivery of its digital and wider transformation agendas, while maintaining compliance with the various legal frameworks for Information Governance.

In exercising our functions, we collect, produce, hold, and use a significant amount of 'information' about Middlesbrough (both the place, and its people), about our customers, and about our employees.

We use the term 'information' in a general sense, to refer to (unstructured) data, (structured) information, and records (of interactions, policies or decisions). We hold information in many different formats; in physical and digital form, both online and offline; on premises and externally.

Information is at the heart of what we do. We use it to provide insight and to inform our decisions – about strategy, about policy, about service design, and about specific services provided to customers. As part of this, we routinely share information, legally and securely, with a range of partners, contractors, and regulators.

Generally speaking, the better our information, the better our decisions will be, contributing to better outcomes for Middlesbrough and its residents. As we set out in our digital strategy, information is now considered the world's most valuable resource, and in delivering this strategy we need to make sure that we are fully exploiting both digital solutions *and* other opportunities to make our information as good as it can be.

This strategy will act as the basis for all of our efforts to improve and exploit our information for the benefit of Middlesbrough and its residents within an ethical framework.

This strategy closely interlinks with the Council's emerging Digital Strategy and Transformation Strategy. Both of which will rely on information being held appropriately to enable improved services to customers to be delivered.

## Legislative, regulatory and governance framework

We understand that how we treat information is central to public trust. There is a complex legal framework under which we must protect, manage, share and disclose information, which includes, but is not limited to, the following:


- Data Protection Act 2018 (DPA)
- Digital Economy Act 2017
- UK General Data Protection Regulation 2016 (UK GDPR)
- Data (Access and Use) Act 2025
- Local Government (Transparency Requirements) (England) Regulations 2015
- Re-use of Public Sector Information Regulations 2005

- Environmental Information Regulations 2004 (EIR)
- Privacy and Electronic Communications Regulations 2003
- Freedom of Information Act 2000 (FOI)
- Regulation of Investigatory Powers Act 2000 (RIPA)
- Copyright, Design and Patents Act 1998
- Human Rights Act 1998
- Computer Misuse Act 1990
- Local Government Acts 1972, 1985, 1988 and 1992
- Public Records Act 1958
- Data (Use and Access) Act 2025.

We are legally required to treat personal and sensitive personal data that we control and / or process safely, securely and ethically. The law also provides for a range of information access rights, to which we are legally obliged to respond where appropriate. We are also required to regularly publish a range of data sets on our website.

In respect of these activities, we are regulated by the Information Commissioner's Office (ICO). The Investigatory Powers Commissioner's Office (IPCO) acts as the regulatory body for RIPA.

We set out statutory and our local requirements in a set of policies commonly referred to as our information governance (IG) framework. Actions to maintain the currency of this framework will be delivered by this strategy, including expansion to capture emerging issues such as Artificial Intelligence and ethical use of data.

Our ambitions	Summary of how this report will support delivery of these ambitions and the underpinning aims
<b>A successful and ambitious town</b>	Delivery of this strategy will positively support these ambitions by ensuring the Council is able to transform the way we deliver public services, ensuring they are more efficient, responsive, and tailored to the needs of residents.
<b>A healthy Place</b>	
<b>Safe and resilient communities</b>	
<b>Delivering best value</b>	<p>Delivering activity which will ensure the Council's data is fit for purpose, ethically used and able to be used to improve and transform service delivery, will directly support compliance with the elements of the Best Value Statutory Duty, set out below:</p> 

## Vision and strategic aims

Our vision is that:

**‘the right information will be available to the right users, at any time, accessible and used ethically to support achievement of the Council Plan.’**

To achieve our vision, we will organise our efforts around the following priorities:

- Ensuring key data is held in a supported system
- All key data will meet data quality standards to ensure it is ready and available for lawful use and re-use within a clear ethical framework
- We will be open and transparent about the data we hold and how we use it unless there is a very good reason why we cannot
- Ensuring our data is fit for purpose to enable use of it within digital and wider transformation projects.

## Current position

Like many public sector organisations, we face some challenges in making better use of our information. This has only intensified in recent years as new technologies emerge that have the potential to revolutionise the work of local government, but which require excellent ‘data quality’ in order to do this.

The Council operates within its guidance for records retention many are statutory as we have a legal requirement to retain a number of types of documents and some for many years.

The Council continues to actively reduce the volume of paper records and move to born digital records as well as transferring paper to electronic recording. This approach has enabled the Council to radically reduce the volume of paper records held centrally.

Arrangements have also been made to securely store documents which have longer retention off site. This ensures the integrity and security of these records and has enabled further use of the existing space as well as the decant of buildings no longer in use.

Central building storage is no longer being added to with strict rules for yearly disposal for documents which have reached their retention dates. Most records are now created digitally and where possible, held in systems. The increasing use of digital recording has dramatically increased the Councils electronic records, this increases reliance on digital systems. It is therefore essential that appropriate security policies are in place in relation to data loss prevention.

The current position shows that there has been an exponential shift to digitisation and significant reduction in centrally stored paper records. There is also a rigorous annual exercise for location and disposal of paper documentation which has reached the retention disposal dates in line with our retention and disposal policy.

The complexity of the law, in particular around data protection, information sharing and records retention, is often seen within the public sector as a constraint to fully exploiting information. Together with addressing technological challenges, this strategy will continue

to deliver activity which will ensure that our employees, partners and customers are properly equipped to navigate these issues in order to exploit the opportunities that are emerging from new digital solutions, including the range of products that fall within the broad remit of Artificial Intelligence.

During the life of the 2018 – 2022 Information Strategy, the Council:

- Put in place and maintained, a robust Information Governance Policy Framework.
- Embedded a range of training and support mechanisms to ensure compliance with the policy framework.
- Significantly reduced paper records as part of work to reduce the office space needed by the Council. Arrangements in place for offsite storage and retrieval by way of scan on demand for Planning services records. Ad hoc scanning availability for records to assist with accommodation moves, enabling teams to take up less space. Guidance on good practice and considerations for office moves in place.
- Delivered technological solutions to support agile and digital working while maintaining the protection of data. Actions included expanded use of an Electronic Document and Records Management System and implementation of practical tools including Bring Your Own Device (BYOD) solutions, redaction tools and secure data sharing products.
- Delivered a work programme to improve data quality.
- Exploited improved data quality to launch over 105 Power BI dashboards, mainly at an operational level, that are able to accurately reflect current caseloads at a very detailed level. These tools have been critical in supporting the wider transformation work of the organisation.
- Transformed its approach to information requests to successfully tackle a significant backlog in Subject Access Requests
- Replaced an antiquated mapping product with a solution that has enabled the Council to deliver more digital services to customers and provide better data visualisation options to help residents, officers and Members understand the data held and how it can vary across Middlesbrough.

Information risks are embedded within the Council's Risk Registers and within with the Senior Information Risk Owner's Risk Register which reflects the risks associated with Information Governance that this strategy is designed to manage. This will be in conjunction with the Information Asset Owner handbook which is designed to help senior managers comply with a range of information governance responsibilities.

### Key principles

Our strategy will be underpinned by the Government's seven information principles for the public sector. The principles build naturally into a hierarchy, with each principle building on what has gone before.

Principle	Description
1	<b>Information is a valued asset:</b> Information is an asset which is fundamental to the efficient and effective delivery of public services.



2	<b>Information is managed:</b> Information is stored, managed, protected and exploited in a manner that reflects its value.
3	<b>Information is fit for purpose:</b> Information must be accurate, valid, reliable, timely, relevant and complete to ensure that it meets the purposes for which it is intended.
4	<b>Information is standardised and linkable:</b> The opportunities for using information greatly increase when it is made available in standardised and linkable formats.
5	<b>Information is re-used:</b> The value of information can be multiplied by re-use, and therefore opportunities to re-use should be looked for proactively.
6	<b>Public information is published:</b> Public information should be published, unless there are overriding reasons not to.
7	<b>Citizens and businesses can access information about themselves:</b> Citizens and businesses should be able to access information about themselves, along with an explanation of how this information is used.

These principles have been used to assess the current state of the Council's information at Information Asset Owner level across the Council to create the 'As is' table, attached at Appendix A.

### Strategic objectives

The Strategic objectives of this Information Strategy are to ensure the Council

**Has Good Data management**



**Ethically Uses and Reuses data**



**Can use Data to Transform**



### Implementation

Following adoption of this Strategy, progress against this Strategy will be overseen by the existing Information Strategy working group which comprises representatives from ICT and Information Governance and is chaired by the Senior Information Risk Owner (SIRO).

The priorities and actions within this Strategy will be implemented through a detailed Delivery Plan.

## Governance

The Head of Governance, Policy and Information acts as the Council's Senior Information Risk Owner (SIRO) and advises the Chief Executive and the management team.

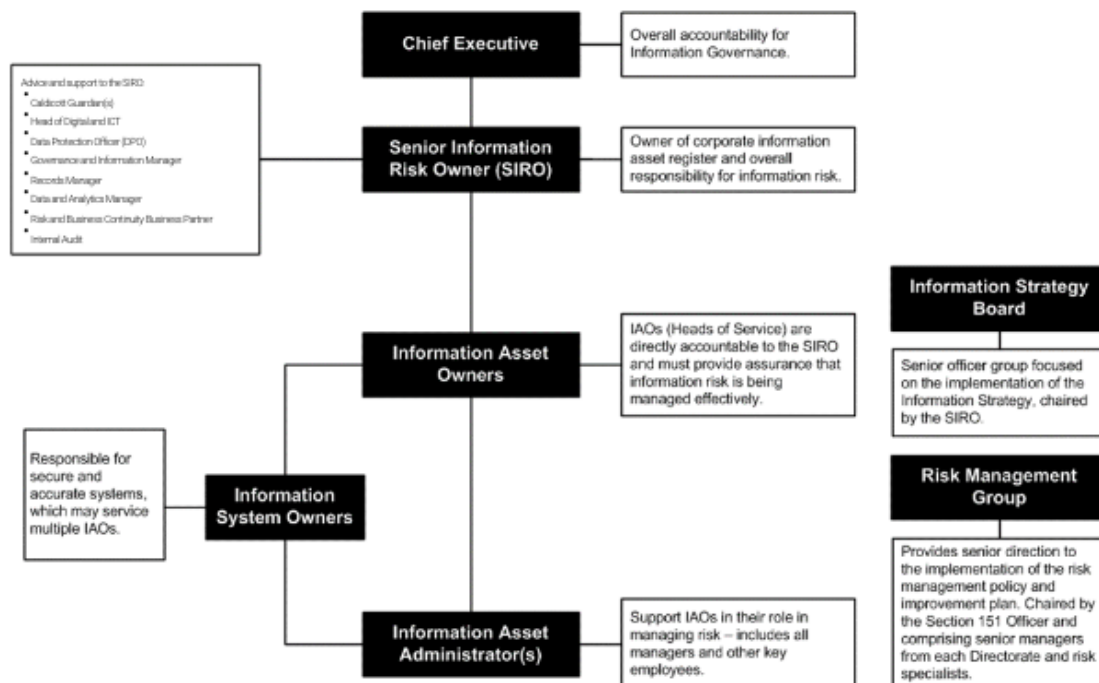
The Information Strategy group will oversee deliver of the plan. The group is chaired by the SIRO and includes the Deputy SIRO, Data Protection Officer, Data and Analytics Manager, the Head of ICT and Digital, a HR Business Partner, the Single Point Of Contact (SPOC) for CCTV and the strategic lead for Transformation.

All information programmes and projects that may be triggered by the Strategy will be overseen by the relevant project governance as required within the Council's programme and project management framework and governance arrangements for transformation.

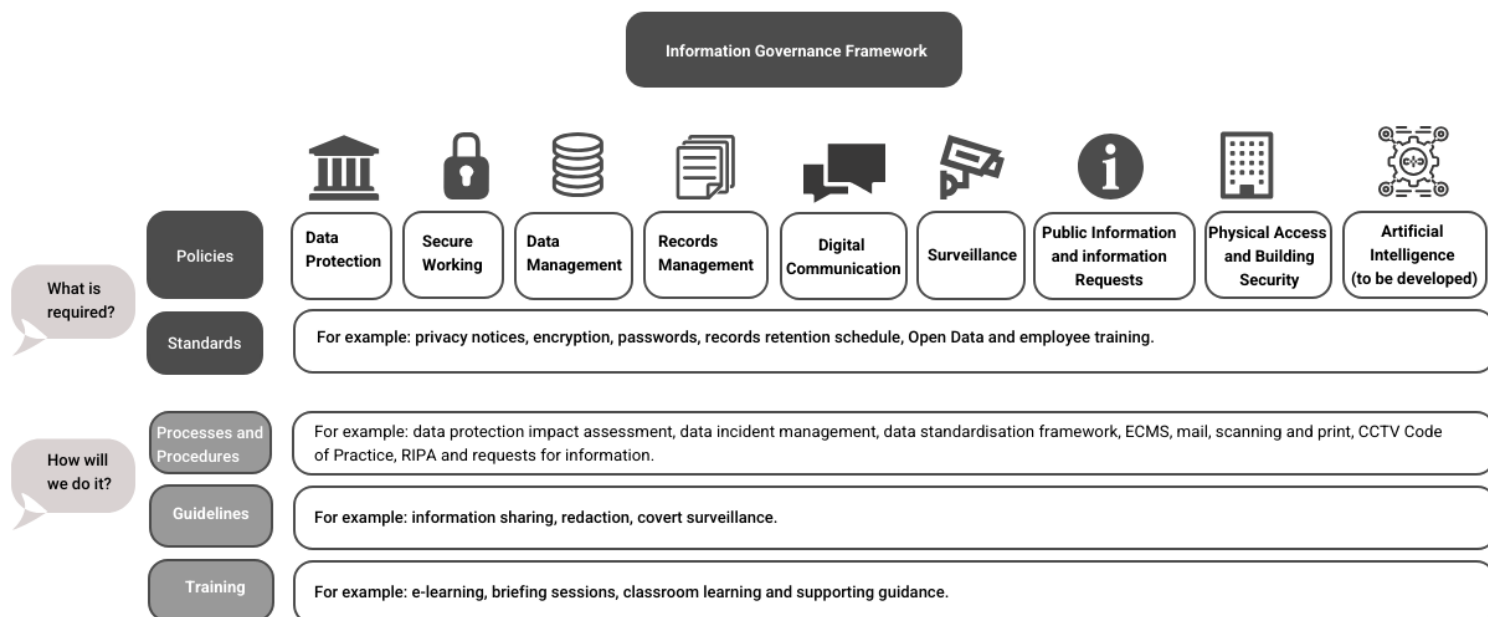
Progress against the 'To Be' information map will be reviewed quarterly by the Information Strategy Group and reported to the Council's management team and Heads of Service where appropriate.

It will be important to regular review information priorities against emerging priorities from the Council's Transformation portfolio and the Digital Strategy once it is in place. This will be done on a quarterly basis with the leads for those functions, through the Information Strategy meetings.

The SIRO will provide a quarterly update to the Council's Risk Management Group on information risk, and an annual report to management team and Audit Committee on delivery of this strategy, within the annual SIRO report.



The Council will expand its current Information Governance Policy Framework to include governance around new technologies as they emerge during the life of this strategy. The first area of expansion will address Artificial Intelligence.



## Evaluation

If we are successful in delivering our priorities, we will see sustained improvements in the following measures up to and beyond 2028:

- Further reduction in historic paper records
- Successful transition to Sharepoint for document storage
- Increased integration of data with our partners and contractors
- Reduced missing information, information errors and duplicate information
- Improved time to access correct information
- Automation of processes where AI can add value and improve outcomes
- Reduce the impact of data breaches
- Maximised publication of Council data using Open Standards
- Reduce the time taken to respond to information requests and improve citizens accessibility to information
- Improved performance (financial and non-financial) attributable to this strategy
- Increased accuracy of forecasting through predictive analytics across Directorates attributable to this strategy
- Reduced information risk profile to minimum levels
- Increased utilisation and citation of our data products internally and externally
- Improved overall credibility and reputation of our information products and services.

## Delivery plan Priorities

Officers have met with Information Asset Owners and completed an assessment of their current alignment with the Information Principles, alongside analysis of where they believe they need to be by the end of this strategy in order to align with those principles and deliver innovations in their areas to meet forthcoming expectations that will be outlined in key Council documents such as the Transformation Strategy and Digital Strategy. As such priorities within this document are subject to change to ensure they continue to align with

the wider Council objectives. Priorities may also be added, amended or deleted if there are changes to the legislative framework during the life of this policy.

### Good Data management



### Ethical use and Reuse of data



### Use of data to Transform



The following section summarises our priorities under each theme of the strategy.

### Good Data Management

Our priorities and the key actions we will take within this theme are:

No	Priority	Key Action(s)
1	Support the Council to make better strategic use of the data it holds	The approach to dashboards will be reviewed to ensure they not only meet operational needs of the organisation but also support strategic oversight of key performance measures and that this links to the refreshed Performance Management Framework that will be put in place during the life of this plan.
2	Improve data quality within key systems to enable automation and transformation	The Council will put in place Data Quality Improvement Plans for all departments to support transition from the 'As Is' assessment of current data management to the 'To Be' state following completion of assessments by Information Asset Owners.
3	Maintain the currency of the Information Governance Policy Framework	<p>The following policies and procedures will be reviews during the life of the strategy to ensure alignment with legislation and good practice, including reflection of legislation that will come into force during the life of this Strategy:</p> <ul style="list-style-type: none"> <li>- Data Protection Policy</li> <li>- Digital Communication Policy</li> <li>- Records Management Policy</li> <li>- Surveillance Policy</li> <li>- Data Management Policy</li> <li>- Physical Access and Building Security Policy</li> <li>- Public Information and Information Requests Policy.</li> </ul> <p>An Artificial Intelligence policy will be established. It will be supported by appropriate training, e-learning, communications and wider change management activity to ensure the organisation has the capability and capacity to lawfully and ethically exploit the potential of AI to improve outcomes for its residents.</p>
4	Improve records management	Service Records Management compliance plans will be developed in partnership with services to ensure adherence to Records Management legislative requirements. The Council will continue to look at opportunities to digitise records, on a case-by-case basis, where costs and benefits align.

5	Protect paper records that need to be retained	Complete fire compartmentalisation works within the Municipal Building to improve the protection of retained paper records and ensure they are stored and organised in line with Records Management good practice standards.
6	Improve customer data availability	The Council will look to enable citizen portals for customers to be able to access their data through the Customer Strategy.
7	Enable public access to data	Continue to develop the Council's Open Data web page and internal and external Data hubs to meet information demands from the public and reduce the need for statutory information requests.
8	Ensure Publication standards are met	a Transparency Improvement Plan will be delivered to reduce statutory information request demand and increase compliance with statutory information request timescales.
9	Availability Improvement Plan	Reducing system downtimes and improving access to data will support better decision-making and better outcomes for our residents. Where identified as an issue within the Information Asset Owner Assessments, plans will be put in place to improve access and reduce downtimes, along with safeguarding data.
10	Ensure Information Asset Registers are up to date	Accurate Information Asset Registers support the organisation to keep track of its data, understand how its being used and where this is stored. In turn this supports it to ensure it is held securely, in line with retention and is managed effectively so that the council can use it to operate effectively.

## Ethical use and reuse of data

Priorities and the actions we will take within this theme are:

No	Priority	Action(s)
11	Providing the public with assurance that their data will be used ethically, particularly around innovative use of data such as within (Artificial Intelligence) AI or predictive analytics	<p>The Council will put in place a Data charter that will set out the following:</p> <ul style="list-style-type: none"> <li>• A plan to build trust through transparency</li> <li>• How the Council will ensure accountability and oversight of data usage</li> <li>• How data will be secure and its use safe and ethical</li> <li>• A commitment that data will be used for public good, and usage be mindful of residents' data rights</li> <li>• How the Council will ensure its approach to data usage is beneficial for all by using an outcomes-based approach</li> <li>• Ensuring that the information shared about data use is clear and accessible.</li> </ul>
12	Ensure governance is in place to enable the Council to lawfully and ethically exploit the potential of AI to improve outcomes for its residents	<p>Put in place governance documents to manage the use of innovative tools such as predictive analytics and wider AI. This will include:</p> <ul style="list-style-type: none"> <li>- Creation of an AI policy</li> <li>- Governance of creation of Predictive analytics solutions</li> <li>- An AI Register</li> <li>- A Predictive analytics register</li> </ul>

		- Creation of a Predictive Analytics standard as part of the Data Management Policy
13	Remove barriers to transformation around data reuse by taking steps to enabling lawful data reuse to improve customer services	Undertake compatibility and data protection impact assessments and revise Privacy Notices for key processes to enable transformation and data reuse.
14	Review Data Sharing Agreements periodically	To ensure the Council is able to work with partners and lawfully share data and support partnership working, a cycle of reviews will be put in place to ensure data sharing agreements remain current, taking into account the Data (Use and Access) Act 2025.

## Use of data to transform

Our priorities and the actions we will take within this theme are:

No	Priority	Action(s)
15	Throughout the life of this strategy, the Council must ensure that its efforts and focus are completely aligned with the organisation's priorities for digital and wider transformation	The priorities of this strategy will be reviewed on a quarterly basis with leads for the Council's Digital Strategy and Transformation Strategy.
16	Explore and enable the use of predictive analytics to support targeted preventative activity	The Council will explore the lawful use of predictive analytics at an individual level, where there is a lawful basis to do so, to support its prevention-based approach to service delivery. The Council will deliver predictive analytics products, to enable it to accurately predict future service demand to improve service planning and inform its preventative services, which will be designed to reduce demand for more intensive interventions by supporting people at an earlier stage.
17	Improve data quality to enable transformation	A series of practical actions will be identified through data improvement plans to improve 'data quality'. Good Data Quality is data that is accurate, complete, consistent, up to date and valid. Ensuring good data quality will increase the Council's opportunities to automate processes.
18	Minimise data not held in systems	Ensure improvement plans identify opportunities to move data into system where this is necessary to improve decision making, management and outcomes for our residents and customers.
19	Improve the organisation's ability to turn data into joined up intelligence through Data Extraction	Link system data to business intelligence dashboards through use of connectivity e.g. Application Programme Interfaces (APIs) where they exist.
20	Improve considerations of ICT and data issues within the procurement cycle	We will work with procurement specialists and key system owners to identify likely future procurement activity around commissioning and decommissioning systems, utilising the pipeline and agree measures to ensure system issues fully considered.
21	System Review / Consolidation	To ensure we influence the Digital Strategy so that systems are used to their full potential, full market testing and overlap eradicated to enable full data exploitation in line with the information principles.

22	Using data effectively	In order to ensure that data provided to the organisation is understood by decision makers, report authors and managers within the Council, we will work to ensure that data and its limitations and caveats is well understood within the organisation by embedding appropriate generic and targeted training and development.
----	------------------------	---

A detailed delivery plan will be put in place to set out the prioritised delivery of these key actions, with milestones upon agreement of this Strategy.

## Appendix A: Information map – ‘As Is’ the current state of information within the Council

		1 Valued Information is an asset which is fundamental to the efficient and effective delivery of public services.	2 Managed Information is stored (S), managed (M), protected (P) and exploited in a manner that reflects its value (E).	3 Fit for purpose Information must be accurate, valid, reliable, timely, relevant and complete to ensure that it meets the purposes for which it is intended.	4 Standardised and linkable The opportunities for using information greatly increase when it is made available in standardised and linkable formats.	5 Reused The value of information can be multiplied by re-use, and therefore opportunities to re-use should be looked for proactively.	6 Published Public information should be published, unless there are overriding reasons not to.	7 Accessible to citizens and businesses Citizens and businesses should be able to (A) access information about themselves, (Ex) along with an explanation of how this information is used.
Information Asset Owner								
ASC & Health Integration	Access and Safeguarding	Neutral	Amber	Amber	Amber	Amber	Green	Amber
ASC & Health Integration	Prevention, Provider & Support Services	Neutral	Amber	Amber	Amber	Green	Amber	Amber
ASC & Health Integration	Public Health	Neutral	Green	Amber	Amber	Amber	Green	Red
ASC & Health Integration	Specialist and Lifelong Services	Neutral	Amber	Amber	Amber	Amber	Green	Amber
Marketing & Comms	Marketing and Communications	Neutral	Amber	Amber	Neutral	Amber	Green	Green
Childrens Services	Corporate Parentin and Fostering	Neutral	Red	Red	Red	Neutral	Green	Green
Childrens Services	MACH, Assessment and Pre-Birth Services	Neutral	Red	Amber	Amber	Neutral	Amber	Amber
Childrens Services	Prevention - Early Help	Neutral	Amber	Amber	Neutral	Amber	Green	Amber
Childrens Services	Learning, Review and Development and PSW	Neutral	Red	Amber	Amber	Neutral	Neutral	Amber
Childrens Services	Residential Services	Neutral	Red	Green	Amber	Neutral	Green	Amber
Childrens Services	Service Safeguarding, Care Planning & CWD	Neutral	Red	Amber	Amber	Neutral	Green	Amber
Childrens Services	Access to Education and Alternative Provision	Neutral	Amber	Amber	Amber	Amber	Amber	Green
Childrens Services	Achievement	Neutral	Amber	Amber	Green	Green	Green	Green
Childrens Services	Partnerships	Neutral	Amber	Amber	Amber	Green	Neutral	Amber
Childrens Services	SEN & Vulnerable Learners	Neutral	Amber	Amber	Amber	Green	Amber	Green
Environment & Commercial	Highways	Neutral	Amber	Amber	Amber	Amber	Amber	Amber
Environment & Commercial	North East Migration	Neutral	Amber	Neutral	Amber	Amber	Neutral	Red
Environment & Commercial	Open Spaces	Neutral	Amber	Amber	Green	Amber	Green	Amber
Environment & Commercial	Building Services	Neutral	Amber	Neutral	Amber	Green	Green	Neutral
Environment & Commercial	Operations	Neutral	Red	Red	Red	Amber	Green	Red
Environment & Commercial	Public Protection	Neutral	Amber	Amber	Amber	Green	Green	Amber
Environment & Commercial	Neighbourhoods	Neutral	Amber	Amber	Amber	Amber	Green	Green
Environment & Commercial	Transport & Infrastructure	Neutral	Amber	Red	Red	Amber	Amber	Amber
Finance	Finance and Investment	Neutral	Amber	Amber	Amber	Amber	Red	Amber
Finance	Financial Planning and Support	Neutral	Amber	Amber	Amber	Amber	Red	Neutral
Finance	Pensions Governance and Investments	Neutral	Amber	Neutral	Neutral	Neutral	Green	Green
Finance	Resident and Business Support	Neutral	Amber	Green	Amber	Amber	Amber	Amber
Finance	Strategic Commissioning and Procurement	Neutral	Amber	Amber	Amber	Amber	Amber	Green
Legal & Governance	Human Resources	Neutral	Amber	Amber	Amber	Green	Green	Green
Legal & Governance	Legal Services	Neutral	Amber	Amber	Green	Amber	Green	Amber
Legal & Governance	Policy, Governance and Information	Neutral	Amber	Amber	Amber	Amber	Green	Green
Legal & Governance	Strategy, Business and Customer	Neutral	Amber	Amber	Amber	Neutral	Green	Amber
Regeneration	Community Learning & Employability	Neutral	Amber	Green	Amber	Amber	Green	Amber
Regeneration	Culture	Neutral	Red	Red	Amber	Green	Green	Green
Regeneration	Growth	Neutral	Neutral	Neutral	Neutral	Neutral	Green	Neutral
Regeneration	Planning	Neutral	Amber	Green	Green	Green	Green	Green
Regeneration	Property and Commercial Services	Neutral	Amber	Amber	Amber	Amber	Green	Amber



## Appendix B: Information map – ‘To Be’ the target to be achieved by the close of this strategy

Information Asset Owner		1 Valued Information is an asset which is fundamental to the efficient and effective delivery of public services.	2 Managed Information is stored (S), managed (M), protected (P) and exploited in a manner that reflects its value (E).	3 Fit for purpose Information must be accurate, valid, reliable, timely, relevant and complete to ensure that it meets the purposes for which it is intended.	4 Standardised and linkable The opportunities for using information greatly increase when it is made available in standardised and linkable formats.	5 Reused The value of information can be multiplied by re-use, and therefore opportunities to re-use should be looked for proactively.	6 Published Public information should be published, unless there are overriding reasons not to.	7 Accessible to citizens and businesses Citizens and businesses should be able to (A) access information about themselves, (Ex) along with an explanation of how this
ASC & Health Integration	Access and Safeguarding	Neutral	Green	Green	Amber	Green	Green	Green
ASC & Health Integration	Provention, Provider & Support Services	Neutral	Green	Green	Amber	Green	Amber	Green
ASC & Health Integration	Public Health	Neutral	Green	Amber	Amber	Amber	Green	Amber
ASC & Health Integration	Specialist and Lifelong Services	Neutral	Amber	Green	Amber	Amber	Green	Green
Marketing & Comms	Marketing and Communications	Neutral	Green	Green	Neutral	Green	Green	Green
Childrens Services	Children in Care and Pathways	Neutral	Amber	Green	Green	Neutral	Green	Green
Childrens Services	MACH & Assessment	Neutral	Green	Amber	Green	Neutral	Amber	Amber
Childrens Services	Early Help	Neutral	Amber	Neutral	Neutral	Amber	Green	Amber
Childrens Services	Learning, Review and Development and PSW	Neutral	Green	Green	Green	Neutral	Neutral	Amber
Childrens Services	Fostering, Residential Resource & Supported Accom.	Neutral	Green	Green	Green	Neutral	Green	Amber
Childrens Services	Service Safeguarding, Care Planning & CWD	Neutral	Green	Amber	Amber	Neutral	Green	Amber
Childrens Services	Access to Education and Alternative Provision	Neutral	Amber	Amber	Amber	Amber	Amber	Green
Childrens Services	Achievement	Neutral	Amber	Amber	Green	Green	Green	Green
Childrens Services	Partnerships	Neutral	Amber	Green	Amber	Green	Neutral	Amber
Childrens Services	SEN & Vulnerable Learners	Neutral	Amber	Amber	Amber	Green	Amber	Green
Environment & Commercial	Highways	Neutral	Amber	Amber	Amber	Amber	Amber	Green
Environment & Commercial	North East Migration	Neutral	Green	Neutral	Green	Amber	Neutral	Amber
Environment & Commercial	Open Spaces	Neutral	Amber	Amber	Green	Amber	Green	Amber
Environment & Commercial	Building Services	Neutral	Green	Neutral	Green	Green	Green	Neutral
Environment & Commercial	Operations	Neutral	Amber	Amber	Amber	Amber	Green	Amber
Environment & Commercial	Public Protection	Neutral	Green	Green	Green	Green	Green	Green
Environment & Commercial	Neighbourhoods	Neutral	Green	Green	Green	Green	Green	Green
Environment & Commercial	Transport & Infrastructure	Neutral	Green	Amber	Amber	Amber	Amber	Amber
Finance	Finance and Investment	Neutral	Green	Amber	Amber	Amber	Amber	Amber
Finance	Financial Planning and Support	Neutral	Amber	Amber	Amber	Amber	Amber	Neutral
Finance	Pensions Governance and Investments	Neutral	Amber	Neutral	Neutral	Neutral	Green	Green
Finance	Resident and Business Support	Neutral	Amber	Green	Amber	Green	Amber	Amber
Finance	Strategic Commissioning and Procurement	Neutral	Amber	Amber	Green	Amber	Green	Green
Legal & Governance	Human Resources	Neutral	Amber	Amber	Amber	Green	Green	Green
Legal & Governance	Legal Services	Neutral	Amber	Amber	Green	Amber	Green	Amber
Legal & Governance	Policy, Governance and Information	Neutral	Amber	Amber	Amber	Amber	Green	Green
Legal & Governance	Strategy, Business and Customer	Neutral	Green	Amber	Amber	Neutral	Green	Amber
Regeneration	Community Learning & Employability	Neutral	Amber	Green	Amber	Amber	Green	Amber
Regeneration	Culture	Neutral	Amber	Amber	Amber	Green	Green	Green
Regeneration	Growth	Neutral	Neutral	Neutral	Neutral	Neutral	Green	Neutral
Regeneration	Planning	Neutral	Amber	Green	Green	Green	Green	Green
Regeneration	Property and Commercial Services	Neutral	Neutral	Amber	Amber	Amber	Green	Amber

This page is intentionally left blank

<b>Subject of assessment:</b>	Information Strategy			
<b>Coverage:</b>	Cross-cutting			
<b>This is a decision relating to:</b>	<input checked="" type="checkbox"/> <b>Strategy</b>	<input type="checkbox"/> <b>Policy</b>	<input type="checkbox"/> <b>Service</b>	<input type="checkbox"/> <b>Function</b>
	<input type="checkbox"/> <b>Process/procedure</b>	<input type="checkbox"/> <b>Programme</b>	<input type="checkbox"/> <b>Project</b>	<input type="checkbox"/> <b>Review</b>
	<input type="checkbox"/> <b>Organisational change</b>	<input type="checkbox"/> <b>Other (please state)</b>		
<b>It is a:</b>	<b>New approach:</b>	<input type="checkbox"/>	<b>Revision of an existing approach:</b>	<input checked="" type="checkbox"/>
<b>It is driven by:</b>	<b>Legislation:</b>	<input checked="" type="checkbox"/>	<b>Local or corporate requirements:</b>	<input checked="" type="checkbox"/>
<b>Description:</b>	<p>Insert short description, using the following as sub-headings:</p> <p><b>Statutory drivers</b> - There is a complex legal framework under which we must protect, manage, share and disclose information, which includes, but is not limited to, the following:</p> <ul style="list-style-type: none"> <li>• Data Protection Act 2018 (DPA)</li> <li>• Digital Economy Act 2017</li> <li>• UK General Data Protection Regulation 2016 (UK GDPR)</li> <li>• Data (Access and Use) Act 2025</li> <li>• Local Government (Transparency Requirements) (England) Regulations 2015</li> <li>• Re-use of Public Sector Information Regulations 2005</li> <li>• Environmental Information Regulations 2004 (EIR)</li> <li>• Privacy and Electronic Communications Regulations 2003</li> <li>• Freedom of Information Act 2000 (FOI)</li> <li>• Regulation of Investigatory Powers Act 2000 (RIPA)</li> <li>• Copyright, Design and Patents Act 1998</li> <li>• Human Rights Act 1998</li> <li>• Computer Misuse Act 1990</li> <li>• Local Government Acts 1972, 1985, 1988 and 1992</li> <li>• Public Records Act 1958</li> <li>• Data (Use and Access) Act 2025.</li> </ul> <ul style="list-style-type: none"> <li>• <b>Differences from any previous approach</b> - the Strategy builds on the previous Information Strategy to ensure the Council has a planned approach in place to ensure it has good data management, data is used and reused ethically and the Council is in a position to use data to transform.</li> <li>• <b>Key stakeholders and intended beneficiaries</b> – staff, the public, partners, businesses, Members, regulators</li> <li>• <b>Intended outcomes</b> – delivery of the vision for the information strategy - the right information will be available to the right users, at any time, accessible and used ethically to support achievement of the Council Plan</li> </ul>			

<b>Live date:</b>	September 2025 onwards
<b>Lifespan:</b>	September 2025 – September 2029
<b>Date of next review:</b>	Progress against the Strategy will be reviewed annually within the annual SIRO report to Audit Committee.

Screening questions	Response			Evidence
	No	Yes	Uncertain	
<b>Human Rights</b> Could the decision impact negatively on individual Human Rights as enshrined in UK legislation?*	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The strategy will positively support human rights. The Strategy sets out how the Council will adhere to the legislative framework which governs information governance and has due regard to rights to respect for private and family life, home and correspondence.</p> <p>Evidence used to assess this includes analysis of the strategy and government and regulator guidance on ethical use of data.</p>
<b>Equality</b> Could the decision result in adverse differential impacts on groups or individuals with characteristics protected in UK equality law? Could the decision impact differently on other commonly disadvantaged groups?*	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The Council has a duty to consider the impact of the proposal on relevant protected characteristics to ensure it has due regard to the public sector equality duty. The duty means the Council must have due regard when taking decisions to the need to:</p> <ul style="list-style-type: none"> <li>a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;</li> <li>b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;</li> <li>c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</li> </ul> <p>The Strategy will have a positive impact on this duty by ensuring that ethical use and reuse of data is at the heart of the Council's Information Strategy. The strategy also includes a commitment to a data charter which will set out how the Council will ensure that data is used to safeguard against the risk of unintended bias that could exist within emerging technologies such as AI.</p> <p>There are no concerns that the strategy could result in a disproportionate adverse impact on a group or individuals because they hold one or more protected characteristics because the strategy includes safeguards to prevent this.</p> <p>Evidence used to assess this includes analysis of the strategy and government and regulator guidance on ethical use of data.</p>
<b>Community cohesion</b> Could the decision impact negatively on relationships between different groups, communities of interest or neighbourhoods within the town?*	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The Strategy will support the Council to understand its communities through better use of data it holds and will support it to safeguard community cohesion in the town.</p> <p>Evidence used to assess this includes analysis of the strategy and government and regulator guidance on ethical use of data.</p>

\* Consult the Impact Assessment further guidance for details on the issues covered by each of these broad questions prior to completion.

Screening questions	Response			Evidence	
<b>Armed Forces</b> Could the decision impact negatively on those who are currently members of the armed forces of former members in the areas of Council delivered healthcare, compulsory education and housing policies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The strategy will support the Council to understand demand in this area to better meet its legal duties and demonstrate this. Evidence used to assess this includes analysis of the strategy and government and regulator guidance on ethical use of data.	
<b>Care leavers</b> Could the decision impact negatively on those who are care experienced?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Effective use of data across the Council will positively impact on care leavers by ensuring their needs are better identified and also support compliance with rights that care leavers may wish to exercise to access information about themselves and their care. Evidence used to assess this includes analysis of the strategy and government and regulator guidance on ethical use of data.	
<b>Reducing Poverty</b> Could the decision impact negatively on the Council's ambitions to reduce poverty in the town?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Effective use of data will better support the Council to understand poverty and the drivers of poverty and enable the Council to focus its resources on tackling this. Evidence used to assess this includes analysis of the strategy and government and regulator guidance on ethical use of data.	
<b>Next steps:</b> ➡ If the answer to all of the above screening questions is No then the process is completed. ➡ If the answer of any of the questions is Yes or Uncertain, then a Level 2 Full Impact Assessment must be completed.					
<b>Assessment completed by:</b>	n/a			<b>Head of Service:</b>	Ann-Marie Johnstone
<b>Date:</b>	n/a			<b>Date:</b>	17/7/2025



This page is intentionally left blank



<b>MIDDLESBROUGH COUNCIL</b>	
------------------------------	--

<b>Report of:</b>	Director of Environment and Community Services - Geoff Field
<b>Relevant Executive Member:</b>	Executive Member for Environment - Peter Gavigan
<b>Submitted to:</b>	Executive
<b>Date:</b>	8 October 2024
<b>Title:</b>	Waste Disposal Contract: Tees Valley Energy Recovery Facility
<b>Report for:</b>	Decision
<b>Status:</b>	Public
<b>Council Plan priority:</b>	Delivering Best Value
<b>Key decision:</b>	Yes
<b>Why:</b>	Decision(s) will incur expenditure or savings above £250,000 and have a significant impact in two or more wards
<b>Subject to call in?</b>	Yes
<b>Why:</b>	Non-Urgent Report

Proposed decision(s)	
<p>That the Executive:</p> <ul style="list-style-type: none"> <li>a) Approves the creation of the Local Authority Special Purpose Vehicle (LA SPV).</li> <li>b) Appoints the Director of Environment and Community Services as the Council's Director on the Board of the LA SPV and authorises them and any successors; or any substitute or deputy appointed by the Director of Environment and Commercial Services should they be unavailable, to take all decisions on behalf of the Council as Director on the Board of the LA SPV for the good governance of the LA SPV and the Energy Recovery Facility.</li> <li>c) Authorises the Council to subscribe for shares in and to be a shareholder of the LA SPV; and to issue a Shareholder Resolution to approve and adopt the Articles of Association.</li> <li>d) Appoints the Section 151 Officer as the Council's Shareholder Representative and Authorises that Shareholder Representative to appoint an alternative representative to act as their substitute or deputy and authorises the Shareholder</li> </ul>	

Representative and their alternative to make decisions under the Shareholder Agreement, articles of association etc including the making of shareholder resolutions, including a shareholder resolution to approve and adopt the Articles of Association on behalf of the Council .

- e) Authorises the Council to enter into the Shareholders' Agreement and Delegates Authority to Director of Environment and Community Services (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to finalise and agree and enter into the Shareholder Agreement.
- f) Delegates Authority to Director of Environment and Community Services (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to authorise the LA SPV to enter into the Shareholder Agreement.
- g) Authorises the LA SPV to enter into the Service Level Agreement and Delegates Authority to the Director of Environment and Community Services (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to finalise and agree the Service Level Agreement.
- h) Authorises the Council to enter into the Waste Supply and Support Agreement ("WSSA") and Delegates Authority to the Director of Environment and Community Services (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to finalise, agree and enter into the WSSA with the LA SPV
- i) Delegates Authority to the Director of Environment and Community Services (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to authorise the LA SPV to enter into the WSSA;
- j) Authorises the LA SPV to award the Contract, enter into the Project Agreement with the successful Contractor and to enter into the 50 year lease with Teesworks for the site and Delegates Authority to the Director of Environment and Community Services (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to finalise and agree the Project Agreement, Lease and any associated agreements and documentation
- k) Delegates Authority to the Director of Environment and Community Services (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to finalise and agree the Business Plan for the LA SPV and provide sufficient resources to allow the LA SPV to reach Financial Close and then to monitor and manage the Contract on behalf of, and with, the Councils for the term.
- l) Delegates Authority to Director of Environment and Community Services (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to enter into Local Government (Contracts) Act 1997 Council certificates in relation to the WSSA.
- m) Delegates Authority to the Director of Environment and Community Services (in consultation with the Mayor and supported by the Monitoring Officer and Section

151 Officer) to finalise and agree the Secondment Agreement and to authorise the LA SPV to enter into the Secondment Agreement.

- n) Delegates Authority to the Director of Environment and Community Services (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to authorise, finalise, agree and enter into the Cost Equalisation Agreement.
- o) Authorises the Council to enter into a Guarantee of the Project Agreement and a Guarantee of the Lease and Delegates Authority to the Director of Environment and Community Services (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to agree finalise and to enter into the Council Guarantees.
- p) Delegates Authority to the Director of Environment and Community Services (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to authorise the LA SPV to enter into and be a party to the Council's Guarantee of the Project Agreement and the Guarantee of the Lease.
- q) Delegates Authority to the Director of Environment and Community Service (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to authorise the LA SPV to enter into a Novation of the Option Agreement, Side Deed with the Estate Owner and Environmental Deed and to authorise the LA SPV to enter into all other necessary agreements or legal documentation to enable the project to reach financial completion and to monitor and manage the contract.
- r) Delegates Authority to the Director of Environment and Community Service (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to authorise the Council to act as Guarantor in respect of the LA SPV Side Deed with the Estate Owner and Environmental Deed and to authorise the Council to enter into all other necessary agreements or legal documentation on behalf of the Council to enable the project to reach financial completion and to monitor and manage the contract.

### Executive summary

Middlesbrough along with six other Local Authorities in the North East have undertaken a procurement for the disposal of residual waste. This disposal contract involves the building of a new Energy from Waste Plant and running that plant.

The project is now at a stage in that process where a preferred bidder has been selected and seven local authorities are working towards financial close of that procurement process.

This report sets out the decisions and delegations the Council needs to take to be able to work with the other authorities in respect of undertaking financial close with

the preferred bidder and the subsequent structures for managing the disposal contract.

## 1. Purpose of this report and its contribution to the achievement of the Council Plan ambitions

- 1.1 Middlesbrough along with six other Local Authorities in the North East have undertaken a procurement for the disposal of residual waste. We are now at a stage in that process where a preferred bidder has been nominated, and we are working towards financial close of that procurement process. The price per tonne achieved through the procurement process is at present £143 average price over the life of the contract at 25/26 prices indexed at CPI. This is below the ceiling limit that was set. The negotiations will continue to financial close with a view to reducing the price per tonne further.
- 1.2 The 2025/26 budget for residual waste disposal is £5.6m The current price paid under the current arrangements for residual waste disposal is £128.29 per tonne with an estimated inflationary rise to £144.97 per tonne in 2029/2030. The average annual tonnage is currently around 39,000 tonnes. This is expected to reduce over the next few years following the introduction of the Government's Simpler Recycling Initiatives.
- 1.3 In order to allow the council to fulfil its requirements as part of the process there are a number of decisions and delegations that need to be made and granted. These are outlined below in the recommendations.
- 1.4 Agreeing to the recommendations is in line with the councils of objectives of delivering Best Value and its Environment objectives. The price per tonne provides value for money in respect of the disposal of Middlesbrough's residual waste. It also allows Middlesbrough to increase its level of recycling in the town without affecting the contractual arrangements with the successful bidder.

Our ambitions	Summary of how this report will support delivery of these ambitions and the underpinning aims
<b>A successful and ambitious town</b>	<ul style="list-style-type: none"> <li>- The TVEWP will provide local employment opportunities in both the construction and operational phase.</li> </ul>
<b>A healthy Place</b>	<ul style="list-style-type: none"> <li>- The TVEWP ensures that residual waste can be disposed of whilst complying to relevant environmental legislation and requirements.</li> </ul>
<b>Safe and resilient communities</b>	<ul style="list-style-type: none"> <li>- The TVEWP ensures that residual waste can be disposed of whilst complying to relevant environmental legislation and requirements.</li> </ul>
<b>Delivering best value</b>	<ul style="list-style-type: none"> <li>- The TVEWP is the result of a detailed and robust procurement process and delivers a competitive residual waste disposal cost.</li> <li>- The TVEMP will be an asset of significant value to MBC and partner authorities.</li> </ul>

	- There is a robust management and governance management structure that are outlined in this report.
--	--

## 2. Recommendations

### That the Executive:

- a) Approves the creation of the Local Authority Special Purpose Vehicle (LA SPV).
- b) Appoints the Director of Environment and Community Services as the Council's Director on the Board of the LA SPV and authorises them and any successors; or any substitute or deputy appointed by the Director of Environment and Commercial Services should they be unavailable, to take all decisions on behalf of the Council as Director on the Board of the LA SPV for the good governance of the LA SPV and the Energy Recovery Facility.
- c) Authorises the Council to subscribe for shares in and to be a shareholder of the LA SPV; and to issue a Shareholder Resolution to approve and adopt the Articles of Association.
- d) Appoints the Section 151 Officer as the Council's Shareholder Representative and Authorises that Shareholder Representative to appoint an alternative representative to act as their substitute or deputy and authorises the Shareholder Representative and their alternative to make decisions under the Shareholder Agreement, articles of association etc including the making of shareholder resolutions, including a shareholder resolution to approve and adopt the Articles of Association on behalf of the Council .
- e) Authorises the Council to enter into the Shareholders' Agreement and Delegates Authority to Director of Environment and Community Services (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to finalise and agree and enter into the Shareholder Agreement.
- f) Delegates Authority to Director of Environment and Community Services (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to authorise the LA SPV to enter into the Shareholder Agreement.
- g) Authorises the LA SPV the enter into the Service Level Agreement and Delegates Authority to the Director of Environment and Community Services (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to finalise and agree the Service Level Agreement.
- h) Authorises the Council to enter into the Waste Supply and Support Agreement ("WSSA") and Delegates Authority to the Director of Environment and Community Services (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to finalise, agree and enter into the WSSA with the LA SPV
- i) Delegates Authority to the Director of Environment and Community Services (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to authorise the LA SPV to enter into the WSSA;

- j) Authorises the LA SPV to award the Contract, enter into the Project Agreement with the successful Contractor and to enter into the 50 year lease with Teesworks for the site and Delegates Authority to the Director of Environment and Community Services (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to finalise and agree the Project Agreement, Lease and any associated agreements and documentation
- k) Delegates Authority to the Director of Environment and Community Services (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to finalise and agree the Business Plan for the LA SPV and provide sufficient resources to allow the LA SPV to reach Financial Close and then to monitor and manage the Contract on behalf of, and with, the Councils for the term.
- l) Delegates Authority to Director of Environment and Community Services (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to enter into Local Government (Contracts) Act 1997 Council certificates in relation to the WSSA.
- m) Delegates Authority to the Director of Environment and Community Services (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to finalise and agree the Secondment Agreement and to authorise the LA SPV to enter into the Secondment Agreement.
- n) Delegates Authority to the Director of Environment and Community Services (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to authorise, finalise, agree and enter into the Cost Equalisation Agreement.
- o) Authorises the Council to enter into a Guarantee of the Project Agreement and a Guarantee of the Lease and Delegates Authority to the Director of Environment and Community Services (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to agree finalise and to enter into the Council Guarantees.
- p) Delegates Authority to the Director of Environment and Community Services (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to authorise the LA SPV to enter into and be a party to the Council's Guarantee of the Project Agreement and the Guarantee of the Lease.
- q) Delegates Authority to the Director of Environment and Community Service (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to authorise the LA SPV to enter into a Novation of the Option Agreement, Side Deed with the Estate Owner and Environmental Deed and to authorise the LA SPV to enter into all other necessary agreements or legal documentation to enable the project to reach financial completion and to monitor and manage the contract.
- r) Delegates Authority to the Director of Environment and Community Service (in consultation with the Mayor and supported by the Monitoring Officer and Section 151 Officer) to authorise the Council to act as Guarantor in respect of the LA SPV Side Deed with the Estate Owner and Environmental Deed and to authorise the Council to enter into all other necessary agreements or legal documentation on behalf of the Council to enable the project to reach financial completion and to monitor and manage the contract.

### **3. Rationale for the recommended decision(s)**

- 3.1 The recommendations allow the council to move to financial close on the procurement of the TVERF.
- 3.2 The TVERF provides a value for money method of disposing of Middlesbrough's residual waste.
- 3.3 The TVERF meets all environmental regulations.
- 3.4 The TVERF contract allows Middlesbrough to significantly increase its recycling rates and other environmental objectives of the council.
- 3.5 The TVERF has a robust governance and management structure to ensure value for money.
- 3.6 A Local Authority Special Purpose Vehicle (LA SPV) is required to be established as a Limited Company incorporated and registered at Companies House. It will be the Contracting entity representing the seven Councils (the Shareholders) and will enter into the Project Agreement with the successful Contractor and the lease with South Tees Development Corporation Teesworks for the site.
- 3.7 The regulation and management of the LA SPV shall be governed by the Shareholders' Agreement (SHA). Each Council (Shareholder) will be required to formally enter into the Shareholders' Agreement approximately three months in advance of the Project Agreement being entered into with the successful Contractor (Financial Close).
- 3.8 There will be a Service Level Agreement between Redcar and Cleveland Borough Council as the 'host authority' to provide support services to the LA SPV. The Service Level Agreement is required to be formally entered into by the seven Councils in parallel with the Councils entering into the Shareholders' Agreement.
- 3.9 The terms of the commercial arrangements between the seven Councils (the Shareholders) in relation to the LA SPV will be defined and governed by the Waste Supply and Support Agreement (WSSA). The WSSA is required to be formally entered into by the seven Councils (Shareholders) in parallel with the LA SPV awarding the Contract and entering into the Project Agreement with the successful Contractor.
- 3.10 A Business Plan for the LA SPV is being produced which details the 'structural' and operational costs of the Company that will administer the ERF contract.
- 3.11 As outlined in the Local Government (Contracts) Act 1997 (LGCA) - In a public private project such as the TV ERF Project, it is typical for the Project Agreement (and to the extant applicable, the funder direct agreement) to be certified by the procuring authority. In the case of the Project, the collaborative nature, and innovative structure of the public sector parties means this is not possible (as none of the Councils will be

party to the Project Agreement). Each of the Councils is, however, party to the WSSA, pursuant to which the LA SPV will provide waste management services. The WSSA therefore satisfies the LGCA criteria for certification.

3.12 There will be a Secondment Agreement between the Host Authority (Redcar and Cleveland Borough Council) and the LA SPV, whereby the Host Authority shall second the Secondees to the LA SPV.

3.13 The five Tees Valley Authorities have previously agreed to equalise all costs in relation to the transfer and haulage of Contract Waste to the TV ERF.

#### **4. Background and relevant information**

4.1 Seven Local Authorities have joined together to procure a contractor to design, build, operate and finance a new Energy Recovery Facility to be located in the Tees Valley (TV ERF).

4.2 The seven Councils which include Darlington Borough Council, Durham County Council, Hartlepool Borough Council, Middlesbrough Council, Newcastle City Council, Redcar and Cleveland Borough Council and Stockton Borough Council (the Authorities) have a statutory obligation to provide waste management services to their collective 1.5m residents. The Tees Valley Councils currently operate residual waste disposal services as a group under a single contract with Suez and which includes Redcar and Cleveland Borough Council, Hartlepool Borough Council, Stockton Borough Council and Middlesbrough Borough Council. Darlington Borough Council is part of the group but currently has its own separate waste treatment and disposal contract. Durham County Council and Newcastle City Council currently have their own separate residual waste disposal contracts with SUEZ.

4.3 All existing waste treatment / disposal contracts with SUEZ have been extended to cover the period until the new ERF is in operation.

4.4 To align with these dates, the procurement programme was originally due to have Final Tenders submitted and evaluated in early 2022, with a Preferred Tenderer to be appointed by July 2022 and Contract Award / Financial Close aimed to be achieved by November 2022.

4.5 Having secured a grid connection with Northern PowerGrid that would have allowed the facility to export electricity generated from 2024, the Project was informed in March 2022 that due to electricity grid reinforcement works that were required to be undertaken by National Grid / Northern PowerGrid (to support the UK's Net Zero target and objectives), that the grid connection would fall under the Modification Application process being administered by National Grid and that export of electricity from the facility would not be permitted until approximately 2031.

4.6 Whilst two grid connections (42MW and 5MW) allowing a maximum export of 47MW of electricity have now been secured (in 2024) with Northern PowerGrid – and the timescales for when electricity can be exported from the facility are now realigned with the revised procurement programme - the project has been delayed by approximately two years whilst discussions with Northern PowerGrid and National Grid were taking



place as Contract Award / Financial Close could not be achieved whilst uncertainty regarding the grid connection remained.

- 4.7 In addition to the grid connection issues, construction materials' price inflation and volatility, resulting from the world economy regaining growth momentum (post-COVID) and the Ukraine war, meant that the Engineering Procurement and Construction (EPC) Contractors, acting on behalf of the Tenderers, were unable to guarantee Price Validity for a sufficient period of time to allow the conclusion of the procurement process.
- 4.8 The TV ERF Contractor will be required to be able to accept and treat all Contract Waste 1st April 2030, although the councils will not be obliged to send Contract Waste to the Contractor until such time that it is required, in accordance with the Testing and Commissioning Plan, to allow the Testing and Commissioning of the facility to be undertaken.
- 4.9 Due to the delays to the procurement programme caused by the grid connection issues, the Services Commencement Date for the new TV ERF facility will be the 1st April 2030. With the current Suez contracts due to terminate 31 March 2026, there is a need to bridge the gap between the existing contract and TV ERF contract to ensure continuity of service.
- 4.10 The First Inter-Authority Agreement, which governs the procurement process up until entering into the Project Agreement (Financial Close), was executed by the seven Councils on the 24 July 2020.
- 4.11 The procurement process is being undertaken in accordance with the Public Procurement Regulations 2015 (as amended). The OJEU Notice to commence the procurement process was issued on the 24 July 2020 .
- 4.12 Supported by Business Cases, the requirement is for a c.450,000 tonne per annum Energy Recovery Facility (ERF) with Combined Heat and Power (CHP) capability to treat the Councils' municipal solid waste, this being the residual waste that has not been (or cannot be) recycled. This combined tonnage unlocked economies of scale which were attractive to the Councils [and to the market] and encouraged them to commence this procurement together.
- 4.13 The ERF will be designed to have a minimum 40-year lifespan and the Contractor appointed following the conclusion of the procurement process will build, finance and operate the ERF. The initial contract term shall commence in 2026 (subject to entering into the Project Agreement with the successful bidder (Financial Close)).
- 4.14 Following a mobilisation period, the contractor shall commence the construction of the TV ERF, with the construction period anticipated to be between 3.5 and 4 years in total.
- 4.15 The Services Period shall commence on the Services Commencement Date (01 April 2029) and shall expire on 31 March 2055 (unless both parties agree the terms of a potential [eleven year] extension that may run until 2066).
- 4.16 For the period from the Services Commencement Date and the Planned Acceptance Date, Interim Services for the treatment of Contract Waste may be provided by the

contractor. There is no obligation on the Authority to have Contract Waste treated by the contractor in the Interim Services period, using Market Tested Facilities. However, the Authority will be required to provide Contract Waste to facilitate Commissioning of the facility, in accordance with the Interim Services Period Commitments, which will be defined by the Contractor in their Optimised Final Tender Submission (OFTS).

- 4.17 The Full Services Period will commence on the first day of the next calendar month immediately following the Planned Acceptance Date (once the Testing and Commissioning of the facility has been concluded and the facility has been issued its Acceptance Test Certificate by the Independent Certifier, confirming that the Acceptance Tests have been satisfied). From this point onwards, the Contractor is required to accept and manage all Contract Waste in accordance with the Project Agreement.
- 4.18 The Contract will require the successful contractor to invest very significantly to construct the TV ERF. The procurement process is still underway, but it is expected that the total value of the Contract could be £2.1bn over the 29 years (plus 11 years) Contract. The facility will revert to the ownership of the Councils at the expiry of the Contract.
- 4.19 The TV ERF will be a source of renewable electricity (up to 49.9MW) equivalent to powering over 60,000 homes. It may be possible in the future to export the renewable heat which is generated by the facility, to be provided to local businesses and other local users of heat, should a future Business Case demonstrate this to be feasible (technically and economically) and provide overall Value for Money for such an investment.
- 4.20 To encourage competition, a 22-acre brownfield site, owned by South Tees Development Corporation (STDC) , was selected within the Teesworks regeneration site and this is mandated for use by the successful Contractor. Detailed ground condition surveys were undertaken. As part of the wider remediation strategy that is being undertaken by South Tees Development Corporation, the entire development area has been remediated in preparation for the commencement of the development.
- 4.21 The development will create a few hundred jobs during the construction phase and up to 50 permanent positions during the services phase. The residues from the process (including metals and bottom ash) will be recovered or recycled, thereby directly displacing the requirement within industry for additional virgin materials that would otherwise have been required. The facility will make a valuable contribution to the local circular economy.

#### Administration of EFW Contract

- 4.22 A Local Authority Special Purpose Vehicle (a Limited Company) is required to be formed by the seven Councils as this will be the contracting entity with the successful Contractor.
- 4.23 Local Authority Special Purpose Vehicle

- 4.24 Hartlepool Borough Council (as the Lead Authority) have entered into the Option over the mandated Reference Site with STDC / Teesworks (prior to establishment of the LA-SPV for contract signature) but the LA-SPV will be the party entering the lease and therefore holding the leasehold interest in the Reference Site for the duration of the Project and thereafter, until expiry or reversion of the lease to STDC / Teesworks.
- 4.25 On expiry or termination of the Project Agreement, the Project assets (e.g. the ERF) would revert to the LA-SPV (with the LA-SPV becoming the owner of the ERF at that point).
- 4.26 The LA-SPV would back off all its liabilities under the Project Agreement to the Councils through a Shareholders' Agreement (and/or IAA); and
- 4.27 The contractor will seek a right of direct recourse to the Councils to in effect stand behind the LA-SPV's balance sheet (a guarantee or indemnity provided by the Councils for the benefit of the contractor).

#### Shareholders' Agreement

- 4.28 The Shareholders' Agreement (SHA) sets out and defines the corporate governance and structure of the LA SPV itself. It will regulate the management of the Company and the relationship between the Councils as shareholders in the Company.
- 4.29 The Key Commercial Principles for the Shareholders' Agreement have been developed based on the Heads of Terms set out in Schedule 5 of the First Inter-Authority Agreement and were further developed through the Inter-Authority Agreement Working Group (IAAWG).

The Key Points from the SHA include the following :

- The LA SPV will be a limited liability company incorporated in England and Wales.
  - Each Council shall hold a single share in the LA SPV and shall be entitled to one vote.
  - Each Council shall be permitted to appoint one Director to the LA SPV Board.
  - The Councils shall appoint a management team to carry out the day-to-day operations of LA SPV under the Project Agreement.
- 4.30 During the term of the SHA, depending on the type of decision which are required to be made (as defined with the Project Approvals Matrix ), they shall be made by either the Management Team, LA SPV Board, or Shareholders.
- 4.31 The Councils will be required to engage and provide the necessary resource so that matters to be decided by the LA SPV Board and/or the LA SPV Shareholder can be appropriately considered (where applicable within timescales required to enable LA SPV to satisfy its obligations under the Project Agreement).
- 4.32 It is not anticipated that the LA SPV will be profit-making. However, assuming the existence of distributable profits, the payment of dividends will be a matter to be included in the Project Approvals Matrix.

- 4.33 There will be no circumstances in which the SHA will automatically terminate. It will continue in force until terminated by mutual agreement of the Councils. A party to the SHA will remain liable for its financial commitments under the Waste Supply and Support Agreement even if it ceases to be a member of LA SPV.
- 4.34 The responsibility for residual costs / decommissioning / winding-down at the end of the Project will be addressed in the Waste Supply and Support Agreement and will be shared between all Councils, irrespective of whether they have remained as a shareholder of the LA SPV and party to the SHA. Responsibility for such costs shall be shared based on tonnage supplied by each relevant Council during the life of the Project. Further details on this will be set out within the Waste Supply and Support Agreement.
- 4.35 Upon liquidation of the LA SPV and after discharge of all obligations associated with the winding down of the Project, any remaining assets of the LA SPV will be shared between the Councils in proportions equal to the overall tonnage of Contract Waste that each Council has supplied to the facility over its life.
- 4.36 There will be a Dispute Resolution Procedure for dealing with matters which cannot be resolved through negotiation between the appropriately authorised members of the LA SPV Board or representatives of the Councils.
- 4.37 If a Council ceases to be a party to the SHA it will still be obliged to honour its financial commitments under the Project. The SHA will make it clear that ceasing to be a party to the SHA is without prejudice to a Council's obligations under the Waste Supply and Support Agreement.
- 4.38 The Councils will pay all legal, accountancy and other fees and expenses incurred by the LA SPV on a pro rata basis.
- 4.39 The Shareholders' Agreement has subsequently been developed, based on the Key Commercial Principles for the Shareholders' Agreement and focuses on the corporate structure and decision making within the SHA.
- 4.40 The Shareholders' Agreement has been drafted . There will however be a need for a degree of flexibility in order to allow for non-material amendments to be made to the Agreement if required as the procurement programme is completed, and the Project Agreement has been entered into by the LASPV.

#### Waste Supply and Support Agreement

- 4.41 The Waste Supply and Support Agreement (WSSA) will deal with how the payment obligations and financial liabilities of the LA SPV will be shared between the Councils.
- 4.42 The WSSA will cover:
- any obligations on the Councils required to enable the LA SPV to satisfy its obligations under the Project Agreement;

- payment obligations on each of the Councils in respect of waste delivered to the Facility to enable the LA SPV to discharge its obligations to make the monthly unitary charge payments under the Project Agreement;
- how any other financial obligations and liabilities of the LA SPV under the Project Agreement will be allocated between the Councils, and the sharing of any income and/or savings;
- cross-indemnities between the Councils in support of the guarantee to be provided to the Contractor on a joint and several basis in respect of the performance of the LA SPV; and
- how any residual value in the Facility at the end of the Project term shall be shared.

4.43 The Key Commercial Principles for the Waste Supply and Support Agreement have been developed based on the Heads of Terms set out in Schedule 5 of the First Inter-Authority Agreement have been further developed through the Inter-Authority Agreement Working Group (IAAWG).

4.44 The Key Points from the WSSA include the following.

4.45 The WSSA will be entered into on (or shortly before) the date of the Project Agreement and will continue until terminated by mutual agreement of the Councils. Upon the WSSA coming into effect, the First Inter-Authority Agreement (entered into on 24th July 2020) will terminate.

4.46 The payment obligations of the LA SPV will be supported by a guarantee entered into by all of the Councils on a joint and several basis.

4.47 Given that the Guarantee will be provided on a joint and several basis, the Contractor will be entitled to claim against just one, several or all of the Councils in circumstances where the LA SPV is in payment default under the Project Agreement. This will be entirely to the discretion of the Contractor.

4.48 The general principles for the allocation of liability between the Councils will be based on the proportion of tonnage delivered by each respective Council compared to the overall tonnages either on a Cumulative Contract Waste Tonnage To Date basis, or on the Council's share of the Guaranteed Minimum Tonnage (GMT).

4.49 The Guaranteed Minimum Tonnage (GMT) under the Project Agreement is set at 310,000 tonnes per annum .

4.50 This will be allocated between the Councils as follows:

- Darlington: 15,310 tonnes per annum (c. 5%);
- Durham: 92,790 tonnes per annum (c. 30%);
- Hartlepool: 19,853 tonnes per annum (c. 6.5%);
- Middlesbrough: 30,646 tonnes per annum (c. 10%);
- Newcastle: 72,266 tonnes per annum (c. 23%);
- Redcar & Cleveland: 29,239 tonnes per annum (c. 9.5%); and

- Stockton: 49,898 tonnes per annum (c. 16%).

- 4.51 Where a Council fails to provide its portion of the GMT, that Council may still be liable to pay for its full GMT allocation.
- 4.52 Where a Council breaches the exclusivity arrangements, that Council will be responsible for any resultant Compensation Event liabilities arising under the Project Agreement.
- 4.53 The Contractor is required to accept every tonne of Contract Waste from all Councils.
- 4.54 The Contractor shall, subject to the Waste Acceptance Protocol, Accept in accordance with the Specification all Contract Waste that is delivered to it by or under the direction of the Authority, on or after the Services Commencement Date (01 April 2028), subject at all times to the Maximum Tonnage.
- 4.55 Each Council shall be responsible for paying the gate fee in respect of each tonne of Contract Waste that it delivers to the Facility. The Contractor will invoice the LA SPV on a monthly basis, by reference to forecast waste flows (to be agreed each year) and their allocation to the waste bandings. The LA SPV will in turn invoice the Councils for their respective proportions of the amounts due under the Project Agreement and the Councils will be required to make payment to the LA SPV to enable the LA SPV to satisfy its payment obligations to the Contractor.
- 4.56 The Councils will be allocated banding capacities (i.e. Band 1 to 5) for each Contract Year. Only once the Preferred Bidder is selected will the Tonnage Bands be known.
- 4.57 At the end of each Contract Year, a reconciliation will be undertaken to calculate the difference between amounts paid during the Contract Year and that which would have been paid based on actual performance. An adjusting payment/rebate will be levied accordingly.
- 4.58 Following the end of each Contract Year there will be an Annual Reconciliation Payment process undertaken, both between the LA SPV and the Contractor; as well as between the seven Councils.
- 4.59 Payments in respect of the Lease of the Site shall be allocated based on the actual tonnages supplied by each Council as a proportion of the total combined actual tonnage delivered by all seven Councils for the preceding Contract Year.
- 4.60 Corporate administration costs shall be shared on the same basis as lease payments.
- 4.61 Where the LA SPV is required to provide compensation to the Contractor, depending on the type of breach that has occurred, compensation shall either be allocated against one Council (where the occurrence can be attributed to a specific Council) or shall be allocated on the basis of Cumulative Contract Tonnage To Date (CCTTD) (forecast base case tonnages or GMT during the Works Period) for those Compensation Events that need to be allocated between Councils.

4.62 Any change in the gate fee arising as a result of a Change in Law shall be applied to future tonnages going forward (and the existing allocation mechanisms under the WSSA shall continue to apply).

4.63 The WSSA will include a mechanism to enable a Council to voluntarily withdraw from the Project on giving a specified period of notice to the other Councils, and a mechanism for a defaulting Council to be required by the other Councils to exit the Project in certain specified circumstances.

#### Compensation on Termination:

4.64 Where the Project Agreement terminates prior to expiry in accordance with its terms, compensation on termination payable by the LA SPV shall be allocated between the Councils on the following basis:

- Where the LA SPV caused default (Authority Default Termination) – compensation shall be allocated between the Councils on a CCTTD basis;
- Where a single Council has caused the default (Authority Default Termination) - the defaulting Council shall be responsible for compensation;
- Contractor Default termination – compensation shall be allocated between the Councils on a CCTTD basis; and
- No Fault termination (e.g. Force Majeure) – compensation shall be allocated between the Councils on a CCTTD basis.

4.65 The Council(s) will be able to introduce an Authority Change under the Project Agreement. The costs of such changes shall be shared between the Councils that any such change benefits.

4.66 Where the Contractor wishes to introduce a Contractor Change under the Project Agreement, this will be subject to approval by the LA SPV as required.

4.67 Where a Refinancing Gain arises the gain shall be shared between the Councils either through a reduction in the gate fees or as a lump sum payment shared on a tonnage proportional basis.

4.68 The Project Agreement will include a right for the LA SPV to make a capital contribution towards the Project. Based on the Councils collectively making a combined Capital Contribution of up to a maximum of £50 million at an agreed point in time once the facility has passed its Acceptance Tests, this has the potential to lead to a reduction in the gate fees that are charged to the LA SPV (as a result of the Capital Contribution reducing the amount of debt that the Contractor will be required to service over the duration of the Project Agreement). The specific details of this are being developed with the preferred bidder. Further discussions will then be held with the Contractor so as to allow the cost / benefit of such an investment to be modelled and understood.

4.69 If it is agreed by the seven Councils to make a Capital Contribution, this will be contractualised in the Project Agreement which will specify how much Capital each of

the seven Councils will contribute and when this payment will be made to the Contractor. Once agreed, the Project Agreement position will be reflected within the WSSA which will set out how the capital contribution will be split between the Councils.

- 4.70 The LA SPV will only be able to make a capital contribution if all Councils unanimously agree to do so.
- 4.71 During the Works Period, the Contractor shall incur deductions (payable to the LA SPV) where the Facility is late in passing the Acceptance Tests.
- 4.72 All Councils will have the option to exit the Project at the end of Contract Year [30] (2056).
- 4.73 Where at Contract Year [30], some Councils wish to exit and other Councils wish to extend the Project Agreement, the Councils wishing to exit will be entitled to exit in full at this stage and will be entitled to their respective shares in any residual value of the Facility at that point. The exiting Councils will be liable for their respective shares of the Project costs arising up to the end of Contract Year [30] and will also be liable for any decommissioning costs, which would have been incurred at the end of Contract Year [30], had the Facility been decommissioned at that point.
- 4.74 Where some or all of the Councils wish to continue beyond Contract Year [30], the WSSA will include a process whereby the Councils shall discuss and seek to agree the terms on which the Project Agreement will continue (this will include consideration of the Contractor's Extension Proposal and, in the event that not all Councils wish to continue, Contractor approval to vary the Project Agreement to account for this will be required).
- 4.75 At the end of [Contract Year 30], where one or more Councils wish to exit the Project, a calculation be carried out to determine:
- i. the residual value of the Facility at that point;
  - ii. the costs that would be incurred if the Facility was to be decommissioned at that point; and
  - iii. the costs of reinstating the Site.
- 4.76 Councils exiting at Contract Year [30] (plus any Councils that have exited prior to Contract Year [30]), will be entitled to a share in the residual value of the Facility at the end of Contract Year [30], less each Council's share of the decommissioning costs calculated as at that date.
- 4.77 A similar calculation will take place at the end of any extension period, with residual value and decommissioning costs being split between the remaining Councils.
- 4.78 The WSSA shall include a Dispute Resolution Procedure which shall include the following stages: referral to the chief executives (or equivalent) within the relevant Councils, mediation (through CEDR), adjudication and finally referral to the courts.
- 4.79 The WSSA is currently being drafted. Once it has been agreed by the Project Board, approval shall be sought from the Director of Environment Services the Director Legal



Services and the Section 151 Officer to finalise and enter into the Waste Supply and Support Agreement with the LA SPV.

#### LASPV Business Plan

- 4.80 An Operating Cost Model for the LA SPV has been drafted which covers the period from incorporation of the LA SPV Limited Company until expiry.
- 4.81 The types of costs involved include staffing, accommodation, lease / service charges with Teesworks a Service Level Agreements provided by RCBC as the 'host authority' to the LASPV (including for example Health & Safety, HR Advisory, HR Transactional, IT, Finance, Insurance etc) as well as external advisory support (for example Company Secretary, Owner's Engineer etc).
- 4.82 The Operating Cost Model is being updated and refined. This will allow the Business Plan to be developed to ensure sufficient resources are provided by the Councils to allow the LA SPV to reach Financial Close and then to monitor and manage the Contract on behalf of, and with, the Councils for the term.
- 4.83 The target date for completion of the procurement process (including reaching Financial Close and entering into the Project Agreement) is 31st March 2026 based on the current procurement timescales.
- 4.84 Project governance continues to be provided by a Project Board made up of representatives of each of the seven Councils which normally meets on a monthly basis. The Project Board's Terms of Reference set out clear decision making and a voting structure and an escalation process in the case of any disputes.
- 4.85 The combustion of residual municipal waste is undertaken primarily as a means to optimise the sanitary conditions associated with the management of the wastes, it also provides additional climate change benefits, without incineration of residual waste produced by residents would need to be placed into landfill. Within the landfill, the waste degrades over a long period of time, producing leachate and landfill gases (both of which require control and management to avoid impacting human health and the wider environment). In addition, landfilling residual waste presents visual, odour, noise and vermin issues during the operation of open-air sites. Incineration of the residual municipal waste ensures that the management of the waste is undertaken within a controlled building, significantly reducing the visual, odour, noise and vermin impacts of the operations. The combustion of waste in an incinerator produces carbon dioxide, whereas the degradation of waste in landfill produces methane, which is 28 times more potent as a greenhouse gas. The environmental benefit is further improved by the production of power as a by-product of the treatment process. The production of electricity and heat offsets the need to rely on the use of fossil fuels, thereby further improving the climate change benefits of the solution.
- 4.86 Middlesbrough's residual municipal waste is currently treated at the Haverton Hill EfW, operated by Suez. The benefits of moving away from landfill have already been achieved here, as there are already emissions associated with the management of the incineration of the Councils waste. The Douglas report into the health impacts of incinerators produced by the UK Health Security Agency (updated in 2025) supports

the position that Energy from Waste does not pose a health risk to the population, stating that “This systematic review shows that currently there is no clear evidence of association between human health exposure to emissions from modern, well-regulated MWI and morbidity, cancers, or adverse birth outcomes in the UK.” It also places the low contribution of emissions from municipal incinerators within the context of wider sources of emissions, stating “these incinerators only make a small contribution to local concentrations of air pollutants when compared to other sources of air pollution.”

- 4.87 The Douglas report does identify that levels of emissions can be reduced with the operation of modern, more efficient EfW plants - “Levels of airborne emissions from individual MWI are significantly lower now than in the past due to implementation of stricter legislative controls and improved technologies”. The Haverton Hill EfW has been operating since 1998, and whilst the plant complies with the emissions limits within its Environmental Permit, Table 1 demonstrates that the new TVERF facility to be developed by Viridor far outperforms it, providing significant reductions on emissions and increased electrical efficiency.

Table 1 – Comparison of the impacts of TVERF and the existing Haverton Hill EfW

Comparison	Tees Valley	ERF	Haverton Hill
Improvement			
Efficiency (kW/tonne)	0.11		0.07 31%
Emissions			
Total Organic Carbon (TOC)	10mg/m3		20mg/m3 50%
Hydrogen Chloride	6mg/m3		8mg/m3 33%
Sulphur Dioxide	30mg/m3		40mg/m3 25%
Oxides of Nitrogen (NOx)	100mg/m3		180mg/m3 44%
Ammonia (NH3)	10mg/m3		15mg/m3 33%
Dioxins/Furans (I-TEQ)	0.04ng/m3		0.06mg/m3 33%

- 4.88 In designing and operating the TV ERF, Viridor have also committed to providing additional environmental benefits and carbon reductions through their approach to design, construction and delivery. Within their tender submission, they have committed to achieve Excellent standard under the Building Research Establishment Environmental Assessment Methodology and to deliver 180,000 tonnes of CO2 eq savings in the construction and commissioning of the plant. During the operation of the facility they have committed to provide ongoing annual savings of over 5,000 tonnes of CO2 eq.

#### Carbon Capture and Underground Storage (CCUS)

- 4.89 The Government department for Business, Energy and Industrial Strategy (BEIS) announced on the 19 October 2021 its decision to fund two of the UK's first Carbon Capture, Usage and Storage (CCUS) Clusters following the submission of bids under Track 1 Phase 1 of its Carbon Capture Funding Programme. The East Coast Cluster (which is a collaboration between Net Zero Teesside, Zero Carbon Humber and Northern Endurance Partnership NEP) was named as one of these; it aims to remove a very significant proportion of all UK Industrial cluster CO2 emissions and will aim to

create and support an average of 25,000 jobs per year between 2023 and 2050. This means that the Government will support the development of the transport and storage proposals from NEP through use of the Endurance storage field in the North Sea. Northern Endurance Partnership have committed to the delivery of the infrastructure from 2026 which would allow the TVERF to connect to it.

- 4.90 The TV ERF is being designed to be 'CCUS-ready' in preparation for the connection to the East Coast Cluster through the new infrastructure that will be developed by the Northern Endurance Partnership (NEP).
- 4.91 The TVERF subsequently has the potential to be among the first purpose-built facilities that incorporates Carbon Capture and Storage technology in the UK and the aim is to deliver the TVERF (with Carbon Capture and Storage technology in place and operational) before the end of 2027. Since up to 50% of the CO<sub>2</sub> that will be emitted from the TVERF is derived from biogenic (non-fossil fuel) sources (the remaining being derived from anthropogenic – fossil fuel sources), this will mean that the facility could in fact become a negative CO<sub>2</sub> emitter which will contribute significantly to the ambitions of the Council to be carbon neutral by 2030.
- 4.92 Throughout 2022 and 2023, the TV ERF project partners pursued a bid for Carbon Capture and Storage (CCS) funding support as part of the Government's plans to support carbon capture projects across two new industrial carbon clusters – Hynet and the East Coast Cluster.
- 4.93 In early 2022, the TV ERF project made an application to the Department for Business, Energy and Industrial Strategy (now the Department for Energy Security and Net Zero - DESNZ) under Phase 2: Track 1 of the Government's Cluster Sequencing Process and, in August 2022, the TV ERF project was shortlisted to participate in further due diligence prior to funding awards being made.
- 4.94 Unfortunately, following an announcement by DESNZ in March 2023, the TV ERF was not one of just three projects in the North-East short-listed to commence detailed negotiations in relation to business model funding support.
- 4.95 Success through this process would have enabled the TV ERF to deploy carbon capture and storage technology from the outset – capturing carbon emissions from the plant and storing them in offshore storage as part of the East Coast Cluster. However, it is anticipated that future CCUS funding rounds will occur and the TV ERF will remain well placed to apply again should the opportunity arise.

## **5. Ward Member Engagement if relevant and appropriate**

- 5.1 The Tees Valley Authority Project Board receive regular monthly updates regarding the progress made on all aspects of the TV ERF Project.
- 5.2 Regular updates on the Project are provided to the Chief Executive, Mayor and Executive Member.
- 5.3 This facility sits outside of the boundaries of Middlesbrough Council and therefore does not affect a particular ward.

## 6. Other potential alternative(s) and why these have not been recommended

- 6.1 The seven Councils were required to undertake a procurement process due to their existing waste treatment contract arrangements due to expire in 2026. By procuring this contract together, economies of scale provide enhanced value for money for the Councils.
- 6.2 If this approach is not agreed, then the Council would have to undertake a fresh procurement of a merchant contract. It is expected that this will deliver a higher gate price due to the lack of competition in the market.
- 6.3 6.2 The benefits of forming a LA SPV to be the contracting entity with the Contractor include:
- Separate legal entity - The Project would sit on the balance sheet of the LA SPV, rather than the full Project sitting on Hartlepool Borough Council's balance sheet (with all assets and liabilities running through their accounts);
  - Shared ownership - The Project assets (and liabilities) would be owned by the LA SPV, which in turn would be wholly owned by all of the Councils;
  - Transparency - Each of the Councils would be entitled to appoint a director to the Board, having visibility over the activities of the LA SPV and direct involvement in the decision-making process;
  - Flexibility - The agreement would allow any future changes to the Councils' relationships to occur.

## 7. Impact(s) of the recommended decision(s)

Topic	Impact
Financial (including procurement and Social Value)	<p>The EFW will commence operations in 2030 which is outside of the Council's current Medium Term Financial Plan (MTFP). Future MTFP's will require the cost of waste disposal arising from the contract to be included. This will depend upon the level of residual waste and the final contract price that is agreed.</p> <p>The price per tonne achieved through the procurement process is at present £143 average price over the life of the contract at 25/26 prices indexed at CPI. This is below the ceiling limit that was set. The negotiations will continue to financial close with a view to reducing the price per tonne further.</p> <p>The 2025/26 budget for residual waste disposal is £5.6m The current price paid under the current arrangements for residual waste disposal is £128.29 per tonne with an estimated inflationary rise to £144.97 per tonne in 2029/2030. The average annual tonnage is currently around 39,000 tonnes.</p>

	<p>This is expected to reduce over the next few years following the introduction of the Government's Simpler Recycling Initiatives.</p> <p>The financial implications of the LA SPV will be set out within the Business Plan. The treatment costs of the residual waste that shall be required to be paid to the Contractor and how these will be shared between the seven Councils will be defined within the Waste Supply and Support Agreement.</p> <p>From a social value and local economic perspective, the construction process for the new TV ERF facility is expected to employ a construction workforce of over 200 people and create around 50 new long term skilled jobs.</p> <p>Through the procurement process, bidders have been incentivised to provide further economic regeneration and social value initiatives within their proposals and this will be given a substantial weighting in the assessment criteria – ensuring that the facility does indeed deliver not just tangible sanitation and environmental benefits to local residents, but also economic opportunity too. In respect of social value, the project delivers £0.1m per year as part of the project. Middlesbrough will receive a proportion of that value. Community Fund.</p>
Legal	<p>The legal position is set out in this report in respect of the formation of the SPV and the delegations required between now and financial close. The procurement of the TV ERF and the formation of the LA SPV as the contracting entity representing the Councils' interests will have legal implications. The Shareholders' Agreement and Waste Supply and Support Agreement will bind the parties together in a robust and legally enforceable commercial arrangement.</p>
Risk	<p>The significant risks around this project are that the procurement is not complete due to a council with significant levels of waste not agreeing to the TVEWP. This would require MBC to procure the treatment of residual waste through a merchant contract.</p>
Human Rights, Public Sector Equality Duty and Community Cohesion	<p>There are no implications</p>
Reducing Poverty	<p>This project is value for Money</p>

<p>Climate Change / Environmental</p>	<p>This project allows for the successful treatment of residual waste whilst allowing the Council to enhance its levels of recycling. As part of the Outline Planning Application process (for the construction of an Energy Recovery Facility and associated development), an Environmental Impact Assessment was completed. This included detailed assessments including Traffic Assessments and an Air Quality Report being produced. A detailed assessment of pollutant emissions released from the facility as a result of the combustion of waste as well as pollutant emissions from road traffic associated with the operation of the facility has been undertaken. The air quality effects on human health are judged to be not significant. Consideration was also given to the Local Nitrogen Dioxide Plan - the proposed development will not cause any exceedances of or delay compliance with the limit values.</p> <p>The Outline Planning Application was approved in July 2020.</p> <p>The waste hierarchy determines that it is preferable, from an environmental perspective, to treat residual waste by generating energy from it instead of disposing of it in landfill.</p> <p>In line with the objectives of the Government's Net Zero Strategy and the Resources and Waste Strategy (which aims for no more than 10% of municipal waste to end up in landfill by 2035, and no food waste to be landfilled by 2030), the development of the TV ERF, will ensure that the vast majority of the Council's residual waste will be treated through the Energy Recovery Facility to enable the processing of waste into valuable outputs, such as energy - thereby diverting the waste from landfill. As a result, the net CO2 Equivalent emissions will be lower than had the waste been landfilled. The Contractor will be required to demonstrate how they will reduce carbon emissions from the facility, year-on-year, over the duration of the contract. In addition, c. 90,000 tonnes per annum of bottom ash and metals will be produced by the facility. The bottom ash will be recycled into a secondary aggregate which will be used within the construction industry, thereby directly displacing virgin aggregates that would otherwise have been required; the metals extracted will be recovered and remanufactured.</p>
---------------------------------------	---

	<p>There will be emissions from the facility, but these will be minimised and strictly controlled in line with the conditions of the Environmental Permit, regulated by the Environment Agency.</p> <p>The potential development of a Carbon Capture Underground Storage facility, for the TV ERF will allow CO2 to be captured and stored through the infrastructure that is to be developed by the Northern Endurance Partnership as part of the East Coast Cluster. This will lead to the TV ERF effectively being a net-negative carbon emitter.</p>
Children and Young People Cared for by the Authority and Care Leavers	There are no implications
Data Protection	There are no data protection implications

### Actions to be taken to implement the recommended decision(s)

Action	Responsible Officer	Deadline
Incorporation of the LA SPV - This is expected to take place by 31st November 2025.	Geoff Field	31st December 2025
LA SPV to enter into: <ul style="list-style-type: none"> <li>a. Waste Supply and Support Agreement (including Contract Waste Forecast Protocol)</li> <li>b. Service Level Agreement</li> <li>c. Secondment Agreement</li> <li>d. Project Agreement</li> <li>e. Council Guarantee of Project Agreement</li> <li>f. Novation of Option Agreement</li> <li>g. Lease (pursuant to Option Agreement)</li> <li>h. Side Deed (direct agreement with estate owner)</li> </ul>	Geoff Field	31 <sup>st</sup> December 2025
Financial Close of the Project – This is expected to take place on or around	Geoff Field	31 <sup>st</sup> March 2026

<p>the 31st March 2026 and will include the following steps:</p> <ul style="list-style-type: none"> <li>i. Councils to enter into:</li> <li>a. Shareholders' Resolutions in respect of LA SPV's entry into the documents set out below.</li> <li>b. Waste Supply and Support Agreement (including Contract Waste Forecast Protocol).</li> <li>c. LGCA Certificates.</li> <li>d. Council Guarantee of Project Agreement (for the purposes Contractor security).</li> <li>e. Lease Guarantee</li> </ul>		
---	--	--

## Appendices

1	Tees Valley Energy Recover Facility : Briefing note
2	
3	

## Background papers

Body	Report title	Date

**Contact:** Geoff Field  
**Email:** [Geoff\\_Field@middlesbrough.gov.uk](mailto:Geoff_Field@middlesbrough.gov.uk)



## **Appendix 1.**

### **TV ERF– Middlesbrough Council**

#### **Executive Summary**

The Tees Valley Energy Recovery Facility (TV ERF) will provide a safe, reliable, deliverable and cost effective long-term treatment solution for the seven partner Councils' residual waste (the waste that has not been recycled) utilising the best available technology. This will ensure that the Councils' statutory duties for safely managing waste will be met, ensuring financial security and stability, and helping the Councils' in their objective to avoid waste being disposed of in landfill. The Facility will reduce Middlesbrough Councils' cost of treatment by c. £44 million over the contract term, compared with the most likely alternative. In addition, Value for Money (VfM) proposals currently under negotiation (to be finalised and agreed in advance of Financial Close) have the potential to provide Middlesbrough with an additional £10 million of savings over the contract term.

The development will result in a £600 million investment to the area, resulting in a peak of 700 construction jobs, 48 Full-Time employees, a Community Fund for local projects funded by Viridor to the amount of £800,000 during the construction phase and £100,000 per annum (indexed) throughout the 25-year Services period, significant local supplier opportunities, as well as training and development opportunities. It will also lead to the regeneration of a derelict brownfield site.

Viridor have been appointed as Preferred Tenderer in July 2025, and the Councils are now working with them with the aim of achieving Contract Award / Financial Close in early 2026.

#### **Summary**

1. The seven Councils which include Darlington Borough Council, County Durham, Hartlepool Borough Council, Middlesbrough Council, Newcastle City Council, Redcar and Cleveland Borough Council and Stockton Borough Council have joined together to procure a contractor to design, build, operate and finance a new Energy Recovery Facility to be located in the Tees Valley (TV ERF) that will treat the residual (nonrecycled) waste from across the region.
2. The Councils entered into an Inter-Authority Agreement in July 2020, which governs the procurement process up until Contract Award / Financial Close being achieved.
3. The existing waste treatment contracts are due to expire in 2031 for the TV4<sup>1</sup>, Durham and Newcastle. Darlington's contract will expire no later than 2035. This new Residual Waste Treatment Contract is being procured to ensure that the Councils' have a longterm safe, cost effective and reliable solution to treat their residual waste, thereby providing long-term financial security to the Councils, whilst ensuring their statutory duties in relation to the safe disposal of waste are met.
4. Due to delays to the project caused by a number of external factors (including COVID, Ukraine War and grid connections), an Optimised Final Tender was received from the Tenderer in March 2025. An evaluation team, consisting of the Project Advisory team<sup>2</sup> and Council officers completed a comprehensive evaluation of the this submission, which confirmed that the price offered is within the agreed threshold limit; risk profile is within an acceptable tolerance for the Councils; and the solution is reliable and deliverable from a technical perspective.

---

<sup>1</sup> Middlesbrough, Hartlepool, Redcar & Cleveland and Stockton

<sup>2</sup> Legal Advisors – DLA Piper; Financial Advisors – KPMG; Technical Advisors – Stantec.

5. On this basis, Viridor were appointed as 'Preferred Tenderer' in July 2025. [Viridor operate 12 Energy-from-Waste facilities in the UK, with 22% of the market share, and the market leader in UK EfW].
  6. An Option Agreement for the TV ERF development in Teesworks (Redcar) was entered into in June 2024, thereby securing the site.
- 
7. Full Planning Permission for the site was granted in July 2023, which has now been secured through the Commencement of Development works having been undertaken on site in July 2025.
  8. The grid connections, to allow the export of electricity from the Facility to the grid, were issued in March 2024. The date for connection is aligned to the export of electricity requirements for the project delivery timetable.
  9. Modern energy recovery facilities are among the most heavily regulated industrial installations in the world and must meet strict environmental standards. The TV ERF will use mature, proven and reliable technology to process waste and treat flue gases. The Facility operations will be regulated and closely monitored by the Environment Agency. An Environmental Permit was granted by the Environment Agency to Viridor in July 2025, which allows Viridor to operate TV ERF .
  10. The UK Health Security Agency, which continues to raise no objection to the use of energy recovery facilities like the TV ERF, published an updated report in June 2025<sup>3</sup> which found that *"Levels of airborne emissions from individual MWI are significantly lower now than in the past due to implementation of stricter legislative controls and improved technologies (WID, 2000). Additionally, these incinerators only make a small contribution to local concentrations of air pollutants when compared to other sources of air pollution. This systematic review shows that currently there is no clear evidence of association between human health exposure to emissions from modern, wellregulated MWI and morbidity, cancers, or adverse birth outcomes in the UK"*. As such, Middlesbrough Council remains of the view that the TV ERF is a safe, sustainable and cost-effective solution for discharging our statutory duty to manage waste from within our area.
  11. Key aspects of the proposed treatment solution include:
    - i. The Facility has been designed to treat c.450,000 tonnes per annum of residual waste each year. The capacity of the Facility has been specifically designed to meet the capacity requirements of the Councils over the long-term, and takes into account the impact of future recycling initiatives (such as the introduction of separately collected food waste from 2026) and housing / population growth.
    - ii. The Contract will be 29 years in total (c.4 years construction period, followed by 25-years Services period), with the option to potentially extend by a further 11 years.
    - iii. It will generate up to 47MW of baseload electricity, that will be exported to the grid (equivalent to power c.60,000 houses each year).
    - iv. It has been designed to be Combined Heat and Power (CHP) Ready – meaning that heat from the Facility can potentially be exported to nearby businesses and industry in the future; and Carbon Capture (CCS) Ready – meaning that carbon capture infrastructure can be installed at Facility, potentially to allow the capture of carbon emissions from the Facility and store them in offshore storage as part of the East Coast Cluster.<sup>4</sup>
    - v. The Facility will have an Availability of at least 93%, thereby maximising its efficiency whilst minimising any waste diverted to landfill.

---

<sup>3</sup> [Epidemiological evidence review in the UK and EU, following implementation of the Waste Incineration Directive - GOV.UK](#)

<sup>4</sup> CHP and CCS would both be subject to the approval of separate Business Cases by the Councils.

- vi. The Facility will revert to the ownership of the Councils at the end of the Contract.
  - 12. The new TVERF facility to be developed by Viridor will have lower emissions and operate at increased efficiency compared to older existing Energy-from-Waste facilities.
  - 13. Treating the residual waste through the Facility, will significantly reduce carbon emissions compared to those emitted by landfill. In designing and operating the TV ERF, Viridor have also committed to providing additional environmental benefits and carbon reductions through their approach to design, construction and delivery.
- 
- 14. The Facility will lead to Whole Life Cost savings for Middlesbrough Council of between c. £21 million and c. £67 million over the 25-year Services period.
  - 15. The Councils are now in the process of negotiating Value for Money (VfM) proposals, which collectively could potentially lead to additional savings to the Councils estimated to be worth approximately £100 million (for Middlesbrough, this would be equivalent to c. £10 million additional savings) over the life of the Contract.
  - 16. The Councils, supported by the Advisory team, are now working towards achieving Contract Award / Financial Close in early 2026.
  - 17. The seven partner Councils intend to incorporate a Special Purpose Vehicle (LA SPV) [a Limited Company], which will be the contracting entity to enter into the Project Agreement (Contract) with Viridor, on behalf of the Councils.
  - 18. Each of the Councils will be required to subscribe for shares and become a shareholder of the LA SPV, which will be governed through the Shareholders' Agreement (to be entered into in c. October 2025). In parallel with this, each Council will be required to appoint a Director (and Alternate Director) to the Board of the LA SPV, and ensure that there are internal procedures in place to allow the Councils to make decisions in respect of their roles as Shareholders in the LA SPV.
  - 19. In parallel with entering into the Shareholders' Agreement, the Councils will all be required to enter into the Waste Supply and Support Agreement (WSSA) which will deal with how the payment obligations and financial liabilities of the SPV will be shared between the Councils.
  - 20. The SPV will be supported through a Service Level Agreement with Redcar and Cleveland Council, which will provide support services including finance, HR, payroll etc. and will also second employees to work on behalf of the LA SPV.
  - 21. In advance of Contract Award / Financial Close, the Option Agreement will be novated from Hartlepool Borough Council to the LA SPV, which will then enter into the Lease, Side Deed and Environmental Deed.
  - 22. The Council shall be required to provide a 'Council Guarantee', in favour of the Contractor (Viridor), to provide resilience to the LA SPV and to provide comfort to the Contractor that the LA SPV is fundamentally robust to meet its obligations under the Project Agreement. The LA SPV will be a party to that Council Guarantee.
  - 23. A Lease Guarantee, to underwrite the LA SPV's obligations (such as rent for example) under the 50-year lease for the site, is required to be provided by the Councils in favour of the landlord. The LA SPV will be a party to the Lease Guarantee.
  - 24. The Side Deed, which deals with how wider estate related issues are dealt with, and the Environmental Deed, which deals specifically with how contamination will be dealt with, should it be identified on site – are both part of the site arrangements. The Council will act as a Guarantor in respect of the Side-Deed and Environmental Deed.
  - 25. On the basis that Financial Close is achieved in [early] 2026, construction will commence shortly afterwards. The construction phase will last approximately 4-years. It is anticipated that the Facility will commence commissioning in mid-2029, with full services being delivered from 2030.



<b>MIDDLESBROUGH COUNCIL</b>	
------------------------------	--

<b>Report of:</b>	Director of Finance and Transformation (s151 Officer) – Andrew Humble
-------------------	---

<b>Relevant Executive Member:</b>	Executive Member for Finance – Cllr Nicky Walker
-----------------------------------	--

<b>Submitted to:</b>	Executive
----------------------	-----------

<b>Date:</b>	8 October 2025
--------------	----------------

<b>Title:</b>	Household Support Fund 2025/26
---------------	--------------------------------

<b>Report for:</b>	Decision
--------------------	----------

<b>Status:</b>	Public
----------------	--------

<b>Council Plan priority:</b>	A healthy place
-------------------------------	-----------------

<b>Key decision:</b>	Yes
----------------------	-----

<b>Why:</b>	Decision(s) will incur expenditure or savings above £250,000 and have a significant impact in two or more wards
-------------	---

<b>Subject to call in?</b>	Yes
----------------------------	-----

<b>Why:</b>	This is a change to the initial plan approved on 14 May 2025; as spending has already commenced the decision is not urgent and can be subject to call in.
-------------	---

#### **Proposed decision**

That Executive:

- **APPROVES** the following proposed changes to the Household Support Fund (HSF) delivery plan for 2025/26 previously approved by Executive on 14 May 2025, which will be delivered between 1 April 2025 and 31 March 2026, as set out in Table 1 (paragraph 4.9) and that it continues to target the same main groups as before
  - An increase of £10 per child for those in receipt of income based free school meals, Council Tax Reduction (CTR), Universal Credit (UC) or Housing Benefit (HB)
  - Widen the criteria for pensioner support to include all on CTR (previously had to have Pension Credit Guarantee Credit as well) and increase the payment from £50 to £100
  - Increase the amount provided to singles / couples in receipt of benefits from £45/£55 to £75/£100
  - An additional £38,000 to Community Support to assist with crisis applications
  - An additional £17,000 allocated to the provision of third party support

## Executive summary

Executive approved the Household Support Fund (HSF) delivery plan on 14 May 2025. Within this plan £340,000 was allocated to Pensioners in receipt of Council Tax Reduction (CTR) or Attendance Allowance (AA) but not eligible for the Winter Fuel Payment (WFP).

On 9 June 2025 Central Government announced that starting from winter 2025 the Winter Fuel Payment would be extended to include most pensioners in England with only those earning over £35,000 having this recouped through the tax system or able to opt out.

As a result of this change, it is proposed to revise the HSF plan to re-distribute £330,000 within the initial allocation to fund enhancements to other elements in the original plan:

- An increase of £10 per child for those in receipt of income based free school meals, CTR, Universal Credit (UC) or Housing Benefit (HB)
- Widen the criteria for pensioner support to include all on CTR (previously had to have Pension Credit Guarantee Credit as well) and increase the payment from £50 to £100
- Increase the amount provided to singles / couples in receipt of benefits from £45/£55 to £75/£100
- An additional £38,000 to Community Support to assist with crisis applications
- An additional £17,000 allocated to the provision of third party support

The Council is required to submit a revised delivery plan to the Department of Work and Pensions (DWP) following approval by the Council's Section 151 Officer and Executive Member for Finance if major changes are made during the year.

Executive are being asked to make this decision in accordance with the Constitution at 9.18.6(b) which states that the Mayor has delegated authority to the Executive to make Key Decisions not otherwise delegated by the Mayor.

The delivery plan remains designed to provide support to the town's most vulnerable residents and low-income households who have a Council Tax or rental liability for their home in a similar way as for previous rounds of HSF funding, as outlined below:

- Families with children in receipt of benefits.
- Pensioners in receipt of CTR.
- Singles/Couples which includes those of pensionable age in receipt of benefits.
- Application-based awards for residents not in receipt of CTR or other benefits including those of pensionable age

The full breakdown and associated estimated costs before and after the proposed changes are detailed in Table 1 (paragraph 4.9)

## 1. Purpose of this report and its contribution to the achievement of the Council Plan ambitions

1.1 To seek approval for changes required to the Household Support Fund (HSF) scheme previously approved for the 2025/26 financial year.

Our ambitions	Summary of how this report will support delivery of these ambitions and the underpinning aims
<b>A successful and ambitious town</b>	<i>Government grant funding distributed through the scheme will flow through into the local economy.</i>
<b>A healthy Place</b>	<i>The scheme supports with reducing poverty by providing funding to low-income households to assist with meeting essential needs.</i>
<b>Safe and resilient communities</b>	<i>Supporting individual residents to meet their essential needs will contribute to community resilience.</i>
<b>Delivering best value</b>	<i>Funding is provided by Central Government and so provision of the scheme has no consequences for the Council's financial position.</i>

## 2. Recommendations

2.1 That Executive

- **APPROVES** the following proposed changes to the Household Support Fund (HSF) delivery plan for 2025/26 previously approved by Executive on 14 May 2025, which will be delivered between 1 April 2025 and 31 March 2026, as set out in Table 1 (paragraph 4.9) and that it continues to target the same main groups as before
  - An increase of £10 per child for those in receipt of income based free school meals, Council Tax Reduction (CTR), Universal Credit (UC) or Housing Benefit (HB)
  - Widen the criteria for pensioner support to include all on CTR (previously had to have Pension Credit Guarantee Credit as well) and increase the payment from £50 to £100
  - Increase the amount provided to singles / couples in receipt of benefits from £45/£55 to £75/£100
  - An additional £38,000 to Community Support to assist with crisis applications
  - An additional £17,000 allocated to the provision of third party support

## 3. Rationale for the recommended decision(s)

3.1 The decision is required as Central Government extended eligibility to the Winter Fuel Payment in an announcement on 9 June 2025. £330,000 had already been allocated within the Council's HSF scheme to provide support for those pensioners who were due to miss out but who will now be eligible to receive the Winter Fuel Payment. The Council scheme needs to be amended to ensure that available funding is re-distributed to ensure the maximum support possible is provided locally, otherwise the grant funding available would be lost.

3.2 A revised delivery plan endorsed by the Executive Member for Finance must be submitted to the DWP where significant change is intended.

3.3 It is a key decision that impacts on two or more wards and will incur expenditure above £250,000.

#### **4. Background and relevant information**

4.1 On 30 October 2024, The Secretary of State for Work and Pensions announced that the HSF would be extended for a further 12 months from 1 April 2025 to 31 March 2026.

4.2 Each Local Authority is required to prepare a local scheme to determine how the funding will be provided and will be allocated. The grant amount allocated to Middlesbrough is £2,914,447.24.

4.3 Government guidance requires Local Authorities to clearly advertise the scheme to residents, including publication on the Council website.

4.4 The value of the individual awards is to be determined by Local Authorities in accordance with the parameters set out in the guidance.

4.5 The current scheme was approved by Executive on 14 May 2025 and is based on the Council's previous successful HSF schemes. The original 2025/26 scheme included a payment amount for pensioners who were no longer eligible for the state Winter Fuel Payment under the changed criteria introduced in 2024. This would have meant that those in receipt of Council Tax Reduction or Attendance Allowance who were not eligible for the Winter Fuel Payment from the Government could have received an equivalent amount to the Winter Fuel Payment in full from Middlesbrough Council's HSF of £300 or £200 depending on age. £340,000 was allocated to enable this to happen.

4.6 On 9 June 2025 the Government amended the criteria for the Winter Fuel Payment again, meaning that pensioners with incomes of less than £35,000 will now be eligible for the Winter Fuel Payment. This has reduced the number of pensioners ineligible to benefit from it, and consequently the number who would be eligible under the previously agreed scheme for the £300 or £200 HSF payment, depending on age. As a result, the HSF funding required in the Council's scheme to meet the reduced need has been reviewed and changes consequently proposed to increase other expenditure by £330,000 as follows:

- An increase of £10 per child for those in receipt of income based free school meals, CTR, Universal Credit (UC) or Housing Benefit (HB)
- Widen the criteria for pensioner support to include all on CTR (previously had to have Pension Credit Guarantee Credit as well) and increase the payment from £50 to £100
- Increase the amount provided to singles / couples in receipt of benefits from £45/£55 to £75/£100
- An additional £38,000 to Community Support to assist with crisis applications
- An additional £17,000 allocated to the provision of third party support



4.7 Those pensioners in receipt of CTR or Attendance Allowance who remain ineligible for the Winter Fuel Payment or are subject to clawback through HMRC would still be eligible for the same level of payment under HSF of £300 or £200, depending on age. Pensioners who are eligible for the Winter Fuel Payment and not subject to clawback may still also be eligible for a payment of £100 from HSF, depending on their circumstances, the rate having been increased from £50 under the amended scheme.

4.8 The scheme remains designed to support vulnerable residents and low-income households which include children, pensioners, people with disabilities and other households who may be experiencing financial difficulties brought about by the continuing economic challenges.

4.9 The full breakdown and associated estimated costs in the scheme before and after the proposed changes are detailed in Table 1.

**Table 1 Household Support Fund 2025/26**

	<b>Detail</b>	<b>Previous Plan Cost (£m)</b>	<b>Change (£m)</b>	<b>New Plan Cost (£m)</b>
<b>Children (up to age 20 if child benefit received)</b>	Households eligible for free school meals £60 paid per child in both July and £70 per child in December. Total received £130 per child - automated payment	1.250	0.108	1.358
	Application based claim for those in receipt of CTR / UC / HB £60 per child to apply in summer, and £70 per child to apply in winter	0.295	0.025	0.320
	Section 17 Children Act 1989 Additional Support	0.040	0.000	0.040
	Application based claim for non-CTR / non-benefit residents Income eligibility is banded like CTR scheme on household composition £100 per household (see ** below for bandings)	0.050	0.000	0.050
<b>Pensioners (from 66 years old)</b>	In receipt of CTR or AA, and not eligible for the Winter Fuel Payment or subject to clawback through HMRC Born pre 22 September 1945 £300 per household Born between 22 September 1945 and 21 September 1959 £200 per household Application and automated payment methods	0.340	(0.330)	0.010
	Pensioners in receipt of CTR and eligible for the Winter Fuel Payment and not subject to clawback through HMRC £100 per household Application and automated payment methods	0.186	0.112	0.298
	Application based claim for non-CTR / non-benefit pensioners Income eligibility is banded like CTR scheme on household composition £100 per household (see ** below for bandings)	0.050	0.000	0.050
<b>Other</b>	Singles or couples in receipt of CTR / UC / HB (no children and below pension age) £75 single applicant, £100 couple	0.090	0.030	0.120

	Application based claim for non-CTR / non benefit residents (below pension age) Income eligibility is banded like CTR scheme on household composition £100 per household (see ** below for bandings)	0.050	0.000	0.050
	Community Support (All household composites) Application for crisis support	0.062	0.038	0.100
	Third party support	0.268	0.017	0.285
	<b>Sub total</b>	<b>2.681</b>	<b>0.000</b>	<b>2.681</b>
	Administration Costs at 8%	0.233	0.000	0.233
	<b>Total</b>	<b>2.914</b>	<b>0.000</b>	<b>2.914</b>

CTR - Council Tax Reduction; HB - Housing Benefit; UC - Universal Credit

\*\* Banded earnings / income table for applications for residents not in receipt of means-tested benefits:

Earnings	Single	Single 1 child	Single 2+ children	Couple	Couple 1 child	Couple 2+ children
Maximum annual (gross)	£30k	£33k	£40k	£40k	£44k	£51k
Weekly amount	£577	£635	£775	£775	£846	£981

## 5. Ward Member Engagement if relevant and appropriate

5.1 The Executive Member for Finance has been consulted on the revisions required to the delivery plan. No ward member views have been sought for the proposed changes as these are based on the previously delivered, successful schemes.

## 6. Other potential alternative(s) and why these have not been recommended

6.1 Do nothing; however, without a suitable scheme approved by the Council's Executive, Section 151 Officer and presented to the DWP, the funds cannot be used by the Council to benefit vulnerable residents and low-income households.

6.2 Funding could be distributed differently amongst the groups identified or across different groups. The plan presented has taken account of the government guidance and experience gained through prior schemes to ensure maximum reach to those in need of support.

## 7. Impact(s) of the recommended decision(s)

Topic	Impact
Financial (including procurement and Social Value)	Central Government has allocated the Council £2,914,447.24 from the Household Support Fund (HSF) as outlined in the Executive summary. With an approved delivery plan the Council can distribute the funds within the

	defined timescale between 1 April 2025 and 31 March 2026 to support the town's most vulnerable and low-income households. The Council can utilise the grant as per the Central Government guidance and will not exceed the grant funding available. All funds will be distributed by 31 March 2026 to comply with the grant conditions. The Council will retain £\0.233m to administer the scheme therefore there will be no direct cost to the Council.
Legal	Central Government guidance provides Local Authorities with the option to set its own scheme using funding provided. Whilst there is no legal requirement to spend the whole grant funding, it would subject the Local Authority to criticism by both Central Government and residents of the town if the Council were not providing the maximum support to vulnerable residents of the town.
Risk	<p>The scheme supports the delivery of the Council's strategic priority 'A Healthy Place' to reduce poverty as set out in the Council Plan 2024-2027. <a href="#">Council Plan   Middlesbrough Council</a>.</p> <p>The HSF scheme will assist residents to meet their council tax instalments and debt liabilities, which in turn, will mean that the Council has funding to work with communities and other public services in Middlesbrough to continue to improve the lives of local residents.</p>
Human Rights, Public Sector Equality Duty and Community Cohesion	There are no disproportionate adverse impacts on any group or individuals with characteristics protected in UK equity law. An impact assessment has been carried out and is attached to this report.
Reducing Poverty	The scheme provides funding to low income households, supporting them to meet their essential needs.
Climate Change / Environmental	There are no disproportionate adverse impacts on the aspirations of the Council to achieve net zero, net carbon neutral or be the lead authority on environmental issues.
Children and Young People Cared for by the Authority and Care Leavers	The revised HSF 2025/26 plan does not differentiate based on applicant background and therefore has no adverse impact on children and young people cared for by the Authority for Care Leavers.
Data Protection	The collation and use of personal data will be managed in accordance with the Council's Data Protection policy and the Housing Benefit and Council Tax Reduction Privacy Notice <a href="#">Privacy notice - Housing Benefit and Council Tax Reduction   Middlesbrough Council</a>

**Actions to be taken to implement the recommended decision(s)**

Action	Responsible Officer	Deadline
Implementation and publication of the revised plan	David Nolan	31 October 2025
Advise DWP of the revised delivery plan	David Nolan	31 October 2025

**Appendices**

1	Delivery plan
---	---------------

**Background papers**

Body	Report title	Date
Department for Work and Pensions	Household Support Fund Guidance for County Councils and Unitary Authorities in England (1 April 2025 to 31 March 2026)	11 April 2025
Middlesbrough Council	Household Support Fund 2025/26	14 May 2025

**Contact:** David Nolan (Acting Head Systems, Development and Finance Support)  
**Email:** David\_Nolan@middlesbrough.gov.uk

## Guidance for completing the Delivery Plan for Household Support Fund 7

Before completing this template, please refer to the 'Delivery Plan reporting requirements' section of the detailed guidance document.

Please ensure you complete the following tabs:

- 1 - Governance
- 2 - Anticipated Spend
- 3 - Anticipated Volumes
- 4 - Anticipated No of Households
- 5 - Planned Activities

The delivery plan should cover the anticipated value of grants for vulnerable households.

### **You need to return the delivery plan by 30 May 2025**

When submitting your delivery plan to DWP, please attach and name the excel spreadsheet as follows -

Filename: HSF7DP\_RRR\_MMY (where RRR is your LA code and date of return is in MMY format) for example Brighton & Hove Unitary Authority's May 2025 return would be labelled

**HSF7DP 007 0525.xlsx**

Send the completed delivery plan, **including the name of your LA in the subject line** to the

[lawelfare.pdt@dwp.gov.uk](mailto:lawelfare.pdt@dwp.gov.uk)

Your delivery plan must be signed off by your Section 151 Officer / Chief Finance Officer. Please ask them to complete Table 3 to provide assurance on the correctness of the anticipated spend. We also require you to copy your Section 151 Officer / CFO into your return email when submitting your delivery plan to DWP.

Reasonable administration costs are funded as part of the grant.

## Traffic Light Guidance System

The Traffic Light Guidance System is used throughout the delivery plan to help inform the user and the Cabinet Member of any outstanding required inputs.

The green circle with a white tick indicates that the adjacent table is compliant:



The red circle with a white cross indicates that the adjacent table is non-compliant:



re DWP to:

## HSF7 Delivery plan



## 1) LA details

Local authority	LA code	Has the return been completed in full?
Middlesbrough UA	LA041	

## Notes

To complete the Governance tab, please ensure to:

- a) choose your Local Authority name in Table 1  
b) enter the return date in Table 2 (dd/mm/yyyy)  
c) complete all cells in Tables 3 and 4

A summary and explanation of the traffic light system is included below and in the guidance tab. It details how the system is applied throughout the template.

When a green circle with a white tick appears next to Tables 1 to 4, the tables are compliant.

When a green circle with a white tick appears in Table 1 'Has the return been completed in full?', the delivery plan is compliant and ready for submission.

## 2) Reporting period

Reporting period	Report type	Return date (dd/mm/yyyy)
01/04/2025- 31/03/2026	Delivery Plan	

## 3) Section 151 Officer sign off

I have reviewed the financial procedures in place and I am satisfied that they are robust enough to protect public funds and that the total anticipated Grant spend by the Grant Recipient in this template is exclusively for the purposes set out in the Grant Determination Letter between the Grant Recipient and the Secretary of State for Work and Pensions in respect of the delivery of the Household Support Fund:

Section 151 Officer signature (please type)	Section 151 Officer's email

## 4) Governance

Cabinet Member (name)	Cabinet Member's email	Has the Cabinet Member approved this plan? (dropdown)	Is the Section 151 Officer/CFO copied into the return email?

## 5) Totals

Anticipated spend for vulnerable households (£)	Anticipated admin costs (£)	Anticipated total LA spend (£)	Allocation (£)	Percentage of allocation accounted for in delivery plan (%)
£ 2,680,879.00	£ 233,155.78	£ 2,914,034.78	£ 2,914,447.24	100%

Traffic Light Guidance System

The traffic light guidance system is used throughout this workbook to help inform the user, Cabinet Member and Section 151 officer of any outstanding required inputs. The icons can be found next to each table.

The green circle with a white tick indicates that the adjacent table is compliant:

✓

The red circle with a white cross indicates that the adjacent table is non-compliant:

✗

For DWP use only:	
Governance	✗
Anticipated spend	✓
Anticipated volumes	✓
Anticipated No of households	✓
Planned activities	✓

End



## HSF7 Anticipated spend

### Notes

The totals cells which auto populate have been greyed out and locked for editing. Please only input into the green cells.

The totals in the auto populated cells of tables 7 to 11 must be completed for the return to be compliant. The total spend for table 7 to 9 should be the same. The totals for table 10 and 11 differ in that their combined total should equal the sum of tables 7 to 9.

Please input values in full (e.g. 120,000.00) to enable us to process the return accordingly. Only numbers (eg 123.00) can be entered into each cell. If any other format is input an error message will appear. Please ensure that any spend figures you provide are presented to 2 decimal places, If this is not followed your Delivery Plan will be returned for completion

The traffic light system will help you ensure the template is completed in full. For the return to be compliant, all traffic lights must be green with a white tick.

If there is no anticipated spend to report, in order to enable the green light with white tick next to each table, the cells should still be completed with 0 (zero as a numerical value rather than typing out 'NIL', for example). This will help us process the return promptly for you.

'Has the spend tab been completed correctly?' - the traffic light will turn green with a white tick once Tables 6 to 12 are compliant

### 6) Anticipated admin spend

Admin spend

£ 233,155.78



### Traffic light check

Has the anticipated spend tab been completed correctly?



### 7) Anticipated spend (£) split by household composition

Households with children (£)	Households with pensioners (£)	Households with a disabled person (£)	Other households (£)	Anticipated total spend (by household composition) (£)
£ 2,026,625.00	£ 317,925.00	£ 35,000.00	£ 301,329.00	£ 2,680,879.00

### 8) Anticipated spend (£) split by types of support

Vouchers (£)	Cash awards (£)	Third party organisations (£)	Tangible items (£)	Other (£)	Anticipated total spend (by types of support) (£)
£ 1,950,645.00	£ 348,125.00	£ 259,609.00	£ 100,000.00	£ 22,500.00	£ 2,680,879.00

## 9) Anticipated spend (£) split by access routes

Application-based support (£)	Proactive support (£)	Other (£)	Anticipated total spend (by access routes) (£)
£ 925,770.00	£ 1,495,500.00	£ 259,609.00	£ 2,680,879.00

## 10) Anticipated crisis support spend (£) split by category

Energy and water (£)	Wider essentials (£)	Housing costs (£) (Please also complete table 12)	Food (£)	Other (£)	Anticipated total spend (by category) (£)
£ 364,085.00	£ 62,500.00	£ -	£ 2,119,465.00	£ 100,000.00	£ 2,646,050.00

## 11) Anticipated preventative support spend (£) split by category

Advice services (£)	Skills (£)	Community infrastructure/support (£)	Energy efficiency (£)	Other (£)	Anticipated total spend (by category) (£)
£ 10,140.00	£ 14,689.00	£ -	£ 10,000.00	£ -	£ 34,829.00

## 12) Anticipated housing Costs

For your anticipated Housing Costs spend please select the appropriate option. If this is zero please select option 4):	<i>If you have reported spend on Housing Costs, please confirm the particular groups and types of support that you have provided including value of spend. If this is zero please input N/A:</i>
4. Not applicable (no Housing Costs spend)	N/A

End

## HSF7 Anticipated volumes

## Notes

The totals cells which autopopulate have been greyed out and locked for editing. Please only input into the blue cells.

Please ensure that any anticipated volume figures you provide are presented in whole numbers. If any other format is input an error message will appear. If this is not followed your Delivery Plan will be returned for completion

The traffic light system will help you ensure the template is completed in full. For the return to be compliant, all traffic lights must be green with a white tick.

If there are no anticipated volumes to report, in order to enable the green light with white tick next to each table, the cells should still be completed with 0 (zero as a numerical value rather than typing out 'NIL', for example).

## 13) Anticipated volume of awards split by household composition

Households with children	Households with pensioners	Households with a disabled person	Other households	Anticipated total volume of awards (by household composition)
45663	4388	281	7219	57551

## 14) Anticipated volume of awards split by types of support

Vouchers	Cash awards	Third party organisations	Tangible items	Other	Anticipated total volume of awards (by types of support)
29075	4590	23353	308	225	57551

## 15) Anticipated volume of awards split by access routes

Application-based support	Proactive support	Other support	Anticipated total volume of awards (by access routes)
11615	22583	23353	57551

## 16) Anticipated volume of crisis support awards split by category

Energy and water	Wider essentials	Housing costs	Food	Other	Anticipated total volume of awards (by crisis support category)
5065	796	0	50746	308	56915

## 17) Anticipated volume of preventative support awards split by category

Advice services	Skills	Community infrastructure/support	Energy efficiency	Other	Anticipated total volume of awards (by preventative support category)
200	236	0	200	0	636

End

## HSF7 Anticipated number of households helped

### Notes

The totals cells which autopopulate have been greyed out and locked for editing. Please only input into the blue cells.

Please ensure that any anticipated volume figures you provide are presented in whole numbers. If any other format is input an error message will appear. If this is not followed your Delivery Plan will be returned for completion.

The traffic light system will help you ensure the template is completed in full. For the return to be compliant, all traffic lights must be green with a white tick.

If there are no anticipated numbers to report, in order to enable the green light with white tick next to each table, the cells should still be completed with 0 (zero as a numerical value rather than typing out 'NIL', for example).

### 18) Anticipated number of households helped split by household composition

Households with children	Households with pensioners	Households with a disabled person	Other households	Anticipated total number of vulnerable households helped (by household composition)
14516	4388	281	7123	26308

### 19) Anticipated number of households helped split by types of support

Vouchers	Cash awards	Third party organisations	Tangible items	Other	Anticipated total number of vulnerable households helped (by types of support)
11296	4590	9889	308	225	26308

### 20) Anticipated number of households helped split by access routes

Application-based support	Proactive support	Other	Anticipated total number of vulnerable households helped (by access routes)
8419	8000	9889	26308

**21) Anticipated number of households helped from crisis support split by category**

Energy and water	Wider essentials	Housing costs	Food	Other	Anticipated total number of vulnerable households helped (by crisis support category)
4665	796	0	19963	308	25732

**22) Anticipated number of households helped from preventative support split by category**

Advice services	Skills	Community infrastructure/support	Energy efficiency	Other	Anticipated total number of vulnerable households helped (by preventative support category)
200	236	0	140	0	576

End

## HSF7 Planned activities

## Notes

All grey boxes require a written response.

If there is nothing to report in a cell, write "N/A". Only use "N/A" where you have no reported spend for that category. For example, if you have reported a spend of 0 for tangible items, you will record "N/A" in the box below "tangible items".

Any categories for which you are reporting anticipated spend in previous tabs needs a written explanation.

The traffic light system will help you ensure the template is completed in full. For the return to be compliant, all traffic lights must be green with a white tick.

You must refer to the full guidance document when completing this tab to ensure you have provided all necessary information, including the relevant questions to cover in table 27.

## 23) Planned activities of crisis support split by category

Energy and water	Wider essentials (£)	Housing costs	Food	Other
<p>Energy vouchers can be provided to those who have a pre-payment meter</p> <p>Payment to pensioners in receipt of CTR, £100 per household</p> <p>Payment to pensioners in receipt of CTR or Attendance Allowance who do not qualify for a winter fuel payment to support with energy costs, Payment, per household</p> <p>Born pre 23 September 1944    £300</p> <p>Born between 23 September 1944 and 22 September 1958    £200</p> <p>Third party support for all household composites</p>	<p>£40k, has been assigned to children's services to provide essentials to families / children who are presenting as vulnerable.</p> <p>Part of the offering for those not in receipt of benefits allows for people to make a choice between food voucher or support with other essentials</p>	N/A	<p>Families in receipt of FSM two awards in the 12 month period (£60 summer and £70 winter voucher per child)</p> <p>Other Middlesbrough families in receipt of FSM, on UC/HB or have CTR by application (£60/£70 voucher per child, applications available twice in the 12 month period).</p> <p>Part of the offering for those not in receipt of benefits will allow them to choose between this or wider essentials support, £100 per household.</p> <p>Singles / Couples in receipt of benefits, £75 voucher for a single person and £100 voucher for a couple</p> <p>Funds will be provided to third party providers</p>	<p>Funding has been assigned to provide residents with energy efficient white goods.</p>

## 24) Planned activities of preventative support split by category

Advice services	Skills	Community infrastructure/support	Energy efficiency	Other
<p>£10k has been assigned to a third party provider to support with debt advice</p>	<p>£14.5k has been assigned to a third party provider to assist with back to work courses and support</p>	N/A	<p>£50k has been assigned to support with energy advice and guidance and an energy voucher</p>	N/A

## 25) Planned activities - Types of Support

Vouchers	Cash awards	Third party organisations	Tangible items	Other
<p>Energy vouchers will be issued where people have the required meter</p> <p>Food vouchers will be used to support people on most routes and this is done to allow them to free up disposable income to support with energy costs</p>	<p>These will be made where we are not able to provide vouchers digitally, mainly for pensioners, and is designed to support with energy costs</p>	<p>Funds have been assigned to various third parties who have applied for help - food banks, eco shops, energy support and HAF support to extend the scheme</p>	<p>Energy efficient white goods are available to residents in crisis who require support as well as essentials such as beds, coats etc</p>	<p>As part of the application process for those not in receipt of benefits we are offering different methods of support for their wider essentials, this amount may change depending on what choice the resident makes</p>

## 26) Planned activities - Access Routes

Application-based support	Proactive support	Other
<p>Application for households in receipt of FSM where children are not of school age or attend an out of area school</p> <p>There will be an application form for people not in receipt of benefits</p> <p>Applications for tangible items.</p> <p>An application form for people in receipt of benefits and an application process for pensioners</p>	<p>Those in receipt of FSM in Middlesbrough schools. Pensioners who have entitlement to Council Tax Reduction, will receive automatic awards where details were gathered by application under the previous scheme</p>	<p>Third party support has currently been loaded in to this section</p>

27) Planned activities - Further information	
Please refer to guidance document for questions to respond to using this field	
✓	<p>1) A detailed plan and timeline has been put together ensuring support will be available to different categories of households throughout the fund period.</p> <p>We have a dedicated website page which contains all links to applications and details of eligibility. We utilise digital support such as facebook and depending on who we are trying to reach we will write to households or send text messages to promote applications. We also work closely with other departments to ensure that people such as social workers, welfare rights team etc are aware and can verbally promote the scheme and assist with applications where necessary.</p> <p>We are targeting housholds in receipt of benefits across varying household compositions and we are also targeting those in work who are not in receipt of benefits where they are struggling to meet their basic needs due to inflationary pressures. Targeted support for pensioners who are no longer eligible for the Winter Fuel Payment but on a low income.</p> <p>Residents are verified using the council tax / benefits data held; bank statements and other evidence is collected for some of the applications. Third party organisations have a template to provide regular updates on how the funding is being used and will have a meeting every 2 months to review this.</p> <p>We do have a local welfare assistance scheme that continues to run alongside the HSF funding; this opens up additional avenues to offer support to residents who present in crisis allowing us to point people to the most appropriate support for their needs.</p> <p>We evaluate effectiveness of the different elements of the scheme on an on-going basis and this is done within the normal administration costs.</p>

This page is intentionally left blank



<b>MIDDLESBROUGH COUNCIL</b>	
------------------------------	--

<b>Report of:</b>	Director of Public Health South Tees - Mark Adams
<b>Relevant Executive Member:</b>	Executive Member for Public Health - Jan Ryles
<b>Submitted to:</b>	Executive
<b>Date:</b>	8 October 2025
<b>Title:</b>	Recovery Solutions Delivery Model
<b>Report for:</b>	Decision
<b>Status:</b>	Public
<b>Council Plan priority:</b>	A healthy place
<b>Key decision:</b>	Yes
<b>Why:</b>	Decision(s) will incur expenditure or savings above £250,000 and have a significant impact in two or more wards
<b>Subject to call in?</b>	Yes
<b>Why:</b>	Non-Urgent Report

Proposed decision(s)	
<p>That Executive:</p> <ul style="list-style-type: none"> <li>▪ APPROVES the establishment of a new central assessment site to support safe and effective care;</li> <li>▪ NOTE the revenue impact in the Medium-Term Financial Plan (MTFP) from year 2 onwards and that these will be considered for approval by Council as part of the budget setting process;</li> <li>▪ NOTE the capital implications on the Levelling Up Partnership funding secured for Live Well East and;</li> <li>▪ NOTE the process and timescales to progress the preferred option and ensure continuity of service during library redevelopment.</li> </ul>	

## Executive summary

This report recommends adjustments to the Recovery Solutions delivery model in response to:

- The council's decision to change to how the Live Well East (LWE) building in Berwick Hills is utilised;
- Operational challenges resulting from that decision, including enforcement presence and space constraints.

To address these changes an option appraisal was completed (see appendix 1), with the recommended option to operate two assessment and treatment sites at LWE and a new central site and maintain a local offer at Live Well South (LWS) and Live Well West (LWW).

Public Health South Tees secured Levelling Up Partnership funding of £1.15 million for the development of LWE. This was to support infrastructure improvements that would enable the growth of the service offer through increased building capacity to meet demand. Following changes to the proposed use of LWE the original plan needs to be amended, and further investment is required to establish the new central site.

The impact of the proposed decision on the Medium-Term Financial Plan (MTFP) from year 2 onwards will be considered for approval by Council as part of the budget setting process.

The service area has been proactive in planning the original solution and securing the necessary funding to deliver that solution and in responding to changing circumstances through this proposed revised delivery model.

The recommended option improves accessibility and ensures compliance with Care Quality Commission (CQC) requirements and National Institute for Health and Care Excellence (NICE) guidelines.

## 1. Purpose of this report and its contribution to the achievement of the Council Plan ambitions

- 1.1 To seek Executive approval for the reconfiguration of Recovery Solutions delivery sites, ensuring safe, accessible, and compliant service provision.
- 1.2 This proposal contributes to the achievement of the Council Plan for a healthy place and safe and resilient communities as described in the table below.

Our ambitions	Summary of how this report will support delivery of these ambitions and the underpinning aims
<b>A successful and ambitious town</b>	The substance misuse system includes the Individual Placement Service that supports people who have successfully completed treatment into employment. The local offer should see more people engage in treatment, successfully complete treatment and be supported into employment, contributing to a successful and ambitious town.

<b>Our ambitions</b>	<b>Summary of how this report will support delivery of these ambitions and the underpinning aims</b>
<b>A healthy Place</b>	This supports the Council's ambition for a Healthy Place, improving life chances of our residents by responding to health inequalities. The proposed model delivers a more local service, giving enhanced accessibility and reduced travel, with services closer to home for the most vulnerable people in Middlesbrough.
<b>Safe and resilient communities</b>	The proposal will reduce client traffic through problematic hotspot areas by providing a much more local model of treatment and support.
<b>Delivering best value</b>	

## 2. Recommendations

### 2.1 That the Executive

- APPROVES the establishment of a new central assessment site to support safe and effective care;
- NOTE the revenue impact in the Medium-Term Financial Plan (MTFP) from year 2 onwards and that these will be considered for approval by Council as part of the budget setting process;
- NOTE the capital implications on the Levelling Up Partnership funding secured for Live Well East and;
- NOTE the process and timescales to progress the preferred option and ensure continuity of service during library redevelopment.

## 3 Rationale for the recommended decision(s)

- 3.1 Recovery Solutions provides support for people with drug or alcohol issues, including prescribing, psychosocial interventions, counselling, and recovery support.
- 3.2 In February 2025 Recovery Solutions had its first CQC inspection since bringing the Clinical Prescribing Service in house (previously provided through Foundations GP Practice). CQC rated all three current sites as "good" overall and the elements Safe, Effective, Responsive and Well-Led with an "outstanding" rating for Caring.
- 3.3 The performance of the Service has continued to improve since clinical provision was brought in-house and integrated with the wider offer. The service delivers more than 8,000 individual interventions each month to 2,000 adults in structured treatment, with an increasing number of new presentations and increasing numbers of clients making substantial progress. The rise in new presentations is linked to the development of the locality-based delivery model, which has made treatment easier to access, offering support closer to where people live.
- 3.4 The Service continues to develop and improve the offer to support some of the most vulnerable people in Middlesbrough into recovery, including:

- A dedicated team to support people in temporary accommodation and their own tenancies to prevent eviction, secure housing, and move into more suitable homes. Working alongside neighbourhood safety wardens, the anti-social behaviour officer, and the substance use service, the team provides wraparound support that benefits clients and the wider community;
- Early screening has been introduced in partnership with both Adult and Children's Social Care to ensure individuals identified at referral with substance-related needs are engaged at the earliest opportunity;
- The Outreach Team works closely with neighbourhood wardens and other partners to engage people in the community who appear to need support with substance misuse. The team proactively targets hotspots and individuals, delivering an average of 300 interventions per month. In 2025 alone, 85 clients were assessed directly in community settings;
- Young People's Team provides tailored drug and alcohol support across all Middlesbrough schools, alternative education, and post-16 settings. This includes one to one student support (143 young people supported through drop-in), assemblies (over 5,000 students reached), staff training (334 youth professionals trained), and parent resources;
- The service has also been recognised for its innovative work: awarded Team of the Year by Middlesbrough Council for new pathways in lung health; and a Bronze Award for Public Health Nurse of the Year at the national Nursing Times Awards for the work of the Night Clinic, which engages vulnerable women with complex health needs.

- 3.5 As part of the Neighbourhoods model the former Library part of the building is to be used as the Neighbourhood Hub for East Middlesbrough. The Hub will be the platform from which a range of council services will be engaging with communities in East Middlesbrough. It will also be a space where residents can engage with the council to resolve complex problems and from which they can be directed to appropriate services where required. It will also allow the council to host partner organisations such as the police and housing providers to enhance joint working a focus on the improvement of the physical appearance of East Middlesbrough. It will also be where partner organisations implementing locally derived joint problem-solving plans to tackle issues such as crime and anti-social behaviour.
- 3.6 The relocation of the Neighbourhoods team into the library at LWE will introduce a significant Community Safety and Police presence, which is not appropriate for the Recovery Solutions client group and raises concerns about maintaining a CQC compliant therapeutic environment. The changes also reduce the available space that would require service users to be seen in staff areas, which is not conducive to safe or effective care.
- 3.7 If LWE were to remain the main assessment site with the largest footfall, there would be serious risk of service users disengaging and deterring individuals from seeking treatment due to fear of stigma or criminalisation. If service users are not aware of the police presence, they cannot make informed decisions about accessing care, undermining the principle of person-centred care.
- 3.8 These factors collectively compromise the service's ability to operate in compliance with CQC requirements and NICE guidelines, necessitating a review of alternative delivery models.

3.9 Providing services closer to where people live by localising LWE for nearby residents and providing a new, town centre offer that serves central, North Ormesby and other wards in the vicinity. This will reduce travel and associated costs and ensure there is a recovery-focused site that is not intimidating or distressing for service users.

3.10 Six options were considered:

Option	Summary assessment
1 Do nothing	This option poses risks in relation to non-compliance with CQC clinical requirements and unsafe care
2 Two assessment centres at LWE and a new central site, maintain local offer at LWS and LWW.	Developing a new central assessment and treatment site and maintaining the offer at other existing sites (including assessment and treatment at LWE) provides the most local service offer, providing accessible services and reduced travel and associated costs for service users.
3 Localised offer at LWE (serving a smaller geographical footprint), LWS, and LWW, and a new central assessment site.	Developing a new central assessment site and maintaining the treatment offer at other existing sites. This option would improve the accessibility of treatment it would maintain existing issues of accessibility for assessments and re-assessments.
4 As Option 3 but with reduced staffing at LWE	This option presents significant service quality risks and capacity issues
5 As Option 3 but with LWW closed	This option would cause disruption for 400 current service users and create less accessible services by re-locating their care to a different site
6 As Option 3 but with LWS closed	This option provides minimal savings, displaces the current service users and results in reduced accessibility

3.11 Option 2 provides the most local service possible within an affordable cost envelope (£476,561 revenue and £189,744 + VAT capital) providing care closer to where people live. Options are described in greater detail, including the impact on communities, service users and the Council, in appendix 1.

## 4. Background and relevant information

4.1 Nationally, Middlesbrough has one of the highest levels of need in relation to substance use, highlighted by the prevalence of both drug and alcohol-related deaths. This links to the considerable levels of deprivation locally with Middlesbrough having high numbers of people engaged with our services.

4.2 We currently have ambitious government targets, including to further increase both numbers accessing treatment and those completing treatment successfully. To meet these challenging targets, our services need to be able to work collaboratively with key partners and be open and accessible to those who need support.

4.3 Recovery Solutions currently operates from three sites:

- **Live Well East** (Berwick Hills) – this is currently the main assessment centre; serves between 700-750 clients. Changes to the building usage and enforcement presence have compromised care and restricted the opportunity for the site to offer the necessary capacity required;
- **Live Well West** (Ayresome Green Lane) - serves approximately 400 clients and has limited capacity;
- **Live Well South** (Hemlington) - serves between 180-200 clients; offers adequate capacity and has improved the engagement rate.

- 4.4 The proposed relocation of the Neighbourhoods team into the LWE library introduces a significant police presence, which is unsuitable for substance use client group. The presence of Police and enforcement staff in close proximity to a substance misuse treatment service will place the service in breach of critical CQC regulations under the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014. This risk is escalated substantially if they are within a shared space, which would be the case with the space constraints introduced at LWE.
- 4.5 The new plans for LWE also introduce physical space reductions. These further impact service delivery capacity, which result in the service not being able to accommodate the necessary range of roles and support key partner organisations to work into the setting. This severely restricts the ability to provide a full, person-centred treatment and recovery offer.
- 4.6 A new central site, Park House, on Park Road North, has been identified. This is located adjacent to Parkside Mental Health Resource Centre and both buildings are owned by Tees Esk and Wear Valley (TEWV) NHS Foundation Trust. Public Health and the substance misuse services work in partnership with TEWV across South Tees as the services share many clients.
- 4.7 The TEWV Care Programme Board has approved in principle the plan for Public Health South Tees to utilise their building.
- 4.8 Collaborative substance use and mental health services are vital because they improve patient outcomes. This is achieved by providing integrated, co-ordinated care for complex co-occurring issues, moving away from siloed systems. The integrated approach in South Tees enhances treatment engagement and recovery, leading to reduced severity of symptoms, lower rates of hospitalisation and a decrease in people falling into the cracks between services.
- 4.9 Levelling Up Partnership funding of £1.15 million was secured for LWE as part of a wider £20.816 million capital investment programme for Middlesbrough. Due to the changes and resultant challenges, consideration must be given to how the new plans can be delivered, based on which option is approved.

## 5. Ward Member Engagement

- 5.1 Members of the Public Health team have met with elected members from Central ward to discuss the proposals and committed to engagement with members and the local community throughout the development of the site, mobilisation and operation of the service.

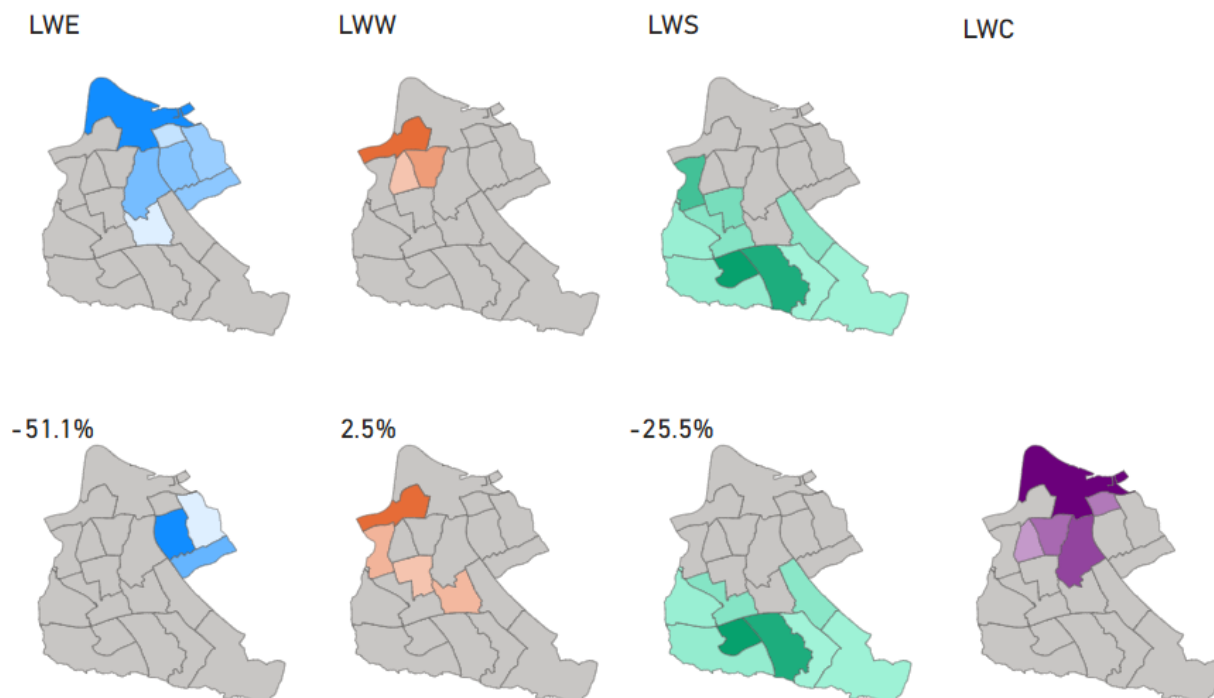
## 6. Other potential alternative(s) and why these have not been recommended

6.1 Six options were considered and described briefly in 3.10 and in more detail in appendix 1.

## 7. Impact(s) of the recommended decision(s)

7.1 The more local offer provided by the proposed option would result in the footprints for treatment to each site as detailed below. This significantly reduces the footprint of LWE, with an associated drop in client numbers from more than 800 now to less than 400 in the proposed model and provides a much more local central presence with around 470 local clients.

Distribution of Clients by Ward, current and proposed locations.



7.2 Additional impacts are described in the table below.

Topic	Impact
Financial (including procurement and Social Value)	<p>The running costs for the first year of operation will be funded from the Public Health Grant Reserve to allow for a lead time to develop the MTFP to pick up the costs recurrently from year 2. The impact of the proposed decision on the Medium-Term Financial Plan (MTFP) from year 2 onwards will be considered for approval by Council as part of the budget setting process.</p> <p>Capital costs will be funded from the Levelling Up funding secured for the service.</p>

Topic	Impact
	The costs of the recommended option are £476,561 per annum revenue and £189,744 + VAT capital.
Legal	Requirement to work with TEWV to ensure relevant lease is secured.
Risk	There are greater risks with doing nothing – approving the recommendation of Option 2 will alleviate the significant CQC and clinical risks associated with co-location of the service with police and enforcement.
Human Rights, Public Sector Equality Duty and Community Cohesion	As with the risk impact, the new, central building proposal will ensure that service users feel that their human rights and equality has been respected.  Community cohesion will be improved by providing services closer to where people live, providing the assessment function more centrally and through localising LWE for nearby residents.
Reducing Poverty	Providing a more person-centred and localised support offer will positively impact uptake of support and in turn support more people to improve their circumstances.
Climate Change / Environmental	The more local offer will reduce travel that will positively impact on climate change.
Children and Young People Cared for by the Authority and Care Leavers	The enhanced accessibility of support should ensure greater engagement and retention levels. Substance use treatment and recovery services are proven to have positive influence on reducing the need and demand for social care.
Data Protection	The new, central site reduces the risk of information regarding people accessing support services being used in breach of CQC regulations.

## 8. Actions to be taken to implement the recommended decision(s)

Action	Responsible Officers	Deadline
1. Secure formal approval for the central site from TEWV and complete lease documentation	Strategic Asset and Business Development Manager	30 November 2025.
2. Allocate funding and complete site development.	Strategic Asset and Business Development Manager	31 January 2025.
3. Communicate changes to service users and stakeholders.	Service Manager (Recovery Solutions)	31 March 2026.



4. Ensure year two and onwards funding is reflected in the MTFP.	Director of Finance and Transformation	28 February 2026
--	--	------------------

## Appendices

1	<b>Delivery Site Options Appraisal</b> Including: <ul style="list-style-type: none"> <li>▪ Full options appraisal</li> <li>▪ Full Staffing Costs Breakdown</li> <li>▪ Caseload numbers for current and proposed building distribution</li> <li>▪ Wards currently served by each site compared to distribution within the recommended option.</li> </ul>
2	<b>Equality Impact Assessment</b>

## Background papers

Body	Report title	Date
LMT	Recovery Solutions Delivery Model	19/06/25
Executive	Levelling Up Partnership Funding Paper	14/02/24

**Contact:** Mark Adams, Director of Public Health for Middlesbrough and Redcar & Cleveland

**Email:** [mark\\_adams@middlesbrough.gov.uk](mailto:mark_adams@middlesbrough.gov.uk)

This page is intentionally left blank

# MIDDLESBROUGH COUNCIL

## Recovery Solutions Delivery Model: Delivery Site Options Appraisal

**LMT Lead:** Director of Public Health for Middlesbrough and Redcar & Cleveland

**Date:** 26/09/2025

---

### 1 PURPOSE OF THE REPORT

This report sets out future site delivery options for Recovery Solutions, our in-house substance misuse service, in response to recent operational challenges:

- There are ongoing concerns about the impact of increased client traffic moving eastward through the area, to access assessment or re-assessment appointments at Live Well East, as the assessment function is centralised there. This affects both service accessibility and the local community.
- The proposed relocation of the Neighbourhoods team into the library has introduced a significant Community Safety and Police presence, which is not appropriate for the Recovery Solutions client group and raises concerns about maintaining a therapeutic environment.
- Changes to the library layout resulting from that relocation will also reduce the available space. This would require service users to be seen in staff areas, which is not conducive to safe or effective care.

These factors collectively compromise the service's ability to operate in compliance with CQC requirements and NICE guidelines, necessitating a review of alternative delivery models.

This report establishes the options available and the finance required and recommends a preferred option.

### 2 BACKGROUND AND LOCAL CONTEXT

In 2023, the Service moved to a locality-based service model with the aim of increasing engagement and community integration. The Service currently operate from three delivery bases: Live Well East, Live Well West, and Live Well South.

Whilst all bases offer comprehensive clinical and structured interventions for those in treatment, Live Well East is the main assessment site for new entrants and re-entrants to the service and provides open access for those entering treatment.

## 2.1 **Live Well East (Berwick Hills)**

Live Well East is the largest building and main delivery base. Due to its large capacity, it serves a large geographical area covering some central areas of Middlesbrough as well as east Middlesbrough, both of which have high levels of need within communities. It currently serves between 750 and 800 service users. The original plans were to extend into the old library space in the building and Levelling Up funding was secured to fund this development.

Due to recent restrictions within the library area of the building, service delivery within the main site has been impacted and compromised, with service users having to access the same areas as enforcement services.

There is proposed to be a significant Police presence based within the building with Community Safety. This means we must offer an alternative location to those accessing treatment and must have an alternative venue for assessments to offer confidential, safe and effective care. Service users must be informed that there is Police presence at the venue prior to attendance. The service is unable to accommodate increased numbers at Live Well West and Live Well South with current building capacity, therefore cannot offer an alternative place to access if they do not want to attend for treatment where there is an enforcement presence.

## 2.2 **Live Well West** (Ayresome Green Lane, former Holgate Depot)

Live Well West has very limited capacity due to its size, therefore covers a small geographical area as there is a high level of need in west Middlesbrough. Currently, it serves around 400 individuals. This site is well established within the community.

## 2.3 **Live Well South** (Viewley Centre, Hemlington)

Live Well South covers a very large geographical area; however, there is a very low level of need in these wards. There is adequate capacity on this site for those currently served by the site, which is around 180 individuals. Opening this site has increased engagement from Hemlington and surrounding areas, which historically was identified as a ward with high levels of unmet need due to challenges travelling to access the previous service.

## 2.4 **Demographics**

Live Well East currently serves an average of 750-800 people, located within seven surrounding wards (three East Middlesbrough and four that are more central Middlesbrough) plus those with no fixed abode and some temporary accommodation, and is the base for assessment.

Live Well West currently serves an average of 350-400 people, located within six wards, comprising of five West Middlesbrough plus one more central.

Live Well South serves an average of 200 people, all wards south of central Middlesbrough.

### 3 SUMMARY OF RECOMMENDATIONS

The **recommended option is Option 2**, which involves developing a new central assessment site and maintaining the offer at other existing sites (including assessment at LWE).

A central offer would alleviate capacity issues at Live Well West, which would cost approximately £100,000 in capital costs to remedy in order to carry building work to enable more one to one rooms.

The central site can be offered to any service users in East Middlesbrough who are not comfortable attending a building where police and enforcement officers are based.

There are additional costs and capacity requirements for running and staffing an additional site. There is not funding within substance misuse or wider Public Health to fund either capital costs or recurring costs associated with this.

Additional Costs for Middlesbrough Council:

Running costs for central:	£85,960
Staffing Cost with estimated pay award	£390,641
Total recurring cost with estimated pay award	£476,561
Capital Costs	£189,744 + VAT

#### 3.1 Funding

The running costs for the first year of operation will be funded from the Public Health Grant Reserve to allow for a lead time to develop the MTFP to pick up the costs recurrently from year 2.

Capital costs will be funded from the Levelling Up funding secured for the service.

### 4 OPTION APPRAISAL

Option 2 is recommended after consideration of the potential risks and benefits associated with each alternative option as highlighted over the page. The full option appraisal is detailed in appendix 1.

Option 1	Do nothing <ul style="list-style-type: none"> <li>Significant risks to service CQC compliance.</li> <li>Insufficient space to safely deliver the offer</li> <li>Community issues unchanged</li> </ul>	-	
Option 2	Two assessment & treatment centres at LWE and a new central site, maintaining the offer at other existing sites.  This option provides the most local service offer, providing accessible services and reduced travel and associated costs for service users.	£476,561	
Option 3	Localised offer at LWE (serving a smaller geographical footprint), LWS, and LWW, and a new central assessment and treatment site.  This option would improve the accessibility of treatment, however it would maintain existing issues of accessibility for assessments and re-assessments.	£324,774	
Option 4	As Option 3 but with reduced staffing at LWE <ul style="list-style-type: none"> <li>Creates risks around management of the space and limits the offer for service users</li> </ul>	£212,360	
Option 5	As Option 3 but with LWW closed <ul style="list-style-type: none"> <li>The closure of Live Well West could disrupt service users and leading to a decline service engagement.</li> </ul>	£167,360	
Option 6	As Option 3 but with LWS closed <ul style="list-style-type: none"> <li>Limited financial savings</li> <li>Significant disruption for service users.</li> <li>The minimal financial benefits don't balance the upheaval for service users and potential decline in service quality and accessibility.</li> </ul>	£212,360	

Note: **Green** = assessment centre and treatment service; **Blue** = treatment service; **Red** = No service delivery

#### 4.1 Central Site

A suitable building has been identified for the new central site: Park House, a Tees Esk and Wear Valleys NHS Foundation Trust (TEWV) building located in central Middlesbrough on Park Road North.

Additional running costs have been established, and capital costings have been advised by TEWV (see appendix 1).

The TEWV Care Programme Board have approved the service delivery plans in principle, but we are still awaiting formal approval.

## 5 IMPACT

The impact on local communities includes:

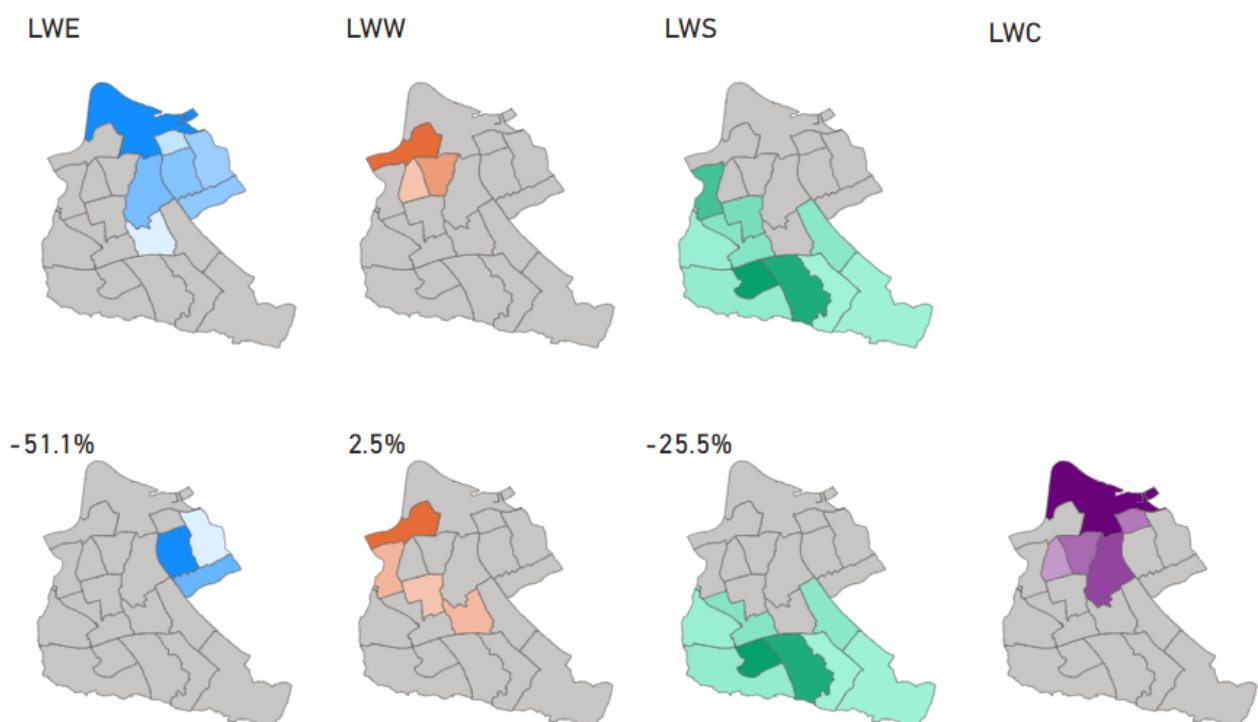
- reduced travel between wards and reduced client traffic through problematic hotspot areas;

The impact on service users includes:

- enhanced accessibility and reduced travel, with services closer to home;
- option to attend central base if they will not access where police and enforcement are present.

The impact on the distribution of clients from the current three-centre model to the proposed four-centre model is detailed below.

**Distribution of Clients by Ward, current and proposed locations.**



The impact on the Council includes:

- Improved service delivery, closer to where people live and compliance with CQC and NICE guidelines.
- Facilitates co-location of community safety and police at LWE in dedicated space in line with the locality working model and local strategy.

## 6 APPENDICES

Appendix 1	Full options appraisal
Appendix 2	Full Staffing Costs Breakdown
Appendix 3	Caseload numbers for current and proposed building distribution
Appendix 4	Wards currently served by each site compared to distribution within the recommended option.



## Appendix 1: Full Options Appraisal

Green = assessment centre

Blue = treatment service

Red = No service delivery

### Option 1: Do nothing



Pros	Cons
<ul style="list-style-type: none"> <li>No further action needed.</li> </ul>	<ul style="list-style-type: none"> <li>Current LWE delivery will not be able to continue when police move into the building without compromising safe and effective care.</li> <li>Alternative venue required for service delivery.</li> <li>LWW building work would need to proceed to support safe practice with current numbers.</li> <li>Not enough space to operate.</li> </ul>

### Additional Cost Middlesbrough Council:

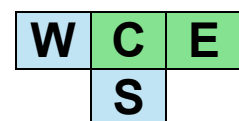
£100,000 for building work to LWW to create more one to one rooms and clinic capacity.

**Staffing Cost: N/A**

**Total Recurring Cost: N/A**

### Option 2:

- Additional delivery site in central Middlesbrough.
- Continue delivery at East, South and West.
- Open access assessment centre at East and Central**



Pros	Cons
<ul style="list-style-type: none"> <li>A Central offer would alleviate capacity issues at LWW, saving approx. £100,000 in capital costs.</li> <li>Additional centre would significantly improve accessibility</li> <li>The central site can be offered to any at East Middlesbrough who will not attend a building where Police/Enforcement are based.</li> </ul>	<ul style="list-style-type: none"> <li>Additional costs and capacity of running and staffing an additional site.</li> <li>Service pressure to staff four locations if impacted by sickness or staff shortage.</li> <li>East assessment centre would need to be advertised with disclosure of having police collocated, complicating advertising.</li> </ul>

### Additional Cost Middlesbrough Council:

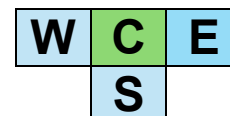
Running costs for central:	£85,960
Staffing Cost with estimated pay award	£390,641

Total recurring cost with estimated pay award	£476,561
Capital Costs	tbc

The additional staffing includes 2 x admin to cover reception and general duties, 2 additional assessment case workers to support the delivery of open access in both east and central, 2 x team leads to provide duty cover in the additional building, 2 specialist prescribers (one would be dedicated to the open access in the additional site and one would cover the reviews).

### Option 3:

- Additional delivery site in central Middlesbrough.
- Continue delivery at East, South and West.
- **Open access assessment centre at Central only**



Pros	Cons
<ul style="list-style-type: none"> <li>▪ A Central offer would alleviate capacity issues at LWW, increasing capacity would occur £100,000 in capital costs to create additional one to one rooms.</li> <li>▪ Additional centre would improve accessibility</li> <li>▪ The central site can be offered to any at East Middlesbrough who are will not attend a building where Police/Enforcement are based.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Additional costs and capacity of running and staffing an additional site.</li> <li>▪ Service pressure to staff 4 locations if impacted by sickness or staff shortage.</li> <li>▪ Maintains existing issues of accessibility for assessments and re-assessments.</li> </ul>

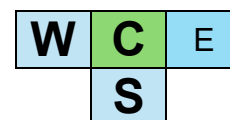
### Additional Cost Middlesbrough Council:

Running costs for central:	£85,960
Staffing Cost with estimated pay award	£238,814
Total recurring cost with estimated pay award	£324,774
Capital Costs	£189,744 + VAT

The additional staffing includes 2 x admin to cover reception and general duties, 2 additional assessment case workers to support the delivery of open access in both east and central, 2 x team leads to provide duty cover in the additional building, 1 specialist prescribers (As open access will only be at one site with this open only 1 additional prescriber is needed as East would no longer have an open access offer and the current prescriber covering this at East would move to the central base).

### Option 4:

- Additional delivery site in central Middlesbrough.
- Continue delivery at East, South and West.
- **Open access assessment centre at Central only.**
- **Reduced offer at LWE in line with the reduced numbers.**



Pros	Cons
<ul style="list-style-type: none"> <li>▪ A Central offer would alleviate capacity issues at LWW, saving approx. £100,000 in capital costs.</li> <li>▪ Assessment centre would move to central base, which is more accessible, preventing some community issues in LWE area and impact from police presence.</li> <li>▪ The central site can be offered to any at East Middlesbrough who are not happy to attend a building where Police/Enforcement are based.</li> <li>▪ Reduced building space would alleviate some ongoing building costs.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Additional costs and capacity of running and staffing an additional site.</li> <li>▪ Service pressure to staff 4 locations if impacted by sickness/staff shortage.</li> </ul>

#### Additional Cost Middlesbrough Council:

Running costs for central:	£85,960
Staffing Cost with estimated pay award	£126,400
Total recurring cost with estimated pay award	£212,360
Capital Costs	£189,744 + VAT

The additional staffing includes 1 x admin to cover reception and general duties (As the reduced offer at LWE will free up one of the current admin to support the 2 needed for the central offer), 1 x team leads to provide duty cover in the additional building (again a reduced offer in LWE offers flexibility to move one of the current team leaders to the central location), 0.6 specialist prescribers (As open access will only be at the central site and with LWE having a reduced offer prescribing capacity from LWE can be moved to the central base). No additional case workers are required for this offer.

#### Option 5:

- Additional delivery site in central Middlesbrough.
- Continue delivery at East and South
- **Open access assessment centre at Central only**
- **Close West and relocate service users to Central.**



Pros	Cons
<ul style="list-style-type: none"> <li>▪ The cost savings from closure of LWW would contribute to the costs of the central base, and staffing can be relocated reducing additional staffing costs.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Approx 400 people currently seen at LWW would need to be seen at the central site, risking enforcement complaints.</li> </ul>

Pros	Cons
	<ul style="list-style-type: none"> <li>▪ Risk of disengagement and discontent from current LWW users.</li> <li>▪ If full capacity of LWW was absorbed by the central offer, LWE would still need to retain its current geographical area, which is not possible when police move into the building. Service users need to be offered an alternative site to access.</li> </ul>

#### Additional Cost Middlesbrough Council:

Running costs for central:	£85,960
Minus running cost of LWW	£45,000
Staffing Cost with estimated pay award	£126,400
Total recurring cost with estimated pay award	£167,360
Capital Costs	£189,744 + VAT

The additional staffing includes 1 x admin to cover reception and general duties (As closing LWE would free up admin to support the central location), 1 x team leads to provide duty cover in the additional building (again closing LWW offers flexibility to move one of the current team leaders to the central location), 0.6 specialist prescribers (As open access will only be at the central site and closing LWW enables prescribing capacity be moved to the central base). No additional case workers are required for this offer.

#### Option 6:

- Additional delivery site in central Middlesbrough.
- Continue delivery at East and West
- **Open access assessment centre at Central only.**
- **Close South and relocate service users to Central.**



Pros	Cons
<ul style="list-style-type: none"> <li>▪ Some saved staffing resource can be reallocated to support the central site.</li> <li>▪ Town centre offer will alleviate capacity pressure on LWW and reduce the large geographical area LWE serves.</li> <li>▪ The central site can be offered to any at East Middlesbrough who are not happy to attend a building where Police/Enforcement are based.</li> </ul>	<ul style="list-style-type: none"> <li>▪ No building costs associated with this site, so no cost savings and minimal staffing efficiencies.</li> <li>▪ Risk of disengagement from LWS service users due to reduced accessibility.</li> </ul>

#### Additional Cost Middlesbrough Council:

Running costs for central:	£85,960
----------------------------	---------

Staffing Cost with estimated pay award	£126,400
Total recurring cost with estimated pay award	£212,360
Capital Costs	£189,744 + VAT

The additional staffing includes 1 x admin to cover reception and general duties (as closing LWS would free up admin to support the central location), 1 x team leads to provide duty cover in the additional building (again closing LWS offers flexibility to move one of the current team leaders to the central location), 0.6 specialist prescribers (As open access will only be at the central site and closing LWS enables prescribing capacity be moved to the central base). No additional case workers are required for this offer.

## Appendix 2: Full Staffing Costs Breakdown

### Option 1

N/A

### Option 2

		Current	Cost	Assumed 3.2% Pay Award	Cost
2 admin	D Grade	31,998	63,996	33,022	66,044
2 Assessment Caseworker	H Grade	39,680	79,360	40,950	81,900
2 Team leads	K Grade	49,827	99,654	51,421	102,843
2 Specialist Prescribers	N Grade plus 10% Market Supplement	67,759	135,518	69,927	139,854
Total:			<b>378,528</b>		<b>390,641</b>

### Option 3

		Current	Cost	Assumed 3.2% Pay Award	Cost
2 admin	D Grade	31,998	63,996	33,022	66,044
2 Team leads	K Grade	49,827	99,654	51,421	102,843
1 Specialist Prescriber	N Grade plus 10% Market Supplement	67,759	67,759	69,927	69,927
Total:			<b>231,409</b>		<b>238,814</b>

### Option 4

		Current	Cost	Assumed 3.2% Pay Award	Cost
1 admin	D Grade	31,998	31,998	33,022	33,022
1 lead	K Grade	49,827	49,827	51,421	51,421
0.6 Specialist Prescriber	N Grade plus 10% Market Supplement	67,759	40,655	69,927	41,956
			<b>122,480</b>		<b>126,400</b>

### Option 5

		Current	Cost	Assumed 3.2% Pay Award	Cost
1 admin	D Grade	31,998	31,998	33,022	33,022

1 lead	K Grade	49,827	49,827	51,421	51,421
0.6 Specialist Prescriber	N Grade plus 10% Market Supplement	67,759	40,655	69,927	41,956
			<b>122,480</b>		<b>126,400</b>

#### Option 6

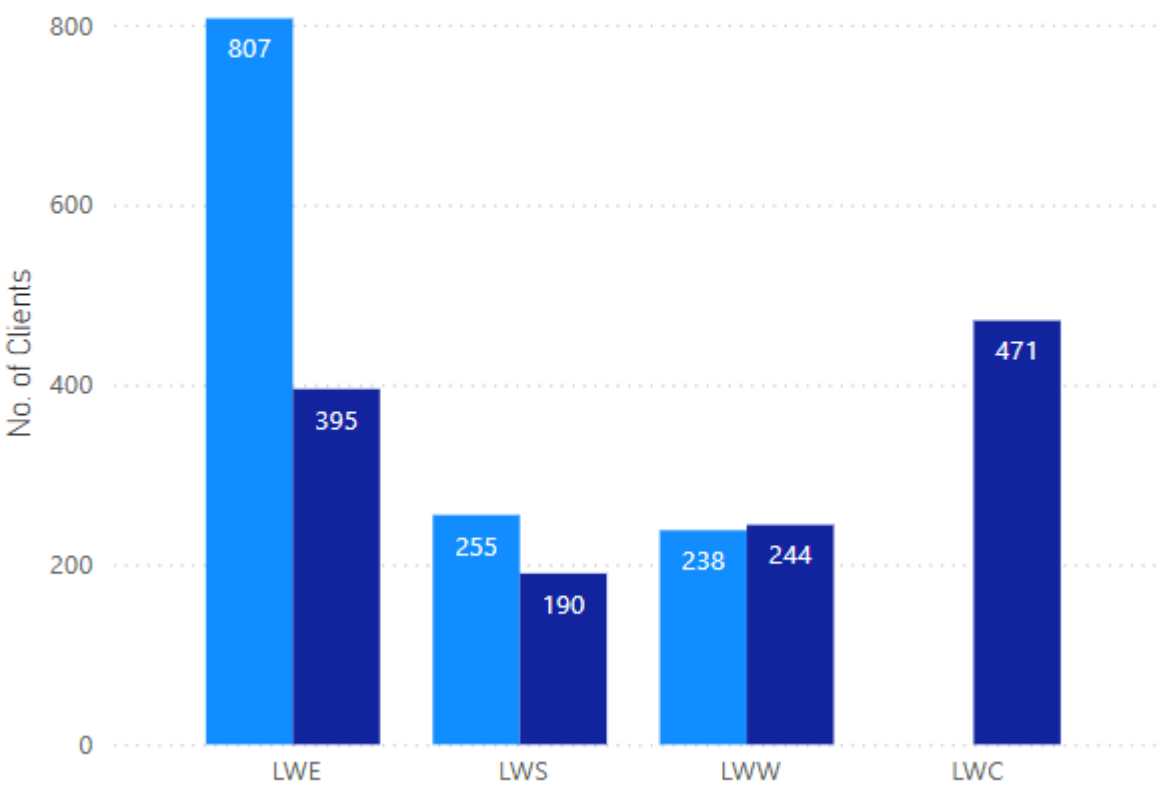
		Current	Cost	Assumed 3.2% Pay Award	Cost
1 admin	D Grade	31,998	31,998	33,022	33,022
1 lead	K Grade	49,827	49,827	51,421	51,421
0.6 Specialist Prescriber	N Grade plus 10% Market Supplement	67,759	40,655	69,927	41,956
			<b>122,480</b>		<b>126,400</b>

**Appendix 3:**

**Number of Clients at Current and Proposed Location**

Based on current caseload numbers

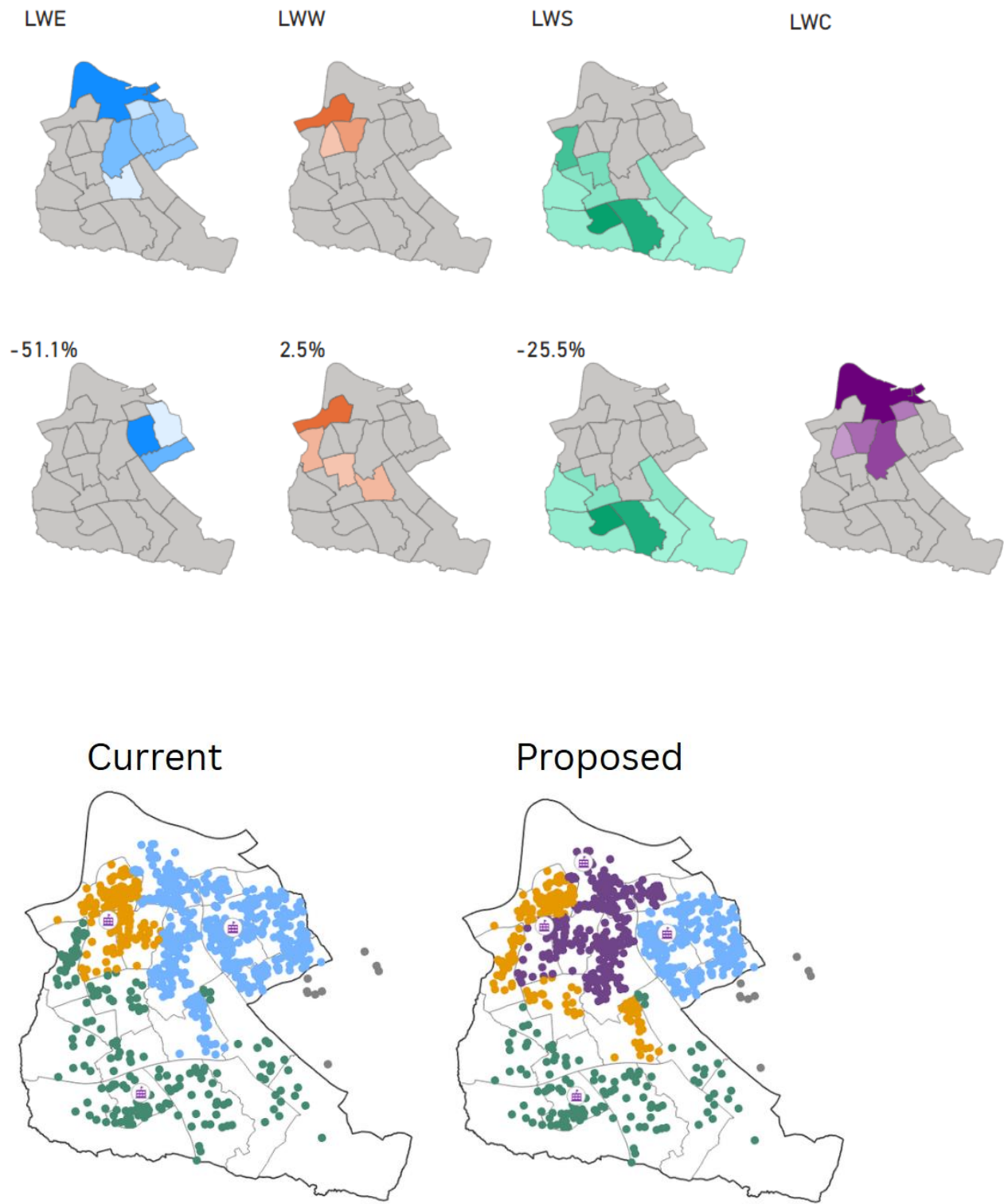
● Current ● Proposed





**Appendix 4:**

Distribution of Clients by Ward, current and proposed locations.



This page is intentionally left blank

**Template for Impact Assessment Level 1: Initial screening assessment**  
**Appendix 3**

<b>Subject of assessment:</b>	Recovery Solutions Delivery Model			
<b>Coverage:</b>	The Recovery Solutions Delivery Model is a service-specific proposal focused on the reconfiguration of Middlesbrough's substance misuse treatment and recovery services, targeted at improving operational delivery, accessibility, and compliance within the Recovery Solutions service.			
<b>This is a decision relating to:</b>	<input type="checkbox"/> <b>Strategy</b>	<input type="checkbox"/> <b>Policy</b>	<input checked="" type="checkbox"/> <b>Service</b>	<input type="checkbox"/> <b>Function</b>
	<input type="checkbox"/> <b>Process/procedure</b>	<input type="checkbox"/> <b>Programme</b>	<input type="checkbox"/> <b>Project</b>	<input type="checkbox"/> <b>Review</b>
	<input type="checkbox"/> <b>Organisational change</b>	<input type="checkbox"/> <b>Other (please state)</b>		
<b>It is a:</b>	<b>New approach:</b>	<input type="checkbox"/>	<b>Revision of an existing approach:</b>	<input checked="" type="checkbox"/>
<b>It is driven by:</b>	<b>Legislation:</b>	<input type="checkbox"/>	<b>Local or corporate requirements:</b>	<input type="checkbox"/>

**Description:**

Insert short description, using the following as sub-headings:

Key aims, objectives and activities

The Recovery Solutions Delivery Model aims to reconfigure substance misuse services in Middlesbrough to ensure safe, accessible, and compliant care. Its key objectives include establishing a new central assessment site to replace the current main site at Live Well East (LWE), maintaining service provision at Live Well West (LWW) and Live Well South (LWS), reducing community tensions, and improving accessibility. The model also seeks to ensure compliance with Care Quality Commission (CQC) and National Institute for Health and Care Excellence (NICE) standards through service redesign to support a more localised and person-centred approach.

Statutory drivers (set out exact reference)

These changes are driven by statutory requirements under the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, which mandate the provision of safe, effective, and person-centred care. The co-location of enforcement services at LWE breaches these regulations by compromising the therapeutic environment and confidentiality. Additionally, compliance with CQC standards and NICE guidelines necessitates appropriate clinical environments which does compromise liberty in order to access care.

Differences from any previous approach

This approach differs from the previous model where LWE served as the main assessment centre, accommodating the largest client footfall. The new model shifts the assessment function to a central site (Park House), localises LWE to serve a smaller geographical footprint, and retains LWW and LWS to maintain continuity and accessibility.

Key stakeholders and intended beneficiaries (internal and external as appropriate)

Key internal stakeholders include Middlesbrough Council's Public Health, Finance, and Strategic Assets teams, the Recovery Solutions service team, and elected members. External stakeholders comprise Tees Esk and Wear Valley NHS Foundation Trust (TEWV), the Care Quality Commission (CQC), local communities—particularly Berwick Hills, Park, and North Ormesby—and service users with substance misuse needs. The intended beneficiaries are vulnerable individuals accessing treatment and recovery services, local residents affected by community tensions, and partner organisations delivering integrated care.

Intended outcomes

The intended outcomes of the model include improved accessibility and engagement with substance misuse services, reduction in community tensions and anti-social behaviour, compliance with statutory care standards and clinical regulations, enhanced service quality through decentralised and integrated delivery, better alignment with Council Plan priorities for a healthy place and safe, resilient communities, and the potential future development of inpatient detoxification services at Park House.

<b>Live date:</b>	<a href="#">As soon as possible</a>
<b>Lifespan:</b>	<a href="#">Permanent move</a>
<b>Date of next review:</b>	<a href="#">January 2027</a>

Screening questions	Response			Evidence
	No	Yes	Uncertain	
<b>Human Rights</b> Could the decision impact negatively on individual Human Rights as enshrined in UK legislation?*	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The decision is designed to improve service accessibility and ensure a therapeutic environment for vulnerable individuals. It explicitly aims to respect service users' dignity and confidentiality, aligning with human rights principles. The relocation avoids co-location with enforcement services, which could otherwise intimidate or stigmatise service users.
<b>Equality</b> Could the decision result in adverse differential impacts on groups or individuals with characteristics protected in UK equality law? Could the decision impact differently on other commonly disadvantaged groups?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal is intended to enhance equality by improving access to services for vulnerable populations, including those with substance misuse issues. It addresses barriers such as travel, stigma, and safety, and aims to provide person-centred care. There is no indication of adverse differential impacts on protected groups.
<b>Community cohesion</b> Could the decision impact negatively on relationships between different groups, communities of interest or neighbourhoods within the town?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The decision is expected to improve community cohesion within East Middlesbrough by reducing client traffic through areas experiencing tension and localising services to reduce disruption. It responds to concerns raised by residents and elected members and aims to alleviate community tensions. The distribution of the service across four locations means that both the new central site and the East site will experience lower footfall compared to the current East site. This will reduce the impact on the local area and ensure that each site serves a smaller geographical footprint, thereby minimising the need for service users to travel between wards.
<b>Armed Forces</b> Could the decision impact negatively on those who are currently members of the armed forces of former members in the areas of Council delivered healthcare, compulsory education and housing policies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There is no evidence of negative impact. Improved accessibility of services would benefit individuals who are current or former armed forces who have ongoing support needs of this nature.
<b>Care leavers</b> Could the decision impact negatively on those who are care experienced?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There is no evidence of negative impact. Improved accessibility of services would benefit individuals with care experience who have ongoing support needs of this nature.

\* Consult the Impact Assessment further guidance for details on the issues covered by each of these broad questions prior to completion.

Screening questions	Response			Evidence
<b>Reducing Poverty</b> Could the decision impact negatively on the Council's ambitions to reduce poverty in the town?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The decision supports the Council's ambition to reduce poverty by improving access to recovery services, which can help individuals stabilise their lives, engage in employment, and reduce reliance on crisis services. The model is described as person-centred and localised, which supports poverty reduction.
<b>Next steps:</b> ➡ If the answer to all of the above screening questions is No then the process is completed. ➡ If the answer of any of the questions is Yes or Uncertain, then a Level 2 Full Impact Assessment must be completed.				

<b>Assessment completed by:</b>	Vicky Franks	<b>Head of Service:</b>	Rebecca Scott
<b>Date:</b>	02/09/2025	<b>Date:</b>	02/09/2025

