

# Member Report – For Information

## Decisions Taken Under Urgency Decisions



**Report to:** Borough Council

**Report from:** Leader of the Council

**Portfolio:** Leader of the Council

**Report Date:** 1 August 2024

**Decision Type:** For Information

**Council Priority:** All Priorities

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## HEADLINE POSITION

### 1.0 Summary of report

- 1.1 This report provides a summary of decisions that have been taken recently using urgency provisions as set out in the Council's Access to Information Procedure Rules and that require reporting to Council.

## DETAILED PROPOSALS

### 2.0 What are the objectives of the report and how do they link to the Council's priorities

- 2.1 This report aims to inform Members of any recent urgent decisions taken by the Council.

### 3.0 Background and detail

- 3.1 The Local Authority (Executive Arrangements) (Meeting and Access to Information) (England) Regulations 2012 and the Council's Constitution set out procedures to be followed in respect of executive decision making, including delegated decisions. Notice of key and/or confidential decisions must be given in a Forward Plan and published on the Council's website at least 28 days before the decision is taken. Where a decision needs to be taken for which the required notice period cannot be given, it can still be made if certain tests are met.
- 3.2 General Exception - If the 28 day forward plan period cannot be complied with for a key decision, then the decision may still be taken if it is impracticable to defer the decision for compliance with these arrangements. If this test is met, then the decision can still proceed but the following actions must also be taken:
- The chair of the relevant Scrutiny and Improvement Committee (or if there is no chair, the whole committee individually) must be informed by notice in writing of the decision to be taken, and this notice must also be published, with reasons for the urgency, at least 5 working days in advance of the decision

being taken.

3.3 Special Urgency – If a key decision is so urgent that it is not possible to comply with the general exception urgency rules, by virtue of the date on which it must be taken, then there are some further special urgency provisions which can be used if the following actions are taken:

- The agreement of the chair of the relevant Scrutiny and Improvement Committee that the decision cannot reasonably be deferred must be obtained (or if there is no chair, or the chair is unable to act, the Mayor, or in their absence the Deputy Mayor);
- A notice setting out this position and detailing the reasons for the urgency must be published.
- The use of the special urgency provisions must be report to the Council by the Leader on a quarterly basis.

3.4 Urgency and Call-in – Where it is the application of the call-in procedure that will give rise to issues, then there is a separate urgency provision which applies if it is considered that any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. If that test is met, then the decision maker may give notice, in publishing the decision, that call-in does not apply and the reasons for the urgency. However, this decision must then be reported to the Full Council at the next available meeting with reasons for using this procedure.

#### **4.0 Appendices and Background Papers**

4.1 Appendix 1 – Summary of decisions taken using urgency provisions, including links to the associated decisions records.

#### **5.0 Recommendation**

5.1 Council Members are requested to note the following decision that has been taken using urgency provisions:

- a. Auto-enrolment of Free School Meals and maximising Pupil Premium Funding across Redcar and Cleveland.

#### **6.0 Contact Officer**

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## Summary of decisions taken using urgency provisions

Details of the individual decisions can be accessed by clicking on the decision title

Decision	Decision Maker and date of decision	Reason for Urgency	Scrutiny Consultation
<p>Special Urgency (call-in disapplied)</p> <p><a href="#">Auto-enrolment of Free School Meals and maximising Pupil Premium Funding across Redcar and Cleveland.</a> (Ref CF-24-055)</p> <p>Potential value: £1,575,000 - £2,200,000</p>	<p>Cabinet Member for Children – Cllr Bill Suthers</p> <p>5 July 2024</p>	<p>The decision is to progress a pilot initiative with schools, between officers across Revenues and Benefits Service, Education and Public Health, to support the implementation of auto-enrolment of Free School Meals, with the aim of increasing the number of children registered for Free School Meals and Pupil Premium, subject to the agreement of Redcar and Cleveland schools.</p> <p>The initiative aims to optimise the take up of Free School Meals by children in the borough's schools and the associated increase in income for schools via the Pupil Premium through auto enrolment which is designed to:</p> <ul style="list-style-type: none"> <li>• Increase the number of children registered for Free School Meals and capture eligible children whose families have not submitted applications.</li> <li>• maximise the amount of Pupil Premium to Redcar and Cleveland schools.</li> <li>• Increase school funding to improve educational outcomes for disadvantages pupils. Auto-enrolment will ensure that schools are receiving the maximum benefit of Pupil Premium funding and free school meal entitlement and is linked to the attainment gap as well as contributing</li> </ul>	<p>Councillor Karen King – Chair of Children and Families Scrutiny &amp; Improvement Committee.</p>

<b>Decision</b>	<b>Decision Maker and date of decision</b>	<b>Reason for Urgency</b>	<b>Scrutiny Consultation</b>
		<p>towards the Council's plan to start life well.</p> <p>In Redcar and Cleveland, utilising existing data sets held by the Council, it is suggested a potential of 1500 households with children are missing out on Free School Meals. Based on this figure, this would result in an additional £2,200,000 of Pupil Premium funding for primary school age children. If the pupils were of secondary age this would equate to £1,575,000.</p> <p>The urgency for the decision is due to the timescales to implement the pilot which are tight. Schools or the Local Authority would have to apply for the FSM in September and parents need to have consultation time to opt out of the scheme. The timing of the decision allows 3 weeks prior to the end of the school term to facilitate this.</p>	