Forward Plan reference number: (if applicable)

Report title: Criteria for Community-Run Libraries
Report to: Cllr Susan Barker, Cabinet Member for Customer, Communities, Culture and Corporate
Report author: Juliet Pirez, Head of Libraries
Date: 11 November 2019   **For:** Decision
Enquiries to: Juliet Pirez, Head of Libraries - email Juliet.pirez@essex.gov.uk
County Divisions affected: All Essex

1   Purpose of Report

1.1   This report seeks approval of community-run library (CRL) viability criteria (criteria) that will be used to develop and consider final CRL proposals (see para 3.9; for more information Appendix 5 of the Information Pack found in Appendix 1)

1.2   It is important that the council approves community proposals that are viable and are of benefit to the local community to ensure that provision can be provided long-term. This will complement the Council's commitment that no library service will close during the duration of the strategy.

1.3   To note that an Information Pack to support groups interested in setting up a CRL has been developed and has been built around the criteria (Appendix 1). This will be supported and complemented by a robust support offer provided by the Community Library Services Team (CLS) (see Appendix 4 of the Information Pack found in Appendix 1).

2   Recommendations

2.1   That proposals for community-run libraries are assessed against the criteria in Appendix 5 of the Information Pack (Appendix 1) and, following a robust evaluation and agreement process (see Appendix 2), that the Cabinet Member will make the final decision on all proposals for community-run libraries.

2.2   To note that the criteria represent a set of minimum requirements for a successful CRL proposal. They have been determined by the Council but have been informed by UK legislation and government-recommended good practice.

2.3   To agree to publish the 'Community-run Libraries Information Pack' (the information pack) enclosed in Appendix 1 and to note that, as and when additional supportive information is obtained, addendums will be added to the pack.

2.4 Agree that all current libraries which convert to being community-run will remain part of the current statutory network for the length of the strategy, unless the local community want to take on the current library as a non-statutory provision (see 3.13).

2.5 Community-run libraries in new locations (locations where there is not a current council-run library) will not automatically be part of the statutory network.

3   Summary

3.1 The Council adopted a Future Libraries Strategy in July 2019 which set out an ambition to work closely with the community to develop and set up Community run libraries where this is the wish of communities and suitable bids are received. It is hoped that the enthusiasm and pride shown by the community during the extensive public engagement and consultation can help increase the use of Essex libraries, particularly in smaller and rural locations.

3.2 The strategy set out this initiative to work closely with and support community groups or partners, where there is interest, to transition current libraries to community-run libraries or support community-run libraries to set up in new locations. This will allow communities to develop the facilities in the way that suits the local community, where the Council is satisfied that the community will provide an inclusive and quality library service in that location.

3.3 Since the strategy was published, some expressions of interest have been withdrawn because they were a response to the consultation on closures, but others continue to be interested. We have also received some new expressions of interest for new locations.

3.4 The strategy makes it clear that the Council does not wish to take a 'one size fits all' approach to community-run libraries and will allow as much flexibility as possible. But we also need to ensure that, if community-run libraries wish to receive public funds, they provide a quality and inclusive service using the criteria as their guide. The support that the Council will provide aims to support this.

3.5 In order to help communities to develop proposals that are best likely to succeed, a set of criteria has been developed to ensure that a CRL:

3.5.1 meets the minimum requirements advised by UK legislation and government best practice
3.5.2 delivers according to Council expectation, e.g. CRLs are set up by a reputable and inclusive group or individual, have a viable and sustainable plan and have community support.
3.5.3 communities think about the issues which will need to be addressed
3.5.4 helps ECC to fairly assess proposals and provide the necessary support

3.6 Encompassing the 'not one-size-fits-all' approach and recognising that different communities are likely to have different wants and needs, the criteria are

flexible but still specific enough to ensure each CRL is safe, compliant with law and likely to succeed. The criteria are not prescriptive and allow some flexibility in terms of how they will be met recognising local circumstances, choice and preferences. The CLS team will provide the relevant support, guidance and advice no matter what stage or level the organisation is at.

About the criteria

3.7   The proposed criteria expand on the strategy's aim for community-run libraries to provide a high quality and inclusive service with community support.

3.8   They aim to ensure that each accepted proposal achieves this and provides a safe service which complies with the law. The criteria represent a set of minimum requirements for a successful CRL. They are informed by UK legislation and government-recommended good practice. The criteria give flexibility as to how each criterion is to be met or evidenced.

3.9   The recommended proposed viability criteria are presented below. Details, including reasons for each criterion and suggested ways in which it can be evidenced, can be found in Appendix 5 of the Information Pack (Appendix 1).

Area	#	Viability Criteria for Final Proposal
Vision	1	A clear vision for the CRL and how it will benefit local people
Organisation	2	A formally established organisation
Organisation	3	Evidence of community support
Organisation	4	Plan for how the community-run library will be set up and comply with relevant laws
Service	5	Minimum opening hours a week that suit local needs (to be agreed in negotiation)
Service	6	A library offer that benefits a local community within the Essex County Council area
Service	7	If your offer includes provision of internet access to your customers, a clear statement on how you intend to keep access safe and secure. CRLs that are part of the statutory service will be provided with safe and secure public WIFI.
Service	8	An inclusive service
Property/ Space	9	Venue(s) that is/are suitably located, fit for purpose, safe, open to all, and its /their use for the proposed library service is lawful
People	10	People with the capacity to set up and manage the service
People	11	People with the capacity to deliver the service
Stock	12	A policy to manage the stock in a way that reflects the diversity and needs/interests of the local community
Stock	13	CRLs that are part of the statutory network to manage all ECC stock via the ECC Library Management System

Finance	14	Financially sustainable proposal

Process

3.10 Groups who are interested in progressing their interest will be supported to work up an initial proposal based on the criteria. A proposal can be submitted at any time.
Note: Proposers are not required to meet all the criteria from the outset of the process. The CLS team will support them in developing their proposals to make sure they are as strong as possible and can get off to the best start. All that is initially required is an ambition, passion and an idea for a CRL, willing management and some ideas about where the library will be based and how the proposer is intending to run it.

3.11 The draft proposed assessment and agreement process is set out in Appendix 2. In order to help people who are interested, an information pack has also been developed (see Appendix 1), to provide comprehensive (but not exhaustive) information for groups and organisations interested in setting up a CRL to consider. The purpose of the Information Pack is to provide information to support CRLs to get off to the strongest possible start and for the team to support them along the way.

3.12 The approved criteria, high-level proposal process, and the information pack will be published on the community library web page and communicated separately to everyone who has submitted an EOI.

3.13 The default position for all current libraries which convert to being community-run will remain part of the current statutory network for the length of the strategy, unless the local community want to take on the current library as a non-statutory provision. If the body seeking to run a CRL does not want it to be part of the statutory service, then the Council would undertake a local needs assessment before this was agreed to ensure the Council was still able to meet its statutory duty.

3.14 If a group wants to set up a CRL in a location where there isn't an existing Council-run library, e.g. in a village that doesn't currently have a library, it would count as a new location, outside the statutory network and would not automatically form part of the statutory network.

4   Options

4.1 **Option 1: (Recommended) Adopt the viability criteria for community-run library proposals.**

4.1.1 **Impact:** This option ensures that universal, transparent criteria are set, communicated to all parties and used to assess all proposals.

4.1.2 Interested groups have a clear understanding of what is required from them in order to be successful.

4.1.3 Officers and Councillors are clear on what is required from proposals to ensure consistent assessments.

4.1.4 Implements control measures to ensure final proposals are viable, deliverable and sustainable, thus enabling passionate groups to deliver a long-term beneficial service to their communities.

4.1.5 **Risk:** Some interested groups/organisations may see the criteria as barriers or constraints to their ambitions. The mitigations below will enable this risk to be managed.

4.1.6 Mitigation: The CLS team will ensure proposers understand they are not required to meet all the criteria at the outset of the process, only when submitting the final proposal.

4.1.7 Mitigation: The CLS team will support and guide proposers throughout proposal development to ensure the final, submitted proposal is as strong as possible and is clear on how the criteria will be met. The Strategy does not take a 'one-size-fits-all' approach, recognising that different communities may want different things. In line with this principle, the criteria are flexible but still specific enough to ensure each CRL is safe, compliant with law and likely to succeed. The criteria are not prescriptive of the way in which they should be met. They provide flexibility for the proposer to choose how they will meet each criterion and demonstrate attainment.

4.2 **Option 2: Adopt different viability criteria (Not recommended)**

Option 2A: (Not recommended) Make the criteria easier to meet

4.2.1 Impact: Interested groups may find it more attractive to create a community library.

4.2.2 **Risk:** Reduced quantity and/or softer criteria may result in approval of proposals with lower viability, potentially resulting in CRLs that are less likely to be sustainable and/or non-compliant with the law.

Option 2 B: (Not recommended) Make the criteria harder to meet

4.2.3 **Impact:** This may make it less attractive to proposers

4.2.4 **Risk:** The proposed criteria are already extensive, and this may result in fewer proposals.

4.3 **Option 3: (Not recommended) Reject the proposed viability criteria for community-run library proposals (do nothing).**

4.3.1 **Impact:** This option provides no specific barriers to the submission of proposals, but we would still need to assess proposals.

4.3.2 Interested groups are unclear on what is required from them in order to be successful.

4.3.3 Officers and Councillors are unclear on what is required from proposals to ensure consistent assessments or they must set 'internal criteria' to enable consistency.

4.3.4 **Risk**: Lack of clear standards and principles make it difficult for proposers to develop viable proposals and make it harder for ECC to assess.

5 Scrutiny

5.1 The draft viability criteria and the Information Pack were shared with members of Place Services and Economic Growth Policy and Scrutiny Committee via email on 04 November for comment before approval. No comments were received.

6 Next steps

6.1 Viability criteria and the Information Pack will be published on the Community Library Services Website and shared with all groups and individuals that have submitted EOIs. New interested parties will also be sign posted to this.

6.2 Proposal development commences with Council support.

7 Issues for consideration

7.1 **Financial implications**

There are no direct financial implications as result of the recommendations set out in this report.

The Future Libraries Service Strategy cabinet paper approved the withdrawal of funds from the Transformation Reserve, with £924,000 to be utilised for the set up and support of the Community Libraries Service.

This funding will begin to be drawn down once individual Community-run library proposals are agreed.

7.2 **Legal implications**

7.2.1 The Council is under a duty to provide a comprehensive and efficient service. Should it be proposed that any part of the library service ceases to form part of the statutory library service forming part of that duty it will be necessary to carry out a needs assessment to ascertain whether or not the Council will be able to continue to provide a service which meets needs of residents and enables the Council to meet its statutory duty.

7.2.2 The Council will engage with the community on any proposals including a full consultation if the Council has not previously consulted on the possibility of the library becoming a community library.

8 Equality and Diversity implications

8.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
   a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
   b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
   c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

8.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

8.3 The equality impact assessment indicates that the proposals in this report might have a medium disproportionately adverse impact on all users (note that children, mothers, women, people from BME communities and older people are more likely to use libraries than the generality of the population), so any adverse impact on library services will have a greater impact on these groups.

8.4 The proposed set of viability criteria removes adverse disproportionate impact on people with protected characteristics through:

   a) Inclusion of a criterion for community-run libraries to ensure that there is a minimum number of opening hours (to be agreed on case by case basis). The opening hours should be long enough and scheduled at a time when the community want to use it.

   b) Inclusion of a criterion that requires community-run libraries to have an appropriate policy to manage the stock in a way that reflects the diversity and needs/interests of the local community. Community organisations will

be given a regular refresh of stock from the Council, and they will also be able to order specific books from the Essex Library Service.

c) Inclusion of a criterion that requires community-run libraries to have enough people with the appropriate knowledge and abilities to deliver the service to the community. This includes plans for appropriate recruitment and training as needed. The Council will ensure that volunteers in community libraries will be given customer service and equalities training.

8.5 An individual EqIA will be undertaken for each community-run library proposal in order to assess specific impact for that community before any decision is taken.

9   List of appendices

9.1   Appendix 1: Community-run Libraries Information Pack

9.2   Appendix 2: High Level Proposal Process

9.3   Appendix 3: Equality Impact Assessment

I approve the above recommendations set out above for the reasons set out in the report. **Cllr Susan Barker, Cabinet Member for Customer, Communities, Culture and Corporate**	Date 14.11.2019

In consultation with:

Role	Date
Executive Director for Corporate and Customer Services **Margaret Lee**	24.10.2019
Executive Director for Finance and Technology (S151 Officer) *Stephanie Mitchener on behalf of* **Nicole Wood**	04.11.2019
Director, Legal and Assurance (Monitoring Officer) **Paul Turner**	31.10.2019