

## **Meeting with OPC and BHCC Officers - Friday 27th January at Hove Town Hall**

**Attendance - OPC Officers** Colin Vincent (Chair) Lynne Shields (Vice Chair) Penny Morley (Secretary) **BHCC Officers** - Mark Wall ( Head of Democratic & Leadership Support) Paul Holloway ( Head of Life Events & Electoral Services) and Giles Rossington ( Senior Scrutiny Officer).

The Chair of the OPC outlined objections to the decision taken at the Leaders meeting to withdraw support from the OPC. This was formally notified to OPC in the 10th January letter from the Leader of BHCC, Councillor Morgan. These included:-

- Disappointment about the withdrawal of support to the OPC by the Council. The adoption of the OPC with its Constitution, Code of Practice & Elections was a full Council decision. The unilateral decision taken at the Leaders meeting on the 9th January did not adhere to any consultation process adopted by BHCC. The OPC had been provided with administrative support since its inception & first elections were in 2003. The administrative support included producing and agreeing monthly minutes and uploading onto the BHCC website and distributing to OPC members. Liaison with BHCC officers and Councillors in order to facilitate public & ordinary OPC meetings. Public meetings had speakers that were arranged by administrative support and were held approx four times a year at the Jubilee Library. Co-ordinating of design & printing for OPC Annual Report which was drafted by OPC members and required by OPC Constitution for yearly AGM. Maintaining OPC phone line, (OPC members answered queries directly with public). Administrative support managed OPC email account and all emails were distributed to the OPC Secretary for action. Liaison with BHCC officers about OPC information in BHCC diary, flyers for public meetings, passes & expenses for OPC. Support had reduced considerably in recent years and although remaining first class from our officer, was far less than previously provided by a wider range of people in Scrutiny and now the BHCC Leader proposed complete removal.
- The OPC was accountable to over 37,000 older people in the City who were entitled to vote in the OPC elections. Older people had been invited to register to vote with Electoral Services. In the most recent contested election in 2015 in Zone 6 (Brunswick & Adelaide, Goldsmid & Regency), the turnout was 35% of the potential electorate, demonstrating that older people use their postal ballot when given the opportunity. Removal of the franchise with no public consultation or notification to those entitled to vote is, in our view, a breach of procedure both in BHCC Constitution and in undertakings given to older people through information provided to over 60s via Electoral Services over many years.
- Older people are a recognised category under the Equalities Act and were experiencing a range of problems across the city due to GP closures, hospital in crisis, mergers of health & social care services and significant cuts to adult social

care services. Whilst the OPC were co-opted onto the HOSC we had previously had representation on the ASC committee, but this had not been supported by the Council with the establishment of the HWBB committee. OPC members attend a range of Council Committee and report back to OPC where issues of interest are discussed, consultations agreed and contact with Councillors and BHCC officers are made on an issue by issue basis.

- The OPC would be campaigning to retain the link with the Council and believed that the decision taken at the Leaders meeting without any consultation or debate with older people would not withstand scrutiny. As a public authority BHCC is required to consult with the public about changes to groups covered by the Equality Act.
- OPC were seeking information from the meeting concerning the costs of elections and administrative support. OPC do not provide services but are affiliated to National Pensioners Convention nationally and represent the democratically elected voice of Brighton & Hove older people.
- OPC were concerned that the decision taken by the Leaders group breached any consultation procedures of the Council & particularly the recently adopted procedure and undertakings with regard to consultation in the Neighbourhoods & Communities Committee. In addition, to being disrespectful by not even discussing the proposition with the OPC before a unilateral decision was taken, we were denied any opportunity to have discussions or put forward any ideas about how electoral accountability might be reconfigured with the aim of reducing cost. Unilateral decisions without any consultation are not what the Council claims as its policy nor acceptable under the Equalities Act. This approach does not fit with a Council seeking to be an Age Friendly City. The OPC were minded to consider obtaining independent legal advice on the process used to announce this decision.
- OPC proposal was not part of the budget round consultation nor part of the proposals that went to the PR&G in December. OPC questioned whether any Equality Impact Assessment had been considered as part of this proposal.
- Given that OPC elections were two years away they felt that rushing into this change without any consultation was premature and unnecessary. All older people in the City (over 60) had been sent information notifying them of their right to vote in the Older People Council elections. Those aged between 60 to 69 had to notify the Council of their desire to participate in the election. However, those 70 and above were automatically registered by electoral services and all received a ballot paper where there was a contested election. The OPC has data on the numbers involved in the election of 2015 which they were happy to share with electoral services if needed due to personnel change. In the last election round there was one Zone where two candidates stood for the same area and

voter turnout was 35% of the eligible electorate. Hundreds of older people voted in this one election, This indicates that there is an appetite for older people to decide their representatives by voting when more than one candidate stands.

- BHCC Officers indicated that staff resources were not available to service the OPC but were unable to quantify the cost of such resources. A briefing paper had gone to the Leaders meeting but continual restructuring had removed the capacity for support. No members of the OPC had been shown this secret document and so were not aware of the arguments put forward. This does not fit with the values outlined in the BHCC Constitution of collaboration, respect, openness etc. Also the principles outline about public accountability, citizen focused, increasing equality and active citizenship do not fit with the way in which the Council has acted toward the OPC in this instance.
- The Vice Chair of the OPC had attended the most recent Neighbourhoods & Communities meeting where a clear commitment to inclusion with due regard to the equality impacts of any decisions had been agreed as BHCC policy. However, the process whereby the OPC were notified of a unilateral, now contested, decision was completely in contrast to the policy adopted by the Council.
- The OPC were informed by the BHCC officers that estimates of the costs of the administrative work covering the OPC Annual Report, Public Meetings, Web Site, and ad hoc expenses for a year was approximately £2,500 to £3,000. However, no budget was provided that could confirm this amount. They had previously been advised ( two years before) that these costs were approx £1,500 a year. The officer time was described as difficult to assess. The election costs were estimated to be approx £4,500 to £5,000 for each Zone. At the elections in 2015 there was only one Zone (with a number of wards) contested. In the previous election in 2011, there were two Zones contested, so the costs were approx £9,000 at that time. It had been OPC understanding that monies for these elections were budgeted for throughout the four year term. The OPC had a number of suggestions about the ballot process and suggested that holding the ballot at the same time as the overall Council elections, rather than two months later, would save money. Paul Holloway was going to investigate about the costs and possible changes and come back. The OPC pointed out that the next elections were not due for 2 years so there was not an urgency about this matter and believed that more time should be given to exploring a range of options concerning the democratic basis of the OPC. The OPC requested information about the cost of the Parish Council election in Rottingdean and the process for this was explained by Mark Wall. The costs involved were not specified for this separate election .
- The OPC questioned the validity of the Age Friendly City process if the organisation, namely the OPC, that persuaded the Council to apply for the AFC

status was no longer supported by the Council. It was also pointed out that the OPC members ( 10 at present) ranged in age from the mid 60s to nearly 90 and members were from time to time affected by health issues. It seemed ignorant of the health difficulties that some older people experienced, to assume that additional voluntary efforts could be made without administrative support as a matter of course. OPC members give their time for free, unlike Councillors and may not be inclined or able to give more hours of work with an organisation that had no external support. Also the democratic basis of representation for older people in the City would come into question if elections were removed.

- The OPC felt the whole process had been badly handled with no consultation, no opportunity for members of the OPC to input into the process, nor for any older members of the public to have a say about the removal of their voting rights. It did not indicate that the status of older people as a category specified under the Equality Act was being given due consideration by the Council. There was no discussion about options as a unilateral decision behind closed doors without any information made available to the OPC or the public had been taken. Members of the public have been given an undertaking that they could participate in a vote and no effort whatsoever had been made to enter into a dialogue with the public or consult with them about the withdrawal of this facility.
- The OPC believed that the decision should be put to one side and the status quo remain. Meanwhile a proper consultation with both the OPC and the public should be undertaken about the future shape of representation and support for the OPC. This in our view would represent natural justice when such a dramatic decision was being considered. This would be particularly appropriate given the breach of the Councils own consultation procedures, Constitutional aims and the lack of any meaningful Equality Impact Assessment of the decision.