AGENDA ITEM 5
(SCRUTINY COMMITTEE)

CABINET– 12 DECEMBER 2011

Proposed changes to the library service

Report by Director of Social and Community Services

Introduction

1.   4,990 responses were received to the consultation on proposals to change the library service which ran from 27 May and 30 September 2011. There has been strong support of the decision to keep all of the libraries open and general agreement with the proposals outlined in the consultation.

2.   Understandably there were people who were content with the status quo; that liked and valued the service their library provided and did not want it to change. There were those who questioned whether the savings could be found from other areas of the council, or a different approach to the library service than that proposed. This report summarises and responds to all of the views expressed through the consultation and proposes a way forward that will deliver a modern, high-class library service which meets the needs of the residents of Oxfordshire.

Background and context

Background

3.   In Autumn 2010 the council faced significant financial challenges and needed to make significant savings from all services, including the library service.   At that stage the only route available was to withdraw funding from twenty of our libraries.

4.   Understandably, there was significant public concern about the withdrawal of funding from libraries. The council proactively listened and engaged with communities who were worried about the impact of losing the funding for their library (Annex 7 sets out a high level summary of the pre-consultation feedback and Annex 8 lists petitions on libraries from January to-date).

5.   In February 2011 the council learnt it would receive additional money from central government and this eased the financial position and allowed an opportunity to consider possible alternatives to closure, and to ensure that any decision was evidence-based.

6.   In May 2011 the council consulted on a proposal to keep all libraries open, with some sustained by volunteers working alongside Oxfordshire County Council staff. This was a significantly different offer from that explored in Autumn 2010 and means that all libraries will be kept open and will receive substantial financial support.

Methodology

7.   Section 7 of the Public Libraries and Museums Act 1964 ("the 1964 Act") places a statutory duty on Oxfordshire County Council to provide an 'efficient and comprehensive' library service. That duty includes a duty to make available facilities for borrowing books and other materials to people who live or work in the Council's area or who are undergoing full-time education in that area; and a power to make such facilities available to anyone who wishes to use them.

8.   Apart from those general duties, the 1964 Act imposes a duty on the Council to "have regard to the desirability" of, among other things:

- Making facilities available for the borrowing of, and reference to, a wide range of free resources, including books and other printed matter, sound recordings, films and other materials, to browse and borrow in sufficient number, range and quality to meet the general requirements (and any special requirements) of both adults and children living, working or studying in the local area

- Providing free independent information and advice about the library service

- Encouraging the use and participation of the service, for example, through clear and easy ways to join, access, shape and influence the service.

9.   The precise scope and size of the service is not specified and the legislation does not set specific minimum service standards. The general duty imposed by section 7 contains an implied duty on the Council to take reasonable steps to assess the need for library services in its area. This emerges clearly from the Report on the enquiry undertaken by the Secretary of State in September 2009 into the library service provided by Wirral MBC. Such an assessment must inform any decision about how to provide a "comprehensive and efficient library service".

10.   Three recent decisions R(Bailey) –v- Borough of Brent Council, R(Green) –v- Gloucestershire County Council and R(Rowe and Hird) –v- Somerset County Council have looked at the question of the extent of the statutory duty under the 1964 Act. What is apparent from these decisions is that the duty to provide a comprehensive and efficient service does not extend to providing

blanket coverage across a large and geographically disparate county. It was also appropriate for local authorities to give due consideration to resource issues. Furthermore, the cases establish that proper and reasonable reliance on information available to the local authority should inform the needs assessment

11.   The needs assessment underpinning the proposals for the revised library service are based upon a zero-based quantitative analysis. A zero-based review is one where the need for a service is assessed without any pre-existing assumptions or bias.

12.   The criteria used to assess the requirements for a library service were: ideally libraries would be located in the areas where the most people already (1) lived, (2) worked, (3) studied, (4) shopped, (5) travelled. For each existing library site, we drew a circle around a half-mile radius, and looked for how many people lived, worked, studied or shopped in that area, and how accessible the site was by public transport. Further information about the quantitative analysis is attached as Annexes 5 and 6.

13.   Section 149 of the Equalities Act 2010 ("the 2010 Act") imposes a duty on the Council to give due regard to three needs in exercising its functions. The restructuring proposal is such a function. The three needs are:

- the need to eliminate any conduct which is prohibited by or under the 2010 Act;

- the need to advance equality of opportunity between persons who share any of the protected characteristics listed in section 149(7); and

- the need to foster good relations between persons who share a relevant protected characteristic and those who do not.

Complying with section 149 may involve treating some people more favourably than others, but only to the extent that that does not amount to conduct which is otherwise unlawful under the new Act.

14.   The need to advance equality of opportunity involves having due regard to the need to:

- remove or minimise disadvantages which are connected to a relevant protected characteristic and which are suffered by persons who share that characteristic,

- take steps to meet the needs of persons who share a relevant protected characteristic and which are different from the needs other people, and

- encourage those who share a relevant characteristic to take part in public life or in any other activity in which participation by such people is disproportionately low.

Steps to meet the needs of disabled people which are different from the needs of people who are not disabled include steps to take account of a person' disabilities.

15. The need to foster good relations between different groups involves having due regard to the need to tackle prejudice and promote understanding. Compliance with these duties may involve treating some persons more favourably than others; but that does not permit conduct which would otherwise be prohibited by the 2010 Act.

These protected characteristics are:

- Age (people of different age groups)
- Disability (e.g. physical or sensory impairments, long-term illnesses and conditions, hidden impairments such as a heart condition, frailty, learning disabilities or mental health problems)
- Gender (men/women) and Gender Reassignment
- Ethnicity (including Black, Asian, Minority Ethnic groups, Gypsies &Travellers)
- Religion/belief (different faiths, including people with no religion or belief)
- Sexual orientation
- Marriage/civil partnerships
- Pregnancy & Maternity

16. One way in which the Council can show that it has had due regard to the statutory needs is by assessing the impact of proposed budget and services changes on service users and staff, particularly in relation to people with a 'protected characteristic'.

17. The proposals that were consulted upon were tested to ensure that groups with protected characteristics would not be adversely affected by the proposed change in service. The Service has strong targeted support for older people, for people with disabilities and strong mitigation is in place to ensure that these groups would not be adversely affected by the proposed changes. The Service meets the needs of deprived communities through core library provision and it is recognised that it is essential that all areas with significant levels of deprivation have a static library. The needs of deprived communities must be met through our core service and so, for example, this was a reason that Berinsfield was included in the core offer.

18. As stated, Cabinet must have due regard to the statutory needs summarised above in the exercise of its functions. A detailed impact assessment, together with the way in which any impact upon people with the relevant protected characteristics will be mitigated is attached as Annex 3.

Summary of consultation responses

19. The consultation on the council's future proposals for the library service took place between the 27 May and 30 September 2011. The consultation process was launched in the media, on the county council website, via digital channels and direct communications sent to a variety of stakeholders including councillors, library friends groups/campaign groups, and local councils.

    The consultation consisted of a consultation document and feedback form. Both full and easy read versions were available in hard copy in all libraries and other council buildings and on a special portal set up on the county council's website. The web portal had three main sections: proposal, supporting information and 'how to have your say'. The content of the portal along with the information provided to libraries was updated throughout the consultation period.

    Other feedback channels were provided to enable as many people as possible to have their say. These included providing a special Freepost address, email address and support to people who asked for help with the consultation. In addition, senior representatives from the council participated in locally organised public meetings on request and attended many meetings with Friends Groups, Parish and Town Councils and other stakeholders.

    Overall, the breakdown of response to the consultation was as follows:

    - 4,731 feedback form responses
    - 204 emails and letters from members of the public
    - 30 detailed submissions from library friends groups and notes taken from consultation meetings and stakeholder meetings
    - 25 submissions from key stakeholders e.g. MPs, Parish & Town Councils etc.

    A copy of the consultation document is attached as Annex 4.

20. An independent analysis of the consultation responses was commissioned and awarded to CIPFA Social Research. The standalone Executive Summary Report outlining their findings is attached as Annex 2 and summarised below. A full copy of report produced by CIPFA is available on the County Council website.

21. The Council has sought to keep staff fully informed throughout the consultation process. Library service managers were briefed regarding the proposal before the consultation was officially launched to the public so that they, in turn, were able to brief their staff. Throughout the consultation, there has been a dedicated page on the council's intranet with the latest information, frequently asked questions and practical advice on managing the consultation. Several updates were included in the library service staff newsletter, In Libraries, and sent by email to library managers to share with their staff. A series of 11 staff workshops have been held around the county to obtain staff feedback on the consultation proposal, based on their particular knowledge and skills.

Emerging themes from the consultation responses

22. Strong support for the proposal to keep all libraries open

Feedback

There was strong support for the decision not to close any libraries and general agreement with the proposals outlined in the consultation document. There was recognition that libraries were an important community resource of benefit to individuals and society.

Response

The proposal is to keep all of our libraries open and all will receive substantial financial support.

23. The role of volunteers

Feedback

There were worries surrounding the proposed use of volunteers in libraries which fall outside of the comprehensive and efficient service. There were concerns about the loss of experience and expertise if volunteers were used instead of paid staff. A number of respondents questioned whether volunteers would be better used on 'value added activities' such as story times, rather than on core library tasks.

Response

Volunteers will be provided with support and training from the Oxfordshire County Council library staff working in the community plus and community libraries. All libraries, including the community plus and community libraries will be fitted with RFID, the electronic book management system, which

significantly reduces the time taken to manage the book stock (a core library function).

24.   The sustainability of volunteers

Feedback

There were concerns about the sustainability and level of volunteering required in libraries which fall outside of the comprehensive and efficient service.

Response

All libraries are encouraged to form a Friends Group to work with the library staff during the transition period.   Whilst support will be provided by the library service, Friends Groups will need to work in partnership with the library service to recruit and maintain volunteers.

The County Council has listened to the residents of Oxfordshire who said that they value their library service and their local library. The national financial climate means that funding to local government has been significantly reduced and all Oxfordshire County Council services, with the exception of the fire service and children's social care, have had to find substantial savings.

The proposals outlined in the consultation document would amount to an 8.9% reduction in the cost of the library service by 2014/15 and reflects the level of protection afforded to the library services compared to some other services.   This protected status can only be preserved with the support of our communities and the County Council is keen to work with Friends Groups to ensure that there is a sustainable solution for each of the Community Plus and Community Libraries.   If volunteers do not come forward to support their local library then the council will work with the affected library to explore an appropriate way forward for that community.

Recommendation

In light of the concerns expressed about the sustainability of recruiting and retaining volunteers the balance of staff to volunteers should be revised from that in the consultation proposal to:

- Community Plus Libraries: two thirds paid staff: one third volunteers

  (as per the original proposal)

- Community Libraries: one half paid staff: one half volunteers

(from the original proposal of one third paid staff: two thirds volunteers)

25. <u>Methodology used to assess the requirements of the service</u>

Feedback

A high volume of the consultation feedback focussed on suitability of the Quantitative Analysis of Service Requirements to assess the library needs in Oxfordshire.

Response

Attached as Annex 4 is a comprehensive response to the feedback received on the Quantitative Analysis of Service Requirements.

Recommendation

In response to the feedback on the methodology it is recommended that Cabinet amend the proposal to include a specification that the Quantitative Analysis of Service Requirements is reviewed in four years, or earlier if deemed appropriate, to ensure that the service meets the needs of the changing population (eg. housing growth).

26. <u>Rural libraries have been treated unfairly in the proposal</u>

Feedback

The majority of libraries which fall outside of our comprehensive and efficient library service are in rural areas.   Those responding to the consultation asserted that this was evidence of a rural bias in the methodology used to assess the requirements of the library service.

Response

The analysis took as a starting point that libraries should be in areas where there were greater concentrations of population based on their 'live, work, study, shop, travel' activity.

In applying the criteria there is no predetermination of the outcome of locations, simply the consideration that those criteria would enable the authority to consider how it could comprehensively and efficiently deliver its library service.

This does not equate to bias in the analysis. Data has been interpreted, analysed and presented consistently for all sites, irrespective of their location.

It should also be noted that the proposal acknowledges the important role played by smaller libraries as a focal point for their local community. Through the development of community and community-plus libraries these locations will continue to provide a valuable community space in areas assessed as having lower overall need.

27.   Sharing the reductions across the whole service

Feedback

It was suggested that rather than differentiate between libraries that fall within and outside of the statutory service, all of the libraries should :

- Move towards providing a proportion of their staffing hours through volunteers.

- Reduce the hours across the whole library service.

Response

The statute is clear that the council has a duty to provide a comprehensive and efficient library service.   The County Council has now defined those libraries which form its comprehensive and efficient service and these libraries must be fully staffed and resourced by the county council.   However, the council has committed to exploring how volunteers can continue to best be used in our core libraries to supplement the core offer in these libraries eg. by extending opening hours.

The Council reduced library opening hours in 1998/9 by 15% and saw a 20 % drop in book issues.   The impact of reducing library opening hours across the board, including in our core libraries, would adversely impact upon the council's ability to serve the population of Oxfordshire and to meet its statutory duty.

28.   Single option consultation

Feedback

The consultation document outlined, in detail, a single proposal for changing the library service. It did not present consultees with alternative proposals to consider.

Response

There is no legal duty that requires the Council to provide a number of options as part of a consultation proposal. In autumn 2010 the council floated early ideas on how the library service might respond to the financial pressures the council was facing by ceasing to fund 20 libraries. There was significant public opposition to the idea of ceasing to fund any libraries and the council has listened and responded to these concerns. Post February 2011, the council did pause to consider all possible options however the council did not develop any other 'option' aside from the one presented in the consultation document.

The revised proposal

29.   Oxfordshire County Council is committed to delivering a cost-effective, high-quality library service that is fit for the 21st century. After an extensive consultation process the council is confident that the proposed changes to the library service (subject to the recommended changes outlined above) will deliver a library service that meets and exceeds the needs of Oxfordshire's residents, and which satisfies the Council's duty under section 7 of the 1964 Act.

30.   The library service is committed to:

- Rationalising management support

- Expanding the use of volunteers

- Assessing our current procurement arrangements

- Continuing to exploit existing and new opportunities to generate income

- Working collaboratively with other service providers such as Oxford University, voluntary and community organisations

- Working collaboratively with private sector developers and businesses to address changes in future population

- Continuing to work with other library authorities to ensure that we benefit from best practice and opportunities to review and develop services.

31.   Under our revised proposals all libraries will remain open and will:

- Have a good book stock, public access computers and online resources

- Be cost-effective and efficient

- Have self-service as standard

- Have tailored opening hours

- Offer a broad range of supporting services tailored to the community e.g. bookclubs

- Work closely with a community support network (e.g. Friends Group)

- Encourage use of library buildings as community spaces.

32. The County Council will fully fund and resource all of the libraries that form part of our comprehensive and efficient library service. These core libraries are:

Abingdon, Banbury, Berinsfield, Bicester, Blackbird Leys, Botley, Carterton, Chipping Norton, Cowley, Didcot, Eynsham, Headington, Henley, Kidlington, Littlemore, Neithrop, Oxford Central, Summertown, Thame, Wallingford, Wantage and Witney.

A map of the library service is attached as Annex 1.

33. The County Council will continue to provide a fully supported infrastructure (building, ICT, book stock and the installation of self-service) to those libraries which fall outside of our comprehensive and efficient library service. The Council will also work with each of these libraries to establish a Friends Group to enable a shift in the balance of staffing in these libraries towards volunteers over a three-year period.

34. For Community Plus libraries, this would mean one third volunteers and two thirds paid staff.

These community plus libraries are:

Chinnor, Faringdon, Grove, Wheatley and Woodstock.

35. For Community Libraries this would mean one half volunteers and one half paid staff.

These libraries are:

Adderbury, Bampton, Benson, Burford, Charlbury, Deddington, Goring, Hook Norton, Kennington, North Leigh, Old Marston, Sonning Common, Stonesfield, Watlington, Woodcote and Wychwood.

36. In recognition of the support that Community Plus and Community libraries will need to manage the transition to the new model of working, the full financial effect of the shift in staffing towards volunteers is not built into the libraries budget until 2014. Library staff will work with Friends' Groups to manage and support them through the transition period to enable all of these libraries to have a sustainable solution in place by 2014. Conversations have already begun with many Friends' Groups and pilot projects will begin in early 2012 with a view to a detailed transition timetable being put together for all Community Plus and Community Libraries by the end of 2012.

37. In each of the above groups, there are some libraries where there are opportunities to use the buildings in different ways and to work with the community and other partners in more effective ways. The council is committed to exploring these opportunities in all of our libraries.

38. As part of our comprehensive and efficient library service the council will continue to provide services to groups and people who may struggle to get to a library, such as young people and their parents, or carers, older people and those with disabilities. There will be tailored support that best meets the needs of these groups including:

   • Ensuring the cost-effective and efficient use of the mobile library service

   • Developing and extending the home library service for those with limited mobility

   • Developing and extending the current book deposit scheme to allow us to provide access in areas where there is currently no service.

39. The library service is highly valued and needs to be sustainable, relevant and available to future generations. The County Council will continue to challenge the way that the service is delivered to ensure it is fit for the 21st Century. In particular, the library service will continue to explore opportunities to further improve and extend the service by:

   • investigating the provision of free WiFi across the network

   • re-designing the website to make sure people can easily access the library service online

   • facilitating direct communication with the public and library customers through social media

   • delivering eBook and eAudio downloads via our website

- incorporating complementary services (such as coffee shops) into library buildings

- developing the use of libraries as community resources

- working collaboratively with community groups and other service providers to target hard to reach groups, e.g. locating and resourcing the library service in other ways, using other community buildings (such as Children's Centre, Adult Learning Centres, Early Intervention Hubs) where people already access services.

40. The Council will review the Quantitative Analysis of Service Requirements every four years to ensure that the service meets the needs of Oxfordshire's changing population.

Financial implications

41. The current Medium Term Financial Plan, agreed in February 2010, includes savings of £1.7m for the restructure of the Libraries network.

42. The proposal which went out for public consultation would have saved £1.053m, of which £0.38m came from the proposals to change the balance of staffing in Community plus and Community libraries.

43. The revised proposal for Community Plus and Community libraries outlined in this cabinet report will generate savings of £0.313m.

44. The total savings of £0.986m leave a shortfall of £0.714m compared to the Medium Term Financial Plan. It is proposed that this is taken into consideration as part of the Service & Resource Planning process.

Staffing implications

45. A total of 52 employees (21.5 full time equivalent) are employed within those libraries proposed to be Community Plus and Community Libraries. An EQIA has been carried out to assess the impact of these changes on all protected characteristics. It has been identified that the majority of staffing within these libraries are female: 98%. 91% are aged between 40 and 60+ years. None of the staff have a declared disability. Approximately 2% of the staff are from a black or ethnic minority background.

46. The service will continue its policy of holding a significant number of vacancies through temporary appointments which, together with natural staff turnover and redeployment opportunities throughout the service, will minimise the impact for staff.

RECOMMENDATION

47.   The Cabinet is **RECOMMENDED** to accept the proposals outlined in this report:

(a)   The County Council will fully fund and resource all of the libraries that form part of our comprehensive and efficient library service. These core libraries are:

Abingdon, Banbury, Berinsfield, Bicester, Blackbird Leys, Botley, Carterton, Chipping Norton, Cowley, Didcot, Eynsham, Headington, Henley, Kidlington, Littlemore, Neithrop, Oxford Central, Summertown, Thame, Wallingford, Wantage and Witney

(b)   The County Council will continue to provide a fully supported infrastructure (building, ICT, book stock and the installation of self-service facilities) to those libraries which fall outside of our comprehensive and efficient library service. The Council will also work with each of these libraries to establish a Friends Group to enable a shift in the balance of staffing in these libraries towards volunteers over a three-year period.

(1)   For Community Plus libraries, this would mean one third volunteers and two thirds paid staff.

These libraries are:

Chinnor, Faringdon, Grove, Wheatley and Woodstock

(2)   For Community Libraries this would mean one half volunteers and one half paid staff.

These libraries are:

Adderbury, Bampton, Benson, Burford, Charlbury, Deddington, Goring, Hook Norton, Kennington, North Leigh, Old Marston, Sonning Common, Stonesfield, Watlington, Woodcote and Wychwood

(c)   The Council will review the Quantitative Analysis of Service Requirements every four years, or earlier if deemed appropriate. .

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Background papers: the consultation feedback; full copy of the report of the consultation outcomes by CIPFA.

Annexes: Annex 1 – Map of the Library Service –page 17
             Annex 2 – Standalone Executive Summary of the report of the public
             consultation outcomes by CIPFA Social Research – page 19
             Annex 3 – Service & Community Impact Assessment – page 27
             Annex 4 – Consultation document – page 261
             Annex 5 - Quantitative Analysis of Service Requirements – page 281
             Annex 6 – Comprehensive Response to the feedback received on the
             Quantitative Analysis of Service Requirements –page 331
             Annex 7 - High Level Summary of the pre-consultation feedback –
             page 341
             Annex 8 - List of Petitions received on libraries – January 2011 to date.
             - page 345

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