

The Cabinet

22nd July, 2015 at 3.00 pm
at the Sandwell Council House, Oldbury

- Present:** Councillor Cooper (Chair); Councillors Crompton, Y Davies, Eling, Hackett, Khatun and Moore.
- Apologies:** Councillors Ahmed and Sandars.
- Observers:** Councillors L Horton, P Hughes, S Jones and Underhill.

Strategic Matters

120/15

SHAPE – The Child’s Voice Initiative (Key Decision Ref. No. CS053)

The Cabinet Member for Children’s Services presented proposals to implement the SHAPE Our Future Pledges. The SHAPE pledges had been derived from the following five key outcomes from the Every Child Matters Initiative:-

- Staying **S**afe;
- Being **H**ealthy;
- Enjoying and **A**chieving;
- Making a **P**ositive Contribution;
- **E**conomic Wellbeing.

These had been identified as part of the Council’s commitment to work with partners to improve services through engagement with young people and had been agreed following consultation events and processes with children and young people..

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Partner organisations had contributed to the development of the pledges and it had been agreed that they would work with the Council to monitor and deliver them.

Members welcomed three young people from the learning communities in Sandwell, who represented the Looked After Young People's Board and the Sandwell Youth Parliament.

The representatives provided details of a recent SHAPE conference held in the borough to showcase the talents of young people in Sandwell. It was hoped to address the issue of young people moving out of the borough due to the perception of limited opportunities in Sandwell.

Representatives continued to engage with schools to promote the SHAPE initiative and to gauge ideas to make Sandwell a better place for young people.

In response to a number of questions from the Chairs of the Children's Services and Education Scrutiny Board and Housing Scrutiny Board, the Cabinet Member for Children's Services clarified that:-

- in order for young people in Sandwell to achieve their aspirations, it was acknowledged that first class careers advice would need to be provided. The Council was continuing to work with schools to ensure that young people got good careers advice to help them to make informed decisions about their future and the Children's Services and Education Scrutiny Board were also currently reviewing careers advice given to young people.
- work would continue to be undertaken to look at addressing the gap in youth provision for 20-25 year olds, also defined as "youth", over the next twelve months. The Council would also continue to work with young people with disabilities and special educational needs and would look to address provision for them at its next SHAPE event;
- the youth structured activities currently undertaken for staying safe would be repeated in future years;
- a link to Sandwell Leisure Trust's Sport Development Team and the newly appointed Town 'Cando's' would be made in order to promote more opportunities for young people to do more exercise;

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- work was underway with schools to promote citizenship and democracy. This work would be promoted further. The Youth Parliament was also actively promoting this work amongst young people;
- various talents had been showcased at the recent SHAPE event which included the work of young people backstage. Many more talents would be showcased at the next SHAPE event.

Resolved:-

- (1) that the progress made in developing SHAPE – the Child’s Voice initiative be received;
- (2) that the pledges that will be delivered by the Council included in the “SHAPE Our Future Pledges” document be approved and implemented by the relevant officers as part of the Council’s commitment to work with partners to improve services through engagement with young people.

121/15

Delegations of Authority Regional Scambusters Team (Key Decision Ref. No. ASCH006)

The Leader of the Council sought approval to enter into a protocol with Birmingham City Council to enable Sandwell’s Trading Standards Service to participate in the Central England Trading Standards Authorities Regional Scambusters Investigation Service which was currently hosted by Birmingham City Council’s Trading Standards.

The team aimed to tackle regional criminality by working on behalf of individual or a group of local authority Trading Standards Services. The team had the ability to work across a region to tackle the more serious cases. The team acted as an additional resource or it could be tasked by individual services to carry out investigations on their behalf.

Sandwell Trading Standards alone did not have sufficient resources to fully pursue all rogue traders operating across the regional boundaries. The aim of the project was to protect the public from such activities.

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There had recently been an increase in citizens turning to short-term loan companies, with many people, who had a poor credit rating, turning to 'loansharks'.

Approval was therefore sought for the Council to enter in to a protocol with Birmingham City Council and authorise Birmingham to conduct the Council's functions relating to the enforcement and prosecution of offences by the Regional Money Lending Team.

The Leader of the Council recommended the proposals for approval.

The Chair of the Housing Scrutiny Board sought clarification on whether any scrutiny arrangements were currently in place to monitor the work being undertaken by Birmingham City Council on the Council's behalf. In response, the Leader confirmed that the Council's current scrutiny arrangements would also apply to the joint working arrangement with Birmingham City Council. The work of the Scambusters Team would also be monitored by Birmingham City Council's Management Board and a Tasking Group who worked with the Scambusters Team to ensure that their work was being delivered.

Resolved:-

- (1) that the Council enter into a protocol with Birmingham City Council to enable Sandwell's Trading Standards Service to participate in the Central England Trading Standards Authorities Regional Scambusters Investigation Service now hosted by Birmingham City Council;
- (2) that, in accordance with the provisions of Section 101 of the Local Government Act 1972 and Section 13(7) of the Local Government Act 2000, the Council's functions relating to the enforcement and prosecution of offences by the Regional Scambusters Investigation Service under the following legislation be delegated to Birmingham City Council:-

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Companies Act 2006,
Consumer Protection Act 1987,
Copyright Designs and Patents Act 1988,
Criminal Attempts Act 1981,
Enterprise Act 2002
European Communities Act 1972,
Fair Trading Act 1973,
Forgery and Counterfeiting Act 1981,
Fraud Act 2006,
Proceeds of Crime Act 2002,
Theft Acts 1968 and 1978,
Trade Marks Act 1994,
Video Recordings Acts 1984 and 1993,
Weights and Measures Act 1985,
and all secondary legislation made under any of the
specified legislation;

- (3) that subject to the finalisation of the necessary agreement, protocol and associated documentation by the Director – Homes and Communities and the Director – Governance, in consultation with the Leader of the Council, the Council enter into a protocol with Birmingham City Council to enable Sandwell’s Trading Standards Service to participate in the Illegal Money Lending Team hosted by Birmingham City Council;
- (4) that, to give effect to resolution (3) above and in accordance with the provisions of Section 101 of the Local Government Act 1972 and Section 13(7) of the Local Government Act 2000, the Council's functions relating to the enforcement and prosecution of offences under Part III of the Consumer Credit Act 1974 (Unlicensed trading) be delegated to Birmingham City Council;
- (5) that the Director - Governance undertake any necessary legal procedures to bring the proposals referred to in resolutions (1), (2), (3) and (4) above into effect.

122/15

Restructure of Communities Team to support Community Ownership Project (Key Decision Ref. No. TNS024)

The Leader of the Council sought approval to restructure the Communities Team to support the Community Ownership Project.

The proposed restructure would maximise external funding to Sandwell, develop greater capacity in the voluntary sector and would meet budgetary targets within Neighbourhood Services. It had been proposed to reduce the establishment of the Communities Team from 19 officers to 8 officers, saving a total of £422,400.

From the savings, it was proposed that £160,000 would be invested in the voluntary and community sector during 2015/16 (pro-rata), 2016/17 and 2017/18. This would support the community ownership/partnership project within the 'Facing the Future' programme, through increased grant aid linked to increased requirements set out in Service Level Agreements.

In response to a number of queries from the Chairs of the Housing Scrutiny Board, Community Safety, Highways and Environment Scrutiny Board and Jobs, Economy and Enterprise Scrutiny Board, the Leader confirmed that:-

- the proposals would have an impact on Tenant Resident Associations and Tenant Management Organisations, however, the Council was currently undertaking a review of tenant involvement in order to lead to a renewed focus that worked well for both tenants and the Council;
- the tenant involvement review would ensure that valuable tenant involvement structures were in place to enable accountability and meaningful locality based consultation with tenants was undertaken;
- close working was currently in place with voluntary organisations, including Tenant Management Organisations. More detailed proposals on how the Council engaged with tenants through the voluntary and community sector would be considered by the Cabinet in the Autumn and a substantial proportion of the £160,000 allocation to the voluntary community sector would be used to support tenant led initiatives;

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- there would be an impact on community led events as Council staff would be able to support fewer events. It was proposed to review the number of events at peak times, including at Christmas;
- a proportion of the £160,000 grant would be used to support local management of events working with local members through town lead members and through voluntary and community organisations;
- the Area Working Team had reviewed Service Level Agreements with several voluntary community sectors organisations in order to align their work more strongly with the Council's priorities. The Communities Team would monitor and manage the fund and develop effective working relationships with these organisations that added value to the Council's priorities and helped to achieve the Facing the Future programme;
- community partnership project officers would work to support and monitor community led projects. Although their work would focus on good quality community led projects, working relationships with locals would be maintained;
- the new community events fund would enable local management of community events. Whilst the exact sum had not yet been confirmed, it was anticipated that this would be a substantial proportion of the total of the £160,000 grant and not less than £30,000. The Local Area Budget was already being used to support the activities at seasonal events and this would continue;
- the new smaller team would focus on community partnership and required leadership and management to quickly establish this new direction. The Communities Team Manager was the lead project manager supporting the Director on this strand of Facing the Future;
- the Council was continuing with the Jobs Guarantee scheme which would prevent compulsory redundancies over the next two years to provide staff with certainty over their jobs. Members of staff would be slotted into any vacancies that did exist across the authority as part of the scheme;

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- if the situation arose that those services outsourced to a voluntary community sector organisation could not continue, this would be identified through the quarterly monitoring process which formed part of the Service Level Agreement. If a change was required, the Director and responsible Cabinet Member would determine the best option for alternative provision;
- a number of voluntary organisations were currently providing social care and safeguarding services and the options for doing more partnership work with the voluntary sector would be considered further by Adult Social Care and Children's Safeguarding Services, to be satisfied that all risks were fully managed;
- the £160,000 grant would be made available every year over the next three years.

In recommending the proposals for approval, the Leader of the Council acknowledged that this was a difficult decision to reduce the Communities Team, however, it had become necessary to restructure the service due to the increasing cuts being faced by the local authority.

Resolved:-

- (1) that the Director – Neighbourhoods commences the 30 day consultation process with all relevant employees, unions and other relevant stakeholders on the proposals to restructure the Communities Team within Neighbourhoods, as shown in Appendix A;
- (2) that subject to the outcome of the consultation referred to in resolution (1) above, the Director – Neighbourhoods, in consultation with the Assistant Chief Executive, being satisfied there are no significant issues arising, the restructure of the Communities Team as shown in Appendix A, be approved with effect from 1st October, 2015;
- (3) that, subject to resolutions (1) and (2) above, and in order for the new Communities Team structure to take effect:

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- (a) the following 13 posts within the Communities Team be deleted with effect from 1st October, 2015:-
- 6 x Community Initiatives Officers, Band F
 - 4 x Community Resource Officers, Band F
 - 1 x Tenant Management Organisation Support Officer, Band F
 - 1 x Volunteering Development Officer, Band F
 - 1 x Community Events Management Officer, Band F
- (b) the following new posts be created with effect from 1st October, 2015: -
- 2 x Community Ownership Project Officers, Band F
- (4) that, in connection with resolutions (2) and (3) above, the Director – Neighbourhoods, in consultation with the Assistant Chief Executive, be authorised to:
- (i) continue to engage with staff and unions;
 - (ii) explore job swap/redeployment opportunities for those post holders occupying the posts displaced within the structure or place the post holders on the Jobs Promise;
 - (iii) commence the appointments process after formal consultation ends, in order to move staff into the new structure;
- (5) that any employees occupying those posts to be deleted referred to in resolution (3)(a) above who have been unable to secure alternative employment within or outside of the Council, be made redundant with appropriate notices of redundancies being issued;

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- (6) that in the event that there are any issues arising from the consultation process deemed to be significant by the Director - Neighbourhoods, a further report be submitted to the Cabinet.

123/15

Future Commissioning of Advocacy Services (Key Decision Ref. No. ASCH004)

The Cabinet Member for Adult Social Care and Health sought approval for the Council to act as lead authority in the re-procurement by competitive tendering of:-

- the joint Independent Mental Capacity Advocacy Deprivation of Liberty Safeguards;
- the joint Independent Mental Health Advocacy contracts with both Walsall Metropolitan Borough Council and Wolverhampton City Council as partners;
- the joint Independent Complaints Advocacy Service contract with Walsall as partner.

The Council currently had six contracts for the provision of advocacy services in the borough, with differing expiry dates. In order to allow the opportunity to review all advocacy contracts strategically and in line with the requirements of the Care Act 2014 to co-ordinate the services to be tendered within one procurement exercise, the Cabinet Member for Children's Services in November 2014, gave approval to extend a number of contracts and aligned all end dates for advocacy services in Sandwell to 31st March 2016.

Two current contractual arrangements (IMCA DoLs and IMHA), were shared with other local authorities in the Black Country, one led by Sandwell and the other by Wolverhampton, this had reduced the number of tender exercises entered into by authorities and enabled additional value for money to be obtained.

A joint appraisal was completed in April 2015 by commissioners in the three Black Country local authorities to consider options for commissioning new contracts.

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The preferred option was to continue the successful current arrangement of jointly commissioning of two contracts, and for Walsall to join with Sandwell on the ICAS contract, using a shared approach in which one provider (or consortia) could bid for one, some, or all three contracts.

Approval was also sought to procure, by competitive tender, the Generic Advocacy Service and the Sandwell Citizen Advocacy service and to provide, via a competitive grant process, the Self Advocacy Support Service. This service would be for Sandwell only. A grant funded service would enable service users to have more control over outcomes and activity, in line with the new model of co-production which was currently being developed.

The Cabinet Member for Adult Social Care and Health recommended the proposals for approval.

Resolved:-

- (1) that the Council act as lead authority in the re-procurement by competitive tendering of:-
 - the joint Independent Mental Capacity Advocacy Deprivation of Liberty Safeguards;
 - the joint Independent Mental Health Advocacy contracts with both Walsall Metropolitan Borough Council and Wolverhampton City Council as partners;
 - the joint Independent Complaints Advocacy Service contract with Walsall as partner;
- (2) that the Memorandum of Understanding to enter into the joint procurement arrangement with Walsall and Wolverhampton Councils for the provision of the joint advocacy services referred to in resolution (1) above be approved and that the Director – Governance sign the Memorandum on behalf of the Council to enable the arrangements to proceed;
- (3) that the Director – Adult Social Care proceed with the competitive tendering process to re-procure the joint advocacy services referred to in resolution (1) above and that following the procurement process and the evaluation of the tenders received, contracts be awarded to the successful tenderer(s);

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- (4) that the Director – Adult Social Care proceed with the competitive tendering process to re-procure the Sandwell Generic Advocacy Service, the Sandwell Citizen Advocacy and the Advocacy Support Service and that following the procurement process and the evaluation of the tenders received, contracts be awarded to the successful tenderer(s);
- (5) that subject to the outcomes of resolutions (3) and (4) above, the Director – Governance enter into appropriate contract(s) with the successful tenderer(s);
- (6) that the Director - Adult Social Care administer the proposed grant process under the Self Advocacy Support Service.

Business Items

124/15

Education Improvement Strategy 2015 - 2018

The Cabinet Member for Children’s Services sought approval to implement and adopt the Education Improvement Strategy for 2015–2018, which included the priorities for improvement and the mechanisms which would be used to provide support and, where appropriate, challenge to schools outlined in the Strategy.

There was a local and national drive to improve the quality of schools and the overall attainment of children. By providing children with the best possible start in education, they could achieve well in school, secure good employment and live happier, healthier and more prosperous lives.

The Council’s role was to act as the champion for children, young people and their parents/carers, playing a key strategic role to oversee the raising of standards in the Borough’s schools and academies, whilst supporting them to develop the skills and connections they would need to drive their own journey to success.

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The Council recognised the autonomy of schools and academies within the process but would seek to work in line with this improvement strategy to deliver the vision in partnership with school leaders, academy sponsors and the Department for Education. Following a number of queries from the Chairs of the Children's Services and Education Scrutiny Board and Housing Scrutiny Board, the Cabinet Member for Children's Services clarified that:-

- the Children's Services and Education Scrutiny Board would review individual school or academy improvement plans which had been inspected by Ofsted;
- the Council was continuing to engage and build effective working relationships with schools to enable schools to contribute to the process of being reviewed by Scrutiny. The Council was also looking at the support it provided to aid this process;
- there were no "coasting" schools in Sandwell. The term "coasting" was based upon a school's three year results on attainment and progress;
- the Council continued to keep robust central links and procedures in place to track those pupils taken off school registers and also kept a record of where those pupils had moved to.

Resolved:-

- (1) that the Education Improvement Strategy for 2015–2018, including the priorities for improvement and the mechanisms which will be used to provide support and, where appropriate, challenge to schools outlined in the Strategy, be approved;
- (2) that the Children's Services and Education Scrutiny Board be requested to:
 - monitor and evaluate the delivery of the strategy on an annual basis;
 - meet with selected schools in the term following Ofsted inspections to review individual school or academy improvement plans.

125/15

Restructure of Welfare Rights Service

The Deputy Leader and Cabinet Member for Finance and Resources presented proposals to restructure the Welfare Rights Service within Neighbourhood Services.

A review of the service had been undertaken in conjunction with the directions being taken by the Council to strengthen locality working, diversifying and localising advice provision through the Voluntary and Community Sector and due to increasing demands on the service as a result of increased poverty and welfare reforms. It also supported the need to strengthen Council and partnership working arrangements to tackle poverty, including the impact of reduced benefits on the ability of tenants and residents to maintain rent payments and the consequent impact on their families and homes.

The Government's recent changes to welfare provision demonstrated immediate and future challenges. The restructure of the service would clearly focus on improved local delivery, targeting vulnerable groups and collaborative working across service areas.

A short term task and finish group undertook an analysis and developed a proposal with recommendations, which was considered by a cabinet working group in January 2015. The cabinet working group decided that the service needed further improvements but felt that they should primarily focus on enabling a joined-up approach to providing the service as part of the Council's locality working model. Some further changes in management arrangements were also identified as necessary.

In response to a query from the Chair of the Jobs, Economy and Enterprise Scrutiny Board, the Deputy Leader and Cabinet Member for Finance and Resources confirmed that the total staffing cost of running the service was £1.37m. In line with the savings required across the Council, the reduction of staff numbers and the move to a more flexible structure to enable budgets targets to be met, an approximate saving of £84,000 would be achieved. As a result of allocating a greater share of the costs to Housing Revenue Account to support the increased emphasis on support for tenants in need of direct support, the savings to the general fund were £358,000 and the costs to the Housing Revenue Account were an additional £274,000.

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This was the most sustainable way to fund the service, however, it was recognised that all services would be reviewed due to the ongoing cuts to funding by Government.

Resolved:-

- (1) that the Director – Neighbourhoods commences the 30 day consultation process with all relevant employees, unions and other relevant stakeholders on the proposals to restructure the Welfare Rights Team, as shown in Appendix B;
- (2) that, subject to the outcome of the consultation referred to in resolution (1) above, the Director – Neighbourhoods, in consultation with the Assistant Chief Executive, being satisfied there are no significant issues arising, the restructure of the Welfare Rights Service in Sandwell, as shown in the Appendix B, be approved with effect from 21st August, 2015;
- (3) that subject to resolution (1) and (2) above, and in order for the new structure to take effect:
 - (a) the following five posts be deleted with effect from 21st August 2015:-
 - 2 x Senior Welfare Rights Officer, Band G;
 - 1 x Welfare Rights Officer, Band F;
 - 1.5 x Welfare Rights Advisor, Band E;
 - 0.5 x Administrator (Vacancy), Band C;
 - (b) the following 2.5 posts will be created with effect from 21st August 2015:-
 - 1 x Welfare Rights Team Manager, Band H;
 - 1 x Towns Service Co-ordinator, Band G;
 - 0.5 x Service Administrator, Band C;

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- (c) three employees be requested to take voluntary redundancy prior to 31st May 2015 and consequently the following 23.5 posts be assimilated with effect from 21st August 2015:-
- 15.5 x Welfare Rights Officers, Band F;
 - 6 x Welfare Rights Advisor, Band E;
 - 1 x Housing Projects Advisor, Band E;
 - 1 x Service Administrator, Band C;
- (4) that, in connection with resolution (2) and (3) above, the Director – Neighbourhoods, in consultation with the Assistant Chief Executive, be authorised to:
- (i) continue to engage with staff and unions;
 - (ii) explore job swap/redeployment opportunities for those post holders occupying the posts displaced within the structure or place the post holders on the Jobs Promise;
 - (iii) commence the appointments process after formal consultation ends, in order to move staff into the new structure;
- (5) that any employees occupying those posts to be deleted referred to in resolution (3) (a) and (3) (c) above who have been unable to secure alternative employment within or outside of the Council, be made redundant with appropriate notices of redundancies being issued;
- (6) that in the event that there are any issues arising from the consultation process deemed to be significant by the Director - Neighbourhoods, a further report be submitted to the Cabinet.

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Minutes of the Meeting of the Cabinet Petitions Committee held on 20th May 2015

The minutes of the meeting of the Cabinet Petitions Committee held on 20th May, 2015 were received.

No questions were asked of the Cabinet Members.

(Meeting ended at 4.02 pm)

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Appendix A



