

**The Cabinet**

**31<sup>st</sup> August, 2016 at 3.30 pm**  
**at the Sandwell Council House, Oldbury**

**Present:** Councillor Eling (Chair);  
Councillors Carmichael, Hackett, D Hosell,  
Khatun, Marshall, Shackleton and Trow.

**Apologies:** Councillors Gill and Moore.

**In attendance:** Councillors Ahmed, Crompton, Y Davies,  
P Hughes, S Jones and Underhill.

133/16 **Declaration of Interest**

Councillor Eling declared a non-pecuniary interest in relation to Minute Nos. 142/16 and 145/16 below (West Midlands Rail Franchise Update and Adult Social Care Domestic Abuse Services) respectively.

134/16 **Minutes**

**Resolved** that the minutes of the meeting held on 27<sup>th</sup> July, 2016 be confirmed as a correct record.

**Strategic Items**

135/16 **Quarter 1 Council Wide Budget Monitoring (Key Decision Ref. No. LR13)**

The Leader of the Council presented a report which provided details of the Council's revenue and capital expenditure as at the end of June 2016. Details were also submitted on the monitoring of the Council's Housing Revenue Account, which forecast a breakeven position for 2016/17.

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At a service level, excluding Public Health, the Council was reporting a forecast year end surplus of £0.682m, which was within the following service areas:

- Adults Social Care Services – surplus of £0.256m
- Regeneration and Economy – surplus of £0.455m
- Public Health Regulatory Services – deficit of £0.029m

In addition, there was a projected year end surplus of £1.365m within Public Health that related to funds carried forward from previous years. It was requested that this carry forward be re-profiled to future years.

Children's Services was projecting a year-end break-even position but the ongoing uncertainty within the service represented a significant risk that was being monitored closely.

When taking into account the projected surplus on the Waste Partnership central item of £2.000m, the utilisation of centrally earmarked balances of £0.771m and the ring-fencing of unutilised Public Health Grant of £1.365m, the Council was showing an overall forecast surplus for the year against general balances of £1.911m.

Approval was also sought to a number of virements between Directorates below £0.200m or representing 1% of Gross Service Expenditure.

Details of additional specific grants which had been included within service targets since the approval of the original budgets were also submitted.

In accordance with the process for appraising external funding applications, it was reported that the Chief Finance Officer had approved five bids up to a value of £0.100m.

The Leader of the Council confirmed that whilst £0.022m was being vired from Neighbourhoods and Communities to West Bromwich Local Area Budget, he would be recommending for next year's budget that the Local Area Budget should be calculated as a sum per ward for each town to alleviate problems being experienced particularly in larger towns.

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The Leader of the Council also recommended that the Budget and Corporate Scrutiny Board review the Quarter 1 Monitoring report and submit their findings to a future meeting of the Cabinet.

In response to a question raised by the Chair of the Housing Scrutiny Board relating to the use of the projected surplus from Waste Partnership to educate residents on waste contamination, the Leader of the Council confirmed that the matter had been discussed by the Waste Partnership Board and felt that the issue of contamination had become rife due to the recycling industry now becoming more selective about what was acceptable recycling material. The Council was continuing to educate residents on putting recycle in the recycling bin and not in general waste.

### **Resolved:-**

- (1) that details relating to the Medium Term Financial Strategy and no budget pressures requiring action outside of normal budget management processes be received;
- (2) that the financial monitoring position of individual directorates be received and referred to the Budget and Corporate Scrutiny Board for consideration and comment;
- (3) that the financial monitoring position of the Housing Revenue Account for the period ending June 2016 be received;
- (4) that the following virements be approved:-
  - a) £0.062m has been actioned from Assistant Chief Executive to Public Health and Regulatory Services in relation to the function of Research and Information;
  - b) £0.0.76m has been actioned from Corporate Management to Regeneration and Economy in relation to an employee post;

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- c) £0.300m between Children’s Directorate; Head of Learning and Inclusion, Learning Improvement in relation to Public Health learning outcomes allocation to Early Years;
  - d) £0.106m between Children’s Directorate; Safeguarding and Family Placements in relation to family placement posts within Quality and Assurance;
  - e) £0.325m between Public Health and Regulatory Services Directorate; Wider Determinants and Uncommitted Resources in relation to Domestic Abuse Services;
  - f) £0.022m from Neighbourhoods and Communities to the West Bromwich Local Area budget;
- (5) that the use of the following additional Specific Grants be approved:-

### **Assistant Chief Executive**

£0.081m has been received for Fraud and Error Reduction Initiative

£0.128m has been received for Welfare Reforms

£0.010m has been received for Single Fraud Investigation Project

£0.003m has been received for Pension Credit Reforms

£0.012m has been received for Local Authority Data Sharing Programme

### **Neighbourhoods**

£0.085m has been received for Home Office Prevention Programme

£0.015m has been received for Domestic Violence and MARAC Project Work

### **Regeneration and Economy**

£0.050m has been received for One Public Estate Phase 3 (Combined Authority)

- (6) that the following bids for external funding below £0.100m be approved:-

- a) Sandwell Residential Education Services - £0.092m
- b) Air Quality Grant Programme - £0.030m

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- c) Open Hearts, Open Minds, Open Theatre Project - £0.060m
- d) Albion Business Improvement District Loan Funding - £0.100m
- e) Tesco Bags of Help Fund - £0.012m

136/16

### **Framework Agreement for the Supply of 35 Second Heating Oil and Road Fuel (Key Decision Ref. No. CCS01)**

The Cabinet Member for Core Council Services sought approval to award a framework agreement for the supply of 35 second heating oil and road fuels. It was also proposed to include a 'Call Off' provision within the framework agreement as and when required.

The Council, Dudley Council, Walsall Council and Wolverhampton City Council ("the Black Country Purchasing Consortium") had identified a need for the supply of liquid fuels, encompassing both automotive fuels and heating oil. All four authorities had indicated a desire to utilise this framework agreement.

The Council, on behalf of the Black Country Purchasing Consortium, was the lead authority for the preparation, development, evaluation and award of the framework agreement.

In accordance with the Public Contracts Regulations 2015, and, following evaluation of tender offers, it was proposed that a framework agreement be established with Certas Energy UK Limited for a four year period.

The total expenditure over the four years of the framework was estimated to be in the region £17m of which Sandwell Council's expenditure was estimated to be £3.5m.

#### **Resolved:-**

- (1) that the Assistant Chief Executive enter into a framework agreement for the supply of 35 second heating oil and road fuels with Certas Energy UK Ltd for the period 6<sup>th</sup> September 2016 to 5<sup>th</sup> September 2020, subject to satisfactory performance;

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- (2) that, in connection with resolution (1) above, the Assistant Chief Executive be authorised to ‘Call Off’ from the Framework Agreement as and when required;
- (3) that subject to resolution (1) and (2) above, the Council enter into, sign and seal the necessary agreement and associated documents to enable the supply of 35 second heating oil and road fuels.

137/16

### **Redesign and Procure a New Model of Young Carers Services (Key Decision Ref. No. CS058)**

The Cabinet Member for Children’s Services reported that the introduction of the Children and Families Act 2014 and the Care Act 2014 now gave rights in relation to the care and support for young carers, young adult carers and their families.

Local authorities were now required to undertake an assessment of a young carer’s needs for support, on request or on the appearance of need, and that the authority ensured that it aligned its assessment of a young carer with an assessment of the adult they cared for. Young carers also had the right to receive a personal budget in line with the Carers Act.

It was therefore proposed to redesign services to ensure that they were designed to contribute to the achievement of the outcomes from the pilot and that the financial investment was appropriate and provided value for money whilst ensuring the needs of young carers were integrated with the wider children and adults agenda for carers, effectively and efficiently.

In order to meet the Council’s obligations under the new legislation, it was proposed to undertake a process to procure or grant aid services to meet the needs of young carers. The delivery of services under the new arrangements would commence on 1<sup>st</sup> January 2017, ending 31<sup>st</sup> March 2018.

Sandwell and West Birmingham Clinical Commissioning Group currently provided funding to contribute to meeting the health needs of young carers as part of the section 256 agreement. This agreement was currently under review.

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There were no proposed reductions in the overall young carers' budget. Any grants would be given in compliance with the State Aid rules.

An equality impact assessment was not required for this proposal.

In response to questions raised by the Chair of the Children's Services and Education Scrutiny Board, the Cabinet Member for Children's Services confirmed that joint all age commissioning opportunities was seen as the way forward for carers and ensuring that Adult Social Care and Children's Social Care worked better together in order to support for young carers. Work was being developed with adults to ensure the identification of young carers could be improved by ensuring appropriate individualised support plans for the young carers and the adult being provided care.

### **Resolved:-**

- (1) that the Director of Children's Services undertake a procurement process to procure or grant aid services to meet the needs of young carers, for the period 1<sup>st</sup> January 2017 to 31<sup>st</sup> March 2018 with a total budget of £258,800;
- (2) That, subject to resolution (1) above, the Director of Children's Services, in consultation with the Cabinet Member for Children's Services, be authorised to approve the cost of awarding the contracts or grants for young carers, at costs not exceeding the totals below.

1 January 2017 to 31 March 2017 budget	£51,900
1 April 2017 to 31 March 2018 budget	£206,900
<b>1 January 2017 to 31 March 2018 total budget</b>	<b>£258,800</b>

- (3) that in connection with resolution (1) above, in the event that the cost does exceed the annual budget, the Director of Children's Services, in consultation with the Cabinet Member for Children's Services, be authorised to approve the cost, subject to the cost being met from within existing resources;

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- (4) that, following the appropriate procurement processes, the Council enter into service contracts or grant arrangements for the provision of a young carers programme in line with the Children and Families Act 2014 and the Care Act 2014, for the period 1<sup>st</sup> January 2017 to 31<sup>st</sup> March 2018, with an option to extend for one year dependent on the available budget, and otherwise on terms to be agreed by the Director of Children's Services.

138/16

### **Redesign and Procure a New Model of Emotional Wellbeing Services for Children and Young People (Key Decision Ref. No. CS062)**

The Cabinet Member for Children's Services reported that in partnership with the Council, Sandwell and West Birmingham Clinical Commissioning Group had submitted a transformation plan to the Department of Health which was approved in September 2015. The transformation plan set out a joint systematic commissioning approach, working with current and new providers to develop integrated services to ensure provision for children's emotional wellbeing and health was delivered seamlessly.

The whole system approach would remove the barriers that had previously hindered access to services and would prevent children and young people falling through the gaps of different service providers' access criteria.

There had been £900,000 investment in services to improve the emotional wellbeing of families in Sandwell. In May 2016, Children's Services commissioned a new Primary Mental Health service for an initial two year period to work with the whole family to improve the outcomes for families experiencing poor emotional wellbeing and to reduce the escalation into specialist higher cost services across Children's Services.

Over the last three years, there had been a steady decline in referrals to Shield, the commissioned targeted emotional wellbeing service.



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Referrals for Child and Adolescent Mental Health Services and Emotional Wellbeing services were screened and directed to the most appropriate provider. This had reduced duplication of referrals, reducing inappropriate referrals and enabled access to a wider range of interventions including more provision directly delivered by the voluntary and community sector and wider investment.

Sandwell and West Birmingham Clinical Commissioning Group awarded the Council, via a section 256 agreement, an additional £560,000 funding over a four year financial period, to continue with the whole system transformation to improve access to earlier support and to prevent escalation to high cost specialist services as set out in the transformation plan. Alongside the additional investment of £900,000 for Primary Mental Health Workers, this equated to a total additional investment of £1.46m in Sandwell.

As a result of the significant additional investment, the redesign of systems and decline in referrals for targeted emotional wellbeing services, it was proposed to realign Children's Services budget by £90,000 to £200,000 for targeted emotional wellbeing services. The overall investment to procure a new model of targeted emotional wellbeing services had increased with the new budget increasing to £340,000 per year.

The Cabinet Member for Children's Services now sought approval to enter into a new contract(s) for the provision of a new model of emotional wellbeing services for Children and Young People for a period of three years with the option to extend for one year on terms to be agreed by the Director of Children's Services, following the completion of the redesign and consultation.

An equality impact assessment was not required for this proposal.

The Chair of the Children's Service and Education Scrutiny Board welcomed the streamlined service and use of earlier and different intervention techniques, particularly at a time when mental health and emotional wellbeing problems were showing an increase in young people, especially females.

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### Resolved:-

- (1) that the Director of Children’s Services, in accordance with the Council’s Procurement and Contract Procedure Rules, undertake a procurement process to commission emotional wellbeing services for children and young people, for the sum of £1,210,000 for a period from 1<sup>st</sup> February 2017 to 31<sup>st</sup> March 2020;
- (2) that, in connection with resolution (1) above, the commissioning be proportionate across the contract period in the following amounts:-

2016/17	Children’s Services £50,000 + Sandwell and West Birmingham CCG £140,000	£190,000
2017/18	Children’s Services £200,000 + Sandwell and West Birmingham CCG £140,000	£340,000
2018/19	Children’s Services £200k + Sandwell and West Birmingham CCG £140,000	£340,000
2019/20	Children’s Services £200k + Sandwell and West Birmingham CCG £140,000	£340,000
<b>1 February 2017 to 31 March 2020</b>		<b>TOTAL - £1,210,000</b>

- (3) that subject to resolution (1) and (2) above, in the event the cost over the four year financial period exceeds £1,210,000, the Director of Children’s Services, in consultation with the Cabinet Member for Children’s Services, be authorised to approve the cost;

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- (4) that subject to resolution (1) and (2) above, following the appropriate procurement processes, the Director of Children's Services be authorised to agree and enter into service contracts for the provision of emotional wellbeing services for children and young people for a period of up to three years (with the option to extend for one year dependent on the Children's Services budget) on terms to be agreed by the Director of Children's Services;
- (5) that, subject to resolution (1), (2) and (4) above, the funding available for the delivery of a new emotional wellbeing model up to £1,210,000 from 1<sup>st</sup> February 2017 to 31<sup>st</sup> March 2020 be allocated for the delivery of the service across all six towns and that the funding be allocated as above, subject to annual review and the Council's budgeting process;
- (6) that, subject to resolution (1), (2) and (4) above, the Council enter into and sign and seal the necessary agreements and associated documents required in order to execute the contracts for emotional wellbeing services.

139/16

### **Tender for the Provision of Garden Clearance Services to Include the Removal of Garden and Hazardous Waste/House Clearance to Void Properties (Key Decision Ref. No TNS044)**

The Cabinet Member for Housing sought approval to award a contract for the removal of garden waste, hazardous waste and house clearance to void properties.

The award of this contract was originally approved by Cabinet on 22<sup>nd</sup> June 2016 (see Minute No. 104/16). However, the successful tenderer had now withdrawn from the contract.

On the basis of the original tender evaluation, it was recommended that Orbis, who had submitted the second economically advantageous tender, be awarded the contract.

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In response to a question from the Chair of the Housing Scrutiny Board as to why the original contractor had withdrawn, the Cabinet Member for Housing confirmed that this was due to the contractor wanting to renegotiate their tendered price for the house clearance element and subsequently withdrawing their tender in July 2016.

### **Resolved:-**

- (1) that the Director – Neighbourhoods award the contract for Garden Clearance Services to include the removal of garden and hazardous waste/house clearance to void properties to Orbis, up to a maximum of £523,768, for the period 1<sup>st</sup> September 2016 to 31<sup>st</sup> August 2020;
- (2) that, in connection with resolution (1) above, the Council enter into, sign and seal the necessary agreements and associated documents required in order to execute the removal of garden and hazardous waste/house clearance to void properties.

140/16

### **Asbestos Removal and Associated Works (Key Decision Ref. No. HG03)**

The Cabinet Member for Housing sought approval to award a contract for the provision of asbestos removal and remedial replacement works for a contract period of three years from 1<sup>st</sup> October 2016 to 30<sup>th</sup> September 2019.

The work comprised the safe removal and disposal of asbestos materials from Council tenanted and empty properties with remedial works in some instances, such as replacement of plasterboard ceiling following artex removal.

In accordance with the Council's Procurement and Contract Procedure Rules, tenders were invited. The tenders were evaluated in accordance with the stated award criteria and the contractor with the winning submission was Envirocall Ltd in the sum of £534,000 (£178,000 per annum) for a period of three years.

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### **Resolved:-**

- (1) that the Director – Neighbourhoods award the contract for asbestos removal and remedial replacement works to Envirocall Ltd in the sum of £534,000 for the period 1<sup>st</sup> October 2016 to 30<sup>th</sup> September 2019;
- (2) that, in connection with resolution (1) above, the Council enter into and sign and seal the necessary agreements and associated documents required in order to execute the contract for asbestos removal and remedial replacement works for the period 1<sup>st</sup> October 2016 to 30<sup>th</sup> September 2019.

141/16

### **Better Care Fund Section 75 Agreement (Key Decision Ref. No. SC09)**

The Cabinet Member for Social Care provided details of the implementation and delivery of the Sandwell Better Care Fund in 2016/17 and sought approval to enter into a Section 75 Partnership Agreement with Sandwell and West Birmingham Clinical Commissioning Group from 1<sup>st</sup> April 2016 to 31<sup>st</sup> March 2017.

The Better Care Fund represented an opportunity for the Council to access significant levels of funding to support Council-commissioned preventative services. By being a partner to a Section 75 partnership agreement with the Clinical Commissioning Group for delivering the Better Care Fund, the Council was enabling citizens to continue benefitting from these services. If the Section 75 was not signed, the Council would see a significant reduction in investment.

The Better Care Fund Policy Framework for 2016/17 set the following conditions which local areas would need to satisfy in order to access the Better Care Fund and which were key to the development of the Section 75 agreement:

- 1) Health and Wellbeing Boards jointly agreed plans for how the money would be spent, with plans signed-off by the relevant local authority and Clinical Commissioning Group(s);

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- 2) a requirement that the Better Care Fund was transferred into one or more pooled funds established under Section 75 of the NHS Act 2006.

The Sandwell Plans were presented to the Health and Wellbeing Board on 3<sup>rd</sup> March 2016 and on 30<sup>th</sup> April, 2016, the Chair approved the Plan which was also signed off by the Director - Adult Social Care, Health and Wellbeing and the Sandwell and West Birmingham Clinical Commissioning Group Accountable Officer. The Health and Wellbeing Board also supported the establishment of a Section 75 Pooled budget for Better Care Fund on 11<sup>th</sup> July, 2016.

An equality impact assessment was not required for this proposal.

In response to a question raised by the Chair of the Health and Adult Social Care Scrutiny Board relating to the amount of Better Care Fund identified as protecting Adult Social Care Services, the Cabinet Member for Social Care confirmed that for 2016/17, the Council aimed to spend £14.315m of the Clinical Care Commissioning Group minimum funding on social care which represented an increase of 2.14%.

### **Resolved:-**

- (1) that the Director - Adult Social Care, Health and Wellbeing be authorised to enter into a Section 75 agreement with Sandwell and West Birmingham Clinical Commissioning Group to create a pooled budget to deliver the Sandwell Better Care Fund programme in 2016/17;
- (2) that, in order to allow the Council to meet its commitments to the delivery of the Better Care Fund, the Director - Adult Social Care, Health and Wellbeing, in consultation with the Cabinet Member for Social Care, be authorised to approve the annual Better Care Fund Plan, the associated Better Care Fund Section 75 agreements and any other associated documents and agreements in future years, with effect from 2017/18, subject to the Council's Chief Finance Officer being satisfied that there would be no adverse effect on the Council's overall budget position.

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**Business Matters**

142/16

**West Midlands Rail franchise update and endorsement of the Collaboration Agreement between West Midlands Rail Ltd and Department of Transport**

The Deputy Leader and Cabinet Member for Neighbourhoods and Communities reported that West Midlands Rail Limited sought to sign a Collaboration Agreement with the Department for Transport which set out their relationship with regard to the management of the West Midlands Rail franchise and further rail devolution in the West Midlands.

The Government's rail devolution agenda sought to pass control for the specification, management and, in some cases, the procurement of rail franchises to local bodies. Rail devolution therefore provided an opportunity for increased local involvement and influence over local rail services. The Council's membership of West Midlands Rail Ltd and the appointment of members as directors to the board was subsequently approved by the Council on 20<sup>th</sup> October 2015.

The West Midlands franchise competition, led by the Department for Transport, to replace the existing London Midland franchise in October 2017 was underway and West Midlands Rail Ltd were working in close partnership with the competition team at the Department for Transport. The Collaboration Agreement would formalise the relationship between the parties.

The franchise would be let by the Department for Transport and as such, financial and contractual risk for the franchise would remain with central government.

However, it was envisaged that rail franchises might be entirely devolved to local control, and it was expected that during the next franchise term, the options for increased devolution with transfer of funding and powers would be explored.

**Resolved** that details of the Collaboration Agreement between West Midlands Rail Ltd and the Department for Transport in relation to the management of the West Midlands Rail franchise be received and supported.

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### 143/16 Minutes of the Meeting of the Cabinet Petitions Committee held on 13<sup>th</sup> July 2016

The minutes of the meeting of the Cabinet Petitions Committee held on 13<sup>th</sup> July, 2016 were received.

### 144/16 Exclusion of the Public

**Resolved** that the public and press be excluded from the rest of the proceedings to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, relating to the financial or business affairs of any particular person (including the authority holding that information) and information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority).

### **Strategic Items**

### 145/16 Adult Social Care Domestic Abuse Services (Key Decision Ref. No. SC04)

The Deputy Leader and Cabinet Member for Neighbourhoods and Communities, in the absence of the Cabinet Member for Public Health and Protection, reported that the Council had commissioned Domestic Abuse services through the Supporting People Programme since 2003. The current contracts for the following four services would expire on 31<sup>st</sup> October 2016:

- 18 bed refuge;
- 5 bed refuge;
- 5 units of dispersed accommodation;
- 30 units of floating support/outreach.



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A one year contract was tendered to ensure current services could continue whilst a project group working on the corporate Target Operating Model “*Ensuring People have a place to live*” conducted a crosscutting review of Supporting People, Homelessness and related services with the aim of delivering an efficiency saving of £1million for 2017/18.

The procurement exercise undertaken resulted in one tender being received from the current provider, Sandwell Women’s Aid. The tender was compliant and scored.

The annual cost of the existing contracts was £486,921. The new contract value of £438,558 would generate an efficiency saving of £48,363 for the period 1<sup>st</sup> November 2016 to 31<sup>st</sup> October 2017.

The Council’s Procurement and Contract Procedure Rules required a minimum of four written tenders to be received for contracts above £60,001. An exemption was therefore required to allow the contract to be awarded.

In response to a question raised by the Cabinet Member for Health and Adult Social Care Scrutiny Board as to whether it was possible to reinvest the efficiency savings of £48,363 from domestic abuse provision to innovation or development for domestic abuse provision in the future so as to take advantage of new developments for future provision, a meeting would be arranged between the Cabinet Member for Public Health and Protection and the Scrutiny Chair.

### **Resolved:-**

- (1) that the Director - Adult Social Care, Health and Wellbeing award the contract for Domestic Abuse Services to Sandwell Women’s Aid for £438,558 for the period 1<sup>st</sup> November 2016 to 31<sup>st</sup> October 2017;
- (2) that, in connection with resolution (1) above, the Council enter into and sign and seal the necessary agreement and associated documents to execute the contract for Domestic Abuse Services to Sandwell Woman’s Aid;
- (3) that any necessary exemption be made to the Council’s Contract Procedure Rules to enable the course of action referred to in resolution (1) above to proceed.

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146/16

### Care Home Fees 2015-2016 (Key Decision Ref. No. SC03)

The Cabinet Member for Social Care reported that on 2<sup>nd</sup> September 2015, the Cabinet gave approval to Residential Care Home Fees 2015-16 and for the Director - Adult Social Care to make an offer of a fee increase for 2015/16 of 1.5% to care homes across all categories of care (see Minute No. 153/15).

The West Midlands Care Association subsequently informed the Council that the sector had not accepted the proposal and asked the Council to reconsider its position.

Despite a number of meetings between the Council, the West Midlands Care Association and sector representatives, in November 2015 the Council received a Judicial Review Pre-Action Protocol Letter before Claim, which had been instructed by the Care Association on behalf of the Care Homes in Sandwell. The action related to the Council's decision in setting care home fees for the year 2015/16.

On 18<sup>th</sup> May 2016, Cabinet gave approval for an offer to be made of a fee increase of £14.21 per bed per week in respect of the National Living Wage (see Minute No. 76/16).

The Council met with the West Midlands Care Association and representatives of care homes in Sandwell in March 2016 as part of mediation. At this meeting the Care Association requested that the Council review its decision regarding the offer of an inflationary increase of 1.5% for 2015/16.

Whilst the Council agreed to assess any additional evidence provided by the sector that substantiated the sector's claim for additional funding and to utilise this to determine if the original offer of 1.5% inflation should be revised, in the event of the sector providing substantiating evidence/information, the Council agreed to review the fee increase offered and report to members.

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The Council had now reviewed the information submitted by the West Midlands Care Association. The responses provided did not offer any additional evidence of costs in the sector nor in the opinion of the Council did they provide any further persuasive information or case for the Council to increase the previous financial uplift offered.

### **Resolved:-**

- (1) that the following Home Care fees for 2015/16 be approved:-

	Residential	Residential Elderly Mentally Infirm	Nursing	Elderly Mentally Infirm Nursing
	£ /week	£ /week	£ /week	£ /week
2014/15	378.00	428.00	491.10	498.10
<b>2015/16</b>	<b>384.00</b>	<b>434.00</b>	<b>499.59*</b>	<b>506.70*</b>
Impact of difference	£6.00	£6.00	£8.49 (of which £1.11 will be paid by the DoH following increase to NHS contribution)	£8.60 (of which £1.11 will be paid by the DoH following increase to NHS contribution)

\* includes increase to the NHS contribution towards the costs of a place in a care home with nursing which has been increased by the Department of Health (DoH) by 1% (£1.11) for 2015/16, and which the council is obliged to pass on, and subject to Cabinet agreement to increase rates for residential and nursing fees, this will represent an additional increase.

- (2) that the Director - Adult Social Care, Health and Wellbeing inform the relevant providers of the level fees and implement the fee increase with effect from 1<sup>st</sup> April 2015.

147/16

**Sandwell Deaf Community Association and Sandwell Visually Impaired Services (Key Decision Ref. No. SC02)**

The Cabinet Member for Social Care reported that Sandwell Visually Impaired and Sandwell Deaf Community Association currently provided services for visually impaired and for deaf people in Sandwell.

The services provided were designed to meet ongoing support needs and included advice and advocacy, specialist training and was provided through:

- direct grant funding;
- provision of local authority staff (3 full time equivalent) to assist the services;
- provision of premises;
- administrative support.

It was now proposed to undertake an effective communication and engagement process with service users, carers, families, staff, Sandwell Visually Impaired and Sandwell Deaf Community Association Boards and other stakeholders during a formal twelve weeks consultation process.

The options to be presented during consultation were:-

- Option 1 - continue support with Council grants, direct and in-kind support from the Council were maintained and service continued to operate as was;
- Option 2 - withdraw direct and in-kind support by the Council and explore alternative funding options. In this option, savings would be achieved and alternative funding options would be explored with each organisation to enable them to be sustained and to operate independently;
- Option 3 - withdraw direct and in-kind support by the Council over a two year period at a 50% reduction per year and explore alternative funding options. Savings for Adult Social Care would be achieved over a two year period which allowed the organisations additional time to explore the achievement of independence and financial future viability through alternative funding sources.

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Both options 2 and 3 would impact on Council staff currently working within these services. These impacts would be further explored within the consultation period and would be subject to a further report to Cabinet.

Following the twelve week consultation period, it was proposed to submit a further report to the Cabinet on the future Council funding of Sandwell Visually Impaired and Sandwell Deaf Community Association.

Preliminary discussions had been held with unions regarding the proposals. Further consultation would continue in a formal way through the Joint Consultative Committee Direct Services sub group, staff, service users and stakeholders.

An initial equality impact assessment had been undertaken and the adverse or negative impacts had been identified. Mitigating actions had been specified where appropriate. The outcomes of the equality impact assessment would also help shape the consultation process with residents, families, staff and Trade Unions.

In response to a question raised by the Chair of the Health and Adult Social Care Scrutiny Board, the Cabinet Member for Social Care confirmed that administrative support provided to Sandwell Visually Impaired and Sandwell Deaf Community Association included one full time Band C post and one 18.5 hour band C post that had a combined annual cost of £33,600. The service provided would be included as part of the review into the services.

### **Resolved:-**

- (1) that the three options for the future Council funding of Sandwell Visually Impaired and Sandwell Deaf Community Association as now reported, form the basis for consultation with people who use the service, their carers' and families, staff, staff representatives, Sandwell Visually Impaired, Sandwell Deaf Community Association, local communities and other relevant stakeholders;

## The Cabinet – 31<sup>st</sup> August, 2016

- (2) that the Director - Adult Social Care, Health and Wellbeing submit a further report to Cabinet on the outcome of the consultation process in order to allow the Cabinet to make an informed decision regarding the future Council funding of Sandwell Visually Impaired and Sandwell Deaf Community Association services.

148/16

### Ideal For All – The Provision of Independent Living Service for Disabled People and Equipment Contract (Key Decision Ref. No. SC06)

The Cabinet Member for Social Care sought approval to extend the contract with Ideal for All for the provision of an Independent Living Service for disabled people and the provision of equipment service for a period of six months from 1<sup>st</sup> October 2016 to 31<sup>st</sup> March 2017.

Ideal for All was a not for profit company and a registered charity run by disabled people for disabled people providing a range of services that aimed to encourage independent living and maintain the health and wellbeing of the people that used them.

Ideal for All's current contract had been in place since 1<sup>st</sup> October 2013 and was due to expire on 30<sup>th</sup> September 2016.

Following a review of the current contract to ascertain whether the services currently provided through the contract met Adult Social Care and Health priorities, offered value and delivered positive benefit to local people, it was found that services provided within the contract duplicated those provided elsewhere within the borough, thus providing no rationale for the continuation of funding these elements of the contract. The customers of Ideal for All identified over 30 suitable alternate organisations and support mechanisms to those provided within the contract.

The exception to the duplication was the Peer Support for Younger Disabled Adults Service which saw considerable local demand.

Whilst the organisation had been advised that future funding was subject to a decision by Cabinet, the terms and conditions of their current contract sought a notice period of six months to end the contract. It was therefore proposed to extend the existing contract by six months so to ensure compliance.

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An exemption to the Council's Procurement and Contract Procedure Rules was now sought.

During the six month notice period, officers would proactively support the transition to ensure that groups with protected characteristics were not adversely affected. The organisation would also be supported in identifying potential alternate funding sources. Ideal for All currently had a lease and part occupied 100 Oldbury Road, Smethwick with the Council's Independent Living Team. Discussions would commence with Ideal for All regarding future use of the property.

In response to questions raised by the Chair of the Health and Adult Social Care Scrutiny Board and the Chair of the Housing Scrutiny Board, the Cabinet Member for Social Care confirmed that:-

- currently only Adult Social Care services were inputted to the adult social care system, however, the forthcoming implementation of the new social care recording system, Liquid Logic, would provide an opportunity for external organisations to contribute to a person's record. Whilst Ideal for All did not record on the Council's electronic record, they did hold a database which included the details of people they had supported. In addition, this database would be used to signpost people to alternate services;
- with the cessation of the independent living service contract, Ideal for All may be unable to meet the requirement of the lease agreement.

The Leader of the Council reported that the Council's budget had reduced by £150m since 2010 with a further £30m due to be sliced off the budget by 2020. The Council was ensuring that frontline services continued but the way in which they were being delivered was being looked at through systematic and ongoing reviews to identify savings to achieve year on year efficiencies.

## The Cabinet – 31<sup>st</sup> August, 2016

### **Resolved:-**

- (1) that the contract with Ideal For All for the provision of an Independent Living Service for disabled people and the provision of equipment service be extended for a period of six months from 1<sup>st</sup> October 2016 to 31<sup>st</sup> March 2017, up to a value of £94,850;
- (2) that in connection with resolution (1) above, the contract with Ideal for All for the provision of an Independent Living Service for disabled people and the provision of equipment not be further extended beyond 31<sup>st</sup> March 2017;
- (3) that Ideal for All is offered a direct annual grant of £50,000 with effect from 1<sup>st</sup> April 2017, to fund a Peer Support Service for young disabled adults;
- (4) that subject to resolution (3) above, the Director – Adult Social Care, Health and Well Being review the grant to Ideal For All annually, as part of the budget setting process and be authorised to determine the level of grant to be made;
- (5) that the Council enter in to discussions with Ideal For All regarding their continued occupation of 100 Oldbury Road, Smethwick, pursuant to the lease agreement;
- (6) that any necessary exemptions be made to the Council's Procurement and Contract Procedure Rules to enable the course of action referred to in resolution (1) above to proceed.



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### The Provision of New Council Housing – Small Sites – Gladstone, Hilton, Ladbury and Monmouth (Key Decision Ref. No. HG19)

The Cabinet Member for Housing sought approval to appoint contractor(s) to build 27 new homes at:-

- Monmouth Drive, West Bromwich;
- Hilton Road, Oldbury;
- Ladbury Road, Walsall;
- Gladstone Street, West Bromwich.

On 9<sup>th</sup> March 2016, the Cabinet gave approval to allocate the above sites for affordable housing and to proceed in the demolition of existing buildings, site remediation and tendering to appoint a contractor to complete the works (see Minute No. 45/16).

In accordance with the Council's Procurement and Contract Procedure Rules, tenders were invited from six suitably qualified and experienced contractors.

Following an evaluation of returned tenders, the most competitively priced bids returned for each of the projects were:

- Monmouth Drive – J Harper and Sons (Leominster) Ltd at £746,637.00;
- Hilton Road – J Harper and Sons (Leominster) Ltd. at £1,057,768.00;
- Ladbury Road – United Living (North) Ltd at £667,011.00;
- Gladstone Street – Interclass Plc at £586,117.60.

In response to questions raised by the Chair of the Jobs, Economy and Enterprise Scrutiny Board and the Chair of the Housing Scrutiny Board and the Chair of the Community Safety, Highways and Environment Scrutiny Board, the Cabinet Member for Housing confirmed that:-

- a couple of sites in Princes End had been identified for housing development, however, this was subject to further investigation;
- approximate 27 properties would be built on the four developments which included 5x2 bedroom bungalows, 18x2 bedroom houses and 4x4 bedroom houses;

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- the Council tax income would be £28,684.08 per annum assuming tenants paid full Council Tax for their band. The New Homes Bonus would be £44,231.78 per annum payable for six years at present but this was currently under review and may be reduced to four years;
- the start dates for works was estimated to be October but this date would be confirmed.

The Leader of the Council confirmed that there were a number of sites that the Council wished to develop in order to provide good quality social housing. A number of these sites had reclamation issues which would be addressed through the Combined Authority and Land Commission. The Council had also prevented £38m of Right to Buy and tenancy fraud through the introduction of the Money Laundering Policy. The Council aimed to preserve its stock of social rented housing by ensuring that stock was properly applied and not taken advantage of at a cost to the taxpayer.

### **Resolved:-**

- (1) that the Director – Regeneration and Economy award the contracts for new housing projects to the following contractors:-
  - Monmouth Drive – J Harper and Sons (Leominster) Ltd at a total cost of £746,637;
  - Hilton Road – J Harper and Sons (Leominster) Ltd at a total cost of £1,057,768;
  - Ladbury Road – United Living (North) Ltd at a total cost of £667,011;
  - Gladstone Street – Interclass Plc at a total cost of £586,117.60;

## **The Cabinet – 31<sup>st</sup> August, 2016**

(2) that in connection with resolution (1) above, the Council enter into and sign and seal the necessary agreements and associated documents required in order to execute new housing projects with the following companies:

- J Harper and Sons (Leominster) Ltd – Monmouth Drive, West Bromwich;
- J Harper and Sons (Leominster) Ltd – Hilton Road, Oldbury;
- United Living (North) Ltd – Ladbury Road, Walsall;
- Interclass plc – Gladstone Street, West Bromwich.

(Meeting ended at 4.30 pm)

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