

## **The Cabinet**

**15<sup>th</sup> November, 2017 at 3.30 pm  
at the Sandwell Council House, Oldbury**

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

**Apologies:** Councillors Eling, Edis, E M Giles and Underhill.

**In attendance:** Councillors Hickey and P Hughes.

### **163/17 Minutes**

**Resolved** that the minutes of the meeting held on 18<sup>th</sup> October, 2017 be confirmed as a correct record.

### **Strategic Items**

#### **164/17 Children and Families - Social Care and Early Help - Third Party Contract Procurements (Key Decision Ref. No. SMBC05/11/2017)**

The Cabinet Member for Children's Services sought approval to award framework contracts for the provision of domiciliary and community care, residential short breaks and fostering short breaks for children with a disability and for the provision Form F (foster carer assessment), Connected Person, Special Guardianship (SGO) and specialist parenting assessments for parents with a learning need (PAMS). Framework agreements would enable improved access to the provider market, allowing new providers to offer service, update and revise the contractual terms and conditions and also secure fixed prices for service. The contracts would be awarded for two years with an option to extend for up to a further twelve months.

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The Council currently purchased several services on a spot purchase basis. When the need for provision arose, contact was made with the market to secure service provision.

The procurement of new framework contracts would allow the Council to ensure it was achieving value for money when sourcing services while ensuring appropriate provision was available to meet the needs of disabled children in Sandwell.

In response to a question raised by the Chair of the Budget and Corporate Scrutiny Management Board, the Cabinet Member for Children's Services confirmed that:-

- it was not anticipated to make any savings from this procurement approach;
- the key purpose of the tender was to ensure sufficiency of available provision for disabled children, unified terms and conditions and adherence to the Council's financial regulations based on the level of potential spend;
- there may be some savings on a case by case basis as individual packages of care were sourced, in addition to this, providers would be incentivised to offer competitive prices through the structure of the tender i.e. they would have high rank on the provider list based on their combined price and quality score.

### **Resolved:-**

- (1) that following the completion of a compliant procurement process, the Executive Director - Children's Services and the Director – Monitoring Officer be authorised to award and enter into contracts for a period of two years with an option to extend for up to a further twelve months for the provision of the following:
  - (i) framework contracts for the provision of domiciliary and community care for children with a disability;
  - (ii) framework contracts for the provision of residential short breaks for children with a disability;
  - (iii) framework contracts for the provision of fostering short breaks for children with a disability;

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- (iv) framework contracts for the provision Form F (foster carer assessment), Connected Person, Special Guardianship (SGO) and specialist parenting assessments for parents with a learning need (PAMS);
- (2) that any exemptions to the Council's Procurement and Contract Procedure Rules be made to enable the proposed action referred to in Resolution (1) above to proceed.

### **165/17 Schools' Model Pay Policies 2017/18 (Key Decision Ref. No. SMBC16171)**

The Cabinet Member for Children's Services presented the proposed Model School's Pay Policy and the Unattached Teachers' Pay Policy for 2017/18.

The Department for Education issued the Schools' Teachers' Pay and Conditions Document to local authorities on an annual basis.

It placed a statutory duty on organisations employing teachers to have a pay policy in place by 1<sup>st</sup> September each year setting out the basis on which the employer would determine teachers' pay, the date by which it would determine the teachers' annual pay review and establishing procedures for addressing teachers' grievances in relation to their pay.

From this, the Council prepared Model Pay Policies:-

- for teachers in schools, which it recommended School Governing Bodies to adopt; and
- for unattached teachers who were employed by the Council but who did not work in a school location.

The Model Policies, which were revised annually, had been subject to consultation with all appropriate trades unions in Sandwell.

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The September 2017 pay award had been agreed nationally and the recommendation for Sandwell, in keeping with regional comparators for all teachers, was a 1% uplift had been applied to all pay ranges in the national pay framework, including allowances.

The Pay Policy reflected these new ranges.

### **Resolved:-**

- (1) that the following September 2017 Pay Award be agreed and applied to local authority community schools:  
  
a 2% uplift to each of the points of the main pay range and a 1% uplift has been applied to all the other pay ranges in the national pay framework including allowances;
- (2) that the Unattached Teachers' Pay Policy 2017/18 be approved and implemented by the Council with effect from 1<sup>st</sup> September 2017;
- (3) that the Model Schools' Pay Policy 2017/18 be approved and recommended to the Governing Bodies of Schools in Sandwell for adoption and implementation with effect from 1<sup>st</sup> September 2017.

166/17

### **Recruitment and Management of Children's Agency Social Workers (Key Decision Ref. No. SMBC16167)**

The Cabinet Member for Core Council Services sought approval to award the contract for the recruitment and management of Children's agency social workers to HCL Social Care for a two-year period until 30<sup>th</sup> November 2019 with the option to extend for up to a further two years until 30<sup>th</sup> November 2021 at an estimated annual spend of £2.6 million.

Approval was also sought to enter into the Birmingham City Council framework agreement for the provision of general temporary agency workers, subject to a full financial evaluation and due diligence checks to ensure it was fit for purpose and provided value for money.

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A new Birmingham City Council framework agreement had been established, for which the Council was to undertake an evaluation for its suitability to supply general agency workers. This new framework did not include the provision of Children's agency social workers and so an alternative arrangement was required.

A Master Vendor Managed Service Provider (MVMSP) provided an alternative arrangement to source Children's agency social workers through a single provider either directly themselves or via a supply chain of pre-qualified agencies.

Children's Services was currently going through a significant period of temporary worker demand. This was as a result of Ofsted's ongoing requirement for improvement and a national shortage of experienced, qualified Social Workers.

In accordance with EU Procurement Regulations, the most competitive tender received was from HCL Social Care.

### **Resolved:-**

- (1) that the contract for the recruitment and management of Children's agency social workers to HCL Social Care for a two-year period until 30<sup>th</sup> November 2019 with the option to extend for up to a further two years until 30<sup>th</sup> November 2021 at an estimated annual spend of £2.6 million be awarded;
- (2) that the Executive Director – Resources approve the joining of the new Birmingham City Council framework agreement for the provision of general temporary agency workers, subject to undertaking a full financial evaluation and due diligence checks to ensure it is fit for purpose and provides value for money.

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### **167/17 Highway Winter Service Operational Plan 2017/18 (Key Decision Ref. No. SMBC12/11/2017)**

The Cabinet Member for Highways and Environment sought approval for the Highway Winter Service Operational Plan 2017/18.

Road users and the wider community placed a high value on keeping traffic moving safely in snow and freezing winter weather. Failure to do so could result in public dissatisfaction and significant reputational damage.

The Council had a statutory duty 'to ensure, so far as reasonably practicable, that safe passage along a highway is not endangered by snow or ice'. To meet this duty, winter service operations were carried out to prevent ice forming (precautionary salting), melt ice already formed (post salting) and remove snow accumulations.

The Chair of Economy, Skills Transport and Environment Scrutiny Board welcomed the high public satisfaction levels on the winter gritting.

**Resolved** that the Highway Winter Service Operational Plan 2017/18 be approved.

### **168/17 Modern Slavery Statement and Policy (Key Decision Ref. No. SMBC08/11/2017)**

The Deputy Leader and Cabinet Member for Neighbourhood and Communities sought approval to the Modern Slavery Statement and Policy. Approval was also sought to the action plan for the next twelve months that mitigated the risk of modern slavery.

A 2014 assessment conducted by the Home Office estimated that there were between 10,000 and 13,000 victims in the UK. Sexual exploitation was the most common form of modern slavery currently reported by potential victims in the UK, followed by labour exploitation, and forced criminal exploitation and domestic servitude.

The Modern Slavery Act 2015 introduced the 'duty to notify' which required public authorities to notify the Secretary of State should they have suspicions that an individual may be a victim of human trafficking or modern slavery.

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The Council was a 'first responder' agency and would refer victims and potential victims using the National Referral Mechanism.

The Council worked closely with West Midlands Police and other partner agencies to help report crimes associated with modern slavery and human trafficking. A number of prosecutions had resulted.

A Modern Slavery working group was established from 2016 to undertake work with partners and stakeholders to review Sandwell's position and to prevent situations where slavery and human trafficking might occur. A training programme had now been developed and was being made available for staff to improve awareness and to inform of reporting procedures should such incidents be suspected. The training programme would also be available to elected members.

### **Resolved:-**

- (1) that the Modern Slavery Statement and Policy be adopted;
- (2) that Sandwell's Modern Slavery Statement and Policy be publicised;
- (3) that the action plan for the next twelve months be approved to mitigate the risk of modern slavery and to ensure continued compliance with the Modern Slavery Act 2015;
- (4) that a review of the Modern Slavery Statement and Policy be undertaken in twelve months' time and at least annually to ensure that effective, efficient and equality based systems have been implemented, and to identify any potential improvements required.

**SMBC Programme of Insurance (Key Decision Ref. No. SMBC04/12/2017)**

The Cabinet Member for Core Council Services sought approval to authorise the Executive Director - Resources to engage with the insurance market to review and agree the Council's insurance policies/contracts with a view to securing long term agreements where appropriate.

Approval was also sought to authorise the Executive Director – Resources, in consultation with the Cabinet Member for Core Council Services, to proceed as necessary with the selection process to identify and award contracts to the successful supplier(s) for the Council's insurance programme for a period of up to three years with an option to extend for up to a further two years.

**Resolved:-**

- (1) that the Executive Director – Resources engage with the insurance market to review and agree the Council's insurance policies/contracts with a view to securing long term agreements where appropriate;
- (2) that in connection with Resolution (1) above, the Executive Director – Resources, in consultation with the Cabinet Member for Core Council Services, to proceed as necessary with the selection process to identify and award contracts to the successful supplier(s) for the Council's insurance programme for a period of up to three years with an option to extend for up to a further two years;
- (3) that any necessary exemptions be made to the Council's Procurement and Contract Procedure Rules to enable the actions referred to in Resolution (1) and (2) above to proceed;
- (4) that in connection with Resolution (2) above, the Director – Monitoring Officer enter into any relevant contract(s) to complete the renewal of the Council's insurance programme.



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### 170/17 **Code of Corporate Governance (Key Decision Ref. No. SMBC04/12/2017)**

The Cabinet Member for Core Council Services sought approval to the revised Code of Corporate Governance.

The Code was committed to achieving good corporate governance and described how the Council intended to achieve this in an open and explicit way. Details on the rationale for updating the Code and the arrangements that the Council had in place to ensure that this key commitment was met were submitted.

The Code was updated in line with the seven core principles of the recently published CIPFA/SOLACE framework “Delivering Good Governance in Local Government” and was intended to be used as best practice for developing and maintaining a locally adopted code of corporate governance.

<p><b>Resolved</b> that the Council be recommended to approve the Code of Corporate Governance.</p>
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### 171/17 **Dynamic Purchasing System Transport Contract Awards – (Key Decision Ref. No. SMBC/07/11/2017)**

The Cabinet Member for Childrens Services sought approval to award transport contracts under the Dynamic Purchasing System for the provision of passenger transport services for the period 24<sup>th</sup> February 2018 to 23<sup>rd</sup> February 2022.

Awarding transport contracts in this way ensured that the Council was achieving best value for money when sourcing services whilst ensuring appropriate provision was available to meet the needs of the vulnerable passengers being transported.

In response to a question raised by the Chair of Economy, Skills, Transport and Environment Scrutiny Board relating to what checks were being carried out by the contractors or the Council to ensure the suitability of drivers and escorts transporting vulnerable children or adults, the Cabinet Member for Children’s Services confirmed that:-

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- any transport providers wishing to undertake Sandwell contracted transport work could only do so if they had the necessary number of drivers and escorts who had applied for and received a Sandwell Passenger Transport Unit (PTU) badge;
- the PTU badges were only awarded to those drivers and escorts who had passed the rigorous testing requirements, which included attending Child Sexual Exploitation Awareness and Safeguarding Training provided by the Council and the Disclosure Barring Service (DBS) requirements with five years UK residency required.

**Resolved** that the Director - Resources and/or the Director - Education, Skills and Employment award contracts under the Dynamic Purchasing System (DPS), as set out in Appendix 1, for the provision of passenger transport services for the period 24<sup>th</sup> February 2018 to 23<sup>rd</sup> February 2022 and, subject to notification via the Official Journal of the European Union, the period of validity of the DPS may be amended.

172/17

### **Better Health Programme - Grant funding for Sandwell Consortium CIC to deliver provision to address health inequalities (2017 – 2020) (Key Decision Ref. No. SMBC09/11/2017)**

The Cabinet Member for Public Health and Protection sought approval to re-design the Sandwell Targeted Empowerment Programme (STEP) and to approve a grant of £450,000 to Sandwell Consortium CIC to enable them to deliver a 3-year programme to address the health inequalities affecting:-

- newcomers – people who had lived in the UK for less than five years;
- those who had lived in Sandwell for more than five years but did not speak English.

The STEP programme was introduced in 2013 and required Sandwell Consortium to:

- deliver culturally appropriate lifestyle programmes targeted at those most in need and new migrant communities;
- deliver English language courses targeted at new arrivals and existing communities with poor English language skills;

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- improve accessibility to and appropriateness of services targeting those most in need, including new migrants.

In response to a question raised by the Chair of the Budget and Corporate Scrutiny Management Board, the Cabinet Member for Public Health and Protection confirmed that the Council had an agreed performance and monitoring framework, inclusive of key outputs/outcomes. These outcomes included the number of assessments made for language competency and number of referrals made to key agencies such as housing, benefits, education and health following a needs assessment of social determinants. Quarterly performance monitoring meetings were detailed within the agreement and it would be possible to feedback to the Health and Adult Social Care Scrutiny Board on a six monthly basis.

### **Resolved:-**

- (1) that the rationale for re-designing the Sandwell Targeted Empowerment Programme (STEP) be approved;
- (2) that a grant of £450,000 be awarded to Sandwell Consortium CIC to enable them to deliver a 3-year programme to address the health inequalities affecting:-
  - newcomers - people who have lived in the UK for less than 5 years;
  - those who have lived in Sandwell for more than 5 years but who do not speak English (1 in 25 residents in Sandwell cannot speak English well or cannot speak English at all, compared to 1 in 50 people nationally).

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(The Deputy Leader and Cabinet Member for Neighbourhoods and Communities declared a pecuniary interest in the item, took no part in the discussion and left the room during consideration of the matter. The Cabinet Member for Core Council Services subsequently chaired the meeting during consideration of this item only).

### **173/17      Commissioning of Integrated Sexual Health Service Provision for Sandwell (Key Decision Ref. No. SMBC10/10/2017)**

The Cabinet Member for Public Health and Protection sought approval to the inclusion of remodelled integrated sexual health services within the cooperative working arrangement with Sandwell and West Birmingham Hospitals NHS Trust on terms agreed from 1<sup>st</sup> April 2018 to 30<sup>th</sup> September 2019 with an option to extend for up to a further two years.

On 11<sup>th</sup> January 2017, Cabinet gave approval to negotiate and agree contractual arrangements with Sandwell and West Birmingham Hospitals NHS Trust (SWBHT) to deliver the provision of Integrated Sexual Health Service under the existing co-operative working arrangement.

The main aim of the new model was to reduce the provision of specialist hub and spokes by increasing the capacity in generic settings backed by a comprehensive self-help offer such as e-services and home testing provision. This would empower people and enable individuals to make well informed choices. The new proposed model would take into account varying needs of Sandwell towns and would aim to improve local accessibility.

#### **Resolved:**

- (1) that the inclusion of remodelled integrated sexual health services within the cooperative working arrangement with Sandwell and West Birmingham Hospitals NHS Trust be approved on the terms agreed from 1<sup>st</sup> April 2018 to 30<sup>th</sup> September 2019 with an option to extend for up to a further two years;

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- (2) that in connection with Resolution (1) above, the Director – Monitoring Officer execute any documentation necessary to include the provision of remodelled integrated sexual health services within the contract for co-operative working with Sandwell and West Birmingham Hospitals NHS Trust on terms agreed with the Executive Director - Adult Social Care, Health and Wellbeing for the period specified;
- (3) that in connection with Resolution (1) above, any necessary exemptions be made to the Council's Procurement and Contract Procedure Rules to enable the proposed actions to proceed.

### **174/17      Regeneration Opportunity – Junction Two (Key Decision Ref. No. SMBC10/10/2017)**

The Cabinet Member for Regeneration and Economic Investment sought approval to vary the existing option agreement with Jeremy George Knight-Adams in respect of a proposed premium designer outlet centre and complementary uses at Lion Farm playing fields, off Newbury Lane, Oldbury, by extending the option period and altering other terms to ensure a viable scheme was brought forward.

The proposal was to deliver a premium designer outlet centre that would bring forward significant economic, environmental and social benefits to the Borough and the region.

Following approval by the Asset Management and Land Disposal Committee at its meeting on 19<sup>th</sup> December 2012, the Council entered into an option agreement with Jeremy George Knight-Adams (JKA) of Hampton Properties in respect of the proposed development of Lion Farm Playing Fields, off Newbury Lane, Oldbury. The option was originally agreed as it was estimated that a development of this nature had the potential to achieve investment of up to £200m and should result in bringing 2,000 local jobs into the area.

The delivery of a scheme of this complexity and size required a significant amount of expenditure and effort on the part of a potential developer.

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There were, however, still a number of issues to be overcome before any potential development could be considered. These included securing planning permission, the agreement of statutory bodies, the removal of legal impediments and the upgrade of the highway network.

The highways capacity of Birchley Island would need to be considered in the context of the proposed Birchley Island hamburger scheme and this would be done through additional modelling of the highways capacity. This may identify additional mitigation measures.

In response to a question raised by the Chair of the Budget and Corporate Scrutiny Management Board, the Cabinet Member for Regeneration and Economic Investment confirmed that the developer had undertaken a number of studies with regards to the development. As part of the planning application process, it was the responsibility of the applicant to demonstrate to the local planning authority, through the sequential test, that there was an existing site that could accommodate such a development proposal. Due to the scale of development proposed here, this was unlikely to be the case.

**Resolved** that the Director – Monitoring Officer vary the existing option agreement with Jeremy George Knight-Adams in respect of the development of Lion Farm playing fields, off Newbury Lane, Oldbury on terms and conditions to be agreed by the Executive Director – Neighbourhoods to include the following:-

- responsibility for both the Council and the developer to undertake local consultation with residents and stakeholders regarding the proposals;
- the developer to re-provide/improve the current playing pitches to ensure a much better offer for local residents is available as part of the refreshed Playing Pitch Strategy;
- the developer to prepare a detailed case for a development of this nature which is currently not part of the adopted local plan. This case would highlight the economic impact locally and show the differentiated nature of the offer from local centres such as West Bromwich;

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- the developer to submit a full application for planning permission by a date to be mutually agreed;
- to the site being developed as a premier retail/leisure development that would attract “high-end” outlets;
- responsibility for the Council and the developer to be undertaken with the Black Country LEP/highways and transport authorities team/statutory bodies to ensure access points and traffic flows can be managed.

### **175/17      Developing and Commissioning of Lifestyle Service (Key Decision Ref. No. SMBC10/11/2017)**

The Cabinet Member for Public Health and Protection sought approval for Public Health to commission and procure the Lifestyle Services (Behaviour Change Programme) to commence on 1<sup>st</sup> August 2018 for a period of three years with the option to extend for up to one year at a maximum value of £550,000 per annum.

Approval was also sought for Public Health to recruit six permanent, full-time Development Officer Posts and to delete a number of posts from April 2018.

In response to a question raised by the Chair of the Budget and Corporate Scrutiny Management Board, the Cabinet Member for Public Health and Protection confirmed that the six new Development Officer posts would be managed and funded by Public Health with key responsibility for one of the six Sandwell towns, they would be located in each town and would continue to work closely with the Town teams and work in partnership with other Council/public and third sector organisations. Learning had shown the benefit of having one such key worker per town going forward, which would help develop a holistic approach.

#### **Resolved:-**

- (1) that the Executive Director - Adult Social Care, Health and Wellbeing commence a procurement process and award and enter into a contract with the successful bidder for the provision of Lifestyle Services (behaviour change programme) to commence on 1<sup>st</sup> August 2018 for a period of three years with the option to extend for up to one year at a maximum value of £550,000 per annum;

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- (2) that in connection with Resolution (1) above, the Executive Director – Resources enter into a contract with the successful bidder on terms to be agreed by the Executive Director - Adult Social Care Health and Wellbeing for the provision of Lifestyle Services (behaviour change programme);
- (3) that any necessary exemptions to the Council's Procurement and Contract Procedure Rules be made to enable the course of action referred to in Resolution (1) above to proceed;
- (4) that the remodelled service be implemented based on the revised structure chart from 1<sup>st</sup> April 2018 and that in order to enable the new structure to take effect:-
  - a. the following posts within Public Health be deleted with effect from 1<sup>st</sup> April 2018

	Deleted Role	FTE	Grade
<b>D1</b>	Community Activity Network Development Officer (CANDO)	6	F
<b>D2</b>	Weight Management Development Officer	2	F
<b>D3</b>	Community Alcohol Awareness Worker	3	F

- b. the following posts within Public Health be created with effect from 1<sup>st</sup> April 2018

	New role	FTE	Grade
<b>C1</b>	Development Officer	6	F

- (5) that the Executive Director - Adult Social Care, Health and Wellbeing be authorised to create new roles to ensure effective delivery of the wider, lifestyle service model in Sandwell, at a maximum value of £236,000 per annum and:-
  - a. continue to fully engage with trade union representatives and affected staff as required;
  - b. follow Employee Consultation Timeline to implement the required changes to the service;
  - c. commence the selection process, as soon as possible after formal consultation ends with all



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new posts ring-fenced to existing staff to minimise costs and avoid the displacement of staff;

- (6) that in conjunction with the Jobs Promise process, explore redeployment opportunities for those eligible post holders occupying the posts displaced within the structure and provide necessary support.

176/17

### **Increased demand for Independent Mental Capacity Advocacy/IMCA Deprivation of Liberty Safeguards Service (Key Decision Ref. No. SMBC13/11/2017)**

The Cabinet Member for Social Care reported that the Independent Mental Capacity Advocacy/IMCA Deprivation of Liberty Safeguards (IMCA/IMCA DOLS) service was a specialist advocacy service for people who were assessed as lacking mental capacity to make certain decisions and to provide Paid Relevant Persons Representatives (PRPR or Paid Representatives) where people lacking capacity did not have anyone to represent their interests. This was a statutory requirement and was in place to ensure the Council and Health partners were compliant with The Mental Capacity Act 2005.

The current contract commenced on 1<sup>st</sup> April 2016 and would end on 31<sup>st</sup> March 2020. The total contract value was £375,432 as it was a jointly commissioned contract with Walsall and Wolverhampton Councils.

Due to an increase in referrals which had resulted in significant capacity issues and a waiting list in place for both IMCA Advocates and Paid Representatives, the Council was now at risk of failing to meet its statutory duties under the Mental Capacity Act in relation to the timely provision of IMCA advocates and Paid Representatives.

The current Advocacy Contract was a joint contract administered and led by Sandwell in partnership with Walsall and Wolverhampton councils. All three councils were experiencing similar pressures, and this increase in IMCA demand was a national issue. It was therefore proposed to increase funding in order to meet the increased demand for independent mental capacity advocacy.

In response to a question raised by the Chair of the Budget and Corporate Scrutiny Management Board, the Cabinet Member for

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Social Care confirmed that the “Cheshire West” court ruling threw out previous judgements that had defined deprivation of liberty more restrictively and this ruling had significantly increased the number of requests for DOLs applications being made to the local authority. The significant financial pressures generated by the ruling related to the cost of Best Interest Assessments (£430,000 pa) and the additional demand for advocacy (£63,000 pa). The prudent budget planning had enabled the Council to meet the projected cost of this additional demand for the three years to 2019/20.

### **Resolved:-**

- (1) that the implications of the increased demand for Independent Mental Capacity Advocacy for 1<sup>st</sup> December 2017- 31<sup>st</sup> March 2018, 2018/19 and 2019/20 be noted;
- (2) that any necessary exemptions be made to the Council’s Procurement and Contract Procedure Rules to allow an increase of funding to the existing IMCA/IMCA DOLS Contract - £26,102 from 1<sup>st</sup> December 2017 to 31<sup>st</sup> March 2018, and £62,646 for both 2018/2019 and 2019/2020 respectively.

### **Business Items**

177/17      **Approval to change the existing pension fund guarantee held between Sandwell MBC and the West Midlands Pension Fund on behalf of Murray Hall Community Trust**

The Deputy Leader of the Council, in absence of the Leader, sought approval to change the existing pension fund guarantee between the Council MBC and the West Midlands Pension Fund on behalf of Murray Hall Community Trust following their decision to transfer their assets and liabilities from an unincorporated body to a legal incorporated entity.

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Murray Hall Community Trust were undertaking the process of making the transition from an un-incorporated charity into an incorporated charity and had commenced the Transfer of Undertakings of all their assets and liabilities into a new legal incorporated entity.

The Council currently acted as guarantor for their past service deficit pension liabilities, an agreement entered into with the Pension Fund in 2001 when the Trust was originally formed and those transferring employees were accepted for admitted body status into the West Midlands Pension Fund.

The Trust had been advised by the Pension Fund that the Council would need to change the Guarantee in order to enable the Trust to continue to be accepted as an admitted body into the pension fund following their transition to become an incorporated legal entity.

**Resolved** that a change to the existing pension fund guarantee between Sandwell MBC and the West Midlands Pension Fund be approved on behalf of Murray Hall Community Trust to enable the Trust employees to continue their admission into the Pension Fund upon the transfer of the Trusts undertaking from an unincorporated to an incorporated body.

178/17

### **Matter of Urgency - Action Taken on Matter of Urgency Migration Fund – Tackling Rogue Landlords who exploit vulnerable migrant communities**

The Deputy Leader of the Council presented details of an urgent action taken by the Executive Director – Adult Social Care, Health and Wellbeing, in consultation with the Leader of the Council. The action related to applying for Controlling Migration Funds from the Department of Communities and Local Government (DCLG) to tackle rogue landlords who exploited vulnerable migrant communities.

The funding would enable the appointment of suitably qualified officers on a fixed term basis for 24 months duration of the project. The team would comprise of three Rogue Landlord Officers and one Housing Outreach Officer. There would be emphasis given to enforcement to ensure that rogue landlords are deterred or prevented from operation and exploiting vulnerable people.

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The Controlled Migration Fund bid would support a project spanning the three financial years 2017-18, 2018-19 and 2019-20, with a total value of £337,055.

DCLG had confirmed that there were no conditions attached to grants made under the Controlling Migration Fund which would require it to be repaid. However, they did expect all local authorities to monitor outcomes quarterly and do an evaluation of the project to inform best practice.

In response to a question raised by the Chair of the Budget and Corporate Scrutiny Management Board, the Deputy Leader confirmed that DCLG had recently announced awards of £18 million to councils across England from the Controlling Migration Fund Hammersmith and Fulham, Lambeth, Lewisham, Oxford City, Rochdale, Wakefield, Walsall, Waltham Forest, Westminster and Worcester City councils had each been awarded grant which included an element of work to tackle rogue landlords. Officers would make contact with councils undertaking similar projects to share best practice and discuss benchmarking and potential opportunities to develop income would be considered during the project.

**Resolved** that details of the urgent action taken by the Executive Director - Adult Social Care, Health and Wellbeing be received as follows:-

- a) to apply for a grant from the Department of Communities and Local Government totalling £337,055 for the Controlling Migration Fund to support a project to tackle rogue landlords who exploit vulnerable migrant communities;
- b) to implement the following action points identified within the appraisal report to reduce any risk to the Council;
  - prior to the submission of the final bid, ensure that the application has been strengthened to the satisfaction of the Department of Communities and Local Government;
  - ensure that terms and conditions of grant funding are reviewed by Strategic Finance prior to entering contract agreement;

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- further develop outputs, outcomes and methods of monitoring to support the effective delivery and evaluation of the project;
- ensure that all revenue costs be funded by the Council can be met from Adult Services existing available resources.

### **179/17 Minutes of the Cabinet Petitions Committee on 24<sup>th</sup> August, 2017**

The minutes of the Cabinet Petitions Committee held on 24<sup>th</sup> August 2017 were received.

(Meeting ended at 4.15 pm)

Contact Officer: Suky Suthi-Nagra Democratic Services Unit 0121 569 3479
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