

# Decisions of Cabinet

## Sandwell Metropolitan Borough Council Statement of Decisions made at a meeting of the Executive on Wednesday, 15 February 2023

Published:

The following decisions were made by the Executive at its meeting on **Wednesday, 15 February 2023**. These decisions will come into force on **Wednesday, 22 February 2023**. A decision by the Executive may be called-in (in accordance with Part 4 – Scrutiny Procedure Rules of the Council's Constitution) by **Tuesday, 21 February 2023**. Should you have any queries about any decision that has been made, contact should be made in the first instance to Democratic Services at [democratic\\_services@sandwell.gov.uk](mailto:democratic_services@sandwell.gov.uk). Any declaration of interest made by any member of the Executive is shown below.

	Item	Reason for Decision:	Alternative options:	Lead officer:
5	<p><b>Expansion of the Cooperative working agreement</b></p> <p>Agreed;--</p> <p>1.1 That the Director of Public Health be authorised to add further services to the long-standing Co-operative working agreement with Sandwell West Birmingham Hospital (within the time frames necessary based on their current agreements) as follows:-</p> <ul style="list-style-type: none"><li>• School Nursing and vision screening– currently provided by Sandwell West Birmingham</li></ul>	<p>The cooperative working agreement was a great way to work with a provider jointly to get the best service for Sandwell residents. As such, the Council sought to benefit further from the agreement by adding more services to it. The Cooperative working agreement was due a review of costs as it had not been updated since its inception 6 years ago. The increase in costs were necessary as the Council operated transparently regarding expenses and understood the outlay for the service was going beyond its budget.</p>	<p>Continue to retender the School nursing programme. Over the last ten years the service had mainly been provided by SWBHT, the contract was awarded to another provider, but then provided by SWBHT at the next two commissioning rounds.</p> <p>Tendering out the healthy pregnancy service, which would lose the cooperative element, the combined staffing options and the opportunity to run the service.</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
	<p>Trust until 2024 following successful tender</p> <ul style="list-style-type: none"> <li>• Pilot a 2-year Healthy Pregnancy Service – a new service with mutual contribution between SMBC, Integrated Care Board Tobacco control and the Trust to target those most at risk of poor maternity outcomes, and in the event this is successful at reducing poor birth outcomes, to continue the programme.</li> </ul> <p>1.2 That the Director of Public Health be authorised to review and increase the financial contribution to the co-operative agreement with Sandwell West Birmingham Hospital in line with current inflation and (max 15% over 3 years) to bolster service areas or invest in wider quality improvements identified as requiring extra resource due to local pressures.</p> <p>1.3 That the Director of Public Health be authorised to increase contribution to the Co-operative working agreement with Sandwell West Birmingham Hospital where necessary, in accordance with the Scheme of Delegation to Officers.</p>			
<b>6</b>	<b>Housing Revenue Account 30 Year</b>	The Business Plan was a key strategic	There were no alternative options.	

	Item	Reason for Decision:	Alternative options:	Lead officer:
	<b>Business Plan</b>  <b>Agreed</b> that Cabinet approve the Housing Revenue Account 30 Year Business Plan.	document that was necessary for effective management and oversight of the Housing Revenue Account. It was a financial plan that sat alongside and was complementary to the council's Medium Term Financial Strategy		
7	<b>General Fund, Housing Revenue Account and Capital Programme Budgets 2023/24</b>  <b>Agreed</b> that Cabinet:-  1.1 Note the key points from the Local Government Finance Settlement and the impact on the budget position for 2023/24  1.2 Note the feedback on the draft budget proposals from the Budget and Corporate Scrutiny Board at para 4.25  1.3 Note the feedback on the draft budget from business representatives at para 4.23 and 4.24  1.4 That the fees and charges increases for 2023/24, as set out at paragraph 4.29 and Appendix C be approved alongside the Charging	The Local Government Finance Act 1972 required the Council to set a balanced, risk assessed budget each year and approve a Council Tax precept by 11 March.	Cabinet could request that alternative savings options be proposed and agreed, although there was limited time to do this and still be able to carry out the appropriate consultation on alternative savings. Cabinet could also consider an alternative Council Tax increase, subject to adhering to the Referendum Principles, or alternative increases in Fees and Charges.	

	Item	Reason for Decision:	Alternative options:	Lead officer:
	Policy at Appendix D.			
1.5	That the contract sum for Sandwell Children's Trust of £74.475m plus £186k funding from Public Health be approved as set out at para 4.11			
1.6	That the final General Fund budget position as set out at Appendix E be approved and recommended to Council			
1.7	That the Housing Revenue Account budget for 2023/24 be approved as shown at Appendix E and recommended to Council			
1.8	That the Council Tax precept for 2023/24 of £127,008,781, representing a 2.99% increase in Council Tax and a further 2% increase in the Adult Social Care precept be recommended to Council for approval			
1.9	That the Director of Finance's assurance statement on the robustness of the budget estimates and reserves at Appendix G position be noted			
1.10	That the Capital Programme for the			

	Item	Reason for Decision:	Alternative options:	Lead officer:
	<p>General Fund and HRA for 2023/24 and Capital Strategy be approved and recommended to Council as set out at Appendix H and I</p> <p>1.11 That the Treasury Management Strategy and Prudential Indicators at Appendix J be recommended to Council for approval.</p> <p>1.12 That the Director of Finance be given delegated authority to make transfers to or from reserves during the financial year to ensure that adequate reserves are maintained and adjusted when spend from earmarked reserves is required</p> <p>1.13 That the Director of Finance be given delegated authority to adjust the funding sources applied to the Capital Programme during the year to maximise flexibility in use of capital resources and minimise borrowing costs where possible</p> <p>1.14 That the Director of Finance be given delegated authority in consultation with the Cabinet Member for Finance and Resources to make minor amendments to the base budget to reflect any changes from the Local Government Finance Settlement if required</p>			

	Item	Reason for Decision:	Alternative options:	Lead officer:
	1.15 That Leadership Team prioritise the further development of the Transformation Savings Plan to ensure the Medium-Term Financial Strategy is balanced to 2025/26.			
8	<p><b>Contract for the Supply of Mains Electricity, October 2024 to September 2028 - Appointment of Contractor</b></p> <p><b>Agreed that;-</b></p> <p>1.1 approval be given to utilise Eastern Shires Purchasing Organisation (ESPO) Framework 191_24 to appoint Total Energies Gas and Power Ltd to supply Mains Electricity to Council sites for the period 1 October 2024 to 30 September 2028.</p> <p>1.2 in connection with 1 above, the Director, Law and Governance and Monitoring Officer be authorised to enter into an appropriate contract with Total Energies Gas and Power Ltd.</p>	<p>The Pan-Government Energy Project was launched back in 2007 to improve the standard of energy procurement across the public sector. The key recommendation was that all public-sector organisations adopted one of the aggregated, flexible and risk managed energy procurement frameworks that were put in place by the recognised Central Purchasing Bodies (CPB) that had been evaluated by the Government's Project Strategy Team against best practice criteria.</p> <p>By aggregating energy requirements under the ESPO Electricity Framework and utilising a flexible purchasing strategy, ESPO are able to take advantage of market movements to the benefit of customers. This is achieved by purchasing energy in advance when commodity prices are at their most advantageous. Flexible purchasing also limits exposure to the significant spikes in pricing by securing energy requirements in advance at multiple opportunities rather than at a single decision point.</p>	<p>One alternative option would be to undertake tendering exercises on behalf of the Council in isolation of the Pro5 providers which would be against the best practice guidance published from the Pan-Government Energy Project. Alternatively, seek to transfer to another Pro5 Framework provider but this would result in the loss of representation on stakeholder governance panels.</p>	
9	<p><b>Tenant Fees Act Cabinet Report</b></p> <p><b>Agreed</b> that the policy and framework for</p>	<p>The Tenancy Fees Act 2019 places a statutory duty for enforcement on the council as the Local Weights and Measures</p>	<p>In order to enforce the legislation and fulfil its statutory duty, the Council required a policy that</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
	issuing fixed penalty notices under the Tenant Fees Act 2019 as provided in appendix 1 is adopted.	Authority (Trading Standards).	outlined what fines would be for breaches of the legislation. The Council could have decided to construct its own framework for calculating the amount of a civil penalty however, this risked not being aligned with other authorities which could impact the Council's ability to justify in the event of any appeal against a penalty levied. As a result of the requirement for all authorities in England to have regard to the policy of the Lead Enforcement Authority, the adoption of this policy would ensure that the approach is consistent with that of other authorities.	
10	<p><b>Local Council Tax Reduction Scheme 2023-24</b></p> <p><b>Agreed that;-</b></p> <p>1.1 Cabinet recommend that no changes are made to the Local Council Tax Reduction Scheme for 2023/24</p> <p>1.2 Cabinet Recommend that Council approve the Local Council Tax Reduction Scheme for 2023/24.</p>	The LCTRS provided crucial support to low income families and Sandwell's most vulnerable residents.	Nationally, a lot of local authorities had introduced a minimum Council Tax payment. This means that everyone, including those people on a very low income, would pay something towards their Council Tax. Sandwell did not want to introduce a minimum payment into its LCTRS as it wanted to protect the most vulnerable households and improve child poverty and support residents with the cost of living crisis.	
11	<b>Asset transfer of The Bridge, Tipton to Murray Hall Community Trust</b>	Murray Hall Community Trust (MHCT) was a well established anchor organisation, with a	Do nothing – MHCT had a 30-year rent free, full repairing voluntary	

	Item	Reason for Decision:	Alternative options:	Lead officer:
	<p><b>Agreed:-</b></p> <p>1.1 That approval be given to the asset transfer of The Bridge, Tipton, to Murray Hall Community Trust on the basis of a full repairing lease for 99 years with a rental of £1 pa for the purpose of a multi purpose community facility and office space.</p> <p>1.2 That the Director Law and Governance and Monitoring Officer be authorised to enter into or execute under seal if necessary, a formal lease for The Bridge Tipton.</p>	<p>presence in Sandwell since 1994. They were locally-led and deeply rooted in the community. They had strong partnerships with the council and with other voluntary and community groups and had taken a community development approach to all aspects of their work (responding to service users views, enabling people to do more for themselves). They had already demonstrated their ability to attract capital funding and manage complex refurbishment projects in the initial phases of transformation of the building.</p> <p>The proposed asset transfer accorded with the principles set out in the strategy where Strategic Assets &amp; Land would proactively lead discussions with community groups about the possibility of undertaking Community Asset Transfers. Transfers would be undertaken in accordance with the Council's policy on Community Asset Transfers. They would only happen if officers were satisfied that a clear sustainable plan was in place to maintain the asset and that further calls on the Council for support were unlikely.</p>	<p>body lease, expiring in 2043. This would not signal to the wider voluntary and community sector that the Council value their contribution as partners. The asset transfer was a positive tool for enabling the development of enterprising and sustainable organisations with a long-term stake in the area. Furthermore, it would undermine the business case that MHCT needed to develop in order to complete the refurbishment.</p>	
12	<p><b>City Region Sustainable Transport Settlement Update and Local Transport Capital Programme 2023/24</b></p> <p><b>Agreed:-</b></p> <p>1.1 That the update in relation to the City</p>	<p>The block allocations included in the CRSTS programme comprise the majority of the Council's capital programme of minor works, highway and bridge maintenance for financial year 2023/24 and the following three years of the settlement period.</p>	<p>With regards to the Local Network Improvement Plan, the proportion allocated to each of the individual block headings was the same as for 2022/23 and was broadly in line with ITB allocations in the preceding years. However, as in 2022/23, more</p>	



	Item	Reason for Decision:	Alternative options:	Lead officer:
	<p>Region Sustainable Transport Settlement (CRSTS) for the period April 2022 to March 2027 be received.</p> <p>1.2 That approval be given to the following programme of minor works, highways, bridges and street lighting maintenance for 2023/24 to be funded through the Local Network Improvement Plan and Maintenance Block allocations as set out in the reports to WMCA Board on 14th January 2022, 18th March 2022 and 13th January 2023;</p> <p>Minor Works Programme Funds 2023/24 £</p> <p>Major Schemes Development 220,000 Road Safety 540,000 Decarbonising Transport 300,000 Demand Management 120,000 Traffic Calming 200,000 Major Route Signing 70,000 Named Schemes Over £250k. 347,900 Total 1,797,900</p>		<p>of the 21% uplift on the 2021/22 figure had been allocated to the road safety and traffic calming categories, to reflect member priorities. The option existed to allocate more funding to some headings and less to others. It also remained possible to alter the allocations 'in year', should circumstances require it. However, the use of this funding was reported to, and monitored by, WMCA and therefore should reflect the priorities outlined by Government through the CRSTS guidance, and by WMCA through the Local Transport Plan.</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
13	<p><b>Revenues and Benefits Policy Framework 2023/24</b></p> <p>Agreed:-</p> <p>1.1 That approval is given to the Revenues and Benefits policy framework for 2023-24 as follows:</p> <p>Appendix 1 - Corporate Debt Recovery Policy  Appendix 2 - Council Tax Award of Discount Policy  Appendix 3 - Council Tax Discretionary Reduction Policy  Appendix 4 - Flood Relief Policy  Appendix 5 - Discretionary Housing Payments Policy  Appendix 6 - Local Welfare Provision Policy  Appendix 7 - Non-Domestic Rate Hardship Relief Policy  Appendix 8 - Non-Domestic Rates Discretionary Rate Relief Policy</p> <p>1.2 That the Director of Finance - Section 151 Officer in consultation with the Cabinet Member for Finance and Resources be authorised to make necessary changes to the policies during 2023-24 due to the Cost of Living crisis.</p> <p>1.3 That Cabinet Recommend Council approve the Council Tax Award of</p>	<p>To make recommendations for the Revenues and Benefits policy framework for 2023-24.</p>	<p>The council was required to set out its application of areas of the legislation which allow local application of rules. The policy framework achieved this.</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
	Discount Policy as set out in appendix 2.			
14	<p><b>Sandwell Local List of Non-Designated Heritage Assets</b></p> <p><b>Agreed:-</b></p> <p>1.1 That the new and amended Sandwell Local List is adopted and that the extant (2012) Local Lists Supplementary Planning Document is reviewed as part of the local plan process.</p> <p>1.2 That officers be authorised to investigate the merits of introducing an Article 4 Direction covering buildings on the local list which would withdraw (Class B) permitted</p>	<p>The adoption of a Local List of Non-Designated Heritage Assets would provide a level of protection through the planning system for buildings with historic or architectural merit that do meet the criteria for national status as Listed Buildings. The Local list would, once adopted, become a material consideration in determining planning applications and applicants should give regard to this in drawing up proposals.</p>	<p>Although locally listed buildings are not afforded the protection under the Planning (Listed Buildings and Conservation Areas) Act, they may be offered some level of protection by the local planning authority identifying them on a formally adopted list of local heritage assets, as such 'non-designated heritage asset' status is recognised by the National Planning Policy Framework. A decision not to proceed with the local list would result in local buildings with an assessed level of local heritage significance being afforded a lower level of protection by the planning system.</p>	
15	<p><b>Sandwell Museums - Approval of Forward plan and policies</b></p> <p><b>Agreed</b> that approval be given to the Director of Borough Economy to approve and adopt Sandwell Museums and Arts Service Forward Plan and Policies as detailed below in order to progress a submission from Sandwell Museums Service towards achieving full accreditation status – as part of Arts Council England's (ACE) national Museum Accreditation Scheme.</p>	<p>Sandwell Museums had full accreditation before 2015 for 3 of sites. But this was downgraded to provisional accreditation status as the Forward Plan and Museum Policies had not been approved and adopted formally by the cabinet. Achieving full Museum Accreditation status supports those involved with a museum/service to deliver high quality services that are open and accessible and help people interact with the collections and protect/conservate them for the future while also ensuring people are at the centre of services and monitoring quality</p>	<p>The current service is provisionally accredited and there is an option to allow this to elapse and no longer be an accredited service. This is not recommended as there are clear benefits to achieving accreditation including the increased ability to raise external funding to support the service and the potential ability to support recruitment of staff and volunteers and to increase learning from other accredited museum services.</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
		<p>services to communities and users. The Museum Accreditation scheme does this by making sure museums manage their collections properly, engage with visitors/key stakeholders, and are governed appropriately. It also opens-up opportunities for museums such as external funding opportunities and new partnerships – giving reputational confidence to potential donors (collections/funding) and other key supporters.</p>		
16	<p><b>Scrutiny Review on the Impact of Lockdown on Children and Families</b></p> <p><b>Agreed;-</b></p> <p>That approval be given to the following recommendations of the Children's Services and Education Scrutiny Board in respect of the scrutiny review on the impact of lockdown on children and families as follows:-</p> <p>1.1 That approval be given to the recommendations of the Children's Services and Education Scrutiny Board in respect of the scrutiny review on the impact of lockdown on children and families as follows:-</p> <p>a) that the Director of Children and Education works co-operatively with the Department for Education to</p>	<p>The Children's Services and Education Scrutiny Board conducted a scrutiny review into the Impact of Lockdown on Children and Families in 2022. The Scrutiny Board felt that recovery across multiple areas in education and social care needed to be investigated, through the lens of uplifting standards and attainment, the Board, therefore established a Working Group to carry out the review and ascertain an understanding of the current pressures across Children's Services and Education and provide, where necessary, recommendations to support Children and Families in Sandwell.</p> <p>At the Children's Services and Education Scrutiny Board on Monday 9 January 2023 the Board agreed to a range of recommendations based on the research and findings of the Working Group.</p>	<p>There were no alternative options. The Cabinet may approve all, some, or none of the recommendations.</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:
	<p>improve the education standards of children and young people, utilising Education Investment Area funding;</p> <p>b) that the Director of Children and Education is proactive in working with schools in the area to consider the creation or adoption of multi-academy trusts;</p> <p>c) that the Director of Children and Education is proactive in considering suitable locations in the Borough for specialist sixth-form free schools which are funded by central government;</p> <p>d) that the Council joins the Department for Education's 1-2-1 attendance mentoring pilot to monitor issues in schools across the Borough.</p> <p>e) that, the Cabinet Member for Children and Education pledges to improve and increase the Borough's educational assessment data in line with the national average by 2027, in line with the aims and objectives of Vision 2030;</p>			

	Item	Reason for Decision:	Alternative options:	Lead officer:
	<p>f) that the Cabinet Member for Children and Education writes to the Secretary of State for Education, to request that the Government actively engages with education practitioners to understand the long-term problems caused by the national pandemic and prepare appropriate resources to help children and young people recover academically, socially and psychologically.</p> <p>g) that the Director of Children and Education encourages and supports schools in the Borough to provide sports programmes and extracurricular activities to help children catch up in all areas of lost learning and experiences and to improve mental and physical health;</p> <p>h) that the Cabinet Member for Children and Education writes to the Secretary of State for Education, to request that specific monetary assistance is made available to children eligible for free school meals to take part in extracurricular activities;</p>			

	Item	Reason for Decision:	Alternative options:	Lead officer:
	<p>i) that the Director of Children and Education reviews the Council's partnership working with education providers and the Sandwell Children's Trust to ensure that actions, outcomes and best practice work are shared to ensure we are working cohesively together.</p> <p>j) that the Cabinet Member for Children and Education investigates ways to connect with young people and offer extra support, mentoring and encouragement including, but not limited to:-</p> <p>i) establishing a peer mentoring programme;</p> <p>ii) encouraging social youth work, sports, drama, and outdoor activities;</p> <p>iii) engaging with local businesses to improve the number of available apprenticeships;</p> <p>iv) supporting a holistic</p>			

	Item	Reason for Decision:	Alternative options:	Lead officer:
	<p>youth services experience which accompanies physical and digital offer;</p> <p>v) supporting and championing the new Eco Bus with young people's involvement.</p> <p>k) that the Cabinet Member for Children and Education writes to the Secretary of State for Education, to lobby for recurrent yearly funding which will allow for consistent support to address young people's emotional wellbeing and (low level) mental health as we recovery from COVID and the impact that it caused, whilst supporting the Council's ambition to improve academic performance, socialisation, conversation, mental health and wellbeing;</p> <p>l) that, the Director of Children and Education works with multi-agency partners to support, engage and monitor the stability within the early years settings</p>			
17	<p><b>Q3 Budget Monitoring 2022/23</b></p> <p><b>Agreed</b> that Cabinet;-</p> <p>1.1 Note the financial monitoring position</p>	<p>Section 151 of the 1972 Local Government Act requires the Chief Financial Officer to ensure the proper administration of the council's financial affairs. Budgetary control, which includes the regular monitoring and</p>	<p>There were limited alternatives to the recommendations. Cabinet could have decided not to allow the proposed use of reserves by directorates, but this would increase</p>	



	Item	Reason for Decision:	Alternative options:	Lead officer:		
	<p>as at 31 December 2022 and refer the report to the Budget and Corporate Scrutiny Management Board for consideration and comment.</p> <p>1.2 Approve the transfers between reserves as outlined in Appendix 3.</p>	<p>reporting of budgets is an essential element in discharging this statutory responsibility. The recommended treatment of the year end variances supports the financial sustainability of the council.</p> <p>At the Children’s Services and Education Scrutiny Board on Monday 9 January 2023 the Board agreed to a range of recommendations based on the research and findings of the Working Group.</p>	<p>the projected overspend and result in a further reduction in the council’s general fund balance.</p>			
19	<p><b>Adult Social Care Market Sustainability</b></p> <p>1.1 That Cabinet approve the three-year financial plan for the adult social care provider market articulated in this report to ensure market sustainability. The plan seeks to ensure that the Council’s statutory obligations under the Care Act 2014 are met and will seek to mitigate the risks associated with market failure to adults in need of care and support.</p> <p>1.2 That the Adult Social Care Domiciliary Care standard hourly rate is increased from £16.92 per hour from 1 April 2023, subject to the proposed uplift being compliant with the Public Contract Regulations (PCR) 2015, with proposals from April 2023 to March 2026:</p> <table><tr><td>Year</td><td>Proposed</td></tr></table>	Year	Proposed	<p>Each year local authorities consider and/or set the rates paid to its Adult Social Care provider market and determine the uplifts, if any, that will be applied for the following financial year to take account of inflationary pressures.</p> <p>In 2022/23 the Department for Health and Social Care (DHSC) has required local authorities to complete a Cost of Care exercise for 65+ residential and nursing homes and for Domiciliary Care (otherwise known as Home Care) for people 18+ to better understand the sustainability of fee rates. This exercise has been completed and the draft outcome was submitted to the DHSC by the deadline of 14 October 2022, although further work is needed to better understand the outcome concluded for care homes.</p>	<p>There have already been some home closures and there is currently a large provider who is threatening to significantly increase fee rates and to give notice to current residents.</p> <p>The Council can hold fees at current rates, however the social care sector across all markets is significantly challenged, with issues that include escalating costs that are said to be unsustainable, recruitment and retention and low morale, which will inevitably impact availability of provision. Unless the Council addresses sustainability in a meaningful and enduring way, that properly reflects its recognition of the challenges providers are experiencing and by approving the proposed three-year financial plan which uplifts rates as recommended in this paper, there is a real risk that</p>	
Year	Proposed					

	Item	Reason for Decision:	Alternative options:	Lead officer:
	<p style="text-align: right;">Domiciliary Care Hourly Rate</p> <p style="text-align: right;">23/24      18.40 24/25      19.52 25/26      20.52</p> <p>1.3 Should legal advice not support an uplift of the Domiciliary Care rate in 2023/2024 to £18.40, which is the rate calculated using the formula in the contract plus an extra £0.32 for market sustainability, the rate of £18.08 is implemented instead.</p> <p>1.4 That the Promoting Independence and Rapid Response/ Wrap Around services hourly rates are also uplifted to align with the Domiciliary Care rate from 1 April 2023 and to the rates thereafter.</p> <p>1.5 That the Adult Social Care Supported Living hourly rate is uplifted to mirror the Domiciliary Care rate from April 2023 to March 2026, but paid at £17.08 initially in 2023/24, with the rate reviewed on completion of the planned Cost of Care exercise to determine if the exercise concludes there should be this parity, with approval to be paid up to the Domiciliary Care rate, if appropriate and backdated to April 2023.</p> <p>1.6 That the Adult Social Care Extra Care hourly rate is aligned to its</p>		<p>markets will become increasingly vulnerable. This will lead to increasing market exits and an inability of the Council to fulfil its statutory obligations, in addition to the undermining of key strategic priorities if the market shrinks or becomes less responsive.</p> <p>Due to difficult budgetary decisions across the Council and the need to deliver a balanced budget, the Council has had to hold fees and rates for many of its markets as referenced in this paper for over a decade. In addition to the Domiciliary Care rate being one of the lowest nationally, the continuation of this within the backdrop of the challenging environment in which the sector is operating, will impact sustainability and make the Council an outlier given the policy expectations discussed earlier.</p> <p>Should the market hand back packages or exit completely, packages or placements will need to be procured at potentially above fees or rates recommended in this paper, negating any benefit derived from not uplifting them as proposed.</p>	

	Item	Reason for Decision:	Alternative options:	Lead officer:										
	<p>standard Domiciliary Care hourly rate from April 2023 onwards, and when the rate is uplifted thereafter.</p> <p>1.7 That the Council’s Adult Social Care Direct Payment rate is aligned to its standard Domiciliary Care hourly rate from April 2023 onwards, and when the rate is uplifted thereafter.</p> <p>1.8 That the Adult Social Care residential and nursing care home standard rates for Older People are uplifted as outlined below where they are below these rates, with any uplift to the Free Nursing Care rate to be fully passed onto applicable nursing homes when announced as follows:</p> <table><tr><td></td><td>R</td></tr><tr><td></td><td>£</td></tr><tr><td><b>Proposed Rate for 23/24 inclusive of Free Nursing Care (average paid in 22/23 plus inflation/adjustment for NMW)</b></td><td></td></tr><tr><td><b>Proposed in principle rates for 24/25 inclusive of Free Nursing Care</b></td><td></td></tr><tr><td colspan="2"><b>Rates in 2025/26 proposed inflationary in</b></td></tr></table>		R		£	<b>Proposed Rate for 23/24 inclusive of Free Nursing Care (average paid in 22/23 plus inflation/adjustment for NMW)</b>		<b>Proposed in principle rates for 24/25 inclusive of Free Nursing Care</b>		<b>Rates in 2025/26 proposed inflationary in</b>				
	R													
	£													
<b>Proposed Rate for 23/24 inclusive of Free Nursing Care (average paid in 22/23 plus inflation/adjustment for NMW)</b>														
<b>Proposed in principle rates for 24/25 inclusive of Free Nursing Care</b>														
<b>Rates in 2025/26 proposed inflationary in</b>														

	Item	Reason for Decision:	Alternative options:	Lead officer:
	<p>1.9 That the Adult Social Care residential non-standard care home rates for the complex care (Learning Disability, Mental Health, Memory and Cognition, Physical Disability and Sensory Impairment) market are uplifted by 10.25% from 1 April 2023.</p> <p>1.10 That the Adult Social Care nursing non-standard care home rates for the complex care (Learning Disability, Mental Health, Memory and Cognition, Physical Disability and Sensory Impairment) market are uplifted by 6.45% from 1 April 2023, with any uplift to the Free Nursing Care rate in 2023/24 to be fully passed onto applicable nursing homes when announced.</p> <p>1.11 That a principal is created that the residential and nursing non-standard care home rates for the complex care (Learning Disability, Mental Health, Memory and Cognition, Physical Disability and Sensory Impairment) market are increased in line with the applicable inflation rate calculated for Older People's residential and nursing care homes for 24/25 and 25/26, and that any uplift to the Free Nursing Care rate is also fully passed onto applicable nursing homes when announced.</p>			

	Item	Reason for Decision:	Alternative options:	Lead officer:
	<p>1.12 That the Adult Social Care day care rates are uplifted by 10.25% from 1 April 2023 and mirror the inflation paid for Older People's residential care in 2024/25 and 2025/26.</p> <p>1.13 That the Personal Assistant rate is uplifted as per the formula used in previous years, including growth in National Minimum Wage from April 2023 to March 2026.</p> <p>1.14 Individual negotiated rates are in place for those people with more specialist needs and where the provider is not willing to accept the Council's standard rate for care and support, approval is sought that the individually negotiated residential care home rates paid above standard rate are uplifted by 10.25% from 1 April 2023 and mirror the inflation paid for Older People's residential care in 2024/25 and 2025/26.</p> <p>1.15 That in connection with 1.14, that the individually negotiated nursing care home rates paid above standard rate are uplifted by 6.47% from 1 April 2023 and 6.45% for nursing dementia from 1 April 2023, and mirror the inflation paid for Older People's nursing residential care in 2024/25 and 2025/26, with any uplift to the Free Nursing Care rate to be</p>			

	Item	Reason for Decision:	Alternative options:	Lead officer:
	<p>fully passed onto applicable nursing homes when announced.</p> <p>1.16 That it be noted that there is a risk that the proposed three-year financial plan may be insufficient to manage market pressures in the years identified given the projected budget settlement, however, should the financial assumptions made for 2024/25 and 2025/26 not be accurate and additional % uplifts are necessary, that further paper(s) are presented to Cabinet to seek approval for addressing any deficits indicated.</p> <p>1.17 That the Director of Adult Social Care in consultation with the Cabinet Member for Adult Social Care and Health be approved to submit the final Market Sustainability Plan to the Department for Health and Social Care by the date required, currently set as 27 March 2023, subject to the Leader and Section 151 Officer approving the report content before submission.</p>			