

# Public Document Pack

Sefton Council 

MEETING: CABINET  
DATE: Thursday 25th June, 2020  
TIME: 10.00 am  
VENUE: Remote Meeting

DECISION MAKER: **CABINET**

Councillor Maher (Chair)  
Councillor Atkinson  
Councillor Cummins  
Councillor Fairclough  
Councillor Hardy  
Councillor John Joseph Kelly  
Councillor Lappin  
Councillor Moncur  
Councillor Veidman

COMMITTEE OFFICER: Paul Fraser  
Senior Democratic Services Officer  
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The Cabinet is responsible for making what are known as Key Decisions, which will be notified on the Forward Plan. Items marked with an \* on the agenda involve Key Decisions

A key decision, as defined in the Council's Constitution, is: -

- any Executive decision that is not in the Annual Revenue Budget and Capital Programme approved by the Council and which requires a gross budget expenditure, saving or virement of more than £100,000 or more than 2% of a Departmental budget, whichever is the greater
- any Executive decision where the outcome will have a significant impact on a significant number of people living or working in two or more Wards

**If you have any special needs that may require arrangements to facilitate your attendance at this meeting, please contact the Committee Officer named above, who will endeavour to assist.**

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# A G E N D A

Items marked with an \* involve key decisions

<u>Item No.</u>	<u>Subject/Author(s)</u>	<u>Wards Affected</u>
1	<b>Apologies for Absence</b>	
2	<b>Declarations of Interest</b>  Members are requested at a meeting where a disclosable pecuniary interest or personal interest arises, which is not already included in their Register of Members' Interests, to declare any interests that relate to an item on the agenda.  Where a Member discloses a Disclosable Pecuniary Interest, he/she must withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest, except where he/she is permitted to remain as a result of a grant of a dispensation.  Where a Member discloses a personal interest he/she must seek advice from the Monitoring Officer or staff member representing the Monitoring Officer to determine whether the Member should withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest or whether the Member can remain in the meeting or remain in the meeting and vote on the relevant decision.	
3	<b>Minutes of the Previous Meeting</b>  Minutes of the meeting held on 28 May 2020	(Pages 5 - 10)
4	<b>Covid-19 Response</b>  Report of the Chief Executive  A presentation will also be made to Cabinet	(Pages 11 - 16)

*	5	<p><b>Financial Management 2020/21 to 2022/23 and Framework for Change - Issues Arising from COVID-19 - June Update</b></p> <p>Report of the Executive Director of Corporate Resources and Customer Services</p>	All Wards	(To Follow)
*	6	<p><b>Covid-19 Procurement Arrangements</b></p> <p>Report of the Executive Director of Corporate Resources and Customer Services</p>	All Wards	(Pages 17 - 22)
*	7	<p><b>Medically Managed Residential Detoxification for Substance Use</b></p> <p>Report of the Head of Health and Wellbeing</p>	All Wards	(Pages 23 - 28)
	8	<p><b>Safeguarding Children from Child Sexual and Criminal Exploitation and Children Reported as Missing</b></p> <p>Report of the Executive Director of Children's Social Care and Education</p>	All Wards	(Pages 29 - 38)
	9	<p><b>Business Discretionary Grants</b></p> <p>Report of the Head of Economic Growth and Housing</p>	All Wards	(Pages 39 - 48)

**THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON WEDNESDAY, 10 JUNE 2020. MINUTE NO. 8 IS NOT SUBJECT TO CALL-IN**

## **CABINET**

### **REMOTE MEETING HELD ON THURSDAY 28TH MAY, 2020**

**PRESENT:** Councillor Maher (in the Chair)  
Councillors Atkinson, Cummins, Fairclough, Hardy,  
John Joseph Kelly, Lappin, Moncur and Veidman

#### **1. INTRODUCTION**

Councillor Maher, Leader of the Council welcomed Members to the first remote meeting of Sefton Council's Cabinet and he extended a special welcome to members of the public who may be viewing the meeting online; and indicated that this meeting was being held using Microsoft Teams Live Events software and that prior to the meeting a test meeting had been held to ensure that this meeting ran smoothly.

Councillor Maher advised that a protocol for Members attending remote meetings had been circulated prior to the meeting and he requested that Members adhered to this protocol; and indicated that it would be particularly helpful if Members turned their cameras off and muted their microphones when not addressing the meeting. If Members would like to address the meeting at any time they were requested to so indicate by using the chat facility in Microsoft Teams. The chat facility enabled elected Members to raise issues and interact with the meeting in real time.

Councillor Maher concluded that if Members were called to address the meeting could they please pause for a few seconds to enable their microphones to be unmuted and their cameras to be turned on.

#### **2. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

#### **3. DECLARATIONS OF INTEREST**

No declarations of any disclosable pecuniary interests or personal interests were received.

#### **4. MINUTES OF THE PREVIOUS MEETING**

##### **Decision Made:**

That the Minutes of the meeting held on 5 March 2020 be approved as a correct record.

# Agenda Item 3

CABINET- THURSDAY 28TH MAY, 2020

## 5. SEFTON CLIMATE EMERGENCY STRATEGY

The Cabinet considered the joint report of the Executive Director - Corporate Resources and Customer Services and the Executive Director – People that indicated that Sefton Council was committed to reducing carbon emissions and had resolved to go further than the UK100 Agreement and to act in line with the scientific consensus that we must reduce emissions to net zero by 2030; and that as such the Council at its meeting in July 2019 declared a climate emergency. Following that declaration work had progressed within the Council on the agreed actions that were contained and approved by Members; and that as part of that work a Strategy for the delivery of the Council Motion had been developed and this report sought approval of that Strategy.

A copy of the Sefton Council Climate Emergency Strategy and Council Motion were attached to the report.

### **Decision Made:**

That Council be recommended to approve the Sefton Climate Emergency Strategy.

### **Reasons for Decision:**

The Strategy will provide the framework for the delivery of the Council Motion that declared a climate emergency.

### **Alternative Options Considered and Rejected:**

None.

## 6. SEND CONTINUOUS IMPROVEMENT PLAN UPDATE

Further to Minute No. 42 of the meeting of the Health and Wellbeing Board held on 11 March 2020 the Cabinet considered the report of the Chief Executive that updated on the progress made against the actions taken and progress made with regard to the Special Educational Needs and/or Disabilities (SEND Continuous Improvement Plan); and which also updated on the impact of the COVID 19 pandemic.

### **Decision Made:**

That:

- (1) the progress made to date in connection with the SEND Continuous Improvement Plan be noted;
- (2) it be noted that changes have now been introduced resulting in many of the action plan objectives being met and that where required appropriate remedial action has been put in place;

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- (3) it be noted that the ASD pathway has been impacted by the COVID 19 pandemic and the remedial actions being taken by the provider and the approaches taken to maintain a safe level of service for children requiring ASD/ADHD assessment and diagnosis also be noted; and
- (4) it be confirmed that Cabinet considers that the level of risk is being effectively managed.

**Reasons for Decision:**

The Health and Wellbeing Board provides system leadership and keeps the Council's Cabinet informed of progress and if necessary, will escalate concerns. On 11th March 2020 the Health and Wellbeing Board agreed the report (attached as an appendix to the Cabinet report) and in relation to recommendation (9) of that report sought to provide assurance of robust oversight of the delivery of the SEND Continuous Improvement Plan.

**Alternative Options Considered and Rejected:**

None.

**7. APPOINTMENT TO LIVERPOOL UNIVERSITY HOSPITAL NHS FOUNDATION TRUST UNIVERSITY HOSPITAL COUNCIL OF GOVERNORS**

Further to Minute No. 65 of 7 November 2019 the Cabinet considered the report of the Chief Legal and Democratic Officer seeking the appointment of an elected Member as a Governor of the Liverpool University Hospitals NHS Foundation Trust University Hospital Council following the resignation of Councillor Friel from that position.

**Decision Made:**

That Councillor Tony Carr be appointed as the Sefton Council representative to the Liverpool University Hospitals NHS Foundation Trust University Hospital Council of Governors, with immediate effect, until 2 December 2022.

**Reasons for Decision:**

The Cabinet has delegated powers set out in Chapter 5, Paragraph 40 of the Constitution to appoint the Council's representatives to serve on Outside Bodies.

**Alternative Options Considered and Rejected:**

None.

# Agenda Item 3

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## 8. CARE HOMES ADDITIONAL FUNDING

The Cabinet considered the report of the Executive Director – Adult Social Care and Health outlining proposals on providing additional funding to the Sefton care home market in light of the COVID-19 pandemic.

### Decision Made:

That:

- (1) the proposals outlined in section 5.1 of the report be implemented in order to provide additional financial support to care homes during the COVID-19 pandemic;
- (2) future decisions on any further additional funding to be provided to care homes be delegated to the Executive Director - Adult Social Care and Health and the Director of Public Health in consultation with the Cabinet Member - Adult Social Care and the Cabinet Member - Health and Wellbeing;
- (3) the Executive Director - Adult Social Care and Health and the Director of Public Health be requested to continue to gather information from care homes on the financial pressures they are experiencing in order to assess the sufficiency of additional funding provided to date;
- (4) further reports be submitted to Cabinet and the Health and Wellbeing board in order to provide updates on the financial support being provided to care homes and to report the impact of COVID-19 on the Sefton care home market;
- (5) it be noted that the proposal was a Key Decision but had not been included in the Council's Forward Plan of Key Decisions. Consequently, the Leader of the Council and the Chair of the Overview and Scrutiny Committee (Adult Social Care and Health) had been consulted under Rule 27 of the Access to Information Procedure Rules of the Constitution, to the decision being made by Cabinet as a matter of urgency on the basis that it was impracticable to defer the decision until the commencement of the next Forward Plan because the Council is required to submit a planning return to Central Government by 29 May 2020, which details the current activities and forward plans it has in place to support the care home market in light of the COVID-19 pandemic. There is also a need to put in place further additional financial support payments to care homes as soon as possible due to the increased financial pressures they are currently experiencing;
- (6) it be noted that the proposal was a Key Decision but had not been included in the Council's Forward Plan of Key Decisions. Consequently, the Leader of the Council and the Chair of the Overview and Scrutiny Committee (Adult Social Care and Health)



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had given their consent under Rule 29 of the Access to Information Procedure Rules of the Constitution for these decisions to be treated as urgent on the basis that they cannot be reasonably deferred because the Council is required to submit a planning return to Central Government by 29th May 2020, which details the current activities and forward plans it has in place to support the care home market in light of the COVID-19 pandemic; and

- (7) it be noted that the Leader of the Council and the Chair of the Overview and Scrutiny Committee (Adult Social Care and Health) had given their consent under Rule 46 of the Overview and Scrutiny Procedure Rules for these decisions to be treated as urgent and not subject to "call in" on the basis that they cannot be reasonably deferred because the Council is required to submit a planning return to Central Government by 29th May 2020, which details the current activities and forward plans it has in place to support the care home market in light of the COVID-19 pandemic and also pay the additional funding to care homes as soon as possible in order to support them in light of the increased financial pressures they are currently experiencing.

### **Reasons for Decision:**

To continue to support the Sefton care home market during the COVID-19 pandemic and to ensure that ongoing work takes place to assess the financial impact on care homes.

### **Alternative Options Considered and Rejected:**

The following options were considered and rejected:

- (1) Not providing further additional funding – this option was considered and rejected as the Council is required to ensure that additional funding allocated to it from Central Government is used to support care homes, who are experiencing additional financial pressures due to the COVID-19 pandemic. There is also a requirement to ensure that additional funding also reflects the impact on all types of care home placements, not simply those commissioned by the Council.
- (2) Providing additional funding via other mechanisms such as arbitrary one-off payments – this option was considered and rejected as there is a need to ensure that any additional funding provided is based on a sound understanding of the impact of COVID-19 on the Sefton care home market and that further analysis will need to take place via the submission of templates from care homes detailing the cost pressures they are experiencing, in order to ascertain whether funding provided to date is sufficient.

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# Agenda Item 4

<b>Report to:</b>	Cabinet	<b>Date of Meeting</b>	25 June 2020
<b>Subject:</b>	COVID 19 – Response		
<b>Report of:</b>	Chief Executive	<b>Wards Affected:</b>	All
<b>Cabinet Portfolio:</b>	Leader of the Council		
<b>Is this a Key Decision:</b>	No	<b>Included in Forward Plan:</b>	No
<b>Exempt Confidential Report:</b>	No		

## Summary:

The objective of this report, and the accompanying presentation to the Cabinet, is to provide an overview of the Council's response to the COVID-19 pandemic, ensuring that Cabinet Members are fully informed on the impacts and mitigations, and engaged in discussions on management and potential changes to affected services.

## Recommendation(s):

The Cabinet is recommended to:-

- (i) Note the Council's ongoing and developing response to COVID-19.
- (ii) Note the ongoing and emerging financial implications of the response, including the impact on Council income, in advance of a review of the Council's budget for the current financial year (discussed in the presentation and elsewhere on the Cabinet agenda).

## Reasons for the Recommendations:

This report aims to outline the impact of COVID-19 on existing services and their current and future operations, along with the financial implications of these impacts and potential changes. Along with the accompanying presentation it aims to ensure Cabinet Member visibility and continued engagement in response, recovery, and future financial planning.

## Alternative Options Considered and Rejected: (including any Risk Implications)

None

## What will it cost and how will it be financed?

### (A) Revenue Costs

There are no revenue costs arising from this report if the recommendations are approved. Any specific financial implications from items herein will be reviewed and approved via existing governance arrangements.

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## **(B) Capital Costs**

There are no capital costs arising from this report if the recommendations are approved. Any specific financial implications from items herein will be reviewed and approved via existing governance arrangements.

### **Implications of the Proposals:**

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

<b>Resource Implications (Financial, IT, Staffing and Assets):</b> As outlined in the report
<b>Legal Implications:</b> As outlined in the report
<b>Equality Implications:</b> Any equality implications will be formally recorded by the contract manager

### **Contribution to the Council's Core Purpose:**

Protect the most vulnerable: The Council has focused on protection of the most vulnerable members of Sefton's communities throughout the response phase, and will do so throughout recovery
Facilitate confident and resilient communities: This will remain a core objective throughout recovery planning
Commission, broker and provide core services: The Council's response has focused on continued delivery of core services for all residents despite circumstances
Place – leadership and influencer: The Council will ensure that through these proposals that it is acting in the best interests of Sefton and its residents.
Drivers of change and reform: The Council will review opportunities for change throughout the recovery phase where they support achievement of the Council's core purpose
Facilitate sustainable economic prosperity: Economic resilience and recovery have been integral to the response, and will be critical to the Council's recovery plans
Greater income for social investment: N/A

Cleaner Greener: The Council has remained, and will remain, focused on the borough's environment and on sustaining momentum with its strategy for climate emergency.

## What consultations have taken place on the proposals and when?

### (A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services has been consulted any comments have been incorporated within the report. (FD 6046/20)

The Chief Legal and Democratic Officer has been consulted and any comments have been incorporated within the report. (LD4229/20)

### (B) External Consultations

N/A

## Implementation Date for the Decision

Following the expiration of the call-in period.

<b>Contact Officer:</b>	<b>Stephen Watson, Executive Director</b>
Telephone Number:	0151 934 3710
Email Address:	Stephen.watson@sefton.gov.uk

## Appendices:

N/A

## Background Papers:

N/A

# Agenda Item 4

## **1. Background**

- 1.1 This report accompanies the presentation to be provided to the Cabinet, intending to provide an overview of the implications of COVID-19 on Council operations, including information on what has been delivered and actions that remain in progress. This presentation will also inform consideration of elements of recovery planning.
- 1.2 Although much has been learned from emergency planning processes, the nature of this pandemic has meant that the response phase is much longer than in the case of response to a single event. In many areas the Council (like many organisations and other local authorities across the UK) therefore remains in the response phase.
- 1.3 Further detail on all aspects of the report will be provided within the presentation to Cabinet.

## **2.0 Response Structures**

- 2.1 In the first stages of response, the Council established a Strategic Coordination Group (SCG), chaired by the Chief Executive and comprising the Executive Leadership Team, key specialists, representatives from each cell and Council service area, and partner organisations such as the police and CCG.
- 2.2 The SCG is supported by a Tactical Coordination Group (TCG), comprising similar representation with greater focus and emphasis on the operational and tactical aspects of response. The TCG reports to each SCG on key updates, decision items and matters for escalation.
- 2.3 The Council has established a Cell structure to enable implementation of response, and which will support recovery planning. Each is led by a Head of Service or similar to ensure strategic and technical leadership on key issues. These governance arrangements are outlined in the appendix, and terms of reference and membership for each cell are available on request.
- 2.4 These structures provide the Council's coordination in alignment with the Merseyside Local Resilience Forum (MRF), which has implemented established and well-rehearsed emergency planning governance arrangements to coordinate a multi-agency response, although these have evolved over the course of the response phase. The MRF has established a Strategic Coordinating Group (MRF SCG) and Tactical Coordinating Group (MRF TCG), both of which comprise officer representation from the Council.
- 2.5 Furthermore, a series of MRF cells have also been established, with senior officer representatives on each. The regional cell for Test and Trace is chaired by the Council's Chief Executive. Adult social care and elements of the local Public Health response have been disproportionately affected by COVID-19, particularly in relation to the impact on care homes, so there has been additional NHS and DASS governance reporting into the MRF on these areas.
- 2.6 As work has commenced on recovery planning, a Strategic Recovery Coordination Group (SRCG) has also been established, of which the Council's Chief Executive is a member. Recovery planning is also underway and being coordinated via the

Council's and MRF's cell structures, with most aspects of recovery planning to be developed and implemented at the most local possible level.

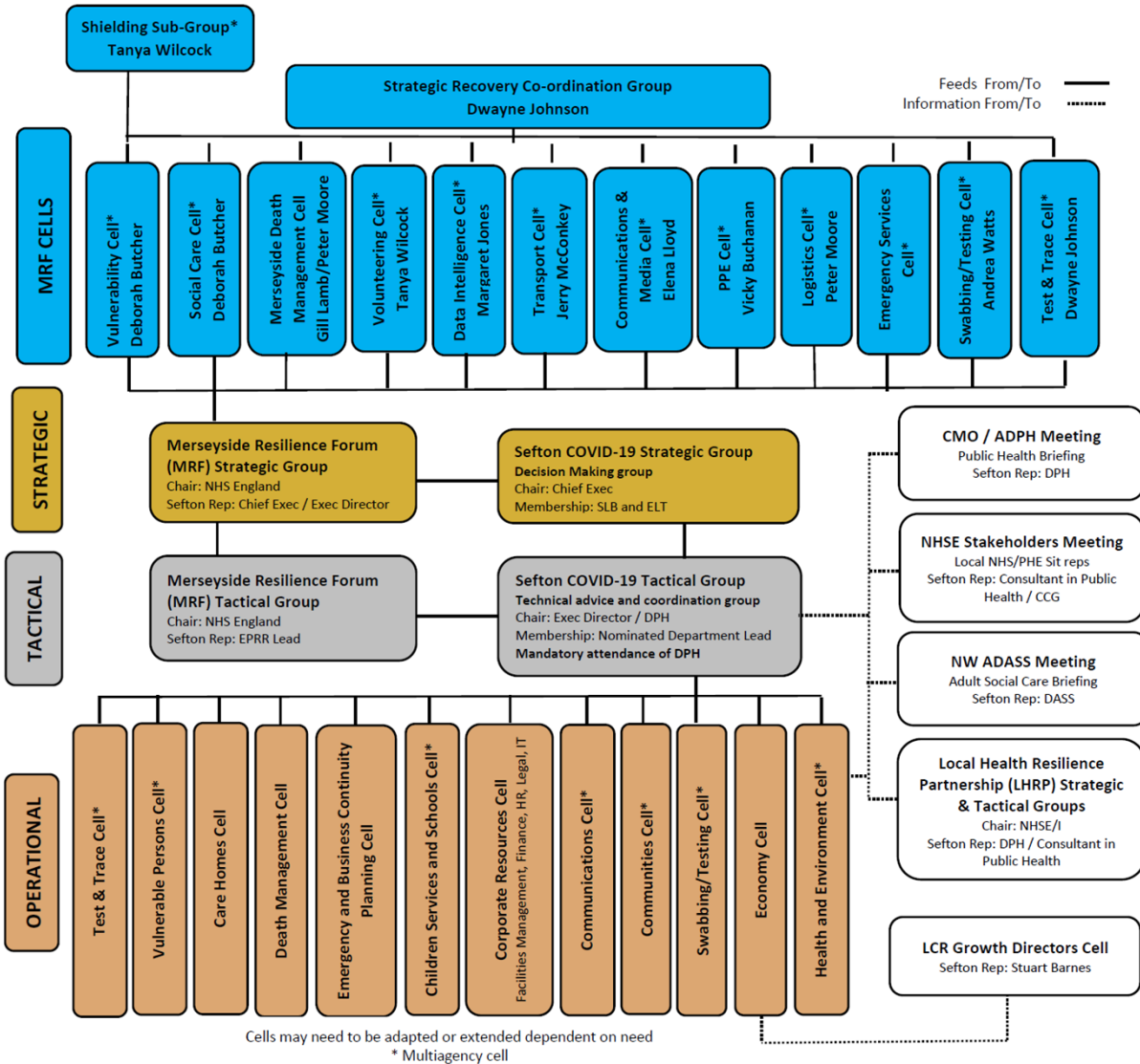
- 2.7 The Council receives, reviews and distributes daily updates from HM Government and various departments, including from the daily press conferences, to ensure immediate interpretation of national and regional guidance to inform and support response.

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## Appendix – Governance Arrangements

Sefton COVID-19 Governance Arrangements v1.12

16/06/2020



Test & Trace Cell	Vulnerable Persons Cell	Care Home Cell	Death Management Cell	Emergency and Business Continuity Planning Cell	Children's Services and Schools Cell	Corporate Resources Cell (Facilities Management, Finance, HR, Legal and IT)	Comms Cell	Communities Cell	Economy Cell	Health and Environment Cell	Swabbing/Testing Cell
Chair: Dwayne Johnson Deputy: Andrea Watts	Chair: Deborah Butcher Deputy: Alisa Nile; Andy McDonald Business Support: Kate Edgar	Chair: Ellie Moulton Deputy: Neil Watson	Chair: Peter Moore Deputy: Gill Lamb Business Support: Jennifer Warner	Chair: Jill Dorrity (Business Continuity); Deputy: Gill Lamb (Emergency Planning)	Chair: Tricia Davies Deputy: Laura Knights Business Support: Joe Flatman	Chair: David McCullough Deputy: Mark Chambers Business Support: Joshua Cross	Chair: Jan McMahan Deputy: Elena Lloyd Business Support: Bridie Finnan	Chair: Tanya Wilcock Deputy: Chris White; Jacquie Finlay Business Support: Joanne Doyle	Chair: Stuart Barnes Deputy: Peter Moore Vice Deputy: Mike Mullen Business Support: Gary Lewis	Chair: Margaret Jones Deputy: Charlotte Smith Business Support: Nicky Owen	Chair: Jan McMahan Deputy: Debbie Fairclough Business Support: Annette McGarrigle



# Agenda Item 6

<b>Report to:</b>	Cabinet	<b>Date of Meeting</b>	25 June 2020
<b>Subject:</b>	<b>COVID 19 – PROCUREMENT ARRANGEMENTS</b>		
<b>Report of:</b>	Executive Director of Corporate Resources and Customer Service	<b>Wards Affected:</b>	All
<b>Cabinet Portfolio:</b>	Leader of the Council		
<b>Is this a Key Decision:</b>	Yes	<b>Included in Forward Plan:</b>	No
<b>Exempt Confidential Report:</b>	/ No		

## Summary:

As part of the central government response to the COVID 19 pandemic, a number of Policy Procurement Notes (PPN) were issued to all Council's that provided direction on how certain procurement activities should be administered and how existing contractual relationships between the council and 3<sup>rd</sup> parties should be maintained or could be varied.

The Council's own Contract Procedure Rules set out how the Council should administer its contractual arrangements therefore it is important that visibility is provided on how these maybe impacted. As a result, this report seeks to delegate authority to officers in order to amend current Council goods and/or services and works contracts to ensure continuity in the operation of Council services, or appoint an emergency contractor as per the Government's PPNs.

## Recommendation(s):

Cabinet are recommended to approve that:-

- (i) In relation to contracts where the supplier has requested an amendment due to COVID-19, or in the event that the Council needs to appoint an emergency supplier due to COVID-19, a delegation be made such that until 30 September 2020:
  1. Heads of Service in consultation with the relevant Cabinet Member be authorised to negotiate, draft (with appropriate procurement and legal support) and enter in to a contract variation where they can be accommodated and contained within that services existing budget provision; or
  2. In the event that expenditure cannot be contained within that services existing budget provision further engagement and approval be sought from the Council's Chief Executive and Section 151 Officer on the basis that the expenditure can be contained within the councils overall approved budget.

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- (ii) All actions taken under such delegation will be formally recorded in writing and reported to the Cabinet meeting in September 2020 together with a recommendation on whether the delegation is required to be maintained due to the impact of the pandemic.
  
- (iii) It be noted that the proposal was a Key Decision but had not been included in the Council's Forward Plan of Key Decisions. Consequently, the Leader of the Council and the Chair of the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) had been consulted under Rule 27 of the Access to Information Procedure Rules of the Constitution, to the decision being made by Cabinet as a matter of urgency on the basis that it was impracticable to defer the decision until the commencement of the next Forward Plan because, in accordance with Government guidance, these variations need actioning as soon as possible to assist the Council with continuity of services, and contractors with liquidity.

## **Reasons for the Recommendations:**

This report aims to expedite approval for each contract variation or new contract appointment arising due to COVID-19 ensuring that there is no delay in effecting an appointment or variation due to governance issues and to comply with government guidance.

## **Alternative Options Considered and Rejected:** (including any Risk Implications)

In the event that this delegation is not in place, each responsible officer would have to request authority to amend a contract. This would cause delay in implementing the PPNs and could result in solvency issues for the provider(s) and/or service delivery delays / problems for the Council in its attempts to respond to the COVID-19 emergency.

## **What will it cost and how will it be financed?**

### **(A) Revenue Costs**

There are no revenue costs arising from this report if the recommendations are approved.

### **(B) Capital Costs**

There are no capital costs arising from this report if the recommendations are approved.

## **Implications of the Proposals:**

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

<b>Resource Implications (Financial, IT, Staffing and Assets):</b> As outlined in the report
<b>Legal Implications:</b> As outlined in the report
<b>Equality Implications:</b>

Any equality implications will be formally recorded by the contract manager
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**Contribution to the Council’s Core Purpose:**

Protect the most vulnerable: Many of the Council’s contracts are for social care. Ensuring that the providers of those services are not unfunded helps ensure contract continuity and ensure that where contracts have had to cease due to COVID-19 they can start up again as soon as practicable.
Facilitate confident and resilient communities: Increase the Council’s ability to effectively respond to the COVID-19 emergency.
Commission, broker and provide core services: The Council commissions services which meet the defined needs of communities, are person-centred and localised where possible. In responding to the COVID 19 pandemic it is essential that the Council can effectively respond to meet local need.
Place – leadership and influencer: The Council will ensure that through these proposals that it is acting in the best interests of Sefton and its residents.
Drivers of change and reform: N/A
Facilitate sustainable economic prosperity: The aim of the PPNs is to prevent solvency issues and ensuring economic prosperity of local authority contractors.
Greater income for social investment: N/A
Cleaner Greener: N/A

**What consultations have taken place on the proposals and when?**

**(A) Internal Consultations**

The Executive Director of Corporate Resources and Customer Services has been consulted any comments have been incorporated within the report. (FD 6042/20)

The Chief Legal and Democratic Officer has been consulted and any comments have been incorporated within the report. (LD 4225/20)

**(B) External Consultations**

N/A

**Implementation Date for the Decision**

Following the expiration of the call-in period.

<b>Contact Officer:</b>	<b>Alice Churm-Waring</b>
Telephone Number:	

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Email Address:	<b>Alice.churm@sefton.gov.uk</b>
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## Appendices:

N/A

## Background Papers:

Cabinet Office Procurement Policy Note 01/20 “Responding to COVID-19” March 2020 (<https://www.gov.uk/government/publications/procurement-policy-note-0120-responding-to-covid-19>) (**PPN01/20**)

Cabinet Office Procurement Policy Note 02/20 “Supplier relief due to COVID-19 March 2020 (<https://www.gov.uk/government/publications/procurement-policy-note-0220-supplier-relief-due-to-covid-19>) (**PPN02/20**)

### 1. Background

1.1 As part of the response to the current pandemic, central government have issued a number of directives to local government on its responsibilities and how it should manage its activities during this period. One of the areas for which guidance has been received has been in respect of procurement activity. This relates to both existing contractual relationships and potential new relationships that maybe required on an emergency basis.

1.2 As such two Procurement Policy Notes (PPN’s) have been received by the Council. The Cabinet Office issued Procurement Policy Note 01/20 “Responding to COVID-19” on 18 March 2020 (**PPN 01/20**) giving guidance that contracting authorities may have to procure goods, works and services with extreme urgency and advised on methods that could be used to do this and still comply with the Public Contract Regulations 2015. As a result there are two existing grounds that allow the Council to make direct awards and modify contracts during their term and PPN 01/20 confirms that these will apply to the COVID-19 emergency:

1. Reg. 32 (2)(c) allows Local Authorities to direct award contracts but these can only be used in the most extreme circumstances and the reasons of urgency must not be in any way attributable to the Council. PPN 01/20 recognises that these grounds for urgency apply in the case of COVID-19.

**Note:** Officers are therefore being required to keep written documentation of each decision taken under the delegations proposed by this report. This will require support form Procurement and Legal Services colleagues.

2. Reg.72 allows a Council to modify a contract during its term in certain circumstances. Written justifications should be maintained where relying on any Reg.72 modification and such modifications should be limited to only what is necessary.

**Note:** Officers are therefore required to document each decision taken. This will require support form Procurement and Legal Services colleagues.

Following receipt of this initial notice, the Cabinet Office issued a further Procurement Policy Note 02/20 “Supplier relief due to COVID-19” (**PPN 02/20**) on 20 March 2020. This sets out guidance and information for public bodies on

payment of suppliers to ensure service continuity and to protect jobs during and after the COVID-19 outbreak. This guidance endeavours to ensure that contractors are paid on appropriate terms to ensure ongoing provision, business continuity and ensure suppliers at risk are able to resume normal contract delivery once the outbreak is over. It is anticipated that this will form most of the changes made under this report.

## **2.0 Impact on Sefton MBC**

- 2.1 These notices that have been received by the Council are technical in nature, but they provide the basis for making decisions that support the Council's response to the COVID 19 pandemic. They also provide guidance for existing suppliers of goods and services to the Council on how to approach the Council for support during the pandemic when normal activity has been disrupted.
- 2.2 As stated, it is considered that it is the second PPN that will have the greatest impact on the Council. Under normal circumstances changes to contractual arrangements would take place under the Council's Contract Procedure Rules and Financial Procedure Rules (if prepayments are to be considered for example). As members will be aware the pace of the response to the pandemic and the volume of issues arising mean that it will not always be possible to wait, for example until forthcoming Cabinet meetings, in order to seek approval to variations or new arrangements that maybe required to support the Council's response.
- 2.3 As a result of this, a delegation is sought for any variations to be made by the relevant Head of Service in consultation with the appropriate Cabinet Member where the impact can be met from within that services existing budget provision for a defined period.
- 2.4 Where the financial impact cannot be contained within the service budget, the matter must be considered and approval must be provided by the Chief Executive and Section 151 officer to ensure that the expenditure can be contained within the Council's overall budget. Any decisions made under this delegation will be reported to Cabinet at the September 2020 meeting together with a further decision that will either recommend that the delegation be brought to and end on 30 September 2020 or extended for a further period
- 2.5 Such an approach will support the Council in both responding to the current pandemic and ensuring that the Council is complying with Government policy.
- 2.6 COVID-19 has had an unprecedented impact on all aspects of the Council's operations and the ability of suppliers of goods, services and works to fulfil requirements. The Council had several tenders planned to take place over the next few months, however COVID-19 means that these tenders might not be able to take place. It is therefore proposed that where appropriate current contracts are modified, or direct awards of contract take place to ensure provision of these, often key, services.
- 2.7 As members are aware state aid is any advantage granted by public authorities through state resources on a selective basis to any organisations that could potentially distort competition and trade in the European Union (EU). With regard to state aid, it is anticipated that any amendments to the commercial arrangements

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between the Council and its existing contractors fall within the realms of the existing contract, therefore state aid is unlikely to be applicable.

# Agenda Item 7

<b>Report to:</b>	Cabinet	<b>Date of Meeting:</b>	25 June 2020
<b>Subject:</b>	Medically Managed Residential Detoxification for Substance Use		
<b>Report of:</b>	Interim Director of Public Health	<b>Wards Affected:</b>	(All Wards);
<b>Portfolio:</b>	Cabinet Member - Health and Wellbeing		
<b>Is this a Key Decision?</b>	Yes	<b>Included in Forward Plan:</b>	Yes
<b>Exempt / Confidential Report:</b>	No		

## Summary:

Medically Managed Residential Detoxification Services are highly specialised services, and few exist outside of NHS Trusts. In March 2016, Mersey Care NHS Foundation Trust were awarded a contract to provide these services with effect from 1<sup>st</sup> July 2016. The contract was awarded for three years with an option to extend for up to a further two years. Quarterly performance and service reviews throughout the duration of the contract proved entirely satisfactory and on 7<sup>th</sup> March 2019 Cabinet approved a two-year contract extension to be exercised with effect from the 1<sup>st</sup> July 2019.

Consideration is now required on re-procuring this service as the current extension term expires on the 30<sup>th</sup> June 2021.

## Recommendation(s):

Cabinet is asked to

1. Authorise the Interim Director of Public Health to conduct an OJEU Light-Tough Regime tender exercise for a Medically Managed Residential Detoxification Service to run for a period of five years from 1<sup>st</sup> July 2021 with the option of further extensions to be exercised up to a maximum of two-years.
2. Delegate authority to the Interim Director of Public Health, in consultation with the Cabinet Member for Health and Wellbeing to award the contract to the highest scoring bidder(s) resulting from the procurement and to award any extension thereof.

## Reasons for the Recommendation(s):

Medically Managed Residential Detoxification Services are a critical part of any substance use treatment system. As part of this treatment system, Sefton Council commissions residential detoxification services for individuals wanting to realise a drug and /or alcohol-free life, but where physical or mental ill health, family or social circumstances makes it unlikely that they are able to achieve this goal in a community setting. Medically Managed Residential Detoxification Services are often the means by

# Agenda Item 7

which people with complex health care needs go on to achieve full rehabilitation and integration back into employment, education or training opportunities.

## **Alternative Options Considered and Rejected:** (including any Risk Implications)

1. To align contract expiry dates with the Community Substance Use Assessment, Treatment and Recovery Service by offering a short-term contract. This could allow the option of considering combining the community substance use treatment services and residential detoxification services within one contract. However, in order to align the expiry dates, a contract for Medically Managed Residential Detoxification Service could only be offered for ten months from the 1<sup>st</sup> July 2021. It is doubtful that this option would be financially viable for a specialist service provider and would create instability within the treatment system. Moreover, combining the contracts would narrow the field of viable providers within the market and could disadvantage some providers who specialise only in community treatment service provision.
2. To retain separate community and residential substance use services and commence a re-procurement exercise for a specialist Medically Managed Residential Detoxification Service. In order that stability is maintained within the treatment system it is recommended that Cabinet approves the procurement of Medically Managed Detoxification services for substance use for a period of five years with the option of further extensions to be exercised up to a maximum of two-years.

## **What will it cost and how will it be financed?**

### **(A) Revenue Costs**

There are no additional costs other than NHS Agenda for Change staffing costs where appropriate. The cost of the service will be met from within the Public Health budgets allocated for Medically Managed Residential Detoxification services of £374,900 subject to NHS Agenda for Change pay award settlement if appropriate.

### **(B) Capital Costs**

There are no capital costs for the Council associated with this service

## **Implications of the Proposals:**

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

### **Resource Implications (Financial, IT, Staffing and Assets):**

The proposals aim to offer maximum value for money while ensuring stability in the drug and alcohol treatment system. The cost of the service will be met within the existing Public Health budget allocation.

### **Legal Implications:**



<b>Equality Implications:</b>
There are no equality implications

**Contribution to the Council’s Core Purpose:**

<p>Protect the most vulnerable:</p> <p>Medically managed detoxification services target the most vulnerable groups whose alcohol and other use problems compound physical and mental ill health and increase risk among disadvantaged sections of the community.</p>
<p>Facilitate confident and resilient communities:</p> <p>Medically managed detoxification service help individuals to live an independent and drug free life and help people to achieve meaningful integration within their community.</p>
<p>Commission, broker and provide core services:</p> <p>Not applicable</p>
<p>Place – leadership and influencer:</p> <p>Not applicable</p>
<p>Drivers of change and reform:</p> <p>Not applicable</p>
<p>Facilitate sustainable economic prosperity:</p> <p>Medically managed detoxification services often provide the pathways and necessary motivation for individuals to realise employment, education and training opportunities.</p>
<p>Greater income for social investment:</p> <p>Not applicable</p>
<p>Cleaner Greener</p> <p>Not applicable</p>

**What consultations have taken place on the proposals and when?**

**(A) Internal Consultations**

The Executive Director of Corporate Resources and Customer Services (FD6030/20.) and the Chief Legal and Democratic Officer (LD4215./20) have been consulted and any comments have been incorporated into the report.

**(B) External Consultations**

Not applicable

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## Implementation Date for the Decision

Following the expiry of the “call-in” period for the Minutes of the Cabinet Meeting

<b>Contact Officer:</b>	Alan McGee
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## Appendices:

There are no appendices to this report

## Background Papers:

There are no background papers available for inspection.

## 1. Background

- 1.1. Detoxification services are an integral part of any substance use treatment system and an essential element in enabling people with substance use problems to realise a drug and alcohol-free life.
- 1.2. Successful recovery from addiction and dependency on substances including alcohol requires sustained and co-ordinated care across services. Evidence points to effective and integrated treatment programmes as being central to enable individuals to sustain longer periods of abstinence. An integrated system increases efficiencies by reducing duplication between services, improves access to a range of services appropriate to the needs and requirements of service users, optimises treatment and recovery outcomes and improves the safety of individuals, their children and families and the communities in which they live.
- 1.3. Sefton’s integrated system includes referrals from a range of sources such as GPs and Primary Care, Adult Social Care, Community Mental Health Teams, Hospital and Specialist Secondary Care, Prison and Probation Services as well as self-referrals. The pathway includes assessment, treatment, detoxification, stabilisation, relapse prevention and recovery support, and can be delivered in a variety of settings both community and residential.
- 1.4. The type and level of detoxification required is determined by a combination of assessment of health and social care need. Validated assessment tools along with a comprehensive assessment of health history, home and social circumstances, as outlined in National Institute for Health and Care Excellence (NICE) guidance, informs the type of detoxification (medically or non-medically managed) and the environment where interventions should be undertaken.
- 1.5. The majority of alcohol detoxifications can be achieved without risk or complication, and within a relatively short time-scale (usually between 5 – 9 days). Detoxification from heroin, methadone and other opiate-type substances can be

achieved in similar clinical environments but usually over longer periods of time and following a period of opiate substitution treatment (OST), stabilisation and / or dose reduction.

- 1.6. Within Sefton Integrated Substance Use Treatment Service, the first-line detoxification offer is community detoxification within the adult treatment service. Where increased risk is indicated, residential in-patient detoxification may be the safest and most effective treatment plan. Medical input and supervision can be provided by a community GP overseeing the detoxification plan.
- 1.7. Where severe dependency, complex physical and / or mental health needs are indicated, medically managed residential in-patient detoxification under the close supervision of specialist substance misuse doctors and other clinical staff can provide the most suitable clinical environment to manage risk and health needs.
- 1.8. Mersey Care NHS Foundation Trust provide integrated adult treatment services including assessment and care planning, opiate substitution treatment either on a reduction or maintenance basis, community detoxification (pharmacologically and non-pharmacologically) assisted, psychosocial interventions, recovery support and relapse prevention.
- 1.9. Medically managed residential detoxification services are currently commissioned from Mersey Care NHS Foundation Trust and comprise of an integrated drug and alcohol detoxification unit based at the Hope Centre (Smithdown Health Park) Liverpool and include:
  - Provision of a medically managed detoxification service staffed by trained specialist Addictions Doctors and Nurses skilled in providing care for those with substance use related health care needs and clinically managing the risk associated with detoxification from a range of substances.
  - Therapeutic and psychosocial interventions provided by qualified staff, including after care and relapse prevention plans which increase the chances of an individual sustaining abstinence over longer periods of time, avoiding relapse and making positive progress towards recovery goals – education, training, and or employment.

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# Agenda Item 8

<b>Report to:</b>	Cabinet	<b>Date of Meeting:</b>	25 June 2020
<b>Subject:</b>	Safeguarding Children from Child Sexual and Criminal Exploitation and Children Reported as Missing		
<b>Report of:</b>	Executive Director of Children's Social Care and Education	<b>Wards Affected:</b>	(All Wards);
<b>Portfolio:</b>	Cabinet Member - Children, Schools and Safeguarding		
<b>Is this a Key Decision:</b>	No	<b>Included in Forward Plan:</b>	No
<b>Exempt / Confidential Report:</b>	No		

## Summary:

The report informs Members of the work agencies have undertaken to safeguard children from child sexual and criminal exploitation and children who have been reported as missing from home / care.

## Recommendation(s):

that the work taking place in Sefton regarding Child Sexual and Criminal Exploitation and safeguarding children who have been reported as missing from home /care be noted.

## Reasons for the Recommendation(s):

To ensure Cabinet members are aware of the partnership activity undertaken to safeguard children from child sexual and criminal exploitation in Sefton and when they have been reported as missing, in respect of the statutory duties of every local authority to safeguard and promote the welfare of children within their area who are in need.

## Alternative Options Considered and Rejected: (including any Risk Implications)

Not Applicable

## What will it cost and how will it be financed?

### (A) Revenue Costs

Not Applicable

### (B) Capital Costs

Not Applicable

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## Implications of the Proposals:

<b>Resource Implications (Financial, IT, Staffing and Assets):</b> N/A.
<b>Legal Implications:</b> None
<b>Equality Implications:</b> There are no equality implications

## Contribution to the Council's Core Purpose:

Protect the most vulnerable:
Facilitate confident and resilient communities: Protecting children and young people from criminal & sexual exploitation remains a key priority, ensuring our most vulnerable children are safeguarded.
Commission, broker and provide core services: N/A
Place – leadership and influencer: N/A
Drivers of change and reform: N/A
Facilitate sustainable economic prosperity: N/A
Greater income for social investment: N/A
Cleaner Greener: N/A

## What consultations have taken place on the proposals and when?

### (A) Internal Consultations

The Executive Director Corporate Resources and Customer Services has been consulted and comments have been incorporated into the report. (FD 6030/20)  
The Chief Legal and Democratic Officer has been consulted and comments have been incorporated into the report (LD 4215/20)

### (B) External Consultations

Not applicable

## Implementation Date for the Decision

Not applicable for information only

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**Appendices:**

N/A

**Background Papers:**

There are no background papers available for inspection.

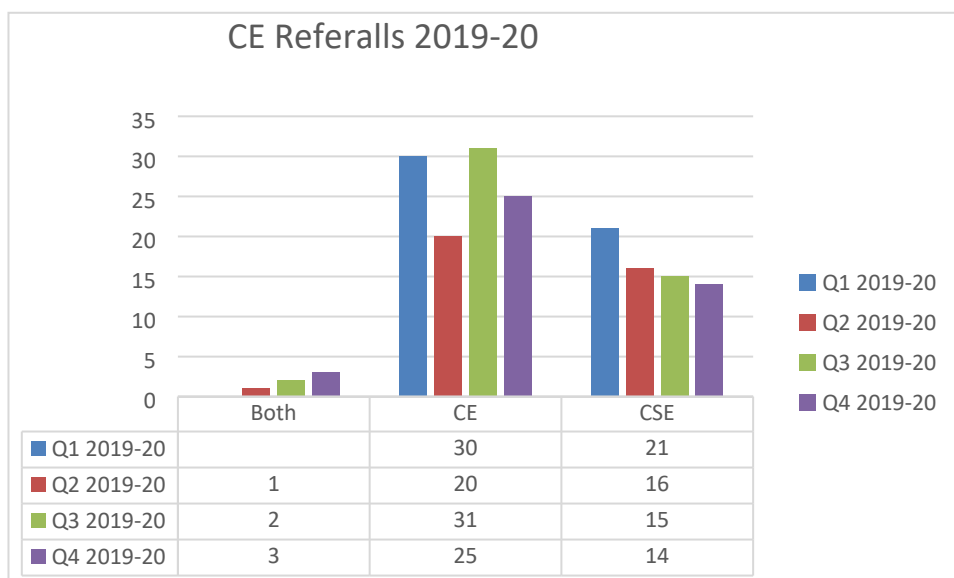
**1 Introduction**

1.1 This report assures Members that Sefton Council and partnership agencies are effectively working together to safeguard children who are at risk of being sexually and / or criminally exploited, and children and young people who are reported as missing from home / care. The data included within this report is also reported on a quarterly basis to the Local Safeguarding Children Board Child Exploitation Sub Group. Sefton’s Executive Director of Children’s Social Care and Education is Chair of this Sub Group.

1.2 This report describes the response to Criminal and Sexual Exploitation and the response to children missing in Sefton over the last year. It will refer to the operation of the MACE (Multi Agency Child Exploitation) panel, and developments in term of how this is run locally and across Merseyside. It will reference audit findings and identify next steps, in response to work the partnership has completed recently with ‘The Children’s Society’, ‘Research in Practice’ and ‘University of Bedfordshire’ which will support our work going forward.

**2. Child Sexual Exploitation (CSE) & Child Criminal Exploitation (CE)**

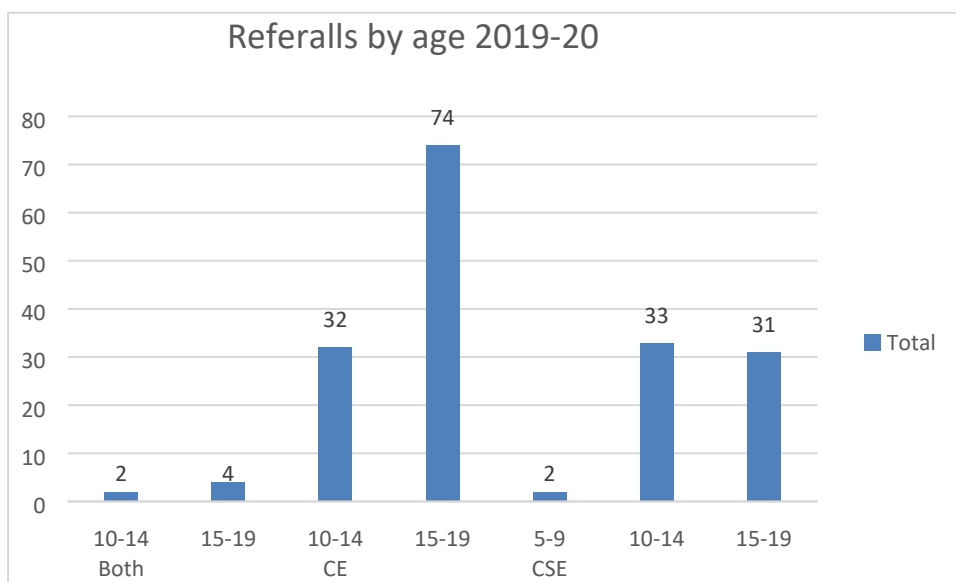
Below is the detail of the number of referrals in this area across the reporting period



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The Child Exploitation sub group has noted and considered the trend over the year of criminal exploitation being much more of a factor of the referrals than the sexual exploitation. All agencies represented have been encouraged to use the data to assure themselves that staff are continuing to respond to Child Sexual Exploitation issues, particularly given the high-profile nature of attention on criminal exploitation, gang's and county lines.

## 2.1

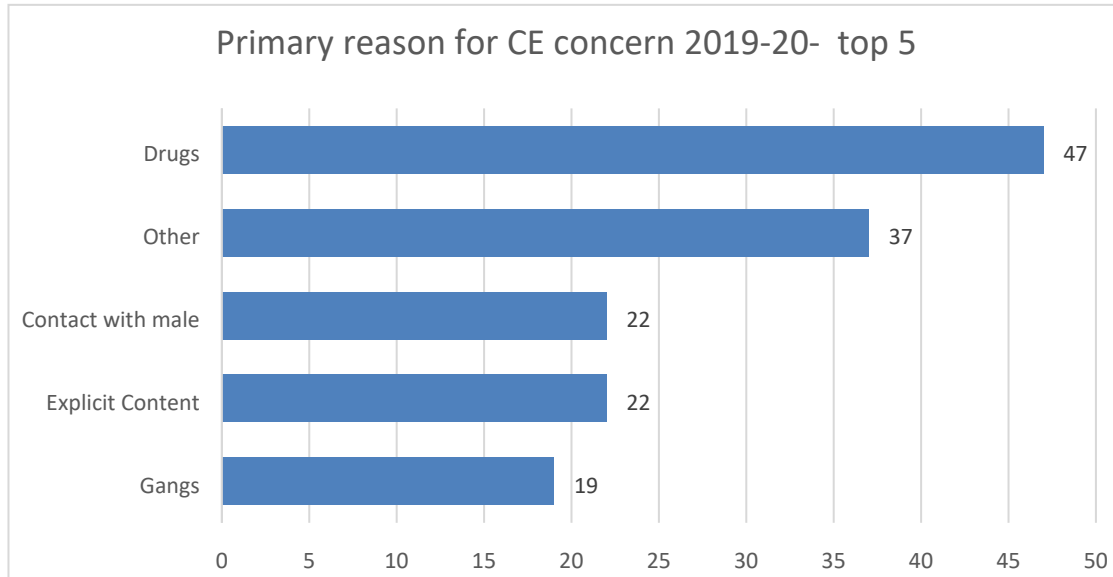


Of the 178 referrals received this year the age profile is not unexpected given risk-taking behaviour and vulnerability that is attributed to adolescence. Work was undertaken to understand the younger age group, this related to sharing of images by children and their use of new apps. The overview of the cases demonstrated that these children can quickly be offered work on Keeping Safe by the Early Help service who have become key contributors to the MACE panel this year to reduce the risks. Catch 22 (commissioned by the Merseyside Police Crime Commissioner) are involved in considering the cases at the Integrated Front Door on a daily basis.

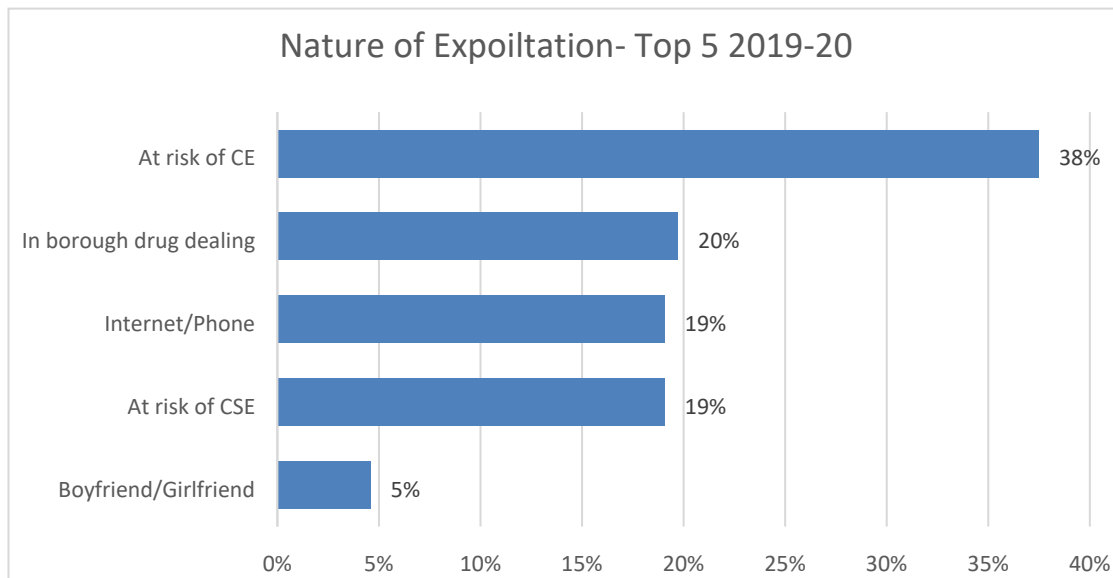
The Criminal Exploitation sub group does look at sources of referrals, given that most referrals progressed are consistently (year on year) from the police and social care. The Criminal Exploitation sub group supports other agencies to identify signs/symptoms to ensure they are confident in making a referral and positively, this could indicate agencies not making referrals are accessing services for families without onward referral onto social care. We do know, for example, that health services have accessed training from Catch 22 this year.



## 2.2



This data shows the reasons for referral. The 'other' category is used to show the cohort of young people that come to the attention of agencies when CE/CSE concerns arise in the midst of other concerns in a family or when young people are identified through police operations which set out to explore the links between groups of young people and the adults in a given area.



## 2.3 **MACE (Multi Agency Child Exploitation Panel) Developments**

The MACE panel is chaired jointly by the Service Manager Safeguarding and Quality Assurance and the Detective Inspector from the Police and Vulnerable persons unit.

The purpose of MACE is to –

- Share information to increase the safety, health and wellbeing of children at risk of Criminal and/or sexual exploitation.
- Construct and implement a risk management plan that provides professional support to all those at risk and that reduces the risk of harm.

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- Determine if threshold for MACE is met

The MACE panel considers, 'local policing intelligence' and members develop an understanding of the organised Crime Groups operating in Sefton. Frontline workers are invited to share information at the meeting or through the 'Tell us app' on Merseyside police website. There has been evidence of good partnership working to safeguard children across agencies, including early help, private children's homes staff and Youth Offending workers for example. The MACE will also collectively decide if any young person should be referred to the NRM (National Referral Mechanism) which exists to ensure that victims of modern slavery are appropriately identified and supported.

During the year the chairs have worked with colleagues across Merseyside and developed a new Child Exploitation assessment tool. Pan Mersey Strategic Mace agreed Sefton, Halton and Knowsley will pilot this. The Assessment tool has been produced with input from the input of the University of Bedfordshire and the Contextual Safeguarding programme, who are supporting system change in 5 areas of England and Wales (Knowsley being one of these authorities). This means that once fully implemented, Sefton will benefit from some external evaluation of the assessment tools used.

## **2.4 Project learning from the University of Bedfordshire, Research in Practice and The Children's Society**

From January to March 2020 Sefton Council have been involved in a project that has supported the partners to look at data held in this area across the partnership in order to tell the story of exploitation better. The Child Exploitation sub group will take this work forward.

### **3. Children Reported as Missing**

3.1 Children who are notified as missing are referred via the Multi – Agency Safeguarding Hub. Once they are located, Early Help workers in the Family Well Being Centres (FWBC)) complete the independent Return Interview (RI). The target time for the RI is 72 hours from the time the child is found.

3.2 The Return Interview should consider and identify :

- Early indicators of Child Exploitation
- Issues with a particular placement for a Looked After Child
- Issues within a family where further support is required

Our performance around timely completion of Return Interviews in 2019/20 has varied. In Q1 and Q2 performance was acceptable. However, Q3 performance dipped for both timeliness and numbers completed. Through observations, audits,

visits to neighbouring authorities and speaking to staff, areas for improvement were identified. As a result of this performance has improved since March 2020.

### 3.3 Table 1 Return Interview Performance 2019/20

<b>Missing</b>	<b>Quarter 1</b>		<b>Quarter 2</b>		<b>Quarter 3</b>		<b>Quarter 4</b>	
	<b>No.</b>	<b>%</b>	<b>No.</b>	<b>%</b>	<b>No.</b>	<b>%</b>	<b>No.</b>	<b>%</b>
Total number of missing episodes	209		227		185		388	
OLA	45	22%	57	25%	46	25%	58	15%
Sefton	164	78%	170	75%	139	75%	330	85%
(of Sefton episodes) LAC	102	62%	99	58%	69	50%	200	61%
(of Sefton episodes) CP	9	5%	4	2%	0	0%	2	
Number of missing individuals	104		120		93		124	
OLA	27	26%	25	21%	19	20%	22	18%
Sefton	77	74%	95	79%	74	80%	102	82%
(of Sefton individuals) LAC	31	40%	38	40%	27	36%	41	40%
(of Sefton individuals) CP	5	6%	4	4%	0	0%	2	
Maximum Missing (days)	34		9		9		8	
Missing < 1 day	139	67%	174	77%	132	71%	246	63%
1 < 2 days	43	21%	29	13%	28	15%	63	16%
2 < 3 days	8	4%	11	5%	8	4%	25	6%
> 3 days	18	9%	11	5%	17	9%	54	14%
Youngest Age Missing	10		8		9		5	
Average Age	15		15		15		15	
<b>Interviews (Episodes) - Sefton only</b>								
Offered interview	128	78%	115	68%	91	65%	247	75%
Declined interview	59	36%	49	29%	66	47%	178	54%
Accepted interview	61	37%	63	37%	22	16%	65	20%
Interview Completed (of those accepted)	59	97%	63	100%	22	100%	65	100%
Completed within 72 hours (of those accepted)	17	28%	23	37%	5	23%	21	32%
Completed within 1 week (of those accepted)	39	64%	41	65%	9	41%	39	60%
Longest time to interview in days	23		54		40		54	

### 3.4 System Changes

The process for undertaking Return Interviews has been streamlined enabling RIs to take place where appropriate and within timescales. Through,

- Clearer case recording, coding and action tracking
- Management oversight of case allocation
- Staffing resilience and management oversight of processes

3.5 These changes were introduced from January 2020 and explains the apparent increase in missing episodes for Q4. The previous 3 quarters were total missing

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episodes minus authorised absence from placement. Q4 is **all** episodes, including authorised absences. Performance for March and the full month of April 2020 is significantly improved.

- 3.6 Since mid-March 2020 and soon after their implementation, the new arrangements have been affected by contingency measures in dealing with Covid 19. No face to face RIs are taking place. This will be presenting a distorted position in terms of performance, however it has also allowed us to test out the effectiveness of telephone interviews which will be retained, as a secondary back up, to face to face interviews once lockdown restrictions are relaxed. The nature of a return interview is that it should be led by the young person being interviewed and in some circumstances, they may feel more comfortable being interviewed by telephone, video chat or face to face and we should consider our methodology going forward. We would want to test the new arrangements including operating face to face interviews, for a full month before making any longer-term decisions as to the finality of the new arrangements.

## **4 Further Considerations**

- 4.1 The number of out of borough children that go missing remains high, between 15%-25% of all episodes involve other Local Authority Children (OLA). This has an impact on local services. Other Local Authorities (OLA) that carry out their own RIs only notify us if there is a local safeguarding/exploitation issue. They will not share any other information; therefore we are not always aware of when an RI is offered or completed for OLA children that go missing in Sefton.
- 4.2 The Covid 19 response of offering RIs by telephone demonstrates there is a suite of options to offer an RI and as alluded to earlier this should be led by the child themselves. As well as face to face, Facetime and Telephone RIs we could explore using an "app" such as "MoMo". This could also be used where the Sefton child is some distance away which would normally result in a Social Worker travelling to conduct the RI. This would be more efficient timewise and may result in a higher take up of interviews, giving us more robust data.

## **5. Way Forward**

- 5.1 With any system changes we need a period of evaluation to examine the success (or otherwise) of the changes. The system changes highlighted have all been put in place over a period of time (November 2019-March 2020). We are reviewing performance weekly and making changes immediately where we know things are not working. Unfortunately, with the Covid 19 contingency plans in place we will not get a true performance picture until the service reverts to normal business.

## **6 Summary and Conclusions**

- 6.1 The Services across Child Criminal and Sexual Exploitation and Missing Children in Sefton work collaboratively as we know the 2 subjects are intrinsically linked. Work in 2020/21 will focus on embedding the new system around missing children to ensure the improved performance is maintained and further improved wherever

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possible. A Quality Assurance framework is in place that will see regular audits of this work including :

- A quarterly audit of the children that have the top 5 missing episodes to ensure that correct links with wider CE/MACE plans are established
- A QA of the RIs to establish themes and trends that can be addressed locally
- System audits to ensure that all staff and partners understand the system and are using it to its maximum potential.

Future performance reports will begin to include this qualitative analysis to provide further assurance.

- 6.2 Governance oversight is provided through regular update reports to the Local Criminal Exploitation sub group of the Safeguarding Children's Board, Children and Young Peoples Partnership Board and Corporate Parenting Board to advise them as to progress.

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# Agenda Item 9

<b>Report to:</b>	Cabinet	<b>Date of Meeting:</b>	25 June 2020
<b>Subject:</b>	Business Discretionary Grants		
<b>Report of:</b>	Head of Economic Growth and Housing	<b>Wards Affected:</b>	(All Wards);
<b>Portfolio:</b>	Cabinet Member Regeneration & Skills		
<b>Is this a Key Decision:</b>	No	<b>Included in Forward Plan:</b>	No
<b>Exempt / Confidential Report:</b>	No		

## Summary:

To inform members, in accordance with the Constitution of the Council, of the decision of the Leader of the Council to exercise his powers to make urgent decisions because of the necessity to deliver emergency grant funding to Sefton businesses as part of the Government's Covid19 response in Sefton.

## Recommendation(s):

That Members note:

- (1) the report and the necessity for the Leader of the Council to exercise his powers under the Council's Constitution to make urgent decisions to deliver emergency grant funding to Sefton businesses as part of the Government's Covid19 response in Sefton
- (2) the specific grant criteria set out in Appendix A

## Reasons for the Recommendation(s):

To inform members, In accordance with the Constitution of the Council, of the decision of the Leader of the Council to exercise his powers to make urgent decisions because of the necessity to deliver emergency grant funding to Sefton businesses as part of the Government's Covid19 response as to delay would cause them further financial hardship and distress.

## Alternative Options Considered and Rejected: (including any Risk Implications)

Delay approval of the scheme until the date of this Cabinet meeting-This was rejected as to delay any further would have caused business recipients further financial hardship and distress and potentially place many businesses at risk of contraction or closure.

## What will it cost and how will it be financed?

### (A) Revenue Costs

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There are no financial implications for Sefton Council. The fund is being delivered under Section 1 of the Localism Act 2011. The government has allocated an additional 5% to that identified for the previously announced Business Grants Schemes. For Sefton this amounts to £2,237,000. New Burdens funding maybe available to support the Council in meeting the cost of the administration of the scheme

## **(B) Capital Costs**

None

### **Implications of the Proposals:**

<p><b>Resource Implications (Financial, IT, Staffing and Assets):</b></p> <p>A team led by InvestSefton and including staff from Sefton@Work; Housing; Planning; Taxi Licensing, Corporate Resources and Customer Services and Regeneration will administer the scheme until all monies are expended.</p>
<p><b>Legal Implications:</b></p>
<p><b>Equality Implications:</b></p> <p>The Council is not seeking to make specific allocation of funding based on protected characteristics or on any specific analysis of need – this is emergency funding and the time taken to appraise the issues or need would result in a greater number of business failures.</p> <p>However, by seeking to protect jobs, this fund seeks to support people who would otherwise fall into poverty and economic exclusion. Equally, the groups most dramatically affected by the potential for economic decline created by large scale business failure will be the borough's most excluded.</p>

### **Contribution to the Council's Core Purpose:**

<p>Protect the most vulnerable:</p> <p>By seeking to protect businesses and jobs, this fund seeks to support people who would otherwise fall into poverty and economic exclusion. Equally, the groups most dramatically affected by the potential for economic decline created by large scale business failure will be the borough's most excluded</p>
<p>Facilitate confident and resilient communities:</p> <p>Grant will help protect and support business sustainability and survival</p>
<p>Commission, broker and provide core services:</p> <p>Grant will help those businesses and organisations seeking to deliver future commissioned or core services</p>
<p>Place – leadership and influencer:</p>



Grant will help protect and support business sustainability and survival
Drivers of change and reform:  N/A
Facilitate sustainable economic prosperity:  Grant will help protect and support business sustainability and survival; will help with re-opening of Sefton economy
Greater income for social investment:  N/A
Cleaner Greener  Grant will help those businesses and organisations supporting this sector

## What consultations have taken place on the proposals and when?

### (A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD6036/20) and the Chief Legal and Democratic Officer (LD4219/20) have been consulted and any comments have been incorporated into the report.

### (B) External Consultations

Consultations and discussions have taken place at LCR Growth Directors and Business Support services; Chambers of Commerce and Federation of Small Businesses.

## Implementation Date for the Decision

Immediately following the Cabinet meeting.

<b>(Contact Officer:</b>	Mike Mullin
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## Appendices:

The following appendices are attached to this report:

Appendix A- Sefton Business Discretionary Grant criteria

## Background Papers:

1. Business Discretionary Grant Government Guidance (May 2020)

# Agenda Item 9

## 1 Introduction

1.1 On Friday 1<sup>st</sup> May 2020, central government announced that a new scheme - Business Discretionary Grants, will be introduced and would be administered by local authorities. This was supplemented by guidance that was received by all councils shortly after the announcement and subsequently amended by Government on 22 May 2020 (attached as background paper).

1.2 The government has allocated an additional 5% to that identified for the previously announced Business Grants Schemes- for Sefton this amounts to £2,237,000.

1.3 Liverpool City Region (LCR) Local Authority Growth Directors have been meeting to discuss the fund to enable some form of consistency between each respective grant scheme. The Local Authorities (LA's) have broadly followed the Government's approach while recognising each district will have its own unique key business sectors and areas on which to focus the discretionary element.

1.4 Government have asked all LAs to have the scheme up and running in June 2020. Sefton officers have been working up a scheme including the development of an online portal (separate from the existing Small Business Grants portal), guidance, FAQs and application process under the Council's Covid19 Economy Cell.

1.5 This has had to be developed quickly over a three-week period which included a number of late amendments from Government to the overall national criteria and there has been limited time to present a detailed paper to Cabinet. Cabinet Member Regeneration & Skills received a briefing on 1 June. On 5 June officers briefed the Leader to seek approval under special powers in line with the Council's constitution to enable the scheme to be launched week beginning 8 June 2020. This provides an overview of the scheme and the methodology applied to the discretionary element of the fund.

## 2 Overview of scheme

2.1 The aim of the scheme is to provide support for those businesses or sectors that would not have been eligible for any other of the allocations that have been made available over the last 8 weeks, some of which have received a lot of national publicity. These will be Micro (no more than 10 employees) and small businesses (with less than 50 employees) with ongoing fixed property related costs for whom the pandemic has caused financial hardship.

2.2 The qualifying criteria is:

- Businesses with ongoing fixed building-related costs
- Businesses which can demonstrate that they have suffered a significant fall in income due to the Covid-19 crisis
- Small businesses (Two of: turnover less than £10.2m, balance sheet no more than £5.1m and no more than 50 employees)
- Businesses that were trading as at 11<sup>th</sup> March 2020

- Businesses eligible for existing Government grant schemes (except for the Job Retention and Self Employment Income Schemes) cannot apply

## 2.3 Government have prioritised:

- Small businesses in shared offices or other flexible work spaces e.g. industrial parks, science parks, incubators etc, which do not have their own business rates assessment; Regular market traders who do not have their own business rates assessment;
- B&Bs which pay Council Tax instead of business rates; and
- Charity properties in receipt of charitable business rates relief which would otherwise have been eligible for Small Business Rates Relief

## 2.4 There are 3 grants that are available:

- £25,000
- £10,000; and
- £1,000 to £10,000

2.5 Each Local Authority is 'primarily and predominantly' expected to administer the grant programme in accordance with the above but has the discretion to further add to the criteria to reflect local circumstances.

## 3.0 Sefton's Approach

3.1 The Council has no accurate way of determining how many businesses are in shared space in the borough or the level of market trader activity outside of the Council's own markets. However, it is expected the level of B&B demand for the grant will be limited. The Council also has access to information of those Voluntary Sector businesses which have received charitable relief. However, beyond this and similar to other LCR Local Authorities, there are no readily available means of accurately assessing need for additional grant and to investigate this further would only cause delays resulting in potential further business closures and contractions. Given the circumstances, it was as imperative that we closely align and where possible remain consistent with LCR neighbours to minimise exposure to individual LA challenge.

3.2 Following receipt of the central government guidance the following was developed for consideration by the Leader of the Council for the scheme to be launched and progressed.

- (i) Government had already outlined the initial businesses and sectors that this scheme should be directed to. Following discussions with LCR Local Authority colleagues it was agreed to support businesses in these targeted sectors. All will play a key role in their-opening of the local economy and many have been unable to access existing Government grants
- (ii) Following analysis of early impacts of COVID19, and discussions with local business associations, including the Chamber of Commerce and

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Federation of Small Businesses, it was also felt that certain businesses in the borough's severely hit retail, leisure and hospitality services sector (particularly the Visitor Economy) should also be supported at the discretion of the council. These are businesses excluded from applying for the existing grant schemes due to having larger rateable values. Consideration was also given to eligible Children's Nurseries who have a rateable value or equivalent of more than £15,000. The latter can be funded under Stream 1 Business Support Grants.

- (iii) A new specific portal has been established on the council's website for applications to be received by the council. This has worked well for the existing business grants scheme and was to be replicated in addition to a dedicated email address. The Councils Contact Centre have been briefed on the new scheme and will be able to direct applicants accordingly
- (iv) The council fully utilised its normal communication channels, e.g. website, social media, local press and also the well -established Invest Sefton networks. A team from services within the Council's Covid19 Economy Cell is administering the scheme. Once grant applications have been assessed by the Grant processing team and approved as meeting the eligibility criteria they will be signed off by the Head of Economic Growth and Housing and Service Manager (Finance). The Service Manager (Business Support & Investment) will also have oversight of the scheme and process to lend further advice and guidance. A daily payment file will be passed to the Finance team for processing through the Bankline system. There will be no appeal process.
- (v) **Appendix A** provides a breakdown of the final Sefton Business Discretionary Grant criteria including the four funding streams, grant levels, budget allocations and rationale.
- (vi) The Leader was asked to pay specific attention to the section of scaled grant payments based on number of people employed by businesses. This includes capping maximum grant levels at £7,500 for streams 1 and 2, £1,000 (Stream 3) and £25,000 (Stream 4). This will help ensure a greater spread of monies across the borough to eligible small businesses. (Over 96% of Sefton businesses fall into this category).
- (vii) Similarly, it was also proposed that given the expected level of demand versus available budget the scheme is limited to one grant per business as opposed to the number of properties a business may have in Sefton. Again, this will allow for a greater share of available grant monies amongst businesses.
- (viii) The Leader was asked to note the speed at which the scheme developed from the Governments' announcement on 1 May and the subsequent changes to criteria right up to 28 May 2020. In Sefton this has also meant

developing a new online Portal that sits outside of the existing Small Business Grants and Retail, Leisure and Hospitality grants scheme.

3.3 Government have advised that the sum allocated is finite therefore it was proposed to allocate grants on a first come first served basis. It was further proposed that the scheme be tested and launched week beginning 8 June 2020.

3.4 In considering the scheme and the discretion that has been given to councils, it was considered inevitable that there will be a degree of publicity and engagement by businesses whether they are those which may be eligible or otherwise, through the contact centre, to officers, members and MP's. This happened with the more prescriptive existing Small Business and RLH schemes, therefore there is no reason to suggest this experience will be different.

3.5 It was therefore recommended that the criteria that are set out, will form a key part of the communications approach and should not be deviated from in order that the evaluation and award of grants is as expedient, prescriptive and objective as possible, to both support businesses and the council.

3.6 The Leader of the Council was asked to:

1. Note the guidance issued by central government to the council on aims of the scheme and those businesses to which financial support should be directed.
2. Approve that in addition to those sectors identified by Government, the council should use its discretion to invite applications from eligible businesses under Stream 4-Visitor Economy Grants
3. Note that Children's Nurseries can apply under Stream1-Business Support grants
4. Approve the Grant criteria outlined in **Appendix A**.
5. Delegate approval to the Executive Director of Corporate Resources and Customer Services and Head of Economic Growth & Housing to review and vire any unspent allocations between each funding two weeks after launch
6. Receive a future update on the scheme following its completion.

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Sefton Discretionary Grants Criteria (FINAL) 29 May 2020

Funding Stream Description	Criteria	Key Eligibility criteria (additional criteria to be included in application process)	Grant Award	Allocation per stream (5 streams in total)	% per stream	Rationale
Stream 1 - Business Support Grant	1. An eligible business has a rateable value of less than £51,000 or an ongoing (more than 6 months) business property cost per annum of less than £51,000 as evidenced by a business mortgage, business lease or business rental agreement.	1. Rateable Value or Fixed property costs of less than £51,000 2. Not eligible for small business rates grant 3. Not eligible for retail, hospitality and leisure grant 4. Not eligible for other Government Funding schemes identified in guidance other than Self Employed Income Support Scheme or Job Retention Scheme	Grant award £2,500 - £7,500 dependent on employees	1,542,000	69%	1. Businesses in shared space play a key role in the economic future of Sefton that is equivalent to similar sized businesses who pay Business Rates directly. Government has specifically asked that LAs support this category of business help. <b>Target Group:</b> small businesses in shared and/or flexible space; concessions, outdoor centres, market traders with an ongoing rental liability in Sefton. Businesses who have premises with a Rateable Value or fixed property costs below £51,000 per annum.
Stream 2 - Voluntary Sector Support Grant	1. An eligible business has a rateable value of less than £51,000 or an ongoing (more than 6 months) business property cost per annum of less than £51,000 as evidenced by a business mortgage, business lease or business rental agreement.	1. The business is in receipt of charitable business rates relief 2. The property has a rateable value of £51,000 or less 3. Not eligible for other Government Funding Schemes	Grant award £2,500 - £7,500 dependent on employees	447,400	20%	The Voluntary sector plays a vital role in the Sefton economy and many businesses have been unable to access SBG due to charitable rates relief. In addition, Government have specifically asked that LAs support this sector. <b>Target Group:</b> Charities in receipt of charitable business rates relief who would otherwise have been eligible for Small Business Rates Relief.
Stream 3 - Bed & Breakfast Support Grant	An eligible business has an ongoing (more than 6 month) business property cost as evidenced by a business mortgage, business lease or business rental agreement	1. The business is a bed and breakfast establishment that pays Council Tax not Business Rates *	Grant award flat rate £1,000	15,000	1%	The Government has asked Local Authorities to support this group. B&Bs that pay Council Tax are unlikely to be a major contributor to employment and notes that the provision of accommodation is subsidiary to the main purpose of the physical asset. The Council will therefore offer a grant of £1,000 to such businesses. <b>Target Group:</b> Bed and Breakfast establishments that pay Council tax not Business Rates.
Stream 4 - Visitor Economy Grant	An eligible business has a rateable value of £15,000 or more or an ongoing (more than 6 months) business property cost as evidenced by a business mortgage, business lease or business rental agreement of £15,000 or more.	1. Businesses in the Retail, Hospitality or Leisure who pay rental costs or rates in excess of £15,000 who were ineligible for the retail, hospitality and leisure grant.	Grant award £2,500 - £25,000 dependent on employees	232,600	10%	Sefton's visitor economy is likely to be suffer the deepest and longest impact due to Coronavirus. Many of Sefton businesses in the visitor economy have received support through the Retail, Hospitality and Leisure Grant but there are a number of eligible businesses that have not received support by virtue of the rateable property they occupy. Failing to support these businesses would undermine the overall efforts to support the visitor economy <b>Target Group:</b> Larger Retail, Hospitality and Leisure businesses that did not qualify for the existing RHL grant who employ less than 50 FTE staff
<b>Total allocation</b>				<b>£2,237,000</b>		

\* A B&B pays Council Tax when;  
 - the business does not intend to offer short stay accommodation to more than six people simultaneously, and;  
 - the owner occupies part of the property as only or main home, and;  
 - letting out the rooms is subsidiary to the use of the rest of the house as a home ('subsidiary' is based on factors such as the length of your season, the scale of modifications undertaken for guests and the proportion of the house occupied).

<b>FTE Jobs</b>	<b>Stream 4 - Visitor Economy Grant</b>
1 or less	2,500.00
2-4	5,000.00
5-9	7,500.00
10 to 20	10,000.00
21-50	25,000.00

<b>FTE Jobs</b>	<b>Stream 2 - Voluntary Sector Support Grant</b>
1 or less	2,500
2-4	3,500
5-9	5,000
10 to 50	7,500

<b>FTE Jobs</b>	<b>Stream 1 - Business Support Grants</b>
1 or less	2,500
2-4	3,500
5-9	5,000
10 to 50	7,500