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Sefton Council 

MEETING: CABINET
DATE: Thursday 7th March, 2024
TIME: 10.00 a.m.
VENUE: Committee Room, Town Hall, Bootle

DECISION MAKER: **CABINET**

Councillor Atkinson (Chair)
Councillor Cummins
Councillor Doyle
Councillor Fairclough
Councillor Hardy
Councillor Howard
Councillor Lappin
Councillor Moncur
Councillor Roscoe
Councillor Veidman

COMMITTEE OFFICER: Debbie Campbell
Democratic Services Manager
Telephone: 0151 934 2254
E-mail: debbie.campbell@sefton.gov.uk

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.

We endeavour to provide a reasonable number of full agendas, including reports at the meeting. If you wish to ensure that you have a copy to refer to at the meeting, please can you print off your own copy of the agenda pack prior to the meeting.

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	Apologies for Absence		
2	Declarations of Interest 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	Minutes of the Previous Meeting Minutes of the meeting held on 8 February 2024		(Pages 5 - 12)
* 4	Procurement of Community Infection Prevention and Control Service Report of the Director of Public Health	All Wards	(Pages 13 - 22)
* 5	Approval of Legal Documentation for Academy Conversions - Sponsored and Voluntary Conversions	Ainsdale; Church; Linacre; Litherland; Manor; St. Oswald; Victoria	(Pages 23 - 32)

Report of the Assistant Director of Children's Services (Education Excellence)

- | | | | |
|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|---------------------|
| * 6 | Determination of Proposal to Establish SEND Resource Provision at Waterloo Primary School

Report of the Executive Director of Children's Social Care and Education | Blundellsands;
Church; Linacre;
Manor; Victoria | (Pages 33 -
44) |
| * 7 | The Strand Shopping Centre, Bootle - Transformation Programme Phase 1 Contractor Appointment

Report of the Executive Director (Place) | Derby; Linacre | (Pages 45 -
54) |
| 8 | Appointment of Representatives on Outside Bodies

Report of the Chief Legal and Democratic Officer | All Wards | (Pages 55 -
58) |
| * 9 | ICT Managed Service Contract

Report of the Executive Director of Corporate Resources and Customer Services | All Wards | (Pages 59 -
66) |
| * 10 | Financial Management 2023/24 to 2026/27 - Revenue and Capital Budget Update 2023/24 – March Update

Report of the Executive Director of Corporate Resources and Customer Services | All Wards | (Pages 67 -
140) |

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THIS SET OF MINUTES IS NOT SUBJECT TO "CALL-IN"

CABINET

MEETING HELD AT THE BIRKDALE ROOM, TOWN HALL, SOUTHPORT ON 8 FEBRUARY 2024

PRESENT: Councillor Atkinson (in the Chair)
Councillors Cummins, Doyle, Fairclough, Hardy,
Howard, Lappin, Moncur, Roscoe and Veidman

ALSO PRESENT: Councillor Sir Ron Watson

125. APOLOGIES FOR ABSENCE

No apologies for absence were received.

126. DECLARATIONS OF INTEREST

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

127. MINUTES OF THE PREVIOUS MEETING

Decision Made:

That the Minutes of the meeting held on 1 February 2024 be confirmed as a correct record.

128. ASSET MANAGEMENT STRATEGY AND ASSET DISPOSAL POLICY 2024/25

Further to Minute No. 39 of the meeting of the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) held on 6 February 2024, the Cabinet considered the report of the Executive Director of Corporate Resources and Customer Services advising that the Asset Management Strategy and Asset Disposal Policy set out the vision and aspirations for the effective management of the Council's corporate asset portfolio and outlining the role it played in supporting and shaping the Council's agenda for the 2030 vision. Aside from its staff, the Council's next biggest resource was its land and property and it was vital that this resource was managed and used effectively and efficiently to ensure that the Council derived maximum benefit from its assets in support of its strategic aims and priorities. The Asset Management Strategy and Asset Disposal Policy would provide a framework for the planning, prioritisation, management and funding of the Council's asset base. The Asset Management Strategy and Asset Disposal Policy was a statutory document that the Council was required to have in place and would be reviewed on an annual basis.

The following appendices were attached to the report:

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- Appendix 1 - Asset Management Strategy
- Appendix 2 - Asset Disposal Policy

Decisions Made:

That the Council be recommended to approve:

- (1) the updated Asset Management Strategy; and
- (2) the updated Asset Disposal Policy.

Reasons for the Decisions:

The Asset Management Strategy and Asset Disposal Policy were key documents for Sefton Council which set out key parameters in respect of the delivery of an efficient and effective property portfolio.

Alternative Options Considered and Rejected:

None.

129. PRUDENTIAL INDICATORS 2024/25

Further to Minute No. 40 of the meeting of the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) held on 6 February 2024, the Cabinet considered the report of the Executive Director of Corporate Resources and Customer Services indicating that the CIPFA Prudential Code for Capital Finance in Local Authorities was introduced following the Local Government Act 2003. It detailed a number of measures / limits / parameters (Prudential Indicators) that were required to be set each financial year. The approval of these limits would provide a benchmark to measure actual performance against, to help ensure that the Council complied with relevant legislation, was acting prudently and that its capital expenditure proposals were affordable.

The following appendix was attached to the report:

- Appendix A – Summary of Prudential Indicators.

Decisions Made:

That the Council be recommended to:

- (1) approve the Prudential Indicators, as detailed in the report, as the basis for compliance with The Prudential Code for Capital Finance in Local Authorities;
- (2) note that relevant Prudential Indicators will be revised as required and that any changes will be submitted to the Cabinet and then to the Council for approval;

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- (3) note that the estimates of capital expenditure may change as grant allocations are received; and
- (4) delegate authority to the Executive Director of Corporate Resources and Customer Services in consultation with the Cabinet Member – Regulatory, Compliance and Corporate Services to manage the Authorised Limit and Operational Boundary for external debt, as detailed in section 6 of the report.

Reasons for the Decisions:

To enable the Council to effectively manage its Capital Financing activities and comply with the CIPFA Prudential Code for Capital Finance in Local Authorities. The prudential indicators for the forthcoming and following years must be set before the beginning of the forthcoming year.

Alternative Options Considered and Rejected:

None

130. TREASURY MANAGEMENT POLICY AND STRATEGY 2024/25

Further to Minute No. 41 of the meeting of the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) held on 6 February 2024, the Cabinet considered the report of the Executive Director of Corporate Resources and Customer Services that set out proposed policy and strategy documents for the Treasury Management Policy; the Treasury Management Strategy; and the Minimum Revenue Provision Policy Statement.

The following appendices were attached to the report:

- Appendix A – Treasury Management Policy 2024/25
- Appendix B – Treasury Management Strategy 2024/25
- Appendix C – Minimum Revenue Provision Policy Statement 2024/25

Decisions Made:

That the Council be recommended to approve:

- (1) the Treasury Management Policy Document for 2024/25;
- (2) the Treasury Management Strategy Document for 2024/25; and
- (3) the Minimum Revenue Provision Policy Statement 2024/25.

Reasons for the Decisions:

The Council had adopted CIPFA's Code of Practice on Treasury Management in the Public Services. The Code required that the Council

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set a policy and strategy for the effective operation of the Council's Treasury Management function during the financial year. This would ensure that cash flow was adequately planned, surplus monies were invested commensurate with the Council's risk appetite whilst providing adequate portfolio liquidity, and that the borrowing needs of the Council were properly managed to ensure that the Council could meet its capital spending obligations.

Alternative Options Considered and Rejected:

None.

131. CAPITAL STRATEGY 2024/25

Further to Minute No. 42 of the meeting of the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) held on 6 February 2024, the Cabinet considered the report of the Executive Director of Corporate Resources and Customer Services indicating that the Capital Strategy set out the long-term context in which capital expenditure, borrowing and investment decisions were made and considered the impact of these decisions on the priorities within the Council's Core Purpose and the promises made in the 2030 Vision for Sefton. At the heart of the Capital Strategy was the Council's core objective to continue to deliver financial sustainability. As such a flexible capital investment programme was more important than ever as a method to stimulate and enable economic growth and strategic investment, ensuring best use of existing assets and of generating future income streams to pay for and deliver day to day services.

The following appendix was attached to the report:

- Appendix A – Capital Strategy 2024/25

Decision Made:

That the Council be recommended to approve the Capital Strategy as set out at Appendix A to the report.

Reasons for the Decision:

The Capital Strategy was a key policy document for Sefton Council and followed guidance issued in the Prudential Code for Capital Finance in Local Authorities (2021 Edition). Local authorities were required by regulation to have regard to the Prudential Code when carrying out their duties in England and Wales under Part 1 of the Local Government Act 2003.

Alternative Options Considered and Rejected:

None.

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132. ROBUSTNESS OF THE 2024/25 BUDGET ESTIMATES AND THE ADEQUACY OF RESERVES – LOCAL GOVERNMENT ACT 2003 - SECTION 25

Further to Minute No. 43 of the meeting of the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) held on 6 February 2024, the Cabinet considered the report of the Executive Director of Corporate Resources and Customer Services indicating that, to comply with statute, the Chief Financial Officer was required to report to Council prior to the approval of the budget and the setting of the Council Tax, to give assurance that the budget was robust and that there were adequate reserves and balances. The report was based on the proposals presented. The Local Government Act 2003, (section 25 as amended) required the Chief Financial Officer to report formally on the following issues:

- a) An opinion as to the robustness of the estimates made and the tax setting calculations; and
- b) The adequacy of the proposed financial reserves.

Decisions Made:

That

- (1) it be noted that the Local Government Act 2003, (Section 25 as amended) requires the Chief Financial Officer to report formally the issues of an opinion as to the robustness of the estimates made and the tax setting calculations; and the adequacy of the proposed financial reserves; and
- (2) **the Council be recommended to** have regard to the matters raised in the report during the final stages of determining the budget for 2024/25.

Reasons for the Decisions:

The Local Government Act 2003, (section 25 as amended) required the Chief Financial Officer to report formally on the issues contained within the report.

Alternative Options Considered and Rejected:

None.

133. REVENUE AND CAPITAL BUDGET PLAN 2024/25 – 2026/27 AND COUNCIL TAX 2024/25

Further to Minute No. 44 of the meeting of the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) held on 6 February 2024, the Cabinet considered the report of the Executive Director of Corporate Resources and Customer Services that set out:

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- An assessment of the Council's current financial position and approach to the 2024/25 Budget Plan and preparation for the additional two-year budget period 2025/26 to 2026/27.
- An update on the Government's announcement of resources that are available to the Council for 2024/25.
- The Council's current financial position and the assumptions built into the Medium-Term Financial Plan.
- The proposed Budget for 2024/25; and,
- The proposed Capital Programme for 2024/25 to 2026/27.

The report also set out the financial strategy of the Council and the national and local financial context within which it was operating. The Council had a statutory requirement to remain financially sustainable and to balance its budget every year.

The following appendices were attached to the report:

- Individual School Budgets 2024/25
- Budget Saving Proposals
- Draft Council Budget Summary 2024/25
- Capital Programme 2024/25 – 2026/27

Members of the Cabinet thanked Finance Officers for their on-going work on the Council's budget.

Decisions Made:

That the Council be recommended to:

- (1) note the update of the Medium-Term Financial Plan for the period 2024/25 to 2026/27;
- (2) approve the Budget Plan for 2024/25, including the Revenue Budget, allocation of specific grants, as set out at section 13 of the report, and the Capital Programme, as set out at Appendix D to the report, and authorise officers to undertake the necessary actions to implement the recommendations.
- (3) note the Schools' Forum decisions on the Dedicated Schools Grant and Individual School Budgets, as set out at section 12 of the report;
- (4) approve a supplementary capital estimate for £7.387m for the Corporate Essential Maintenance Programme Phase 2 funded by capital receipts, as set out at section 17 of the report; and
- (5) approve a supplementary capital estimate for £1.865m for Green Sefton Equipment and Machinery funded by prudential borrowing, as set out at section 17 of the report.

Reasons for the Decisions:

The recommendations in the report provided the basis on which the Budget Plan would be balanced for the financial year 2024/25 and would ensure that the Council's statutory obligations were met. In addition, it began the planning for the financial strategy for the following two years to give the Council sufficient time to identify specific proposals to deliver financial sustainability over that period.

Alternative Options Considered and Rejected:

The Council was legally required to set a balanced budget each year and the report had taken due consideration of all financial issues in its development. No additional options were available for inclusion.

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Report to:	Cabinet	Date of Meeting:	Thursday 7 March 2024
Subject:	Procurement of Community Infection Prevention and Control Service		
Report of:	Director of Public Health	Wards Affected:	(All Wards);
Portfolio:	Cabinet Member - Health and Wellbeing		
Is this a Key Decision:	Yes	Included in Forward Plan:	Yes
Exempt / Confidential Report:	No		

Summary:

This paper seeks Cabinet approval for the following:

- To undertake a Direct Award under Process C of the Health Care Services Provider Selection Regime (PSR) 2023, including publication of a notice to make an award to the existing provider (as set out in schedule 3 PSR 2023) to Mersey Care NHS Trust to provide community infection prevention and control services from the 1st September 2024 for a core period of 3-years with the option to extend (subject to satisfactory on-going performance) for a further 2X 1-year periods.
- To give delegated authority for the Director of Public Health in consultation with the Cabinet Member for Health and wellbeing to authorise and execute extensions to the contract within the terms of the Direct Award.

Recommendation(s):

The Director of Public Health

1. Be authorised in conjunction with the Cabinet Member for Health and Wellbeing to make a Direct Award to Mersey Care NHS Trust from 1st September 2024 for the provision of community infection prevention and control services under Process C of the provider selection process.
2. Be authorised in conjunction with the Cabinet Member for Health and Wellbeing to exercise any extension options within the terms of the Direct Award.

Reasons for the Recommendation(s):

1. The current contracts will expire on 31st August 2024.
2. The existing provider of services, Mersey Care NHS Trust, is satisfying the original contract and is likely to satisfy the proposed new contract meeting the selection criteria for Direct Award Process C

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3. Assurance of satisfactory performance is evidenced against the five key criteria for assessing provider eligibility under Direct Award Process C:
 - Value
 - Integration, collaboration, and service sustainability
 - Improving Access, reducing health inequalities, and facilitating choice
 - Social Value

Having determined through written confirmation that Mersey Care NHS Trust wishes to continue to provide services under the conditions outlined in the current service specification, officers assessed and evaluated the above key criteria using an agreed set of service specific quality and performance questions and Sefton Council's outline for meeting social value as set out in the PSR Process C guidance.

Scores were compared and moderated. All scores reached satisfactory or above outcomes with all five assessed areas achieving a pass score of 3 or above.

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

- 1) **Direct Award Process A** – while the service requires highly specialist trained staff limiting the number of providers able to provide the required services, we do not consider the existing provider to be the only capable provider and the Council is not concluding a framework agreement. Therefore, Direct Award Process A is not appropriate.
- 2) **Direct Award Process B** – this service provides specialist and technical assurance to the local authority on infection, prevention and control standards and safety measures relating a number of commissioned health and social care settings and environments. It is not a service **where people have a choice of providers** or **where the number of providers is restricted by the authority**. Therefore, Direct Award Process B is not appropriate.
- 3) **Most suitable provider process** – where the relevant authority is able to identify the most suitable provider this option may be considered without running a complete process. This process is not required as the existing provider meets the criteria for Direct award process C. Therefore, most suitable provider process is not appropriate.
- 4) **Competitive Process** – previous competitive commissioning exercises resulted in very little interest in this service contract. The local authority only received one bid for consideration within the last competitive tendering exercise.

In line with the PSR criteria for Direct Award Process C, **Services are not changing considerably**. Public health officers have recently (within the past three months) reviewed the service specification in conjunction with the existing service provider, to ensure that it is 'fit for purpose' and up to date in view of changes to Covid-19 guidance and regulations. We do not anticipate further changes to the specification being required. Any changes to the financial value of the contract will reflect annual inflationary uplifts and will remain within 25% of the overall contract value.

We therefore conclude that the most appropriate option is to pursue **Direct Award Process C. There is an existing provider for the service and that existing provider is satisfying the original contract and will likely satisfy the proposed new contract**, and the services do not meet the considerable change threshold as defined in the Health Care Services (Provider Selection Regime) Regulations 2023.

What will it cost and how will it be financed?

(A) Revenue Costs

The Community Infection, Prevention and Control Service is funded via the core public health budget for which sufficient provision exists. The new contract will similarly be contained within this budget.

The contract will include provision for variation and early termination by the Council for convenience in the event of further reduction in funding and the requirement for the Council to achieve an overall balanced budget.

(B) Capital Costs

There are no capital costs associated with the re-commission of this service.

Implications of the Proposals:

<p>Resource Implications (Financial, IT, Staffing and Assets): The cost of this service will be met within the core public health budget.</p>								
<p>Legal Implications: The existing providers performance has been assessed against the five key criteria set out in the criteria for Direct Award Process C using performance reporting against annual work plans and a submitted social value statement. Assessments have been individually scored and moderated as per Sefton Council Contract Procedure Rules and will be recorded on the PSR decision making record for publication and or audit purposes. This will enable the Council to decide whether it is satisfied that the existing provider is meeting the existing contract requirements and will likely satisfy the proposed new contract, as required by Regulation 9 of the Health Care Services (Provider Selection Regime) Regulations 2023.</p>								
<p>Equality Implications: An Equality Impact Assessment has been completed. The equality Implications have been identified and mitigated.</p>								
<p>Impact on Children and Young People: Yes The Community Infection, Prevention and Control Service will provide advice and support to a number of care providers including schools and early years settings responding to and mitigating the effects and impact of outbreaks.</p>								
<p>Climate Emergency Implications: The recommendations within this report will</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Have a positive impact</td> <td style="padding: 2px;">No</td> </tr> <tr> <td style="padding: 2px;">Have a neutral impact</td> <td style="padding: 2px;">Yes</td> </tr> <tr> <td style="padding: 2px;">Have a negative impact</td> <td style="padding: 2px;">No</td> </tr> <tr> <td style="padding: 2px;">The Author has undertaken the Climate Emergency training for report authors</td> <td style="padding: 2px;">Yes</td> </tr> </table> <p>It is a re-procurement of existing Public Health commissioned service which does not generate additional impacts on the climate emergency.</p>	Have a positive impact	No	Have a neutral impact	Yes	Have a negative impact	No	The Author has undertaken the Climate Emergency training for report authors	Yes
Have a positive impact	No							
Have a neutral impact	Yes							
Have a negative impact	No							
The Author has undertaken the Climate Emergency training for report authors	Yes							

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Contribution to the Council's Core Purpose:

<p>Protect the most vulnerable:</p> <p>The Community Infection, Prevention and Control Service provides expert advice and support to community settings to reduce transmission of communicable diseases and support early responses to single cases and outbreaks where they occur in:</p> <ul style="list-style-type: none">• Care Homes• Supported living.• Domiciliary Care.• Day Centres / Day Services.• Hospices.• Hostels and Homeless Shelters.• Special Schools.• Early year providers.• Schools and colleges.
<p>Facilitate confident and resilient communities:</p> <p>The Community Infection, Prevention and Control Service enhances the knowledge and skills of those working in complex settings and with vulnerable groups in Sefton.</p>
<p>Commission, broker and provide core services:</p> <p>Provision of a Community Infection, Prevention and Control Service is a core responsibility of Public Health in the Local Authority.</p>
<p>Place – leadership and influencer:</p> <p>Not applicable</p>
<p>Drivers of change and reform:</p> <p>The Community Infection, Prevention and Control Service supports quality improvements in infection, prevention and control in key stakeholder sectors, increasing their capacity, skills and knowledge.</p>
<p>Facilitate sustainable economic prosperity:</p> <p>Management of cases and outbreaks in community settings is key to sustaining economic growth throughout the borough.</p>
<p>Greater income for social investment:</p> <p>Not applicable.</p>
<p>Cleaner Greener</p> <p>The Community Infection, Prevention and Control Service is part of Mersey Care NHS Foundation Trust. A Trust that is committed to reducing CO2 emissions and the use of plastics.</p>

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD.7545/24) and the Chief Legal and Democratic Officer (LD.5645/24) have been consulted and any comments have been incorporated into the report.

Discussion and consultation with procurement team colleagues and other public health team members.

(B) External Consultations

Council officers have taken external legal advice on the implementation process for Direct Award Process C under the Health Care Services (Provider Selection Regime) Regulations 2023.

Implementation Date for the Decision

Following the expiry of the “call-in” period for the Cabinet decision.

Contact Officer:	Alan McGee
Telephone Number:	
Email Address:	alan.mcgee@sefton.gov.uk

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Appendix One

Background: Health Care Services (Provider Selection Regime) Regulations 2023

The introduction of the Health Care Services (Provider Selection Regime) Regulations 2023 (PSR) on the 1st January 2024 makes provision for the Direct Award of contract to provide health care services including public health services arranged by local authorities.

PSR was created under Health and Social Care Act 2022 to promote greater integration of health and care services and replaces the Public Contracts Regulations 2015 and the National Health Service (Procurement, Patient Choice and Competition) Regulations 2013.

PSR increases the flexibility afforded to commissioning authorities and removes potential barriers to integrating care and the disruption to stable collaborations that competitive tendering can create. Relevant authorities can make a Direct Award of contracts for health care services based on the following selection criteria:

- Direct Award A – Where there is an existing provider for the services and that provider is the only capable provider.
- Direct Award B – Where people have a choice of providers, and the number of providers is not restricted by the relevant authority.
- Direct Award C – Where there is an existing provider for the services and that existing provider is satisfying the original contract and will likely satisfy the proposed new contract, and the services are not changing considerably.

Community Infection, Prevention and Control Service

- 1.1. In accordance with Part 2 of the Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2013, Regulation 8, the aim of the community infection prevention and control service is to promote infection prevention and control standards within primary and social care providers. In order to protect Sefton residents from communicable disease this service provides root cause analysis, education, advice and audit support. The service also responds to cases, clusters and outbreaks of communicable disease within the community, in partnership where necessary and following agreed protocols.
- 1.2. A key focus of the Service is responding to cases, clusters and outbreaks in primary care, and in community health and social care settings. This response prioritises vulnerable people and complex settings, including care homes, supported living, hospices, settings that provide care for older or clinically vulnerable people, hostels and shelters for people experiencing homelessness, social care providers, general practice and educational and early years settings.
- 1.3. In addition to providing the expertise required to respond to communicable diseases, the service provides strategic leadership, support to community health and social care providers, and complex settings to improve infection prevention and control competence and compliance. This is achieved through engagement,

education and training and supporting sector led improvement. This preventative and upstream input supports responses in Sefton and will help to mitigate future impacts of emerging pathogens, outbreaks or pandemics.

- 1.4. The service will continue its work to reduce and sustain reductions in healthcare-associated infections. In particular, the service will support commissioners to achieve a reduction in the rate of Health Care Acquired Infections with a particular focus on gram negative blood stream infections (GNBSIs) and Clostridium difficile infection (CDI), in line with national objectives and support the Integrated Care System (ICS) to deliver on the requirement for zero tolerance of avoidable Methicillin-resistant Staphylococcus aureus (MRSA) bacteraemia.

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Appendix Two.

Equality Analysis Report - Sefton Community Infection, Prevention and Control Service 2024

Details of proposal:

The community infection prevention and control service promotes infection prevention and control standards within primary, community social care providers.

The service provides root cause analysis, education, advice and audit support. The service also responds to cases, clusters and outbreaks of communicable disease within the community, in partnership where necessary and following agreed protocols.

A key focus of the Service will be around responding to cases, clusters and outbreaks in primary care, and in community health and social care settings. This response will prioritise vulnerable people and complex settings, including care homes, supported living, hospices, setting that provide care for older or clinically vulnerable people, hostels and shelters for people experiencing homelessness, social care providers, general practice and schools and early years settings.

Consideration of Protected Characteristics

While the Community Infection, Prevention and Control Service it not in itself public facing, it supports and interacts with a range of services that are. It is therefore important that the service considers the needs of people with protective characteristics and to that end, It is written into the service specification that the service provider must deliver services in accordance with the Equality Act 2010, ensuring it will be non-stigmatising and non-discriminatory, providing fair and equitable access.

Ramifications of Proposal:

An equitable Community Infection, Prevention and Control Service that is accessible to all employees regardless of any protected characteristic under the Equality Act 2010.

Are there any protected characteristics that will be disproportionately affected in comparison to others?

The protected characteristics under the Equality Act 2010 are:

- Age

- *Disability*
- *Gender Reassignment*
- *Marriage and Civil Partnership*
- *Race*
- *Religion or Belief*
- *Sex*
- *Sexual Orientation*
- *Pregnancy and Maternity*

In addition to the above, the Council has adopted the following as protected characteristics to be included in any equality analysis:

- *Care Experienced*

There are no protected characteristics that will be disproportionately affected in comparison to others. Mitigations have been implemented to negate any barriers which would prevent individuals with protected characteristics from being able to access the programme.

Consultation:

The service specification has been shared with UK Health Security Agency, Integrated Care System and environmental health colleagues for review and comments.

Is there evidence that the Public Sector Equality Duties will be met?

The Equality Act 2010 requires that those subject to the Equality Duty must, in the exercise of their functions, have due regard to the need to:

- 1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.*
- 2. Advance equality of opportunity between people who share a protected characteristic and those who do not.*
- 3. Foster good relations between people who share a protected characteristic and those who do not.*

The Act explains that having due regard for advancing equality involves:

- *Removing or minimising disadvantages suffered by people due to their*

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protected characteristics.

- *Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.*
- *Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.*

As noted above, the Community Infection, Prevention and Control Service is not public facing in itself. However, access to support from the service for those services that are public facing is ensured through flexible working requirements set out in the service specification. Night, weekend and Bank Holiday infection prevention and control advice and support to those services is provided via Cheshire and Merseyside UK Health Security Agency (UKHSA) out-of-hours service.

What actions will follow if proposal accepted by cabinet & Council?

Include details of any mitigating action and ongoing monitoring to address any of the equality impacts highlighted above.

This is a renewal of an existing contract. Existing mitigating actions will be included in the delivery of the service. A representative from Public Health will ensure that these mitigating measures are adhered to through regular contract review meetings.

Agenda Item 5

Report to:	Cabinet	Date of Meeting:	7 th March 2024
Subject:	Approval of Legal Documentation for Academy Conversions – Sponsored and Voluntary Conversions		
Report of:	Assistant Director of Childrens Services (Education Excellence)	Wards Affected:	All
Cabinet Portfolio:	Education		
Is this a Key Decision?	Yes	Included in Forward Plan:	Yes
Exempt / Confidential Report:	No		

Summary:

To inform Cabinet of the decision by the Governing Bodies to voluntarily convert to Academy Status as follows :

- Waterloo Primary School, Valewood Primary School, Forefield Infant School, Forefield Junior School and Rowan Park School to convert to Mersey View Learning Trust
- Thomas Gray Primary School to become part of the Northern Schools Trust
- Ainsdale St Johns CE Primary School to become part of the Liverpool Diocesan Schools Academy Trust (LDST)

in accordance with statutory requirements to seek authorisation for officers to sign the documentation required by the academy conversion process. The Education Skills Funding Agency (ESFA) has indicated that the date of conversion will be 1st April 2024.

To inform Cabinet of the decision by the Secretary of State for Education:

- to convert IMPACT PUPIL REFERRAL UNIT, to the PEOPLES Learning Multi Academy Trust in accordance with statutory requirements and seek authorisation for officers to sign the documentation required by the academy conversion process. The ESFA has indicated that the date of conversion will be 1st April 2024

Recommendation(s): That the Cabinet is requested to:

1. Note the statutory requirements regarding academy conversions.
2. Note the financial implications to the Council of the academy conversions.
3. Delegate authority to the Executive Director of Corporate Resources and Customer Services in conjunction with the Executive Director of Children's Social Care and Education in consultation with the Cabinet Member for Education to complete the necessary agreements required as part of the academy conversion process as outlined in the report.

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

None – this is a statutory process following the exercise of the educational establishments' discretion to choose to convert to academy status under the Academies Act 2010.

The Secretary of State has the powers to direct that the academy conversion process can continue if the agreements are not signed.

What will it cost and how will it be financed?

(A) Revenue Costs

There will be significant financial implications to the Council from the conversion of the 9 schools to academies. These have been highlighted in more detail later in the report under paragraph 3 and relate to the loss of the capital grant and substantial SLA income and top slice of school funding allocations for Education functions and specific central functions to maintained schools. Any losses in income through reductions in Traded Services would need to be met in departmental budgets and may require service provision to be reduced.

The voluntary conversion of the 8 schools over to the Multi Academy Trust means there is no significant financial liability to the Council because of these conversions. Any school balances, whether positive or negative, will transfer over to the Multi Academy Trust at the point of conversion.

A review of the current school financial statements shows that 7 of the schools will have positive balances at the point of conversion and 1 will have a small deficit. The projected balances for each school are also highlighted in paragraph 3 for information and are based on December 2023 budget spend.

The Council will levy a £8,000 charge for each voluntary academy conversion. This funding is to cover the additional work required by officers to complete the necessary agreements and processes required as part of the academy conversion transfer.

IMPACT PUPIL REFERRAL UNIT -As the Academy Order is being made by the Secretary of State, any financial deficit at the point of conversion remains with the Council and does not transfer to the Multi Academy Trust. IMPACT currently has a positive revenue balance and so there is no financial liability, to pick up any deficit balance, by the Council at the point of conversion. The projected balances for IMPACT PRU are also highlighted in paragraph 3 for information and are based on December 2023 budget spend. As this is would be a sponsored academy conversion the council can decide on the level of balances that transfer on conversion.

(B) Capital Costs N/A

There are no direct capital costs to the Council in relation to this report, but the individual school capital fund balances will also transfer over at the point of conversion. The current school capital balances are also highlighted in paragraph 3 for information.

Implications of the Proposals:

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

Upon conversion to an Academy, staff within the school will transfer under Transfer of Undertakings Protection of Employment Regulations 2006 (“TUPE”) to the new Multi Academy Trust and employment will move for those employees to the Multi Academy Trust with protections under that legislation.

It is understood the Northern Schools Trust, Mersey View Trust, the Liverpool Diocesan Schools Academy Trust (LDST) and the Peoples Learning Trust will form their own collective bargaining structures and not continue to utilise Human Resources professional advice. They will continue with the payroll system from Sefton MBC. It is not known if they will continue to subscribe to the Legal Services SLA.

The academy conversion will also see the transfer of all school land over to the Multi-Academy Trust from Sefton Council via a lease agreement for 125 years.

Legal Implications:

The conversion of schools to academies is a statutory process under the Academies Act 2010.

The governing body and the local authority are also under a duty to take all reasonable steps to facilitate the making of academy arrangements with a sponsor, once determined (section 5B of the Academies Act 2010, as amended by the Education and Adoption Act 2016).

In relation to IMPACT as the school is eligible for intervention under sections 61 and 62 of the 2006 Education and Inspections Act, the Secretary of State for Education under Section 4 of the Academies Act 2010 (as amended by the Education and Adoption Act 2016) is required to issue an Academy Order. The Order provides that on the conversion date, the school in question shall become an academy and shall cease to be maintained by the Local Authority.

The governing body and the local authority are also under a duty to take all reasonable steps to facilitate the making of academy arrangements with a sponsor, once determined (section 5B of the Academies Act 2010, as amended by the Education and Adoption Act 2016).

The principal issues in relation to conversion are: transfer of Staff; transfer of Land and transfer of Assets and Contracts. These issues will be addressed in two documents for the conversion- a Commercial Transfer Agreement and a Lease Agreement.

Equality Implications: There are no equality implications.

Climate Emergency Implications:

The recommendations within this report will

Have a positive impact	No
Have a neutral impact	Yes
Have a negative impact	No

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The Author has undertaken the Climate Emergency training for report authors	Yes
-----------------------------------------------------------------------------	-----

Contribution to the Council's Core Purpose:

Protect the most vulnerable: this will ensure that there is provision for the most vulnerable primary and secondary aged pupils in Crosby and the South Sefton area.
Facilitate confident and resilient communities: continue to provide education for primary and secondary age pupils including those who have an Education Health and care Plan in Sefton local area.
Commission, broker and provide core services: Education for primary aged pupils
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 & Customer Services (FD 7537/24) and Chief Legal and Democratic Officer (LD 5637/24) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

As part of the process the school will consult with staff and trade unions.

Implementation Date for the Decision

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

Contact Officer:	Tracy McKeating/ Jacqui Patterson
Telephone Number:	07837863075
Email Address:	<u>Tracy.mckeating@sefton.gov.uk</u> <u>Jacqui.patterson@sefton.gov.uk</u>

Appendices:

There are no appendices to this report.

Background Papers:

Academy Order made further to section 4(A1) of the Academies Act 2010 (22 July 2016)
[Academies Act 2010 \(legislation.gov.uk\)](http://legislation.gov.uk)

1. Introduction/Background

- 1.1 Except where the academy conversion is mandatory (see 1.5), conversion to academy status is ultimately the decision of the governing body, in consultation with school staff, parents and the local community. When converting to an academy there are two routes:
- Joining an existing academy trust
 - Establishing a new academy trust in collaboration with other schools
- 1.2 When making any decision about the future direction of the school, governors should always evaluate:
- What is in the best interests of the children and young people and the wider community?
 - What is in the best interests of the staff and leadership team of the schools to develop and sustain great teaching and leadership?
 - What the school can bring to the academy trust, and share with other schools, which would help them all to develop further
 - What the school can gain from an academy trust, including what it needs to be able to sustain and improve educational outcomes and financial sustainability
- 1.3 Any maintained school can join an existing academy trust. In doing so, the school chooses to be accountable to the academy trust board, which can help build improvement capacity and ultimately improve the overall quality of education. Many good schools also make the decision to join existing academy trusts, bringing their skills, expertise and resource to the wider academy trust. In most cases, the prospective school and the academy trust make a joint decision as to whether the school should join the academy trust.
- 1.4 The governing body and senior leaders must consider carefully what the academy trust presents for the needs of its community, children in the school and staff, as well as what it can bring to the academy trust. Leaders should evaluate the academy trust options available locally and talk to leaders of other schools about their plans and vision for the local area.
- 1.5 IMPACT PUPIL REFERRAL UNIT was judged inadequate at its last inspection. As the school is eligible for intervention under sections 61 and 62 of the 2006 Education and Inspections Act, the Secretary of State for Education, under Section 4 of the Academies Act 2010 (as amended by the Education and Adoption Act 2016), is required to issue an Academy Order. The Order provides that on the conversion date, the school in question shall become an academy

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and shall cease to be maintained by the Local Authority.

- 1.6 Since IMPACT was judged inadequate the Local Authority has exercised its statutory duty to intervene and develop an action plan to support improvement in the school.

2. Academy Conversion Process

- 2.1 The process for schools converting to academies is legislated for under the Academies Act 2010 (as amended) The Governing Bodies of the schools and the local authority both have a statutory duty to facilitate the academy conversion.
- 2.2 In relation to IMPACT the process to convert to academy is legislated for under the Academies Act 2010 (as amended) which states that the Secretary of State is required to make an Academy order in respect of a maintained school in England if the school is eligible for intervention (within the meaning of Part 4 of EIA 2006). IMPACT PUPIL REFERRAL UNIT by virtue of the inspection outcome falls within this category. As part of the process the Regional Director for Schools has chosen a sponsor for the school.
- 2.3 The Academies Act 2010 contains specific powers for the Secretary of State in respect of the land of the schools when they were maintained schools. It is intended that the transfer of publicly funded land owned by the local authority to the Academy will usually be by way of a 125-year lease.
- 2.4 The lease will be drawn up to comply with the above requirements and to ensure there are no undue risks to the authority and that any usage rights etc are preserved. The lease transfers the responsibility for the operation and management of the land and buildings to the Southport Learning Trust sponsoring the schools.

Commercial Transfer Agreement

- 2.5 This document is designed to ensure that all information on the staff who are transferring to the academy is recorded and transferred to the Academy Trust, so that the appropriate arrangements for payment of salaries, pension contributions, etc. can be made. It also includes details of any assets or contracts that will transfer to the Academy Trust and of those that will not.
- 2.6 A Commercial Transfer Agreement, which is an agreement between the school governing body, the local authority and the academy trust, will be drawn up. Officers will ensure that all appropriate responsibilities and liabilities are transferred to the Academy Trusts to ensure there are no undue risks to the authority.

Assignment or novation of contracts

- 2.7 This forms part of the Commercial Transfer Agreement and covers agreements and contractual arrangements which will need to transfer to the Academy Trust.

- 2.8 Specific contracts and arrangements in respect of the converting school have been identified.

TUPE Process

- 2.9 The Employees within all of Maintained Schools are employed by the Local Authority who is responsible for the movement of employees from the schools which is converting to the new Multi Academy Trust.
- 2.10 TUPE consultation will need to be undertaken as part of the process. The Local Authority, with support from the Governing Bodies, as the Employer of the employees within the schools is responsible for this along with the Multi Academy Trust. Consultation with the Council's trade unions will also be necessary in respect of any effects of the TUPE transfer to Council employees.
- 2.11 By virtue of TUPE, there is a legal obligation to provide written information about the transfer to employee representatives. The information which the current employer must give in writing to employee representatives (which will be trade union representatives):
- The fact that the transfer is to take place, when and why.
 - The "legal, economic and social implications" of the transfer for the affected employees;
 - The "measures" which the employer envisages it will take in connection with the transfer or, if no measures are envisaged, that fact; and
 - Any measures which the employer envisages the Academy Trust taking in connection with the transfer in respect of the transferring employees or, if no measures are envisaged, that fact.
- 2.12 By virtue of TUPE terms and conditions of employment should be protected in accordance with the legislation. The Multi Academy Trust will be required to provide full details of proposed measures to the Local Authority and the Governing body to allow meaningful consultation.
- 2.13 No specific timescale is provided for consultation, but it must be meaningful with significant legal penalties and remedies if it does not take place as required.
- 2.14 By virtue of TUPE terms and conditions should be protected. Pension issues should also be addressed accordingly in the process between the Local Authority and Multi Academy Trust.

3.0 **Financial Implications**

- 3.1 The potential revenue implications to the Council because of the Academy conversions are listed below:
- 3.2 Maintained schools pay a contribution from their delegated budget each year

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to the Local Authority towards the costs of meeting its statutory education functions and central support functions for maintained schools. Academies can purchase certain school support services from whoever they choose. The amount of funding each school pays for this support is as follows:

ESG Functions charge for Maintained Schools 2024/25		
Ainsdale St John's		£4,836
Thomas Gray		£4,765
Waterloo		£8,610
Valewood		£4,954
Forefield Jnr		£8,469
Forefield Inf		£6,369
IMPACT – PRU		£5,123
Rowan Park Spec		£12,220
Loss of income 2024/25		£55,346

This budget pressure will need to be met from the Education Excellence Budget.

- 3.3 All the schools also buy into several traded services with the Council. On conversion the schools have already indicated that they will no longer require Finance, HR and transactional services as these services will be supported and procured through the new Trust. The total buy back of traded services for each school is highlighted in the table below along with the costs of corporate services that will cease on conversion:

School	SLA Buy Back 2023/24	Loss of income 2024/25 - Finance, Insurance, Accounts Payable, Personnel, HR
Ainsdale St John's CE	£160,999	-£25,411
Thomas Gray Primary	£178,755	-£28,700
Forefield Inf Sch	£160,985	-£27,215
Forefield Jnr Sch	£154,224	-£28,598
Valewood Primary	£193,599	-£24,082
Waterloo Primary	£222,051	-£41,243
Rowan Park Special Sch	£191,756	-£57,135
IMPACT PRU	£52,965	-£19,341
Total SLA Buy Back	£1,315,334	-£251,725

This loss of income will need to be met from Corporate Resources and Customer Services budget in the first instance. a review of service provision will be required, and changes made to the services to balance the budget with any residual balance being included in future Medium Term Financial Plan

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- 3.4 The current school balances (as December 2023) that will transfer on conversion are as follows:

School Balances		
Ainsdale St John's		£128,896
Thomas Gray		-£14,914
Waterloo		£119,447
Valewood		£71,328
Forefield Jnr		£209,982
Forefield Inf		£228,787
IMPACT – PRU **		£440,097
Rowan Park Spec		£303,932
Accumulative School Balances 2023/24		£1,487,555

** IMPACT is a sponsored academy transfer and so the Council can decide and agree the level of balances that it will transfer on the conversion of the school.

- 3.5 Sefton Council has 90 days following the schools transfer to charge any outstanding liabilities against the closing school's accounts and agree the level of school balances to be transferred over the Trust.
- 3.6 The current school devolved formula capital balances (as December 2023) that will also transfer on conversion are as follows:

School Capital Balances (All the figures include the Energy Efficiency allocations).		
Ainsdale St John's – handled by Liverpool Diocese		N/A
Thomas Gray		£19,908
Waterloo		£7,020
Valewood		£37,506
Forefield Jnr		£29,129
Forefield Inf		£28,969
IMPACT - PRU		£36,760
Rowan Park Spec		£66,909
Accumulative Capital Balances 2023/24		£226,201

4. Timetable

The proposed date of conversions is 1st April 2024 although there might be significant challenges in achieving this date.

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Report to:	Cabinet	Date of Meeting:	7 th March 2024
Subject:	Determination of Proposal to Establish SEND Resource Provision at Waterloo Primary School		
Report of:	Executive Director for Children's Social Care and Education	Wards Affected:	All
Cabinet Portfolio:	Education		
Is this a Key Decision:	Yes	Included in Forward Plan:	Yes
Exempt / Confidential Report:	No		

Summary:

The purpose of the report is to seek a determination on the proposal to establish SEND Resourced Provision.

Recommendation(s):

That:

- (1) The Cabinet is requested to approve the proposal as detailed in the statutory notice to establish a SEND Resourced Provision with effect from 1 September 2024.

Reasons for the Recommendation(s):

The local authority has the power to consider all options including expanding a school following the statutory process detailed in the report.

The proposal will build on the good standards for teaching and learning already in place at the schools. The development will provide places for children and young people with SEND within the Resourced Provision. Waterloo Primary School has been judged by Ofsted to be providing good quality education.

This development will not have any negative impact on other schools, academies, and educational institutions in the area.

The proposed resource base will not replace existing provision but will supplement and improve provision across the borough.

The addition of the Specialist Resource Base to the school will not have a direct impact on admissions or provision at other schools within the area.

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Long-term value for money will be achieved by pupils having their needs met within appropriate mainstream provision with specialist support rather than in special school provision. This will free special school places for pupils with the highest level of needs and provide the opportunity to place high need pupils within the borough, rather than in out of borough provision.

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

Failure to provide sufficient places for children with Special Education Needs and Disability (SEND) in the borough will result in additional costs for the Council through more expensive specialist placements.

What will it cost and how will it be financed?

(A) Revenue Costs

All annual running costs associated with the creation of additional resource unit places are highlighted within the report and will be funded from the High Needs Budget of the Dedicated Schools Grant.

(B) Capital Costs

Any associated capital costs associated with the creation of the SEN Resource provision identified within this report have been included and committed within the approved High Needs capital programme for 2023/24.

Implications of the Proposals:

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

This will be incorporated into the costings.

Legal Implications:

Section 14 of the Education Act 1996 places a general duty upon a local authority to secure sufficient schools to provide primary and secondary education in their area and they should have regard to securing special education provision.

This proposal has been subject to consultation in accordance with section 19(3) of the Education and Inspections Act 2006 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.

Following the enactment of The Children and Families Act 2014, the Local Authority retains responsibility for commissioning services for children and young people with SEN or a disability.

The Local Authority is required to keep the provision for children and young people with SEN or disabilities under review, including its sufficiency (Section 315 of the Education Act 1996), and to promote wellbeing and improve quality, working in conjunction with parents, children, and providers.

This Act and its associated guidance are clear that, when considering any re-

organisation of provision, decision makers must be clear how they are satisfied that the proposed alternative arrangements will lead to improvements in the standard, quality and/or range of educational provision for children with SEN or a disability.

Equality Implications:

See body of report section 7

Impact on Children and Young People: Yes

The proposal will provide additional school places for children with special educational needs and disability (SEND) and ensure that pupils will not have to travel to other areas to attend school.

Climate Emergency Implications:

All areas of SEND Sufficiency, pupil place planning and educational placements have a direct environmental impact, consideration of this element is informed in provision development and provision enhancement in the Borough due to the direct impact this will have to limiting students travelling outside the Borough. This would support reduced emissions of CO2.

The recommendations within this report will

Have a positive impact	Yes
Have a neutral impact	No
Have a negative impact	No
The Author has undertaken the Climate Emergency training for report authors	Yes

Contribution to the Council's Core Purpose:

Protect the most vulnerable:

The proposal will provide additional school places for children with special educational needs and disability (SEND) and ensure that pupils will not have to travel to other areas to attend school.

Facilitate confident and resilient communities:

Commission, broker and provide core services:

The proposal will provide additional places for children with special educational needs and disability (SEND) to access education in the local area in a mainstream school.

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 of Corporate Resources and Customer Services (FD.7547/24.) and the Chief Legal and Democratic Officer (LD.5647/24.) have been consulted and any comments have been incorporated into the report.

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(B) External Consultations

Consultation has been conducted with parents, governors, and staff at the schools. Consultation has been conducted with Headteachers parents, governors, and staff at the schools. As part of consulting with the wider school community the proposals were published on the school's website

Notices were published on Sefton Council website in accordance with current legislation, on 4 December 2023. and this was followed immediately by a four-week representation period which was due to end on 28 December 2023, however, due to the schools Christmas break the publication of the notice outlining the proposal was extended to 8 January 2024.

Implementation Date for the Decision

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

Contact Officer:	Tracy McKeating/Heather Glennie
Telephone Number:	07837 863075/
Email Address:	Tracy.mckeating@sefton.gov.uk heather.glennie@sefton.gov.uk

Appendices:

The following appendix is attached to this report:

Appendix A - Public Notices and Proposal for the Establishing SEND Resource Bases.

Background Papers:

There are no background papers available for inspection.

1. Introduction/Background

- 1.1 The Children and Families Act 2014 sets out a statutory duty for local authorities to keep provision for children and young people with special educational needs and disabilities (SEND) under review, in order to ensure that the provision reflects and addresses local needs.
- 1.2 The number of children and young people with an EHCP in Sefton has increased significantly. The most common category of need within this group of pupils are those with social communication and interaction difficulties including Autism, as well as cognition and learning/social emotional and mental health.
- 1.3 The Council has thus embarked on a programme of SEND transformation, one of the key objectives is to reduce the number of out of borough placements by expanding in borough specialist provision, targeted at the right areas of need.
- 1.4 Approval was given by Cabinet Member for Education on 4 December 2023 to the

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publication of a statutory public notice to establish SEND Resource Provision at Waterloo Primary School.

- 1.5 The Resourced Provision will offer the increasing number of pupils displaying cognition and learning difficulties the benefit from attending a mainstream school, whilst also receiving specialist input relevant to the child's special educational needs and disabilities (SEND)
- 1.6 The Resourced Provision will be part of the school, operationally led and managed by the school.
- 1.7 All pupils accessing a Resourced Provision place will be on roll of the school and have access to both mainstream provision and the resourced Provision, dependent on their individual needs.
- 1.8 The Published Admission Number (PAN) of the school will not increase. The admission of children to the mainstream school will continue be managed by the local authority's Admissions Team. There are no changes to the admission arrangements as part of this proposal.
- 1.9 The places available in the Resourced Provision will be in addition to the schools Published Admission Number and will be placed in the RP by virtue of being named in the child's education, health, and care plan.
- 1.10 The Resourced Provision will offer an inclusive provision for pupils who require arrangements over and above that which a mainstream school can provide through an EHCP.
- 1.11 The decision to place a pupil or young person at the Provision shall be made by the Local Authority's SEN and Inclusion Service All admissions will be determined by the Local Authority in accordance with the SEN and Disability Code of Practice.
- 1.12 The Local Authority will remain responsible for holding an overview of pupils placed at the Resourced Provision.

2. PROPOSAL

The proposed significant change at Waterloo Primary School will be the establishment of a SEN unit for children with an Education, Health, and Care Plan (EHCP) or under assessment and likely to receive an EHCP with a primary SEN need of cognition and learning with 1 class of 8 places across Key stage 2 (years 3, 4, 5 and 6).

3. FINANCIAL IMPLICATIONS

- 3.1 The table below provides a comparison of the average costs associated with the placement of children in Resource Units / In-house Special Schools and

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Independent Schools.

		Resource Unit	Maintained Special Sch	Ind Non-maintained Sch
School	Places	Avg £ per place	Avg £ per place	Avg £ per place
Waterloo Primary School	8	£12,600	£21,400	£47,900
Annual cost of new places		£100,800	£171,200	£383,200

3.2 The cost mitigation saving to the High Needs Budget through the creation of 8 additional Resource Unit places is at least £70,400 compared to placing children in Maintained Special schools and potentially £282,400 if there was no additional in-house provision and children were placed in independent schools.

3.3 The creation of additional SEN Resource Unit places within the Borough will also help to reduce transport times and associated costs for SEN children travelling to and from school.

4. STATUTORY PROCESS TO EXPAND THE SCHOOL

4.1. The Council is also required to follow a statutory process including publication of a statutory notice and formal consultation period to enlarge the premises of a school as set out in the Department of Education guidance as this is classed as a 'prescribed alteration' to the school. Cabinet is the decision maker for such proposals. The decision on whether to proceed must be made within two months of the end of the formal consultation period. The guidance also states that a proposal cannot be approved conditionally upon funding being made available so the funding would need to be in place prior to the decision being made.

The statutory process is shown in the table below:

Stage	Description	Timescale	Comments
Stage 1	Publication (statutory proposal/notice)		Must be published and on the Sefton website
Stage 2	Representation (formal consultation)	Must be 4 weeks from date of publication	As set out in 'Prescribed Alterations' regulations
Stage 3	Decision (by Cabinet)	LA should decide proposal within two months otherwise it will	Any appeal to the adjudicator must be made within 4 weeks of the

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		fall to the Schools Adjudicator	decision
Stage 4	Implementation	No prescribed timescale	It must be as specified in the published statutory notice, subject to any modifications agreed by the decision-maker

4.2. Upon publication of a statutory notice setting out the proposal, representations can be made to the LA by any person within a four-week period.

4.3. The statutory guidance states that the LA as decision-maker will need to be satisfied that the appropriate, fair and open consultation has been carried out, and that the proposer has given full consideration to all the responses received.

4.4. The decision-maker must consider the views of those affected by a proposal or who have an interest in it and should not simply take account of the numbers of people expressing a particular view. Instead, they should give the greatest weight to responses from those stakeholders likely to be most directly affected by a proposal especially parents of children at the affected school.

5. Response to the proposal

5.1 Sefton Council did not receive any responses to their published consultation.

6. The Decision-Making Process

6.1 Cabinet is the Decision Maker for the proposal which must be determined by the Local Authority. The Decision Maker must consider the four key issues below before judging the respective factors and merits of the proposal.

- **Is any information missing?** All necessary information is included in this report and the statutory process in making prescribed alterations has been followed.
- **Does the published notice comply with statutory requirements?** The published notices have been compiled in accordance with the statutory guidelines and advice from the DfE on the wording to be used. Annex A.
- **Has the consultation been carried out prior to the publication of the notice?** The consultation process was reported to the Cabinet Member for Education on 4th December 2023
- **Are the proposals “related” to other published proposals?** The proposals are

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not related to any other published proposals.

7. Equality Implications

7.1 The Equality Act 2010 says public authorities must comply with the public sector equality duty. In carrying out their functions, they need to have due regard to the need to achieve the objectives set out under s149 of the Equality Act 2010 to:

- Eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by or under this Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The protected characteristics are:

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion and Belief
- Sex
- Sexual Orientation

7.2 In Sefton, a motion was approved by Council, at its meeting on 19th January 2023 to include Care Experience, as a protected characteristic. This decision is recognised in the Equality, Diversity and Inclusion Strategy.

7.3 Young people are a protected characteristic by age, but they may also have other protected characteristics too, for example they may also have a disability or are care experienced.

7.4 According to the Census 2021 there are 71, 404 children and young people aged 0 – 24. In Sefton there are also currently over 600 cared for children and over 2500 children and young people who have an Education, Health, and Care plan.

7.5 This proposal seeks to establish SEN provision in a mainstream school to ensure that it best delivers for the current cohort of children within the borough, and therefore ensures that we are taking due regard for their needs.

7.6 Wherever possible the needs of a young person should be addressed within their local community at a local mainstream setting. Children experiencing additional (special educational) needs benefit from opportunities to be educated alongside their peers, fostering peer acceptance and positive self-image and enabling them to develop local friendships.

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Appendix A

Statutory Proposal for Prescribed Alterations to Provide Special Educational Needs Provision in a Mainstream School

1. Proposal relating to:

Waterloo Primary School, Crosby Road North, Waterloo, Merseyside, L22 0LD
Proposer: Sefton Metropolitan Borough Council, Magdalen House, 30 Trinity Road, Bootle, Liverpool, L20 3NJ

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013/3110 that Sefton Council intend to make a prescribed alteration to Waterloo Primary School from 1st September 2024.

2. Description of Proposed Significant Change

The proposed significant change at Waterloo Primary School will be the establishment of a SEN unit for children with an Education, Health and Care Plan (EHCP) or under assessment and likely to receive an EHCP with a primary SEN need of cognition and learning with 1 class of 8 places across Key stage 2 (years 3, 4, 5 and 6).

3. Evidence of Demand for Places

The number of children and young people with an EHCP in Sefton has increased significantly. The most common category of need within this group of pupils are those with social communication and interaction difficulties including Autism, as well as cognition and learning/social emotional and mental health.

The SEN Unit will offer the increasing number of pupils displaying cognition and learning difficulties the benefit from attending a mainstream school, whilst also receiving specialist input for cognition and learning difficulties relevant to the child's SEN needs.

4. Objectives of the Proposal and Educational Standards, and Impact on Parental Choice

The additional places will be in addition to and not part of the schools existing Pupil Admission Numbers (PAN).

Admission to the SEN Unit will be made via Sefton Councils SEN and Inclusion Service.

The proposed provision will be appropriately resourced to ensure that the children placed will be supported in achieving their educational outcomes.

The proposed SEN Unit will allow the Council and parents/carers the option to place children within local provision, rather than in independent provision.

5. Effect on other Education Establishments in the Area

There will not be any effect on other educational establishments in the area.

6. Project Costs If the proposal for this provision is agreed, funding for the additional accommodation will be provided directly through Department for Education High Needs

Provision Capital Allocation.

7. Implementation and any proposed stages for implementation

It is intended that any new provision will be implemented during the 2023/24 Academic Year.

8. Procedure for Responding to this Proposal

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from: School.Organisation@sefton.gov.uk

Any person wishing to raise objections, or make comments on the proposal should do so by emailing School Organisation at: School.Organisation@sefton.gov.uk within four weeks from the date of publication, i.e. no later than 4pm on 28th December 2023

Applicable legislation:

[Making significant changes \('prescribed alterations'\) to maintained school \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/114444/making-significant-changes-to-maintained-schools.pdf)

Signed: Tricia Davies, Assistant Director Education

Publication Date: 04.12.2023

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Agenda Item 7

Report to:	Cabinet	Date of Meeting:	7 March 2024
Subject:	The Strand Shopping Centre, Bootle – Transformation Programme Phase 1 Contractor Appointment		
Report of:	Executive Director (Place)	Wards Affected:	Linacre / Derby
Portfolio:	Cabinet Members: Regeneration and Skills; and Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	Yes	Included in Forward Plan:	Yes
Exempt / Confidential Report:	No		

Summary:

This report sets out the results of the procurement process conducted during the period December 2023 to February 2024 to appoint a contractor for works on Phase 1 of the Strand Transformation Programme.

The report recommends that the contractor identified as providing the Most Economically Advantageous Tender is now appointed and that the Executive Director of Place is delegated the authority, in consultation with the Portfolio Cabinet Members, to sign the contracts when they are complete.

This report follows a report approved by Cabinet in December 2023, which set out the case for proceeding with delivery of Phase 1 of the planned Bootle Strand Transformation Programme and the new five-year Business Plan for the fiscal years 2023/24 to 2027/28 for the Strand Shopping Centre, reflecting the impacts on operations of proceeding with the programme works.

The report approved in December 2023 included the recommendation that the Executive Director of Place be delegated authority, in consultation with Portfolio Cabinet Members, to proceed with the procurement. That procurement has now been completed under the supervision of the Council's Procurement and Legal Services and with the support of the Programme's appointed Project and Cost Managers, the Development Manager and the specialist construction legal advisers retained to provide legal advice to the Council in relation to all aspects of the Programme.

Recommendation(s):

It is recommended that Cabinet:

- (1) Approve the appointment of Vinci Construction UK Limited as contractor for the Strand Transformation Programme Phase 1 demolition works and a Pre-construction Services Agreement to develop detailed requirements for the remainder of the approved Phase 1 works.
- (2) Approve the Executive Director for Place, in consultation with the Portfolio

Agenda Item 7

Cabinet Members, to sign the contracts.

Reasons for the Recommendation(s):

The procurement has been carried out in full compliance with the Public Contracts Regulations and the Council's financial procedures and provided a clear and evidenced result in favour of Vinci as the Most Economically Advantageous Tender. The timely appointment of the contractor, and commencement of the works, is critical to realising the objectives and outcomes of Phase 1 of the Strand Transformation Programme, which were approved by Cabinet in December 2023.

Alternative Options Considered and Rejected:

Not proceeding with Phase 1 of the Transformation Programme has been considered but discounted as the deterioration to the financial sustainability of the Strand would continue unchecked, which would inevitably lead to it no longer being viable. This would also fail to realise any of the regeneration objectives the Programme is designed to provide as well as require the return of the £20m grant funding award that the Council has secured from central government for Phase 1 of the Programme.

What will it cost and how will it be financed?

(A) Revenue Costs

All revenue implications are addressed within the report.

(B) Capital Costs

All capital implications are addressed within the report.

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):
All resource implications are addressed within the report.
Legal Implications:
All legal implications are identified and addressed within the report.
Equality Implications:
The Council's focus for the Strand and for Bootle town centre remains on social and environmental outcomes, as well as economic and financial outcomes. An Equalities Impact Assessment for Phase 1 of the Strand Transformation Programme was attached at Annex 1 of Appendix 1 of the report approved by Cabinet in December

2023 to proceed with Phase 1 of the Programme.

The selected contractor's tender includes significant commitments to deliver social value as a core output of their work, which commitments will be included in the contract.

Climate Emergency Implications:

The recommendations within this report will

Have a positive impact	No
Have a neutral impact	Yes
Have a negative impact	No
The Author has undertaken the Climate Emergency training for report authors	No

The implementation of the Transformation Programme will be delivered in line with the Council's strategy and objectives in respect of climate emergency, with both the delivery of construction works and the operation and maintenance of the asset in mind.

The intention is that the repurposing vision will closely align to the Council's strategic objectives in relation to climate emergency, and in the shorter-term operational actions are undertaken to deliver positive environmental outcomes where available.

An initial Environmental Impact Assessment was attached at Annex 2 of Appendix 1 of the report approved by Cabinet in December 2023 to proceed with Phase 1 of the Programme.

Contribution to the Council's Core Purpose:

Protect the most vulnerable:

The Strand provides essential amenities that are accessible for local people including the most vulnerable, particularly through the partnerships with Community Interest Companies as described above. The Transformation Programme will enable the Strand to continue to operate as an economically sustainable asset securing these essential amenities for the community in the medium and long-terms.

Facilitate confident and resilient communities:

The Strand provides essential amenities that are accessible for local people.

A Social Value Report was attached at Annex 3 to Appendix 1 of the report approved by Cabinet in December 2023 to proceed with Phase 1 of the Programme.

Commission, broker and provide core services:

Financial returns to the Council, as owner of The Strand, can provide revenue to contribute towards service provision. The centre also offers opportunity to locate

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accessible and important services for local residents.
Place – leadership and influencer: The Strand is a key asset at the heart of Bootle critical to the town’s physical, economic, and social regeneration.
Drivers of change and reform: Physical infrastructure (retail and other amenities) is a significant contributor to and enabler/catalyst for change.
Facilitate sustainable economic prosperity: The continued success of The Strand is essential to maintain and increase its significant contribution to the local economy, including in terms of creating local employment and providing essential facilities required to help attract inward investment.
Greater income for social investment: The proposed Phase 1 scheme includes the provision of opportunities and support for local people to launch and sustain micro enterprise within and around The Strand. The Big Onion provides a strong example of a partner helping deliver positive outcomes in this respect.
Cleaner Greener: The contract will include provision to ensure the works will be compliant with the Building Regulations and other Planning and Habitat regulations meaning Sefton builds cleaner and greener.

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD 7544/24) and Chief Legal and Democratic Officer (LD5644/24) have been consulted and any comments have been incorporated into the report.

The Service Manager for Procurement has been consulted and officers from the Procurement Service have been involved in managing the procurement process.

(B) External Consultations

There have been extensive consultations with local people, businesses and other stakeholders regarding the proposed works as part of the main Programme Stakeholder Engagement, Communications and Consultation programme. Full details of this were included in the report approved by Cabinet in December 2023 to proceed with Phase 1 of the Programme.

Implementation Date for the Decision

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

Contact Officer:	Stephen Watson
Telephone Number:	0151 934 3710
Email Address:	stephen.watson@sefton.gov.uk

Annexes and Appendices:

- None

Background Papers:

- Cabinet Report approved in December 2023 to proceed with Phase 1 of the Transformation Programme:

[Minutes Template \(sefton.gov.uk\)](https://sefton.gov.uk)

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1.0 Introduction and Background

- 1.1 In April 2017, Sefton Council acquired The Strand Shopping Centre to secure its future and support its continued role as a cornerstone asset at the heart of Bootle, critical to the town's physical, economic, and social regeneration.
- 1.2 The Council remains fully committed to supporting and securing investment in The Strand for the short, medium, and long terms to enable this regeneration and reverse the decline. The Strand was suffering in the hands of private ownership. The Council aims to respond proactively to the challenges of a changing retail market accelerated and increased by the impacts of COVID-19 and the current economic conditions. The Transformation Programme will help to drive economic, social, and physical regeneration in the town centre, bringing back in to use near derelict areas, creating beautiful public realm spaces, reanimating the town centre to attract more footfall, ultimately bringing in new employers and creating local jobs.
- 1.3 Cabinet has approved proceeding with Phase 1 of the proposed Transformation Programme, utilising: (i) £20m funding for the first 3 elements of the project (Phase 1A-C), which has already been secured from DLUHC; and (ii) funding from the LCR CA for the final element (Phase 1D), pending finalisation of the designs for this last element as well as confirmation of the formal approval of the required funding by the LCR CA.
- 1.4 That December Cabinet report included delegation of authority to the Executive Director Place to procure a contractor to deliver Phase 1A-C of the Programme.
- 1.5 The Phase 1 Programme comprises 4 key elements, as below:
 - Phase 1A: New landscaped public realm alongside the canal that extends and enhances the initial 'meanwhile uses' Salt and Tar facilities.
 - Phase 1B: refurbished space in 'Block A' (the former M&S unit) including: x6 new commercial units facing the new town square along with new 'shell and core' space on the ground floor (Stanley Road level); and new 'shell and core' space in the basement area (Canalside/Washington Parade level). The shell and core space will be flexible for a variety of uses and occupiers.
 - Phase 1C: new landscaped public realm forming a new Town Square where the currently enclosed Mons Square is located, which will integrate with the Canalside and deliver enhanced permeability into the Strand and a beautiful space where the community can come together.
 - Phase 1D: repurposing 'Block B' to provide new 'shell and core' space that will be flexible for a variety of uses and occupiers.



- 1.6 Phase 1A includes the demolition of surplus retail and derelict residential space in The Palatine to remove low performing units that currently make a loss and to open the site up to facilitate new public realm for Place Shaping.



- 1.7 The net budget cost for Phase 1A-C is a total of £20m with £3.1m allocated for demolition and associated enabling works.
- 1.8 A procurement exercise was therefore undertaken during the period December 2023 to February 2024 from which Vinci Construction UK Limited was recommended by the Council's advisers as providing the Most Economically Advantageous Tender. As a result, the Council now needs to proceed with completing the appointment and signing the contract with Vinci.

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2.0 **Procurement Process**

- 2.1 The Council's advisers have managed the procurement process on behalf of the Council and recommended Vinci as the Preferred Bidder to be appointed for the works contract. The Senior Responsible Officer (Assistant Director Place (Regeneration)) and the Executive Director of Place have accepted the recommendation and now wish to proceed to contract.
- 2.2 The procurement approach selected is a 2-stage tender comprising the following:
- Stage 1: an open tender for a fixed price for the demolition works and a Pre-construction Services Agreement to support SMBC, as the developer, to produce the RIBA Stage 3 and RIBA Stage 4 designs for the remainder of the Phase 1 works (remodelling the buildings and the town square within the scope of the Phase 1 site).
 - Stage 2: a direct tender negotiation with the supplier selected at Stage 1 for a fixed price for the remainder of the Phase 1 works, based on the output of the Pre-construction Services work, within the Council's net budget envelope (£20m).
- 2.3 This procurement approach was selected on the following criteria:
- Appropriateness to Project – it is suitable in supporting for the delivery of the project, with an expected capital cost of £15m-£20m.
 - Programme Impact – can complete in a reasonable and achievable length.
 - Resource/Council Input Required – Council resource required would be kept to a minimum and achievable level to complete within the timeframe required.
 - Council fit - the approach supports the requirements of the Council including any business cases produced.
 - Feasibility - the required work is deliverable within the approved funding.
 - Cost Certainty – will provide a clear and robust definition of the project cost, for which the likelihood of change between stages is minimised.
 - Overall Cost – will ensure the overall cost is affordable and value for money.
 - Risk – will keep the risk to the Council to a balanced and manageable level.
- 2.4 Using these criteria it was confirmed that using a public sector procurement framework was the most appropriate method for the Strand Transformation Programme and Procure Partnerships (formally Procure Northwest) were selected as they have been a previously trusted delivery partner for SMBC.
- 2.5 In the Invitation to Tender document submitted to the contractors on the Procure Partnerships framework, the following scoring principles were applied:

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Stage	Criteria	Weighting
1	Selection Questionnaire (Part 1, 2 & 3)	Pass Or Fail
2	Award Criteria: Price	35%
	Award Criteria: Quality Submission	55%
	Award Criteria: Social Value	10%
Total		100%

- 2.6 The weighting reflects the Council's desire for a balance between price and quality, with an emphasis in favour of quality and SMBC's commitment to Social Value.
- 2.7 The process for scoring the Quality (55% of the overall score) and Social Value (10% of the overall score) submissions used the following criteria, with the assessment being undertaken by qualified construction professionals from the PM/Cost Manager and Development Manager retained as advisers by the Council:

Rating	Score	Quality Criteria
5	100	Exceeds the service standards - Excellent detail with added value
4	80	Meets all the service standards - Good detail and evidence
3	60	Meets all the service standards - Basic detail provided
2	40	Mostly meets but fails in some of the service standards
1	20	Mostly Fails but meets in some of the service standard
0	0	Completely fails to meet the service standard

- 2.8 The evaluation of the Cost submissions (which account for 35% of the overall score) was segmented as follows, with costs being considered against an initial project budget of £3.1m for demolition and £18m in total for Phase 1A-C:

Cost Scoring Criteria	
Element	Weighting
1. Works Cost	10.00%
2. Prelims	10.00%
3. Overheads & Profits	15.00%
Totals	<u>35%</u>

- 2.9 On the 6th of December, 6 organisations from the framework submitted fully compliant tender returns with 2 of the framework suppliers declining due to resourcing issues:
- 2.10 Following the initial tender assessments, the highest scoring three bidders were to be invited to interview to enable the Council to clarify and reassure themselves about the bidder's proposals.

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3.0 Tender Evaluation and Results

- 3.1 To ensure that the tender returns had a robust and rounded review, a series of evaluators and advisors were party to the overall assessments of the submissions. These included:
- 3.2 From SMBC:
- the Assistant Director Place (Regeneration) – overall approval lead
 - The Assistant Director Place (Commercial) – overall moderation support
 - The Service Manager (Regeneration) – social value evaluator and overall moderation support
 - The Strand Programme Manager – moderation support
- 3.3 From the Development Manager: the Development Director – review and recommendation
- 3.4 From the PM/Cost Manager PM, Cost and Social Value experts – evaluate and review
- 3.5 Based on the overall scores, the Development Manager has recommended and the Council has agreed that Vinci should be appointed for the role of Principal Contractor for Phase 1A C of the Strand Transformation Programme.

Agenda Item 8

Report to:	Cabinet	Date of Meeting:	Thursday 7 March 2024
Subject:	Appointment of Representatives on Outside Bodies		
Report of:	Chief Legal and Democratic Officer	Wards Affected:	(All Wards);
Portfolio:	Cabinet Member - Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To consider the appointment of the Council's representatives to serve on the Outside Bodies named in this report for the remainder of 2023/24.

Recommendation(s):

That the proposed appointments to the Outside Bodies indicated below, for the remainder of 2023/24, be approved:

Local Government Association General Assembly

Councillor Atkinson to replace Councillor Ian Maher

Mersey Port Health Committee

Councillor Chris Page to replace Councillor Howard

Peterhouse School, Southport – Governance Committee

Councillor Harrison Kelly to replace Councillor Lunn-Bates

Sefton Hospitality Operations Ltd. Board

Councillor Spring to replace Councillor Howard as a member

Reasons for the Recommendation(s):

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: (including any Risk Implications)

None

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What will it cost and how will it be financed?

(A) Revenue Costs

None arising from this report. Appointments to the Outside Bodies concerned do not attract any special responsibility allowance.

(B) Capital Costs

None

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): None								
Legal Implications: 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.								
Equality Implications: There are no equality implications.								
Impact on Children and Young People: Yes Peterhouse School is a non-maintained Specialist School for children and young people aged 5 to 19 who have a diagnosis of Autism Spectrum Condition. The appointment of a representative on the Governance Committee will allow the Council to have an input and oversight into the operation of the school. Appointments to the other Outside Bodies concerned do not have a specific impact on children and young people.								
Climate Emergency Implications: The recommendations within this report will <table border="1"><tr><td>Have a positive impact</td><td>No</td></tr><tr><td>Have a neutral impact</td><td>Yes</td></tr><tr><td>Have a negative impact</td><td>No</td></tr><tr><td>The Author has undertaken the Climate Emergency training for report authors</td><td>Yes</td></tr></table> There are no Climate Emergency Implications associated with the recommendations within this report.	Have a positive impact	No	Have a neutral impact	Yes	Have a negative impact	No	The Author has undertaken the Climate Emergency training for report authors	Yes
Have a positive impact	No							
Have a neutral impact	Yes							
Have a negative impact	No							
The Author has undertaken the Climate Emergency training for report authors	Yes							

Contribution to the Council's Core Purpose:

Protect the most vulnerable: The appointment of Council representatives on to the Outside Bodies concerned will ensure that the interests of residents of Sefton are taken into account by each Body.
Facilitate confident and resilient communities: As above.
Commission, broker and provide core services: As above.
Place – leadership and influencer: As above.
Drivers of change and reform: As above.
Facilitate sustainable economic prosperity: As above.
Greater income for social investment: As above.
Cleaner Greener: As above.

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD7559/24) and the Chief Legal and Democratic Officer (LD.5659/24) have been consulted and any comments have been incorporated into the report.

The Council's Labour Group on the Council has been consulted as to which elected Members they wish to appoint as representatives on the bodies referred to in this report.

(B) External Consultations

No external consultations have been held.

Implementation Date for the Decision

Following the expiry of the "call-in" period for the Minutes of the Cabinet Meeting.

Contact Officer:	Debbie Campbell
Telephone Number:	Tel: 0151 934 2254
Email Address:	debbie.campbell@sefton.gov.uk

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Appendices:

None.

Background Papers:

There are no background papers available for inspection.

1. Introduction/Background

- 1.1 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.
- 1.2 Representations have been received from the Council's Labour Group to replace certain appointments to Outside Bodies for the remainder of 2023/24.
- 1.3 The proposed appointments to the Outside Bodies indicated, for the remainder of 2023/24, are set out below:

Local Government Association General Assembly

Councillor Atkinson to replace Councillor Ian Maher

Mersey Port Health Committee

Councillor Chris Page to replace Councillor Howard

Peterhouse School, Southport – Governance Committee

Councillor Harrison Kelly to replace Councillor Lunn-Bates

Sefton Hospitality Operations Ltd. Board

Councillor Spring to replace Councillor Howard as a member

Agenda Item 9

Report to:	Cabinet	Date of Meeting:	7 March 2024
Subject:	ICT Managed Service Contract		
Report of:	Executive Director of Corporate Resources and Customer Services	Wards Affected:	(All Wards);
Portfolio:	Cabinet Member - Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	Yes	Included in Forward Plan:	Yes
Exempt / Confidential Report:	No		

Summary:

This report sets out the background for the Council's current ICT provision, delivered by an external provider, which briefly comprises of Core Operational services, Ad hoc Services; including (but not limited to) Project Management, major upgrade support and Data Security Services, as well as the provision of School ICT Services. The report summaries the performance of the current contract and proposes the procurement of a supplier to continue service provision, in line with the requirements of the authority, once the existing contract ends in 2025.

The report recommends the use of the Crown Commercial Service Framework CSS Technology Services 3 Lot 3b Operational Management, to source a service provider for a period of a three years, plus a further optional two years (which is the maximum contract term allowed).

Recommendation(s):

(1) That the Executive Director of Corporate Resources & Customer Services be authorised conduct a procurement compliant exercise for the provision of ICT Managed Services to Sefton Council, the resulting recommendation will be brought back to Cabinet for an award decision.

Reasons for the Recommendation(s):

To ensure that critical ICT Services continue to be provided and that support is in place for all staff across the authority as well as ensuring that robust Cyber security defences remain in place to reduce the threat of a Cyber-attack.

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

To conduct an open competition for a new provider, rejected as the CCS framework proposed provides a route to market in line with public procurement regulations, reduces the complexity of the process and includes over 100 potential suppliers.

What will it cost and how will it be financed?

(A) Revenue Costs

The Service provision will be funded via existing Council Budgets.

(B) Capital Costs

There are no capital costs expected from this procurement.

Implications of the Proposals:

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

Financial

No impact, costs to be contained within existing budgets.

IT:

There are no negative implications expected.

Staffing:

There will be Tupe implications both to potentially a new provider and to the authority, consultation will take place with both staff and Joint Trade Unions as required during this process.

The transfer of staff to the authority will also require a realignment of roles and responsibilities and accountability lines with the ICT Client Team.

Assets:

Council ICT Assets will be managed under the new contract, inventories for which are already in place.

Legal Implications:

The procurement exercise proposing to be undertaken will be compliant with Public Contract Regulations 2015.

Equality Implications:

There are no equality implications.

Impact on Children and Young People: No

Climate Emergency Implications:

The recommendations within this report will

Have a positive impact	No
Have a neutral impact	Yes
Have a negative impact	No
The Author has undertaken the Climate Emergency training for report authors	Yes

This decision will have a neutral impact because it is a continuation of an existing service.

Contribution to the Council's Core Purpose:

Protect the most vulnerable: Not applicable
Facilitate confident and resilient communities: Not applicable
Commission, broker and provide core services: Ensures continuity of critical service provision.
Place – leadership and influencer: Not applicable
Drivers of change and reform: Not applicable
Facilitate sustainable economic prosperity: Not applicable
Greater income for social investment: Not applicable
Cleaner Greener Not applicable

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD.7501/24) and the Chief Legal and Democratic Officer (LD.5601/24) have been consulted and any comments have been incorporated into the report.

The Head of Corporate Procurement has been consulted and any comments have been incorporated into the report.

The Head of HR has been consulted and any comments have been incorporated into the report.

The Portfolio Holder for Education has been consulted and comments have been incorporated into the report.

(B) External Consultations

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Not Applicable

Implementation Date for the Decision

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

Contact Officer:	Helen Spreadbury
Telephone Number:	07583 057822
Email Address:	helen.spreadbury@sefton.gov.uk

Appendices:

There are no appendices to this report.

Background Papers:

There are no background papers available for inspection.

1. Introduction/Background

- 1.1 In 2018 Agilisys took over as the ICT Managed Service provider for Sefton following a 10-year agreement with Arvato. The redesigned contract was awarded for 5 years with two optional 12-month extension periods.
- 1.2 Sefton has now issued both 12-month extensions as permitted within the original delegated approval for the award. The current contract comes an end on the 30th of September 2025.

2. Contract Scope

- 2.1 The scope of the current contract delivers the following services to the Council.

The Core Operational Services

- Helpdesk Services
- Infrastructure and Hardware
- Network Services including Cyber Security
- Council User Services
- Telephony
- Application Support including Cloud Services
- Data Collection & ICT Services Report
- Installation Services
- Active Directory Services

Ad Hoc Services

- Project Management Services
- Major Upgrade Support
- Commissioning and Decommissioning Support
- Ad Hoc Reporting

- Data Security Services

Schools ICT Services (Schools opt in for these bought back services)

- Support for Management Information Systems (MIS)
- ICT Support (Connectivity)
- Fully Managed Services

3. Performance

- 3.1 The redesigned operating model for the delivery of ICT Services across Sefton Council brought about the formation of an intelligent client function to manage not only the contract delivery but schools, all ICT contracts, and procurement activity as well as the delivery of key transformation programmes. The strategic direction for ICT now sits firmly in the Council and the ICT Operational contract has focused on the delivery of value for money services to maintain, upgrade and support the ICT infrastructure.
- 3.2 With this new model in place the authority has moved, at pace, from a position of having an aging ICT infrastructure and rolling costly contracts in place, to a well-managed modern ICT estate.
- 3.3 During the contract period performance management against a challenging set of key performance indicators has been rigorous and effective.
- 3.4 Performance of the managed service contract is closely managed and where appropriate the Client team has invoked penalties in the form of service credits for non-performance, however such incidents have been few.
- 3.5 Customer satisfaction is a new key measure implemented during the contract and performance is high, with trends well over the 70% benchmark of customer feedback forms being positive in terms of satisfaction levels. Any low satisfaction scores are proactively followed up to ensure that any trends or potential improvement actions are identified.
- 3.6 Further to providing a good and valued ICT service the new operating model has delivered significant savings for the authority, reducing overall spend on ICT Services by over £3 million per annum. Overall, the managed services contract costs of 3.7m per annum (financial year 22/23) including spend on ad hoc projects, schools support (which is recharged) and additional support commissioned for Sefton Arc Commercial Services, during the contract term. In addition, we have seen an increase in the support cost for Applications (181k per annum), this increase is based on additional applications found during transformation. Contract costs for school's support costs have reduced during the contract term, due to a redesign in the delivery model for connectivity.
- 3.7 As mentioned above, the current contract allows for the delivery of ad hoc projects to Sefton; these range from system upgrades to major infrastructure programmes including the implementation of Cloud Telephony and Data Centre Cloud Migration. The most significant project to date, Cloud Migration, completed in 2022 and the ability to commission additional technical expertise ensured a successful outcome for Sefton in what was a very complex and challenging project.

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3.6 The Council has also significantly benefited from sharing the risk in relation to Cyber Security over the last few years. The increasing threat landscape has seen major incidents at several authorities and Sefton has worked in partnership with the current provider to strengthen the Council's Security profile. This partnership improvement plan is continual with joint reviews, verification exercises and training in place. The current arrangement for Sefton not only provides a local security team but also ensures alignment to a central Security Operations service, subject matter experts, policies, and procedures in line with best practice standards and a shared ownership and management of risk.

4. **Future Operating Model**

4.1 A key question for Sefton is whether, from a business point of view, the authority wishes to continue with an external provider for the provision of operational ICT services. There are significant benefits in using an external provider model for Core ICT Operational ICT Services.

4.1.1 Sefton's service desk is now located within a regional service desk, thereby providing resilience in instance of staff absence. Hours of operation have also significantly improved with the service desk offering extended hours over a weekend and evenings.

4.1.2 The current model also provides additional capacity and specialist cover for technical aspects of ICT service delivery including (but not limited to); Cyber Security, DBA support (database administration), Cloud Architecture, and Technical Design. Other authorities across the region are experiencing challenges attracting suitability qualified candidates to apply for existing vacancies in these essential technical posts.

4.1.3 The current contract also provides a degree of resilience for example during the pandemic Sefton were also able to access additional field engineering staff and maintain business continuity when the entire local field engineering team had to go into isolation.

4.1.4 In addition, the current contract provides additional access to wider services and innovation sessions around ICT Transformation, which can be commissioned, as needed, to deliver key technical projects, such as Cloud, rather than Sefton having to recruit into this space.

4.2 As mentioned, Sefton has also been largely protected from the technical ICT recruitment challenges experienced by other local authorities in the region. Which are impacting teams from Service desk staff to Project Management and more specialist technical roles such as Technical Architecture, Database Administration and Security.

4.3 Cyber security features on the corporate risk register for the Council and is widely recognised as one of the key risks affecting all Councils across the Country, the

current contract shares this risk and ensures the delivery of services to the authority that align with industry standards and National Cyber Security Services.

4.4 Therefore, considering operational performance, the significant benefits of the model and the achievements over the last few years it is not proposed to fundamentally change the model; the externally provided service works well, delivers in line with challenging KPI's and provides a value for money service for Sefton, based on the core operational fee.

4.5 However, there are some elements of the current contract which do require improvement these relation to the following elements of the current contractual provision:

- Cyber Incident Security Event Monitoring (SIEM) and Security Operations Centre provision
- Application Support
- Schools Service Provision

4.5.1 Cyber Security Incident Event Monitoring and Security Operations Centre Provision

Currently Sefton commissions its SIEM service separately; given the integration to existing contractual provision it is proposed to include this provision into the new contract from 2025.

4.5.2 Application Support

Currently this service sits within the external contract, and Sefton is charged (in addition to the core operational service fee) for any works that take over half a day (4 hours) including standard upgrades to critical systems. This cost is significant. Further costs have also been incurred for any newly discovered applications on the estate. The role of the applications support team is changing linked to the strategic direction to move to SAAS services where possible, and there is also the requirement to move into new areas such as AI, as well as the need to develop the team to support the Council's aspirations around the website. In addition, much of application development and support remains in the Council with System development sitting within the ICT Client team, and additional dedicated staff for other applications sitting in service. It is therefore believed this team needs a fundamental review and restructure and would be best placed within the ICT Client team for this to be completed. This model is seen within other authorities who have ICT services, for core operational delivery, being delivered by an external provider.

4.5.3 School Services Provision

An aim within the current contract was to ensure that the Council had a key role in providing a quality offer across all Schools, this aim has been met during the term

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of the current contract, however over the last few years we have seen a change in the business model of a significant number of schools, particularly with the move to Academy's/Trusts and this is evidenced in the low take up of a number of our ICT SLA's,

At the time of writing Sefton provides three SLAs to schools

- Fully managed services – 26 schools currently take this service.
- Management Information Systems (MIS) – 86 schools opt into this service.
- Connectivity – 40 schools buy back this service.

The School SLA's currently make a loss to the Council in terms of financial revenue, once the administration costs are factored in, it is therefore proposed to remodel the new contract to allow a direct commercial relationship between the ICT Managed Services provider and Schools, with the authority moving to a quality assurance role. Thus, removing the financial risk to the authority when schools leave the service but maintaining a quality offer should schools wish to opt in.

5. Conclusion

5.1 As highlighted within this report the current contractual arrangements for the provision of ICT Operational Services works well and has delivered significant benefits for Sefton Council. However, there are some elements of the current contract that could do with changing to either improve the current provision and address any gaps, particularly related to security, or to reduce cost and increase efficiency of service provision.

5.2 Officers have identified Crown Commercial Service Framework CSS Technology Services 3 Lot 3b Operational Management, that will enable of procurement complaint process to be undertaken to source a service provider for a period of a three years, plus a further optional two years (which is the maximum contract term allowed).

6. Next Steps

6.1 Should Cabinet approve the recommendations within this report, then the following indicative timeline is proposed.

April – October 2024	Procurement Activity
November – January 2025	Contract Agreement and Award
February – September	Transition
1 st October 2025	Go Live

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Report to:	Cabinet	Date of Meeting:	Thursday 7 March 2024
Subject:	Financial Management 2023/24 to 2026/27 - Revenue and Capital Budget Update 2023/24 – March Update		
Report of:	Executive Director of Corporate Resources and Customer Services	Wards Affected:	(All Wards);
Portfolio:	Cabinet Member - Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	Yes	Included in Forward Plan:	Yes
Exempt / Confidential Report:	No		

Summary:

To inform **Cabinet** of:

- 1) The current position relating to the 2023/24 revenue budget.
- 2) The current forecast on Council Tax and Business Rates collection for 2023/24.
- 3) The monitoring position of the Council's capital programme to the end of January 2024:
 - The forecast expenditure to year end.
 - Variations against the approved budgets and an explanation of those variations for consideration by Members.
 - Updates to spending profiles and proposed amendments to capital budgets necessary to ensure the efficient delivery of capital projects.
- 4) The latest prudential indicator, performance and risk management information for 2023/24.

Recommendation(s):

Cabinet is recommended to:

Revenue Budget

- 1) Note the current position relating to the 2023/24 revenue budget.
- 2) Note the actions being taken to refine forecasts and identify mitigating efficiencies to ensure each service achieves a balanced position.
- 3) Recognise the financial risks associated with the delivery of the 2023/24 revenue budget and acknowledge that the forecast outturn position will continue to be reviewed, and remedial actions put in place, to ensure a balanced forecast outturn position and financial sustainability can be achieved.

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Capital Programme

- 4) Note the spending profiles across financial years for the approved capital programme (paragraph 7.1).
- 5) Recommend to Council the approval of a supplementary capital estimate for £2.644m for the Food Waste Collection grant externally funded by Defra (paragraphs 7.3-7.4).
- 6) Note the latest capital expenditure position as at 31 January 2024 of £26.793m (paragraph 7.5); the latest full year forecast is £46.241m (paragraph 7.6).
- 7) Note that capital resources will be managed by the Executive Director Corporate Resources and Customer Services to ensure the capital programme remains fully funded and that capital funding arrangements secure the maximum financial benefit to the Council (paragraphs 7.9-7.11).

Prudential Indicators

- 8) Note the forecasts for the Prudential Indicators relating to capital expenditure and financing as at 30th December 2023.

Performance

- 9) Note the latest position relating to key performance measures.

Risk Management

- 10) Note the latest position relating to key risk management areas.

Reasons for the Recommendation(s):

To ensure Cabinet are informed of the current position in relation to the 2023/24 revenue budget.

To provide an updated forecast of the outturn position with regard to the collection of Council Tax and Business Rates.

To keep members informed of the progress of the Capital Programme against the profiled budget for 2023/24 and agreed allocations for future years.

To progress any changes that are required in order to maintain a relevant and accurate budget profile necessary for effective monitoring of the Capital Programme.

To approve any updates to funding resources so that they can be applied to capital schemes in the delivery of the Council's overall capital strategy.

To ensure Cabinet are informed of prudential indicators, key performance information and key risk management areas.

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

N/A

What will it cost and how will it be financed?

(A) Revenue Costs

The report indicates that for 2023/24 following the implementation of the recommendations contained in this report that an overspend position of £1.555m is currently forecast and that further work is being undertaken to refine forecasts and identify mitigating efficiencies to ensure each service achieves a balanced position. Further mitigating actions are proposed in this report to ensure the Council returns to a balanced forecast outturn position-if these actions are not available within the approved budget, existing reserves and balances may need to be used.

(B) Capital Costs

The Council’s capital budget in 2023/24 is £47.092m. As at the end of January 2024 expenditure of £26.793m has been incurred and a full year outturn of £46.241m is currently forecast.

Implications of the Proposals:

<p>Resource Implications (Financial, IT, Staffing and Assets): Currently an overspend position of £1.555m is currently forecast for 2023/24, pending further work to refine forecasts and identify mitigating efficiencies. Further mitigating actions are proposed in this report to ensure the Council returns to a balanced forecast outturn position. However, it should be noted that significant pressure and risk remains in a number of areas, particularly relating to Children’s Social Care. If budgets experience further demand and inflationary pressure during the remainder of the year further corresponding savings or financial contributions will need to be identified and approved by members.</p>								
<p>Legal Implications: None</p>								
<p>Equality Implications: There are no equality implications.</p>								
<p>Impact on Children and Young People: Yes The report highlights the current financial position relating to services provided for Children and Young People.</p>								
<p>Climate Emergency Implications: The recommendations within this report will</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Have a positive impact</td> <td style="padding: 2px; text-align: center;">No</td> </tr> <tr> <td style="padding: 2px;">Have a neutral impact</td> <td style="padding: 2px; text-align: center;">Yes</td> </tr> <tr> <td style="padding: 2px;">Have a negative impact</td> <td style="padding: 2px; text-align: center;">No</td> </tr> <tr> <td style="padding: 2px;">The Author has undertaken the Climate Emergency training for report authors</td> <td style="padding: 2px; text-align: center;">Yes</td> </tr> </table> <p>The allocations of capital funding outlined in section 7 may be spent on projects that will</p>	Have a positive impact	No	Have a neutral impact	Yes	Have a negative impact	No	The Author has undertaken the Climate Emergency training for report authors	Yes
Have a positive impact	No							
Have a neutral impact	Yes							
Have a negative impact	No							
The Author has undertaken the Climate Emergency training for report authors	Yes							

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have a high climate change impact as they could relate to new build, rebuild, refurbishment, retrofit and demolition proposals. Environmental consideration will be taken into account when specific projects are designed and tendered – which will help to mitigate negative impacts.

Contribution to the Council's Core Purpose:

Effective Financial Management and the development and delivery of sustainable annual budgets support each theme of the Councils Core Purpose.

Protect the most vulnerable:

See comment above.

Facilitate confident and resilient communities:

See comment above.

Commission, broker and provide core services:

See comment above.

Place – leadership and influencer:

See comment above.

Drivers of change and reform:

See comment above.

Facilitate sustainable economic prosperity:

See comment above.

Greater income for social investment:

See comment above.

Cleaner Greener:

See comment above.

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources & Customer Services is the author of the report (FD 7562/24)

The Chief Legal and Democratic Officer has been consulted and has no comments on the report (LD 5662/24).

(B) External Consultations

N/A

Implementation Date for the Decision

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

Contact Officer:	
Telephone Number:	Tel: 0151 934 4106
Email Address:	paul.reilly@sefton.gov.uk

Appendices:

The following appendix is attached to this report:

- APPENDIX A – Capital Programme 2023/24 to 2025/26
- APPENDIX B – Summary Performance Report 2023/24 – Quarter 3
- APPENDIX C – Corporate Risk Register – February 2024

Background Papers:

There are no background papers available for inspection.

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1. Introduction

- 1.1 On 2 March 2023, Members approved the Budget for the financial year 2023/24. This budget was developed throughout the preceding nine months and took account of all known issues. Within that report, and as with previous years, the inherent financial risk within the budget, especially with respect to Children's Services, was identified. This was further reflected within the reserves' strategy for the Council, as reported in the Robustness Report also presented to Budget Council.
- 1.2 This report is the eighth and final of the Council's monthly budget monitoring reports for 2023/24 and updates the revenue forecast outturn position for all services, including the pressures that have materialised since the budget was set.
- 1.3 The report also outlines the current position regarding key income streams for the Authority, namely Council Tax and Business Rates. Variations against expected receipts in these two areas will also affect the Council's financial position in future years.
- 1.4 The capital section of the report informs Members of the latest estimate of capital expenditure for 2023/24 and forecast expenditure for 2024/25 and 2025/26. The capital budget to date is presented in paragraph 7.1. Paragraphs 7.2 to 7.8 review progress of the capital programme, including additional capital schemes. Finally, paragraphs 7.9 to 7.11 confirm that there are adequate levels of resources available to finance the capital programme.
- 1.5 This report also includes the quarter three position on the Council's Prudential Indicators, key performance measures and key risk management areas.

2. Revenue Budget 2023/24 – Forecast Outturn Position as at the end of January 2024

- 2.1 Members are provided with updates of the Council's forecast financial revenue position each month during the financial year from July. As would be expected as the forecast develop through the year, they become more robust and can inform decision making. The Council adopted this approach by developing its in year remedial budget actions on the back of the mid-year review position and this report builds on that.
- 2.2 As at the end of January 2024, the forecast outturn shows a net overspend on services of **£9.911m**, the majority of which relates to potential additional pressure within Children's Social Care, Adult Social Care and Education Excellence as well as the impact of the local government pay award. It should be noted that the majority of services are reporting a balanced position or are implementing local remedial actions to return a balanced position at this stage. As with all organisations at this time, the Council is operating in a very challenging financial environment. However, it is vital that the Council achieves a balanced forecast outturn position to ensure its financial sustainability. Actions to meet some of the forecast overspend were approved as part of previous reports in November 2023 (£4.795m) and February 2024 (£3.561m). The net overspend following these approved actions is £1.555m.

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2.3 The table below highlights the variations across services that make up the £1.555m forecast overspend, including approved mitigating actions:

	Budget	Forecast Outturn	Variance	Variance to December
	£m	£m	£m	£m
<u>Services</u>				
Strategic Management	3.939	4.052	0.113	-0.002
Adult Social Care	111.271	113.764	2.493	0.000
Children's Social Care	81.581	88.136	6.555	0.403
Communities	12.068	11.933	-0.135	0.000
Corporate Resources	7.623	7.397	-0.226	-0.016
Economic Growth & Housing	6.672	6.672	0.000	0.000
Education Excellence	15.517	17.247	1.730	0.209
Health & Wellbeing	19.645	18.796	-0.849	-0.057
Highways & Public Protection	10.973	10.777	-0.196	-0.077
Operational In-House Services	17.603	17.806	0.203	0.137
Energy Costs	4.200	4.200	0.000	0.000
Additional Pay Award Cost	0.000	1.400	1.400	0.000
Total Service Net Expenditure	291.092	302.180	11.088	0.597
Mitigating Actions approved in November 2023	0.000	-4.795	-4.795	0.000
Mitigating Actions approved in February 2024	0.000	-3.561	-3.561	0.000
Council Wide Budgets	11.918	10.741	-1.177	-0.015
Levies	36.193	36.193	0.000	0.000
General Government Grants	-84.086	-84.086	0.000	0.000
Total Net Expenditure	255.117	256.672		
<u>Forecast Year-End Deficit</u>			<u>1.555</u>	<u>0.582</u>

2.4 The key areas relating to the outturn position are as follows:

- **Adult Social Care** – Initial forecasts assumed that the Adult Social Care budget will break-even during 2023/24. However, there are a number of significant assumptions and uncertainties that could impact on this position before the year-end. The service has also committed to a number of efficiencies and savings that amount to £5.7m, in order to meet the savings approved as part of the approved 2023/24 budget plus additional savings to meet the additional budgetary pressures arising from the increases in provider fees approved at Cabinet meetings in June

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2023. The achievement of these savings will be carefully monitored throughout the year. At this time over £5.5m of the £5.7m of savings have been delivered.

Like all councils, the Service is experiencing growth pressure with demand for services and are seeking to meet the cost of this within the resources available, including taking account of the additional funding from Central Government that is being made available to councils to meet increases in demand and financial pressure including those that maybe experienced during winter and in respect of discharges. Given the pressures being faced a forecast overspend of £2.493m is reported which is the same as last month. Further work will continue to be undertaken to understand the pressures and refine forecasts. Work will also continue to explore options to ensure that any potential overspend is reduced. As would be expected with a budget of this size and volatility, this remains a key risk during the current year.

- **Children's Social Care** – The current forecast for the service shows a potential overspend of £6.555m, an increase of £0.403m on last month. However, there are a number of significant assumptions and uncertainties that could impact on this position before the year-end. Further work is being undertaken to understand the pressures and refine forecasts.

Members will be aware that the 2023/24 approved budget included an additional £21m of investment in the service based on the requirement for additional staffing (including temporary funding for additional agency costs whilst more permanent staff are recruited to, including International Social Workers and from staff coming through the social work academy) as well as additional resources to reflect the number of packages at the time, some potential growth as well as resource for inflationary pressures.

The current forecast for staffing is an overspend of £1.161m. There was a clear set of assumptions originally driving the forecast in terms of when expensive project/court teams will leave the Council as new staff are onboarded from the International Social Worker cohort and the academy. As these assumptions have changed the forecasts have been revised with additional pressure being experienced. This is also a key aspect of budget setting and medium-term financial planning.

Certain areas of accommodation and support packages are forecast to overspend by £4.807m, partly due to additional packages in the late part of 2022/23 and early part of 2023/24. As mentioned in reports last year, packages initially have been at a higher cost than previously seen. However, recently improvements in practice have resulted in more children being placed in more appropriate settings at a lower cost. This is expected to continue throughout the year. Work is currently being undertaken to review forecasts for all types of care settings based on a number of children being in higher cost settings for shorter periods, which is expected to significantly impact on the forecast. In addition, where numbers and costs of Children with Disabilities has increased, specialist work is being undertaken to ensure health are making the appropriate contributions to the cost of care.

This is the key aspect of this financial forecast- the service is stabilising and as this takes place the review of placements will also be undertaken. At present the assumption is that all support, unless known otherwise, will continue for the whole

of the financial year and for a number of placements this will not be the case. Senior managers are reviewing these, and the forecast will be updated accordingly.

Members will recall that in the budget reports it was advised that a tolerance of 5% on the budget could be expected based on advice from the DfE commissioner-based on the service budget that would amount to £4m. This current forecast is higher than that at present before the outcome of the additional reviews is to be built in.

In considering this forecast, work will also be undertaken to determine if any of this pressure is temporary or permanent in nature and needs reflecting in future budget setting processes. At present as a lot of this pressure arose from 2022/23 and the start of the financial year it is estimated that the future years impact is modest at this stage.

- **Corporate Resources** – The service had previously forecast a balanced position. However, in light of the overall budget position, the Service reviewed budgets further to identify areas where savings could be made. The forecast is for an underspend of £0.226m. Based on the latest information, functions within the service are therefore forecasting an underspend of £0.850m. However, there is pressure within the ICT budget from inflation on contracts that is in excess of the provision made and a loss of income from School SLAs as a result of a change in the contractual arrangement enforced by the provider for which the Council has no control. These two pressures amount to £0.624m, which is offset by the underspends across the Service. As stated, all services are underspent, and significant cost control will continue to be required between now and the year end to deliver the current forecast position.
- **Economic Growth and Housing** – The service is showing a balanced position. However, based on the latest information, functions within the service are forecasting an overspend of £0.097m, although the service are currently examining forecasts. Additional cost control will be required between now and the year end to deliver that balanced position and this position will be updated in future reports.
- **Education Excellence** – The current forecast shows a potential net overspend of £1.730m, this relates to the provision of additional SEND staff and Home to School Transport. The service is reviewing all forecasts to identify areas that will offset costs of the additional SEND staff. Members will recall that in the budget substantial funding was added to the Home to School Transport budget, but this budget has come under further pressure due to the increase in the number of EHCPs being completed and the resulting pressure in the Service.
- **Additional Pay Award Provision** – The approved Base Budget included a provision for the 2023/24 pay award of around 4.5%. This was line with most other local authorities who had budgeted for similar amounts. The offer from the National Employers for local government services body is for a fixed increase of £1,925, with a minimum of 3.5% (similar to the increase in 2022/23). For Sefton, this equates to an increase in the pay bill of about 6.0% or an additional £1.400m above the amount included in the 2023/24 budget. It should be noted that this offer has now been accepted by trade unions.

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3. Revenue Budget Summary 2023/24

- 3.1 An overspend of **£1.555m** is currently forecast. However, as mentioned in section 2, this is a forecast based on a number of uncertainties and assumptions, particularly around Adult and Children's Social Care which remain volatile. Additional work will continue to be undertaken across service areas to refine the forecasts and identify mitigating efficiencies to ensure each service achieves a balanced budget position. In Children's Social Care forecasts will be refined to take into account the improvements in practice that have seen children being placed in more appropriate settings, as well as the anticipated reduction in the number of Looked After Children, however the key risk is the staffing budget with the timing of transition between project/court teams and new permanent staff that will support a skilled and stable workforce the key variable that could impact the budget.
- 3.2 As mentioned, the Council must achieve an overall balanced position to ensure its financial sustainability. As an overall forecast overspend remains a remedial action plan to meet the residual balance has been produced and is presented below for members' approval.

Proposed Remedial Actions

- 3.3 After the mitigating actions approved by Cabinet in November 2023 and February 2024, there is still a forecast overspend of **£1.555m**. It is proposed to continue with the adoption of financial principles used in previous years, to enable a balanced forecast outturn position to ensure the Council's financial sustainability. This will include cost control in relation to recruitment, non-essential expenditure and no further growth items / additionality.

Summary 2023/24

- 3.4 An overspend of **£1.555m** is currently forecast. However, this represents the current position that has been forecast to the year end- in the event that further pressure is experienced, further remedial action will be required. As a result of using the options above, there is no flexibility left for the use of existing reserves or general balances- as a result this pressure, and any further pressure, will need to be met from within the existing Council budget and delivery monitored carefully and reported to Cabinet.
- 3.5 Should there still be a residual overspend at year end, this will need to be funded by general balances and as part of the budget process for 2024/25 the Council will need to increase these back to the previous level taking into account the risks faced by the Council and the assessment of their adequacy as described in the S151 Officer's Robustness report.

4. Council Tax Income – Update

- 4.1 Council Tax income is shared between the billing authority (Sefton Council) and the three major precepting authorities (the Fire and Rescue Authority, the Police and Crime Commissioner and the Combined Authority – Mayoral Precept) pro-rata to their demand on the Collection Fund. The Council's Budget included a Council Tax Requirement of £160.236m for 2023/24 (including Parish Precepts), which represents 84% of the net Council Tax income of £191.139m.

4.2 The forecast outturn for the Council at the end of January 2024 is a surplus of £1.237m. This variation is primarily due to: -

- The surplus on the fund at the end of 2022/23 being higher than estimated (-£0.314m).
- Gross Council Tax Charges in 2023/24 being higher than estimated (-£0.497m).
- Exemptions and Discounts (including a forecasting adjustment) being higher than estimated (+£0.751m).
- A reduction in the amount set aside for Bad Debts (-£1.177m)

4.3 Due to Collection Fund regulations, the Council Tax surplus will not be transferred to the General Fund in 2023/24 but will be carried forward to be recovered in future years.

4.4 A forecast surplus of £2.045m was declared on the 17 January 2023 of which Sefton's share is £1.716m (83.9%). This is the amount that will be recovered from the Collection Fund in 2023/24.

4.5 A forecast surplus of £1.548m was declared on the 16 January 2024 of which Sefton's share is £1.299m (83.9%). This is the amount that will be recovered from the Collection Fund in 2023/24. Any additional surplus or deficit will be distributed in 2025/26 and future years.

5. **Business Rates Income – Update**

5.1 Since 1 April 2017, Business Rates income has been shared between the Council (99%) and the Fire and Rescue Authority (1%). The Council's Budget included retained Business Rates income of £62.388m for 2023/24, which represents 99% of the net Business Rates income of £63.018m. Business Rates income has historically been very volatile making it difficult to forecast accurately.

5.2 The forecast outturn for the Council at the end of January 2024 is a surplus of -£10.935m on Business Rates income. This is due to:

- The surplus on the fund at the end of 2023/24 being higher than estimated (-£9.916m).
- Reduction in the gross charge on rateable properties (+£0.234m).
- A number of reliefs announced for 2023/24 were assumed in the NNDR1 return with the loss of income as a result of these reliefs covered by Section 31 grant payments. It is now forecast that the value of these reliefs will be less than anticipated (-£0.295m).
- Adjustments relating to prior years (-£0.958m)

5.3 When taking into account the lower Section 31 grants due on the additional reliefs, a net surplus of £9.744m is forecast.

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- 5.4 Due to Collection Fund regulations, a Business Rates deficit will not be transferred to the General Fund in 2023/24 but will be carried forward to be recovered in future years.
- 5.5 A forecast surplus of £12.836m was declared in January 2023. Sefton's share of this is £12.708m. This is the amount that will be distributed from the Collection Fund in 2023/24. Any additional surplus or deficit will be distributed in 2024/25 and future years.
- 5.6 A forecast surplus of £11.119m was declared in January 2024. Sefton's share of this is £11.008m. This is the amount that will be distributed from the Collection Fund in 2024/25. Any additional surplus or deficit will be distributed in 2025/26 and future years.

6. **High Needs Budget**

- 6.1 Cabinet and Council have agreed to receive quarterly reports from the Executive Director of Children's Social Care and Education and the Assistant Director of Children's Services (Education) with regard to the High Needs budget and the changes that are proposed, details of sufficiency planning, the Council's engagement on the Delivering Better Value Programme and the current high needs deficit and the risk around future central government decision making in respect of this deficit.
- 6.2 The latest report was presented to Cabinet in July 2023, providing detail on the current monitoring position relating to the High Needs budget. A further report will be presented to the April 2024 meeting of Cabinet.

7. **Capital Programme 2023/24 – 2025/26**

Capital Budget

- 7.1 The Capital Budget and profile of expenditure for the three years 2023/24 to 2025/26 is as follows:

2023/24	£47.092m
2024/25	£66.322m
2025/26	£53.733m

- 7.2 The following updates have been made to the capital programme budget since the previous budget report to Cabinet in February:

- **Adult Social Care:**

- A virement has been completed under delegated authority to transfer £0.100m to the Careline Digital Switchover project by reprioritising resources from other social care projects.
- £0.080m has been rephased to 2024/25 for Technology Enabled Care Equipment purchases.

- **Economic Growth & Housing:**
 - £0.100m has been rephased to 2024/25 for the Cambridge Road Centre redevelopment project.
 - £0.058m has been rephased to 2024/25 for an ongoing programme of strategic acquisitions in Ainsdale.
 - £0.600m has be rephased to 2024/25 for the Brownfield Development Fund to be issued to Sandway Homes for work on land at Bentham's Way.

- **Education Excellence** – The following school's schemes have been rephased to 2024/25:
 - £0.061m Hatton Hill Roof Refurbishment
 - £0.232m Merefield - Roof Refurbishment / Playground Surfaces
 - £0.199m Rowan High – Replace Flat Roof
 - £0.498m Formby High – Conversion of Caretakers House

- **Highways and Public Protection** – the following schemes which have been planned across two financial years have now been reviewed and rephased due to the prioritisation of other Highways work:
 - £0.185m Accessibility
 - £0.066m Healthy Lifestyles
 - £0.050m Road Safety
 - £0.114m A565 Route Management
 - £0.054m A59 Route Management
 - £0.465m Strategic Planning
 - £0.100m Drainage
 - £0.313m Urban Traffic Control

- **Operational In-House Services:**
 - £0.129m has been rephased to 2024/25 for Flood and Coastal Erosion Monitoring Schemes.
 - £0.051m has been rephased to 2024/25 for Tree Planting Schemes.

Food Waste Collections Grant

- 7.3 The Government made an announcement in October 2023 regarding its approach to Simpler Recycling across England and reforms to household and business bin collections including the introduction of weekly food waste collections. This will come into effect for households from 1 April 2026, as required under s45A of the Environmental Protection Act 1990 (introduced by the Environment Act 2021).
- 7.4 The Council has received confirmation from the Department for Environment, Food and Rural Affairs in February of an allocation of capital transitional grant to support the delivery of weekly food waste collections. The capital funding is for the purchase of food waste bins (this includes internal kitchen caddies, external kerbside caddies and communal bins) and food waste collection vehicles, provided on a non-ring-fenced basis. Sefton's total allocation of grant for 2023/24 is £2,644,182.

Budget Monitoring Position to January 2024

- 7.5 The current position of expenditure against the budget profile to the end of January 2024 is shown in the table below. It should be noted that budgets are profiled dependent upon the timing of when works are to be carried out and the anticipated

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spend over the financial year. The budget to date in the table below reflects the profiles of each individual scheme.

	Budget to January	Actual Expenditure to January	Variance to January
	£m	£m	£m
<u>Services</u>			
Adult Social Care	4.563	4.091	-0.474
Children's Social Care	0.284	0.409	0.125
Communities	0.517	0.481	-0.036
Corporate Resources	1.789	1.699	-0.090
Economic Growth & Housing	5.910	5.794	-0.116
Education Excellence	3.675	3.807	0.133
Highways & Public Protection	10.997	9.514	-1.483
Operational In-House Services	1.223	0.998	-0.225
<u>Total Programme</u>	28.958	26.793	-2.166

Capital Programme Forecast Outturn 2023/24

7.6 The current forecast of expenditure against the budget profile to the end of 2023/24 and the profile of budgets for future years is shown in the table below:

	Budget 2023/24	Forecast Outturn	Variance	Budget 2024/25	Budget 2025/26
	£m	£m	£m	£m	£m
<u>Services</u>					
Adult Social Care	7.320	7.190	-0.132	2.860	1.850
Children's Social Care	0.532	0.620	0.088	0.170	-
Communities	2.054	1.972	-0.082	0.405	-
Corporate Resources	2.226	2.153	-0.073	0.541	-
Economic Growth & Housing	9.922	9.877	-0.044	31.823	50.568
Education Excellence	6.059	5.925	-0.134	11.483	-
Highways & Public Protection	16.408	15.930	-0.478	13.229	0.322
Operational In-House Services	2.572	2.574	0.003	5.811	0.993
<u>Total Programme</u>	47.092	46.241	-0.852	66.322	53.733

*A full list of the capital programme by capital scheme is at **appendix A**.*

7.7 The current 2023/24 budgeted spend is £47.092m with a budgeted spend to January of £28.958m. The full year budget includes exceptional items such as £8.426m for Growth and Strategic Investment projects, £0.482m for the Brownfield Housing Development fund, £0.760m for Sustainable Warmth Schemes, £1.300m for the Local Authority Housing Fund, a £1.000m project for Southport Pier Decking, and a scheme to upgrade to LED Street Lighting (£3.606m).

7.8 Typically, on an annual basis the capital programme spends in the region of £25-30m. Given this typical annual level of spend, and although in 2023/24 there are a number of exceptional items as described above, it is likely that further reprofiling of spend into 2024/25 will occur as the year progresses.

Programme Funding

7.9 The table below shows how the capital programme will be funding in 2023/24:

<u>Source</u>	£m
Grants	36.689
Prudential Borrowing	5.462
Capital Receipts	2.691
Contributions (including Section 106)	2.249
<u>Total Programme Funding</u>	47.092

7.10 The programme is reviewed on an ongoing basis to confirm the capital resources required to finance capital expenditure are in place, the future years programme is fully funded, and the level of prudential borrowing remains affordable.

7.11 The Executive Director of Corporate Resources and Customer Services will continue to manage the financing of the programme to ensure the final capital funding arrangements secure the maximum financial benefit to the Council.

8. Prudential Indicators 2023/24 – Update to December 2023

8.1 The Authority measures and manages its capital expenditure and financing with reference to the Prudential Indicators approved by Council in March 2023. It is now a requirement of the CIPFA Prudential Code that these are reported on a quarterly basis as part of the budget monitoring process. The actual values for 2022/23 and updated forecasts for the prudential indicators for 2023/24 and future years have therefore been calculated and are presented below for review. It should be noted that the Authority has not, with the exception of capital expenditure, exceeded the original estimates approved by Council in March and the forecasts below are therefore present for Cabinet and Council to note. Increases to the estimates of capital expenditure are the result of schemes fully approved at Cabinet and Council for inclusion in the capital programme in line with the Financial Procedure Rules.

Capital Expenditure:

8.2 The Authority has undertaken and is planning capital expenditure as summarised below.

Capital Expenditure				
	2022/23 £m Actual	2023/24 £m Budget	2024/25 £m Budget	2025/26 £m Budget
TOTAL	38.705	50.650	62.764	53.733

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8.3 The estimates of the capital expenditure for the current year and 2024/25 have remained within those approved in March although some timing differences may be shown due to reprofiling of capital expenditure, further details of which are reported to Cabinet on a regular basis as part of the capital programme budget monitoring. The estimate for 2025/26 has exceeded the original estimate of £33.342m due to new schemes approved for inclusion in the capital programme by Cabinet and Council during 2023 and the rephasing of schemes between financial years as cashflows and cost plans are developed. These new schemes are for the most part funded by grants and external contributions and therefore have a minimal impact on the indicators for capital financing and debt reported below.

8.4 The main capital projects that have incurred expenditure to date have included:

- Disable Facilities Grants - £2.388m
- Community Equipment - £0.575m
- Corporate Essential Maintenance - £1.005m
- Sustainable Warmth Schemes - £0.687m
- Crosby Lakeside Redevelopment - £0.790m
- Marine Lake Events Centre - £2.340m
- Bootle Canal Side (Salt & Tar) - £0.821m
- Strand Business Plan - £0.760m
- Schools Programme - £1.800m
- Schools Special Educational Needs & Disabilities Programme - £1.550m
- Highways Integrated Transport Programme - £2.548m
- Highway Maintenance - £3.481m
- LED Street Lighting Upgrade - £2.406m

Capital Financing Requirement:

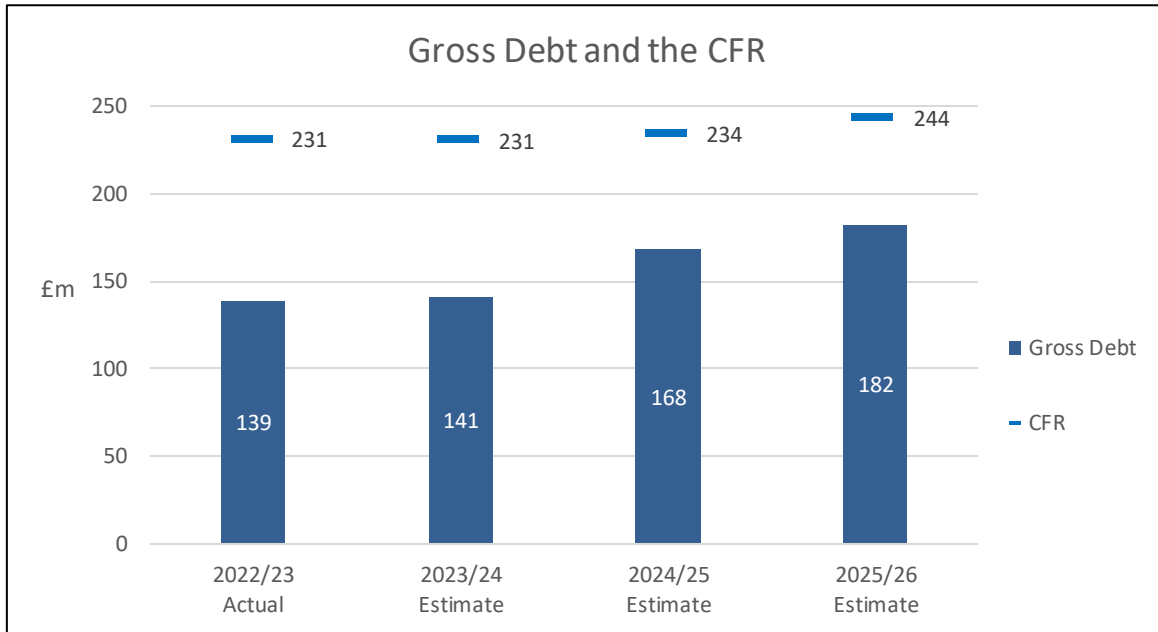
8.5 The Authority’s cumulative outstanding amount of debt finance is measured by the capital financing requirement (CFR). This increases with new debt-financed capital expenditure and reduces with Minimum Revenue Provision (the statutory amounts set aside to repay debt).

Capital Financing Requirement				
	31/03/23 £m Actual	31/03/24 £m Forecast	31/03/25 £m Forecast	31/03/26 £m Forecast
CFR	231.309	230.525	234.240	243.548

8.6 The estimates of the CFR have remained within those approved in March although as mentioned previously, some timing differences may be shown due to reprofiling of capital expenditure.

Gross Debt and the Capital Financing Requirement:

- 8.7 The statutory guidance provided by CIPFA is that debt should remain below the capital financing requirement, except in the short term. The Authority has complied and expects to continue to comply with this requirement in the medium term as is shown below.



Debt and the Authorised Limit and Operational Boundary:

- 8.8 The Authority is legally obliged to set an affordable borrowing limit (also termed the Authorised Limit for external debt) each year and to keep it under review. In line with statutory guidance, a lower “operational boundary” is also set as a warning level should debt approach the limit. The operational boundary is a management tool for in-year monitoring it is not unusual if the boundary is breached on occasions due to variations in cash flow, and this is not counted as a compliance failure under the CIPFA code.

	Maximum Actual Debt To Date 2023/24 £m	Actual Debt at 31.12.2023 £m	Authorised Limit £m	Operational Boundary £m
Borrowing	134	124	185	160
Other Long-Term Liabilities	5	5	5	5
Total Debt	139	129	190	165

- 8.9 The table above shows highest level of debt during the year to date (the Maximum Actual Debt) and also the debt position as at 31st December compared to the Authorised Limit and Operational Boundary. Neither indicator has been breached and it is not anticipated that this position will change for the remainder of the financial year.

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Net Income from Commercial and Service Investments to Net Revenue Stream:

- 8.10 This indicator measures the proportion of the authority's net revenue stream that is derived from non-treasury investments such as service investments (loans to subsidiaries) and commercial investments (investment properties). Commercial investments relate to legacy arrangements such as concessions at Southport seafront, parks and gardens; the freehold interest in the Strand Shopping Centre; rents linked to small retail units; industrial units; clubs; and car park income. The indicator is a measure of the exposure to loss of income should the net return from those investments fall short of the target set in the budget.

Net Income from Commercial and Service Investments to Net Revenue Stream				
	2022/23 Actual	2023/24 Forecast	2024/25 Forecast	2025/26 Forecast
Ratio	1.2%	1.1%	1.0%	1.1%

- 8.11 As can be seen from the ratios above this is a relatively low percentage of the Council's revenue stream indicating that the Council's budget is not overly reliant on commercial and service investment income. Variations to planned levels of income are also reflected in the Council's Medium Term Financial Plan. Should a shortfall in investment income occur then the plan will be adjusted accordingly, and corresponding savings will need to be made to compensate for the loss of income.

Proportion of Financing Costs to Net Revenue Stream:

- 8.12 This indicator measures the total capital financing costs of capital expenditure as a proportion of the total level of income from Government Grants, local Council Tax and Business Rates payers. This measure demonstrates the affordability of capital plans by comparing the cost of borrowing undertaken to fund the capital programme (in previous years and for planned expenditure in future years) to the net revenue available to the Council in each of those years.

Financing Costs / Net Revenue Stream				
	2022/23 Actual	2023/24 Forecast	2024/25 Forecast	2025/26 Forecast
Ratio	6.0%	5.3%	5.3%	5.8%

- 8.13 The forecast ratios calculated as of December are slightly lower than those set at the beginning of the year (2023/24 indicator was set at 5.7%) due to variations in the forecast net revenue stream. The cost of borrowing for the current approved capital programme therefore remains affordable.

9. **Performance**

- 9.1 The Council recognises the importance of performance management and service areas report regularly to Cabinet Members, Health & Wellbeing Board and Overview and Scrutiny on service-related performance and key corporate activity.
- 9.2 Members will also be aware that a detailed, comprehensive Corporate Performance is reported annually to Cabinet in July as part of the Financial Outturn report. Such an approach is the basis for reporting quarterly performance to Members as set out in Appendix B.

10. **Corporate Risk Management**

- 10.1 The Council has an established approach to risk management. As part of that a Corporate Risk Register is maintained and is reported at each quarterly meeting of the Audit and Governance Committee. This Corporate Risk Register has been updated for this mid-year review report and the top scoring risks are set out as in Appendix C. These risks should be considered and aligned to the key financial and performance issues within this report.

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APPENDIX A – Capital Programme 2023/24 to 2025/26

<u>Capital Scheme</u>	Budget		
	2023/24 £	2024/25 £	2025/26 £
Adult Social Care			
Disable Facilities Grants – Core Grants (DFGs)	3,000,000	-	-
Occupational Therapy Support for DFGs	663,774	-	-
ICT Development & Transformation	940,073	307,067	2,708
ICT Connectivity in Care Homes and Support Living	30,000	70,000	-
Fall Prevention Schemes	-	45,000	-
Care Home Improvements	475,449	200,000	-
Changing Places	51,327	-	-
Integrated Health and Wellbeing on the High Street	-	400,000	-
Short Term Assessment Unit	506,846	1,213,154	1,847,000
New Directions Programme	175,038	226,000	-
Technology Enabled Care	236,949	204,184	-
Community Equipment Provision	400,000	-	-
Double to Single Handed Care Equipment Provision	150,000	-	-
Community Equipment – Specialist Projects	232,435	-	-
Community Equipment Stores Improvements	65,000	-	-
Programme Support	122,922	-	-
Digitising Social Care	260,000	195,000	-
Community Based Falls Equipment	10,200	-	-
Children’s Social Care			
Support for Fostering Placements	94,509	100,000	-
Community Equipment Provision	274,861	-	-
ICT Development & Transformation	133,545	-	-
Springbrook Refurbishment	28,923	-	-
Springbrook Vehicle	-	70,000	-
Communities			
Atkinson Arts Centre – Infrastructure & Windows	24,553	170,993	-
Leisure Centres – Essential Works	338,516	103,000	-
Libraries Projects	309,623	131,017	-
Neighbourhoods Projects	80,886	-	-
Local Authority Housing Fund	1,300,000	-	-
Corporate Resources			
Council Wide Essential Maintenance	1,392,189	393,595	-
Sustainable Warmth Schemes	760,092	-	-
ICT Development & Transformation	73,812	147,549	-
Economic Growth & Housing			
Cambridge Road Centre Redevelopment	127,070	100,000	-
Crosby Lakeside Redevelopment	673,935	33,219	-
Strategic Acquisitions – Ainsdale	292,000	584,303	-
Marine Lake Events Centre	4,863,327	16,770,090	43,205,556
The Strand – Maintenance and Improvements	150,000	-	-
Enterprise Arcade	521,691	1,105,078	-

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	2023/24 £	2024/25 £	2025/26 £
Transformations de Southport	303,937	1,500,000	696,063
Bootle Canal Side Business Plan	813,867	-	-
The Strand – Repurposing Programme	680,000	6,666,667	6,666,667
Housing Investment	-	33,960	-
Social Housing Allocations Scheme	13,590	-	-
Brownfield Fund for Housing Development	482,336	600,000	-
Council Housing at Buckley Hill Lane	-	2,222,783	-
Southport Pier	1,000,000	2,148,267	-
Town Centre Vacant Sites	-	58,764	-
Education Excellence			
Early Years	-	534,202	-
General Planned Maintenance	365,605	30,249	-
Schools Programme	2,367,325	8,068,410	-
Sporting Betterment of Schools	326,850	1,256,365	-
Special Educational Needs & Disabilities	2,999,082	1,593,624	-
Highways and Public Protection			
Accessibility	93,152	574,991	-
Healthy Lifestyles	114,659	272,604	-
Road Safety	107,638	50,000	-
A565 Route Management and Parking	965,195	149,479	-
A565 Northern Key Corridor Improvements	2,738	97,262	-
A59 Route Management Strategy	315,000	2,850,426	322,000
Strategic Planning	2,975,910	1,915,180	-
Traffic Management and Parking	67,000	-	-
Highway Maintenance	6,329,191	-	-
Bridges and Structures	375,000	2,000,000	-
Drainage	343,181	100,000	-
Street Lighting Maintenance	326,823	-	-
LED Street Lighting Upgrade	3,605,580	3,662,630	-
Urban Traffic Control	760,281	752,968	-
Completing Schemes and Retentions	26,510	13,490	-
Transport Growth Programme	-	789,813	-
Operational In-House Services			
Coastal Erosion and Flood Risk Management	1,155,111	2,112,226	898,000
Countryside Stewardship	9,919	1,740	-
Crosby Marine Lake Improvements	10,803	-	-
Parks Schemes	295,484	961,053	-
Tree Planting Programme	171,500	241,829	94,879
Golf Driving Range Developments	-	282,477	-
Ainsdale Coastal Gateway	438,186	427,989	-
Green Sefton – Vehicles, Plant & Machinery	18,335	131,152	-
Refuse Collection & Recycling	-	345,000	-
Vehicle Replacement Programme	472,166	1,307,328	-
<u>Total Programme</u>	47,091,501	66,322,177	53,732,873

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Sefton MBC

Corporate Performance

Summary Performance Report 2023-24 Q3

Last Updated: February 2024

Strategic Support
Policy, Performance & Business Intelligence.

Document Control

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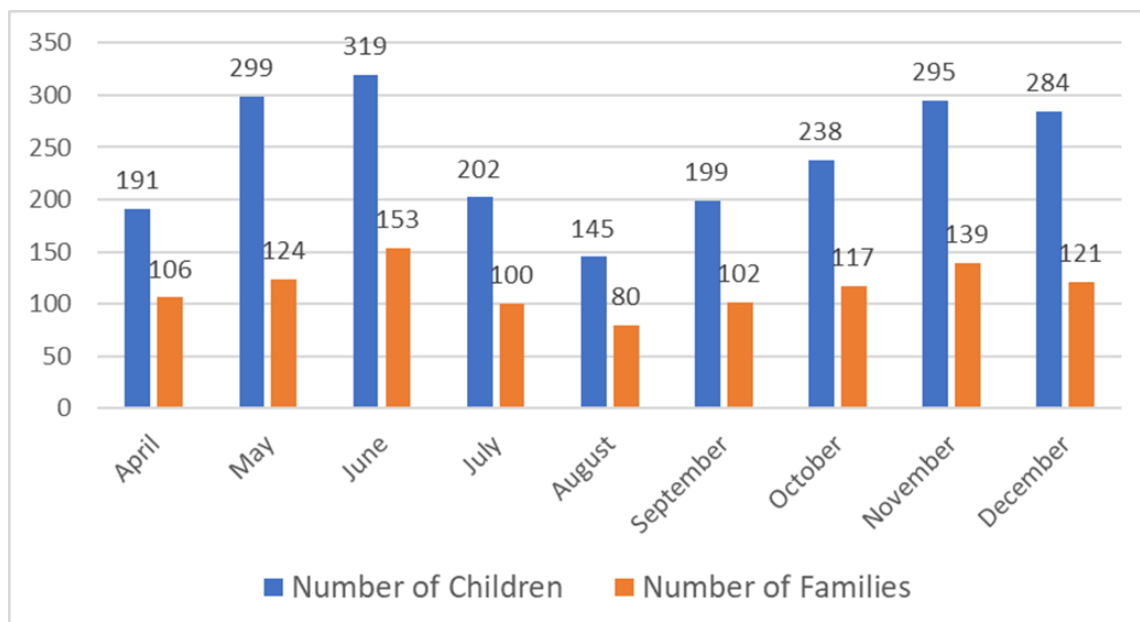
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Status: Final

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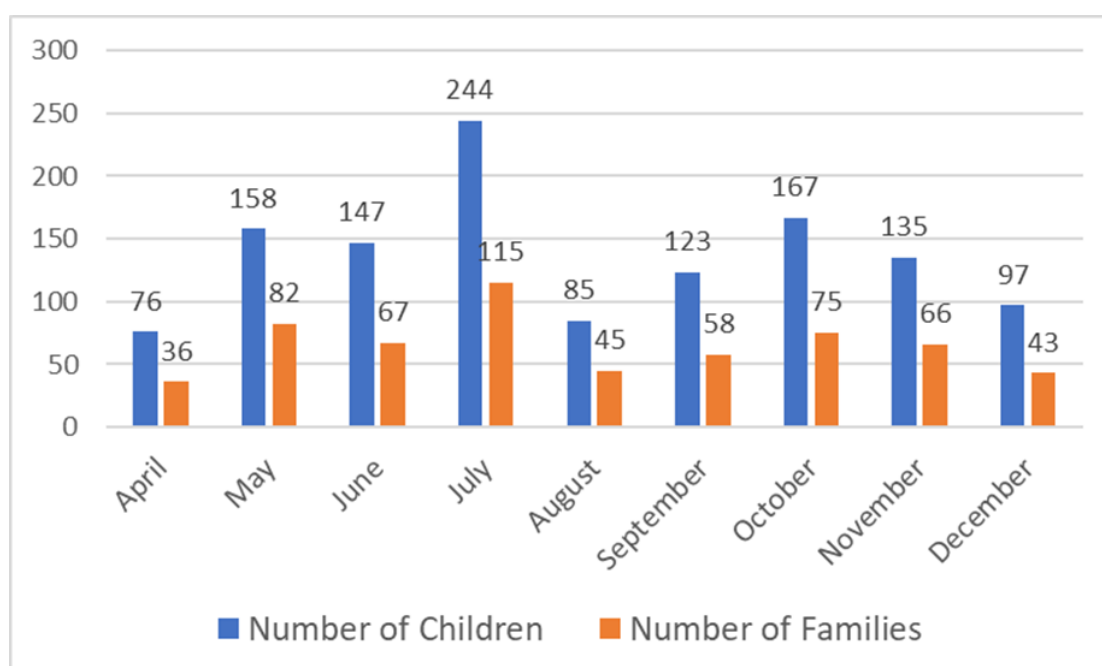
Children & Young People – “Improving outcomes for children and their families.”

Early Help (EH) cases open



Between October and the end of December 2023 (Q3), there were 4,433 contacts received through the Integrated Front Door, which represents on average 1,480 contacts per month. In Q3 the Early Help Service opened cases for 817 children (375 families). 83% of cases were held at the Family Wellbeing Centres, 10% in MASH & TFS, and the remaining 7% were commissioned or held in schools. The top 3 reasons for opening cases were (1) Parenting Support (47%), (2) Behaviour Difficulties (24%), and (3) Social & Emotional Difficulties (18%).

Early Help (EH) cases closed with positive outcome(s) achieved

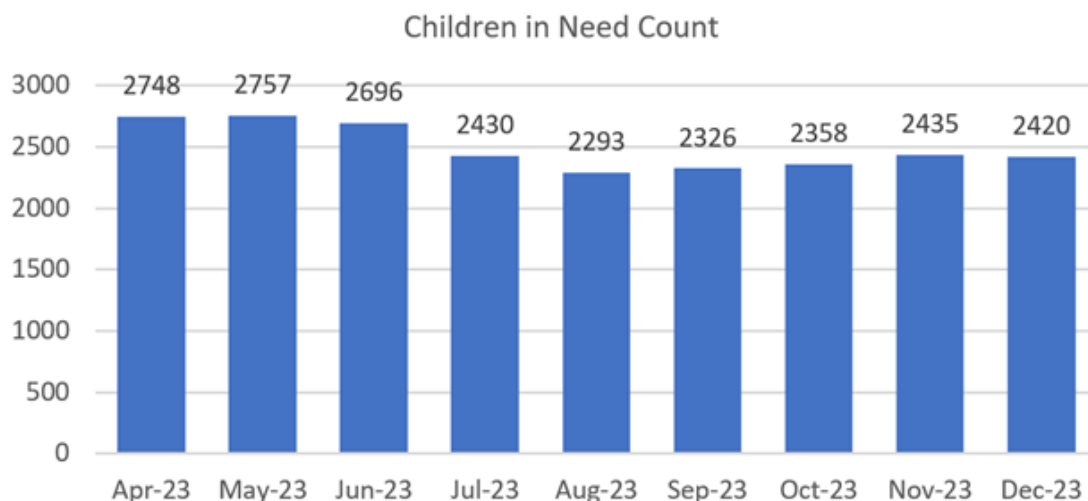


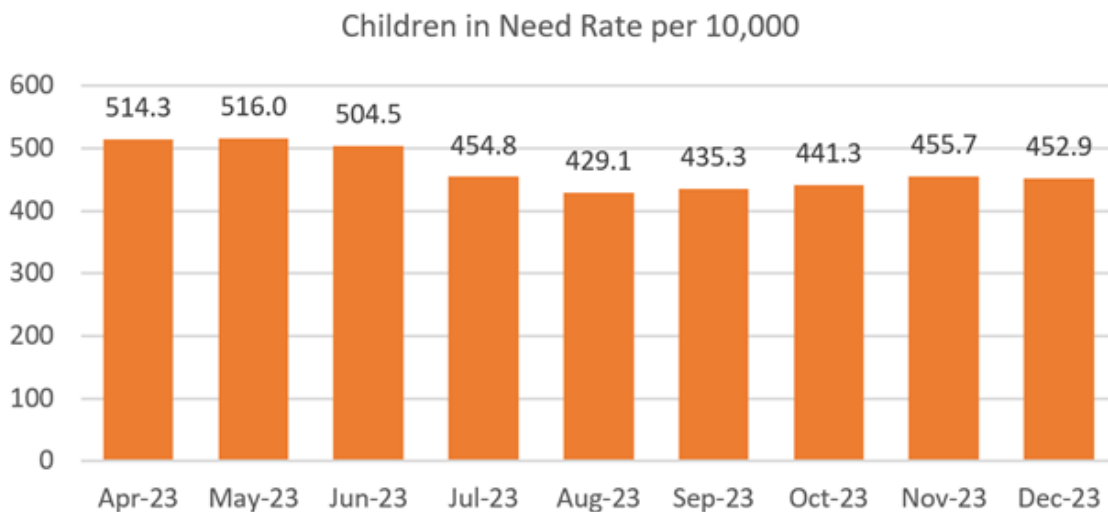
Between October and the end of December 2023 (Q3), our Early Help Service closed cases for 782 children (365 families), which resulted in a positive outcome. 50.4% of families reported that they achieved all the outcomes set by the family to address all their identified needs/difficulties/challenges. The remaining 49.6% of our families reported that early help, support, and interventions had significantly helped to address most of their needs.

The service continues to promote the Council's Early Help Strategy and the whole family approach, which encompasses all stakeholders working with children and families. This includes Health, Police, Education, Children's Social Care, Local Authority Early Help, Voluntary Community and Faith organisations and the wider public. The new Team around the school (TAS) initiative is now being piloted across 5 clusters of schools, with multiple agencies working together to support families at the earliest opportunity in a way that empowers families, builds on their strengths and develops their resilience, supporting families with parenting, child development, attendance, sleep, health concerns, speech and language, money worries, emotional health and wellbeing, managing behaviour and drug or alcohol misuse. It is not anticipated that the TAS initiative will reduce the demand for Early Help; it may increase demand and recorded involvement with families. However, it should contribute positively to improving the reported satisfaction of outcomes.

The reconfiguration of Early into our multi-agency based and virtual hubs is online to launch in July of 2024. The Family Hubs will be an accessible and community based and virtual provision for those families who require support outside of statutory services. The aim of these hubs is to bring multi-agency services to families as and when they need them and reduce the need for acute services.

Children in Need



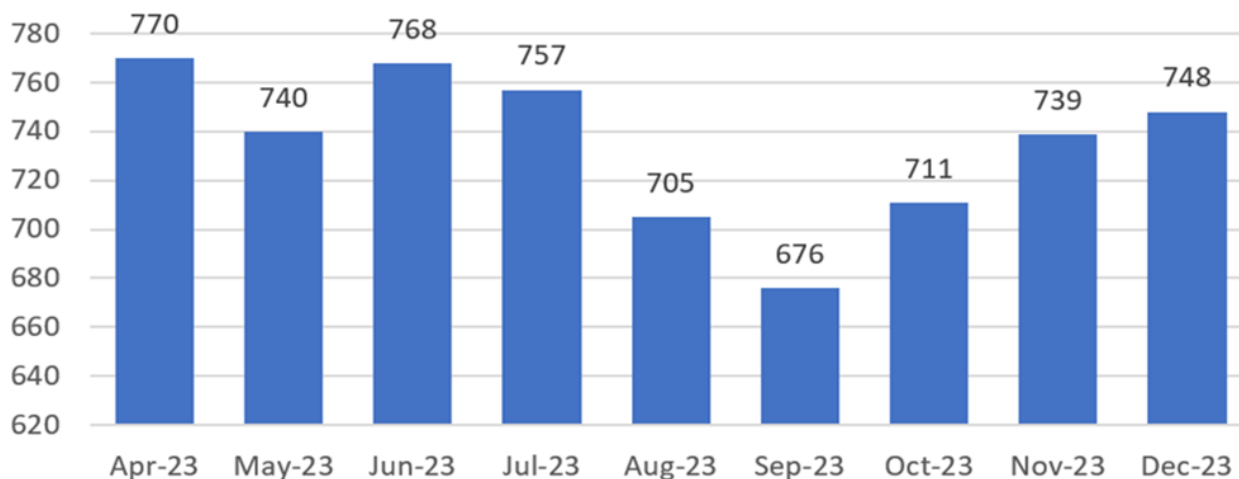


A child in need is one assessed by Children’s Services as needing services, including family support and Early Help Services as set out in Section 17 of the Children Act 1989. The latest government national annual data published in October 2023 identifies that in 2023, over 403,000 children were classed as in need, a rate of 342.7 Children in need per 10,000 children. Rates per 10,000 children are calculated based on ONS (Office for National Statistics) mid-year population estimates for children aged 0 to 17 years. As of March 2023, the comparable Northwest rate was 386.8 Children in need per 10,000 children and the statistical Neighbour comparable rate was 390.15 Children in need per 10,000 children, whilst Sefton’s rate was 516.8 Children in need per 10,000 children, higher than national, regional, and statistical Neighbours.

The Children in need rate for Sefton (453/10,000) at the end of December 2023 has decreased by 12% compared to 516.8/10,000 in March 2023. Sefton’s latest rate remains 24% higher than Northwest (366/10,000 from the RIG Q2 23/24) and 32% higher than the national rate (343/10,000).

The launch of Family Hubs in Sefton is expected to support families outside statutory services and will bring our numbers of Child in Need cases in line with regional and national figures.

Number of Children on a Child in Need Plan

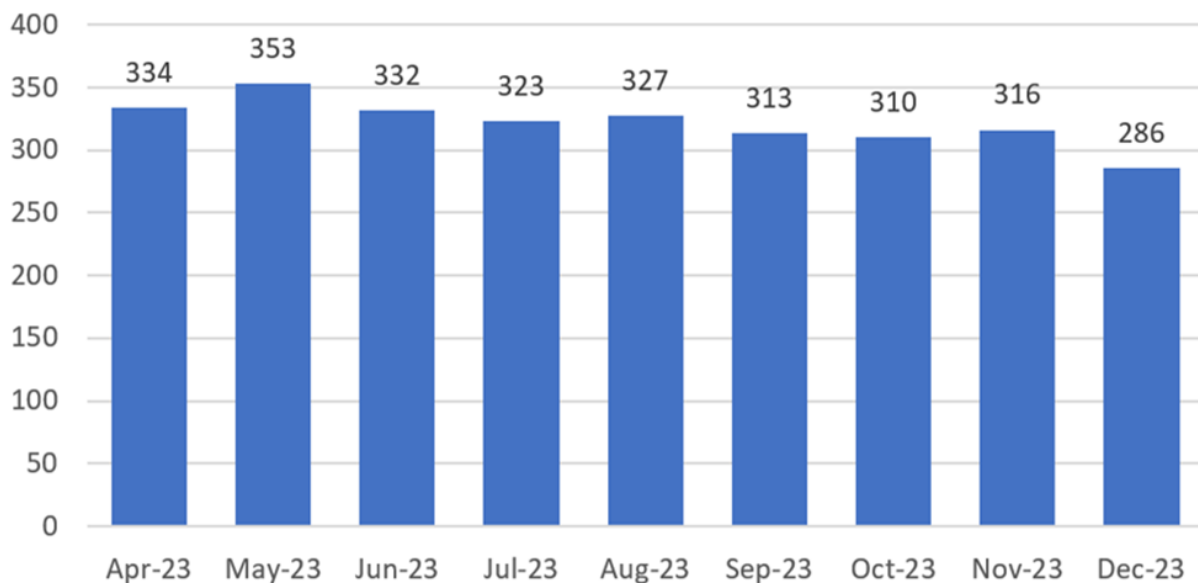


At the end of December 2023, there were 748 children in Sefton open to Child in Need (CiN) services, support, and interventions, with a plan, which represents a rate of 140/10,000 children (0-17). This is higher than the comparators for England, a rate of 89.3/10,000 children, Northwest, a rate of 101/10,000 and statistical Neighbours, a rate of 56/10,000 (Data-to-Insights/RIG).

There has been an increase from September to December 2023 in the number of children in need (0-17yrs) with a child in need plan. The current rate of children subject to CiN planning is 9% lower compared to last year. The reductions have been caused by the decreasing number of referrals to social care, although the number of contacts remains consistent. The conversion rate of contacts to referrals remains at 20% from the last quarter, which is in line with the regional figure. With the number of front door contacts static at approximately 1250 per month, the lower conversion rate means approximately 100 fewer young people access social care and instead they are accessing Early Help Services from the partnership or signposting to relevant resources to support families.

Children in Need also includes those children who receive services due to their complex needs. The introduction of our care package review hub aims to offer services for those families who do not wish to be under statutory procedures such as having an allocated Social Worker or regular visits and reviews. As we continue to develop this offer, we expect more of our children with complex needs to receive services in the care package review hub and therefore we will see a further reduction in our CIN numbers.

Number of Children on a Child Protection Plan

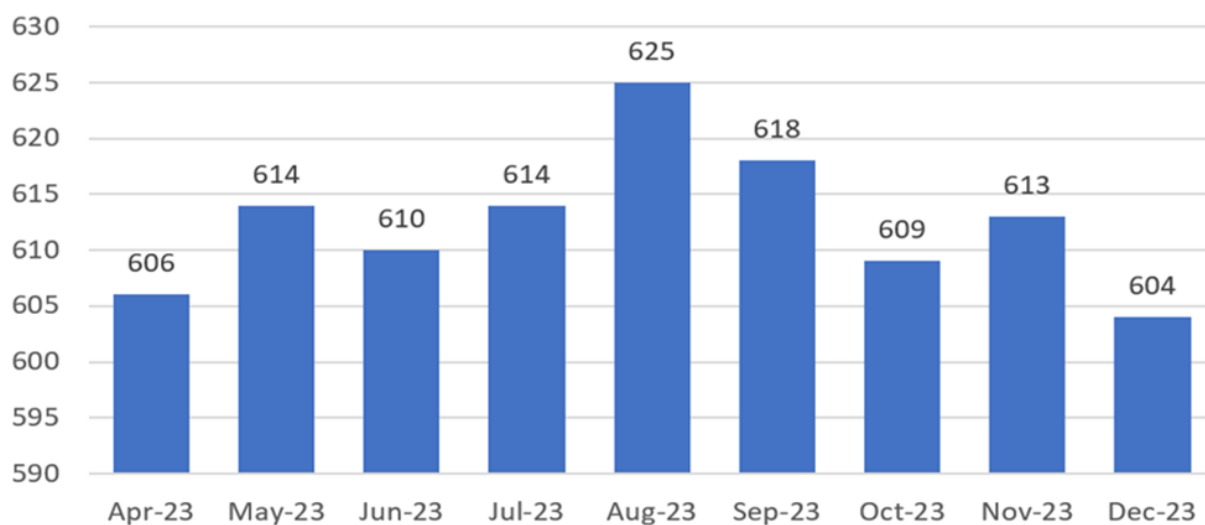


At the end of December 2023, 286 children were subject to a Child Protection Plan, a rate of 53.5/10,000 children aged 0-17yrs in Sefton.

The number of children subject to child protection planning continues to fall to a rate approaching the national figure. In comparison to the latest RIG Q2 (23/24) data, Sefton is currently 7% above the Northwest (50/10,000 children), and 24% above the England (43/10,000 children) figures. Additional scrutiny for the children who have been subject to CP Plans for more than 15 months supported to ensure the plans are purposeful and reduced drift and delays.

Increased management oversight of CP plans, supported by improved performance management scrutiny has gone some way to improve the quality of our practice for the children subject to CP Plans. There is also increased oversight of those plans where a decision to end at an early (3 month) stage is taken. This oversight is a direct response to the findings of earlier Ofsted monitoring visits. Improved quality of practice and a range of new services means that the needs of families and children can now be met through voluntary support rather than state intervention.

Open Episodes of Cared for Children



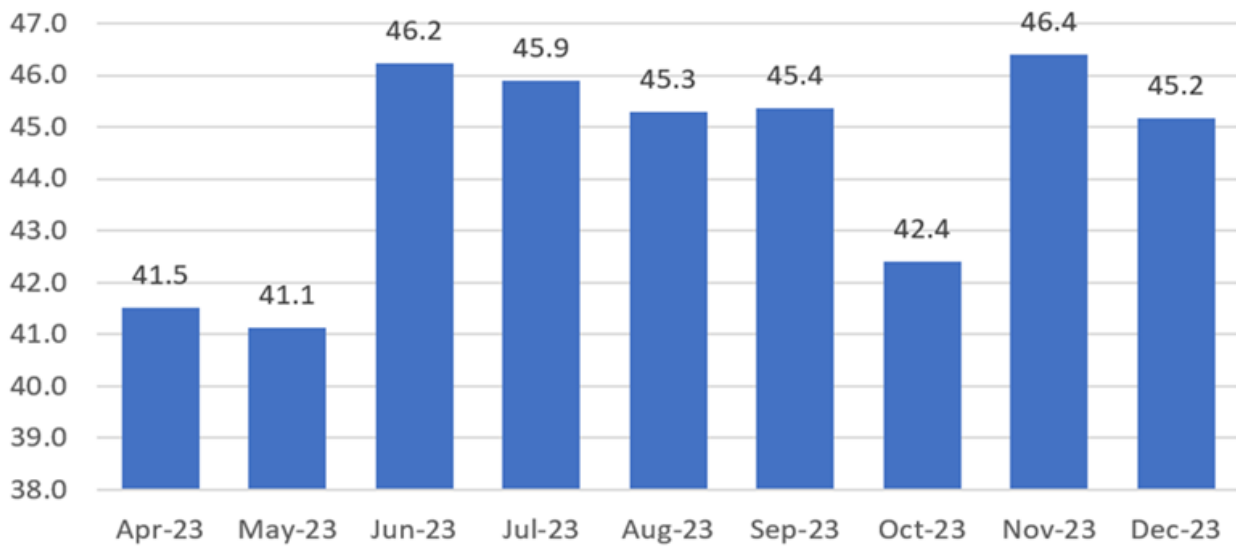
As with other part of the service Sefton’s numbers of children in care, when compared both regionally and nationally, is high. At the end of December 2023 there were 604 cared for children (CLA) with an open episode of care, which represents a rate of 113/10,000 children under 18yrs in Sefton. Since 2020, the rate of children cared for in Sefton has been above the Northwest and statistical neighbours and significantly above the national rate. The current rate of 113/10,000 children are 16% above the Northwest rate, and 61% above the England rate (RIG Q2 23/24).

The rate of cared for children remains broadly static, with the number fluctuating between 600 - 620 each month. By comparison, were Sefton at the regional rate of approx. 97/10,000 children, the cared for population would stand at approximately 500 children.

We are seeing a steady decrease in these numbers and work is underway to cease inappropriate or ineffective care orders.

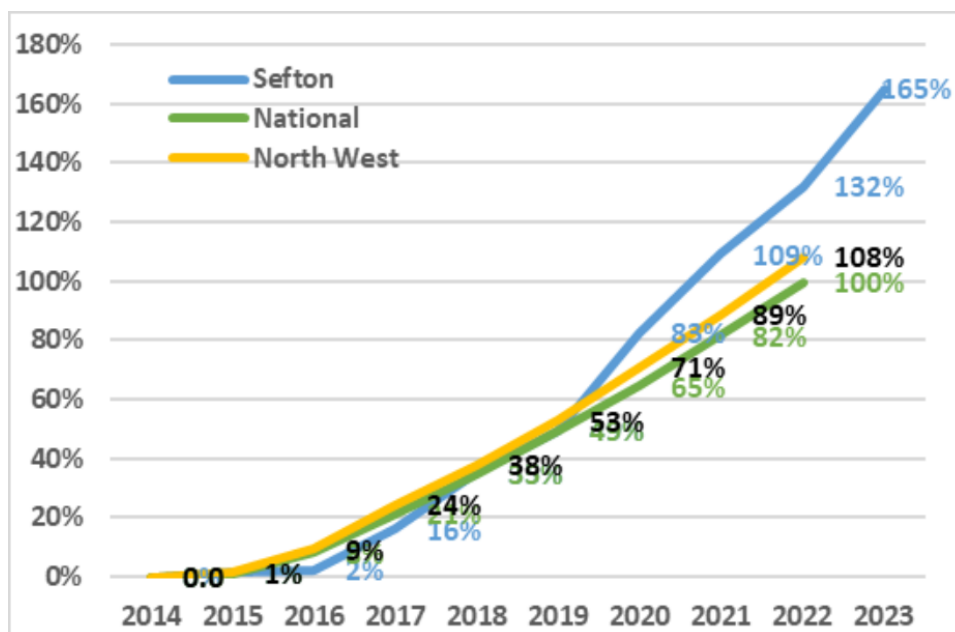
Improvement in Social work practice and a greater range of services to families, included the targeted early help initiative, is helping to support more children to remain safely at home.

% of Care Experienced Young People in Education



At the end of December 2023, there were 217 young people identified as Care Experienced aged 17 to 21 (with a Relevant and Former Relevant eligibility status). 98 of the cohort (45.2%) are in Education, Employment or Training (EET). The percentage of Care Experienced in EET aged 19 to 21 remain stable at 45% throughout the Q3 period. The EET cohort aged 17 to 18 is currently 59%, a significant compared to 35% in April 2023. EET provisions includes Further Education courses at sixth form colleges or vocational colleges (e.g. Hugh Baird or Southport Colleges), and apprenticeships.

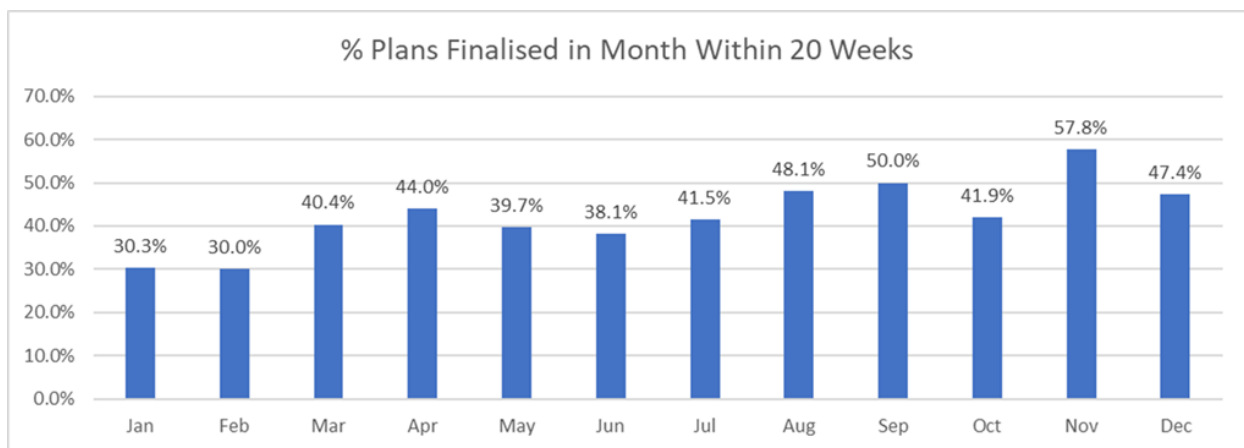
SEND Education, Health & Care Plans



Demand for education, health and care plan assessment continues to increase. In 2023 the local authority has received 776 assessment requests to Q3, an in-year increase of 8% on the previous calendar year.

The number of education, health and care plan plans maintained by the local authority, continues to increase in-line with the increase in demand for assessments, as reflected in the graph below. In January 2022 2,243 Children & Young People had an EHC Plan maintained by the local authority (3% of the populous), representing a growth approximately 77% since 2019. By January 2023, this number had increased by 14.4% to 2,565 (4.2% of the populous). In December 2023 (Q3) there are 3,075 Children & Young People with an EHC Plan maintained by the local authority, 4.2% of the 0-25yr population in the borough, an in-year annual increase of 19.9%, and there is no indicate of this demand reducing.

SEND Education, Health & Care Plan % Plans completed in 20 weeks.



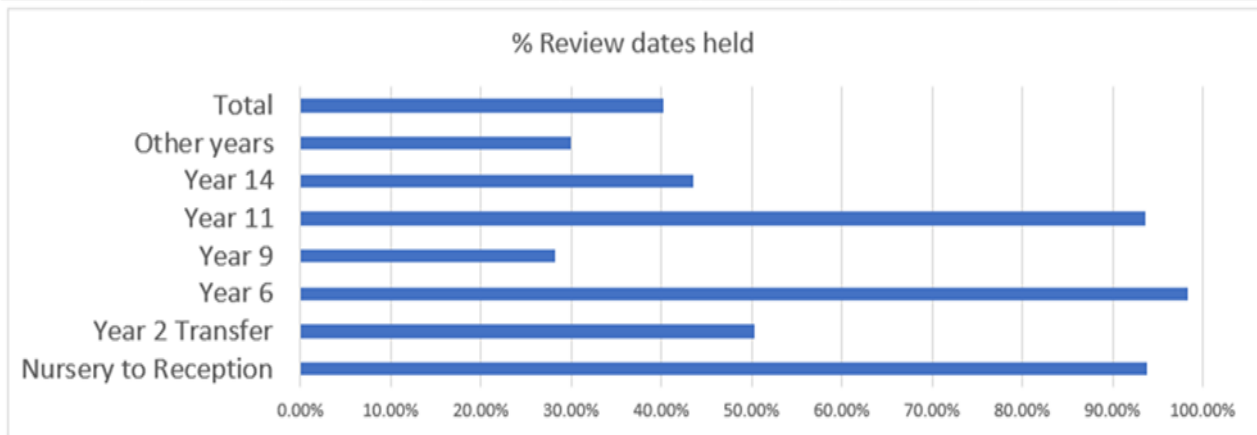
At the end of December 2023 (Q3) the percentage of new Education Health and Care Plans completed with the statutory 20-week timescale was at 47.4%, which represents an overall improvement from 30% at the beginning of 2023, whilst November saw the highest performance, at 57.8%. The overall 12-month average performance was 41.1%, and although the National and regional comparators have not been published by the Department for Education yet, this represents an improvement of over 100% when compared with December 2022. Although the comparative performance target for 2023 are still to be released by the Department for Education (DfE), the aspiration is to increase performance to a level at least comparable to other England LAs (which in 2022 was 49.2% on new plans issued within the 20-week time limit), and plans are being developed to achieve a stretched target of 60%. To improve performance the following steps are being taken:

1. Recruitment of additional officers, assistants, and a senior officer to increase service capacity, in-line with increasing demand. Resource is planned to increase to 19.6 FTE officers in January 2024.
2. Interim Team Manager post created to operationally manage the team's performance.
3. Closer working with children's social care teams to increase their compliance with the 6-week target for assessment information gathering, which should in turn improve the overall timeliness and performance.

SEND Education, Health & Care Plans % Reviews Held for 22/23 academic year ending 31/08/2023.

The following table shows the percentage of education, health and care plans reviewed in the 2022/23 academic year to September 2023.

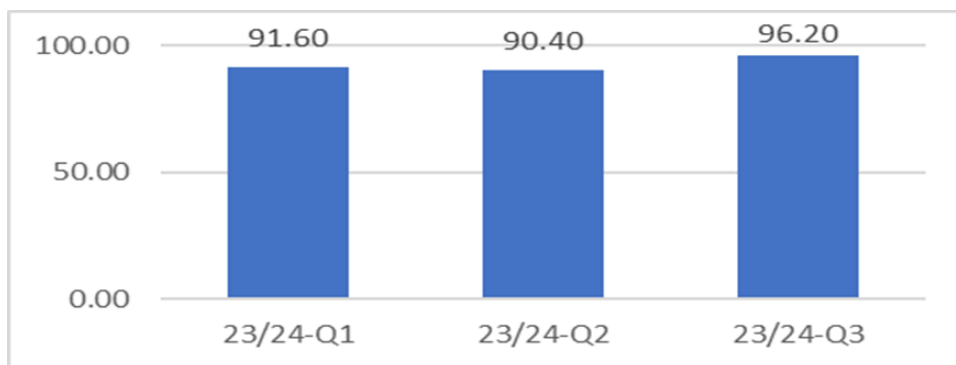
	Nursery to Reception	Year 2 Transfer	Year 6	Year 9	Year 11	Year 14	Other years	Total
% Review dates held	93.75%	50.39%	98.33%	28.25%	93.63%	43.45%	29.99%	40.16%



There are no published national or regional performance comparators, and although the overall percentage of reviews completed in-time was 40.16%, the percentages for the key educational transition points (Nursery to Reception, KS2 and KS4) are positively above 94%. This is a target that has now been set for reviewing EHCPs for those children in the 2023/24 academic cohort for key stage transitions. Furthermore, the review of EHCPs for children and young people aged 16+ will also be a priority moving forward, as it is anticipated that this may support a reduction in the overall number of EHCPs being maintained by the local authority where needs have already been met and support may no longer be required.

Adult Social Care – “Empowering people to live an independent life, exercise choice and control, and be fully informed.”

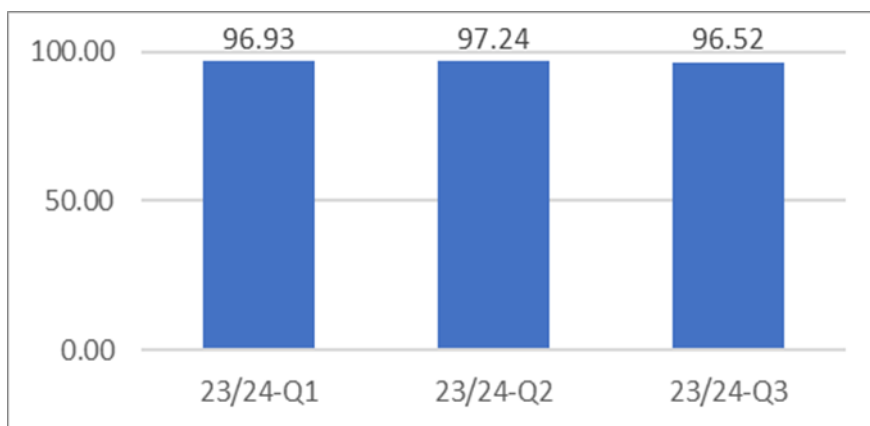
Proportion of older people 65 and over who were still at home 91 days after discharge from hospital into reablement/rehabilitation services effectiveness of the service (2B1) (%)



The Adult Social Care Outcomes Framework (ASCOF) measures nationally how well care and support services achieve the outcomes that matter most to most people. Supporting people to return home and regain their independence after a period in hospital is a key area of work for Adult Social Care. Upon leaving hospital individuals are supported at home receiving reablement and rehabilitation services who help people get back to their optimum so they can regain their confidence and independence.

Performance on this metric across 23/24 has been consistently good with over 90% of people remaining at home following hospital discharge into a reablement service. Q3 (end of December 2023) saw further improvement with over 96% of people remaining at home. This puts the Sefton in the top quartile nationally, in the Northwest and against our statistical neighbours.

Proportion of Adult Social Care Safeguarding Enquiries concluded where people's preferred stated outcomes were fully or partially met (%)

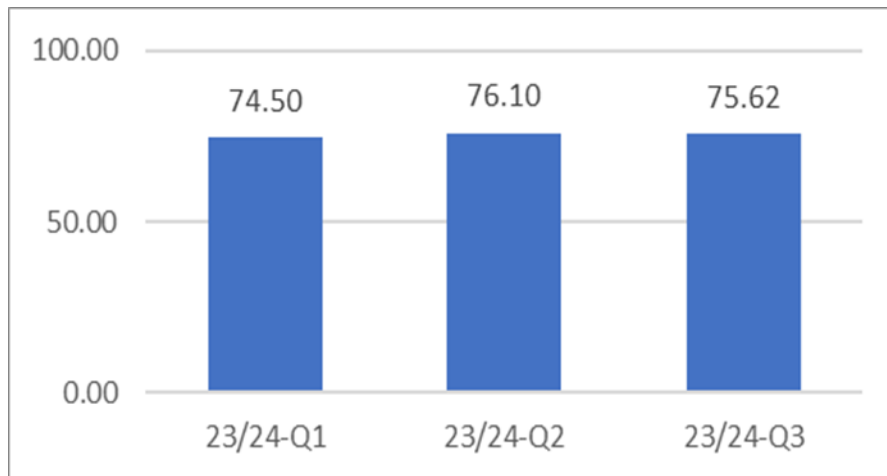


Adult Social Care Services has a responsibility to safeguard vulnerable people who have care and support needs. Making Safeguarding Personal (MSP) is a national initiative aiming to

encourage an outcome focused and a person-centred approach in safeguarding work. We ask those involved in a safeguarding episode what their preferred outcome would be. MSP indicates the percentage of people who had their preferred outcome fully or partially met. Whilst specific circumstances may mean that it is not always possible for an individuals desired outcomes to be achieved, this is a key aspect of the local authority's safeguarding work.

At the end of December 2023, performance on this metric for 2023-2024 Q3 has remained consistent with the previous two quarters performance, with over 96% of people with a preferred safeguarding outcome having seen this preference either fully or partially met.

Proportion of people whose initial service was short term who did not go on to long term services (%)

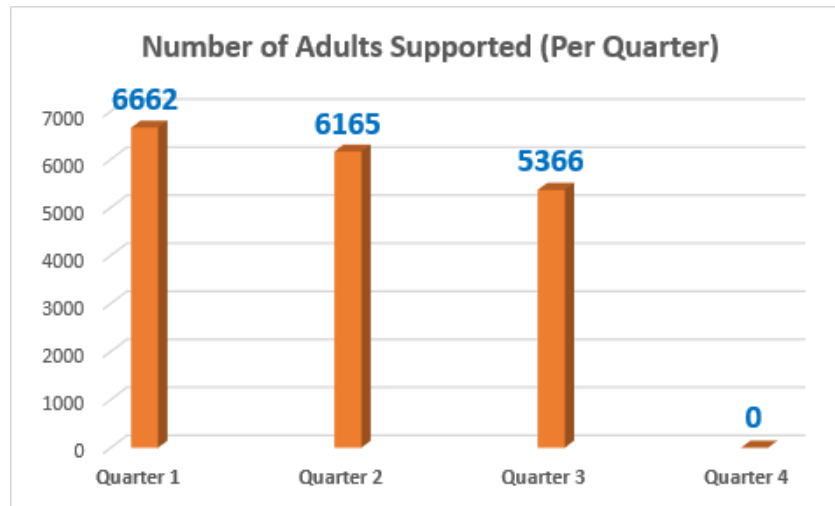


Adult Social Care Service aim to support people to be as independent, wherever possible, living at home and having strong links with their communities. Whilst it is recognised that some people may need long term services, this measure specifically shows the proportion of people whose short-term service resulted in a reduced, or no ongoing, need for support. A key responsibility of Adult Social care Service is to ensure early help and intervention, helping people to delay the need for long term services.

At the end of December 2023, performance on this metric for 2023-2024 Q3 remains consistent with the previous two quarters of the year. In Sefton three quarters of people (75%) who received a short-term intervention did not go on to receive a long-term service. This puts the local authority performance in-line with England and the Northwest performance measures (approximately 75% respectively), but marginally below the performance of our statistical neighbours, at almost 80%.

Health & Wellbeing – “Improving the health and wellbeing of everyone in Sefton and reduce inequality.”

Access to adult based targeted Active Sefton Services

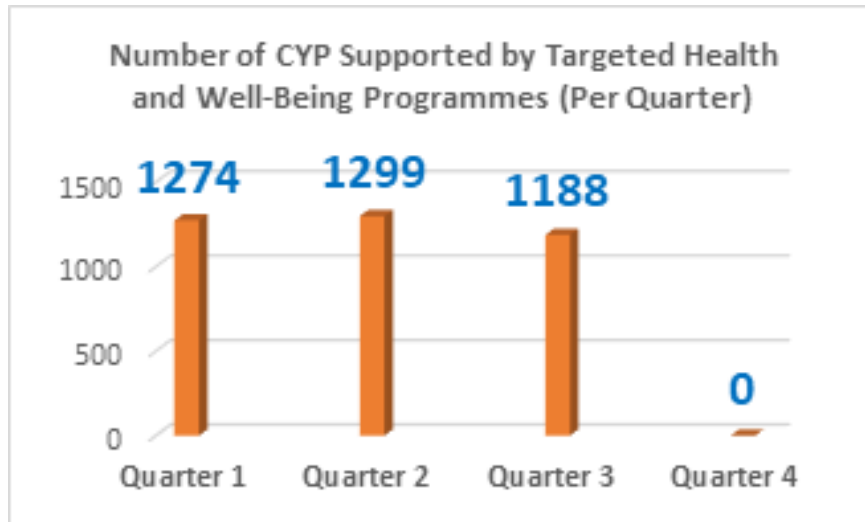


The numbers above represent access to:

- Active Lifestyles (GP Referral and Weight Management) - a 12 week supported programme of physical activity and 6-week Weight Management Programme (Weigh Forward), which aims to provide residents who are above a healthy weight and/or suffer with/are at risk of developing coronary heart disease (CHD) the opportunity to live a more active and healthier lifestyle.
- NHS Health Checks - a statutory programme delivered by the Active Lifestyles team to eligible adults aged 40-74, which is designed to detect early signs of stroke, heart and kidney disease, type II diabetes and dementia.
- Active Ageing Falls Service – a 12-week strength and balance programme for residents over the age of 60 who are at risk of falling or have fallen. The service also incorporates support for social isolation and loneliness.
- Active Workforce - a workplace wellbeing programme, aimed to improve the health and wellbeing of employees by breaking down all barriers leading to improved physical and mental wellbeing.

There has again been a drop in referrals and subsequent access to adult based targeted Active Sefton services in Q3, the fall in the number of adults supported on these programmes is for several reasons, including of the impact of losing Mersey Care as a partner company on the Active Workforce programme back in June. Marketing support within the partner organisations to promote the programme and services on offer has also recently been more of a challenge with changeover of staff. Q3 also accounts for the Christmas closure and less people being engaged in physical activity sessions as is the trend with the time of year.

Number of children and young people supported by targeted health and wellbeing programmes.

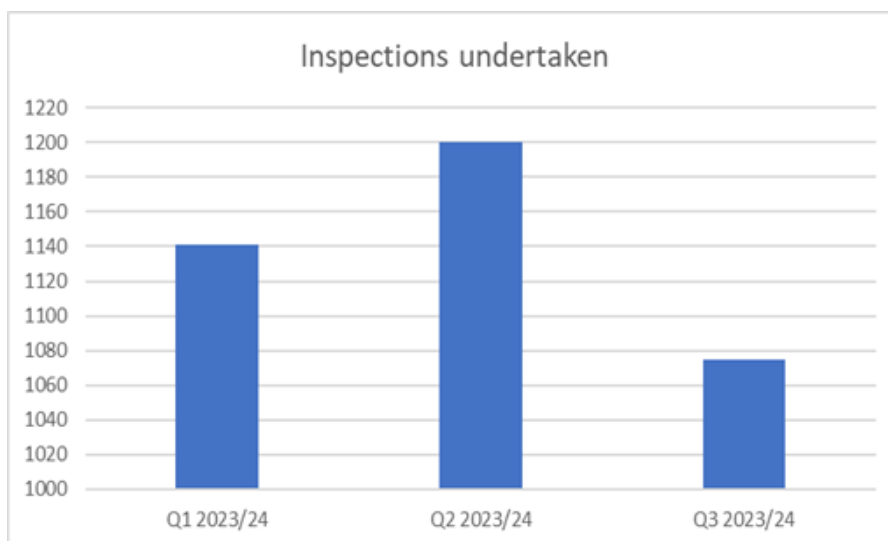


The numbers above represent access to MOVE IT (Weight Management), 1-2-1 Programme (mental wellbeing) and Active Schools Service. There was a further 322 attendances through the October half-term delivery of Be Active and Park Night sessions.

Numbers have seen a slight drop in Q3 due to the impact of Christmas break. Referrals remain high for both for MOVE IT and 1-2-1 programme, highlighting the demand for both services. The team have managed waiting lists by offering group sessions as well as 121 sessions. The Active Schools programme has been targeting schools with the highest rates of childhood obesity as demonstrated by the new NCMP data, and this work continues into Q4.

There were a further 322 attendances through the community delivery of the October half term delivery of Be Active and Park Nights sessions.

Public Protection Inspect Public Protection Inspections Undertaken



The Public Protection service undertakes a range of Food Safety, Health and Safety, Pollution Control, Trading Standards and Licensing inspections. These inspections enable

us to monitor businesses, provide them with advice and guidance on legal requirements, and to take enforcement action when necessary. The Inspection programmes are an important activity for maintaining standards and ensuring that people are protected from harm and protect good businesses from unfair competition by those who try to cut corners with compliance.

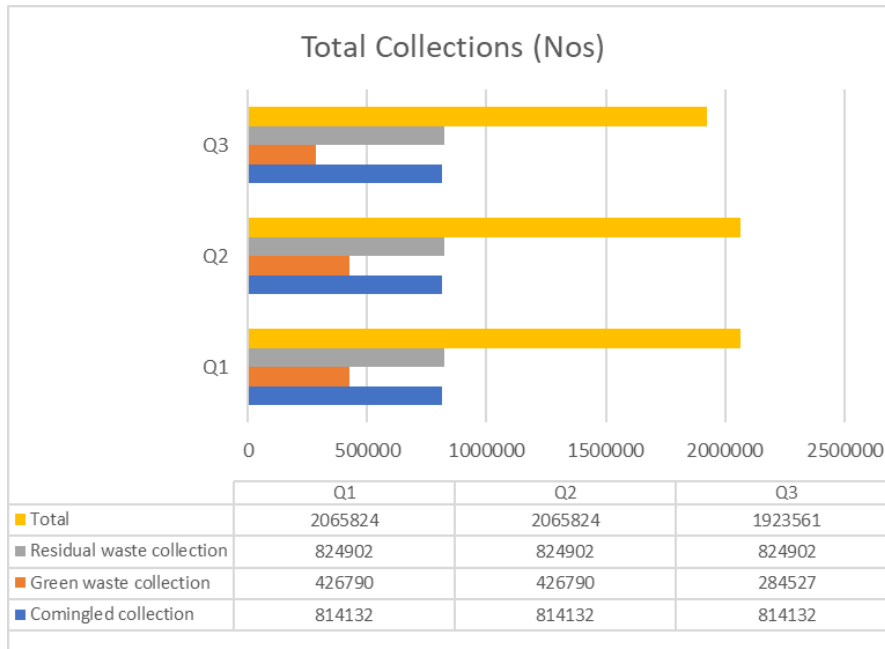
The Food Hygiene and Standards inspections program is determined by The Food Standards Agency and the risk rating of the premises. We are on course to complete all category A-D (the higher risk premises) food hygiene inspections by the end of March and have over-achieved against the total inspections due. The variation in number of inspections undertaken in Q2 and Q3 is due to the impact of undertaking a targeted health and safety project and seasonal factors over the Christmas period.

The Health and Safety project was completed successfully and focused on gas safety in catering premises. A total of 84 visits were undertaken as part of the project, resulting in 26 enforcement notices being served, emphasising the value of the project.

Animal Feed Surveillance inspections of feed product entering the country through the Port of Liverpool has remained consistent ensuring successful monitoring and prevention of unsafe product entering the food chain.

Working for Our Communities Every Day – “Working together to deliver affordable services which achieve the best possible outcomes for our residents.”

Bins Collected

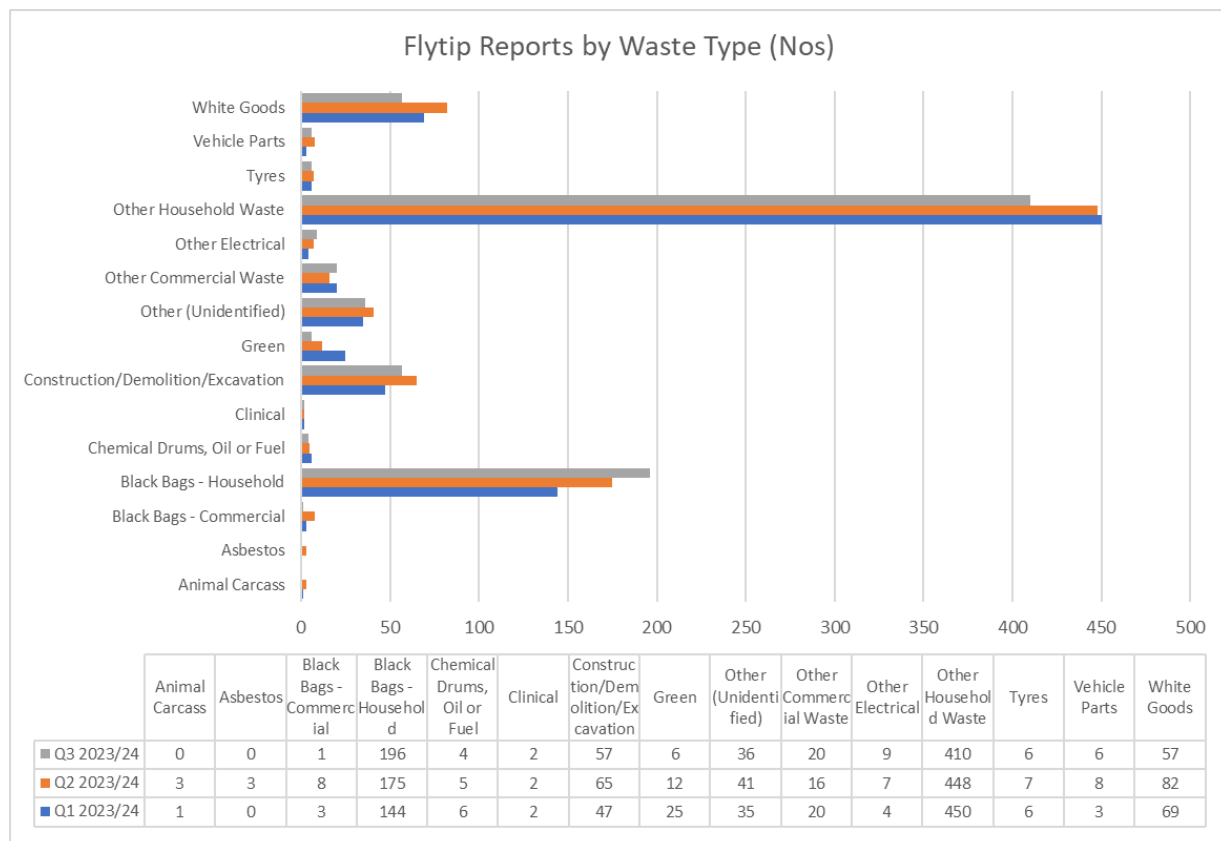


The Waste Management Service continue to deliver a high-quality service provision for the collection of all waste streams from residential properties. It is essential that comingled bins contain the correct recyclable items to prevent contamination once the load reaches the transfer station for onward sorting.

Q3 incorporates a period when the cessation of the green waste collection commenced for the winter period. It also includes the Christmas period when a reduced waste collection service was operated due to the Council’s corporate shutdown arrangements and this model of operation often invites an increase in complaints to the service. In Q3 a total of 1,923,561 collections were made, compare to 2,065,824 collections made in Q1 and Q2. Only 1,749 collections were missed in Q3, which represents 0.09% of all collections in the period, which is consistent with Q1 and Q2 periods (at 0.087 respectively). Most significantly, the percentage of green waste collections missed has reduced from 0.15% in Q1, to 0.1% in Q3 (from 636 to 289).

These statistics are shared with the operational supervisory team through the team meeting process to inform their monitoring activities moving forward.

Fly Tipping



Fly tipping is defined as "the illegal deposit of any waste onto land that does not have a licence to accept it" as defined by the Keep Britain Tidy Group. Fly-tipping can be a public health hazard and environmental risk, not to mention despoiling the local environment and being an eyesore. It can cause unpleasant smells, attract pests, and create a dangerous environment for children, pets, and wildlife. In its more serious forms, illegally deposited waste can release pollution into the ground, groundwater, any nearby watercourses and into the air, and it can damage soil quality. According to latest government statistics, over 1,000,000 fly-tipping incidents are dealt with by councils each year – the equivalent of 114 every hour. Two-thirds of reported incidents involve household waste, and around a third were of a vanload or less. Within Sefton, fly tipping continues to be an on-going issue and a blight on the Borough.

In Q3 a total of 810 fly tipping incidents were responded to with black bags and household waste being the highest volumes (196 and 410 respectively). The demand in Q3 is consistent with Q1 (815 incidents) and Q2 (882 incidents), bringing the 2023/24 total to the end of December to 2,507, demonstrating that the illegal dumping of waste and/or rubbish (typically dumped to avoid correct, safe disposal or disposal costs) is an ongoing problem.

There is a collaborative work approach being developed between the Street Cleansing Service and Environmental Enforcement colleagues to reduce levels of fly tipping through behaviour change and future communication campaigns, also highlighting land ownership

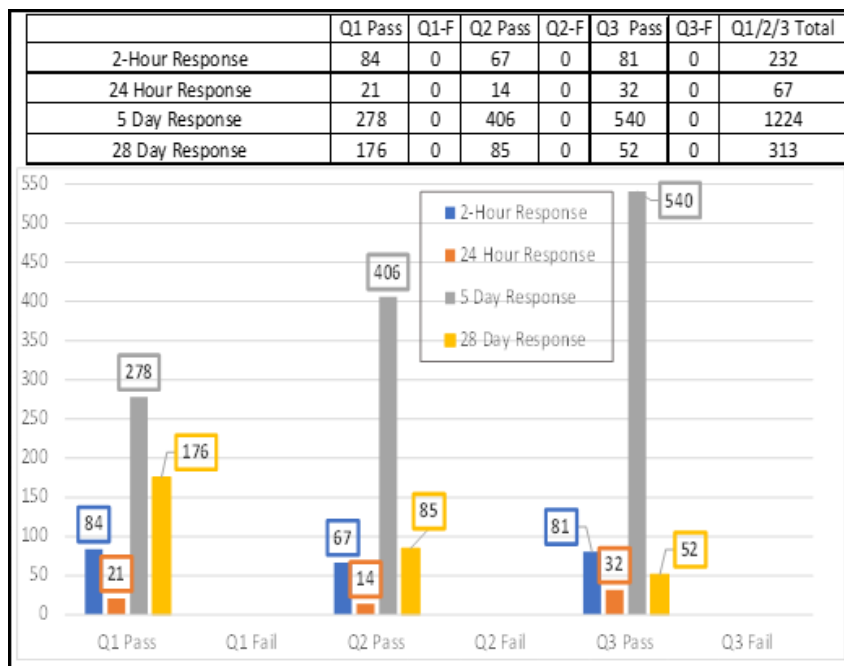
and responsibilities where the land is not owned by the Council. Further education is required to assist members of the public to act correctly when disposing of waste correctly.

The Council offer a Bulky Household Waste Collection Service at a competitive rate for residents to utilise for the correct disposal of household waste. Members of the public can report incidents of fly tipping via the Council's website at <https://www.sefton.gov.uk/bins-and-recycling/bins-and-recycling/litter-and-fly-tipping/fly-tipping/>

Fly tipping is a national problem and the government publish data regarding the volume of fly tipping incidents. Latest figures are available at [Fly-tipping statistics for England, 2021 to 2022 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/fly-tipping-statistics-for-england-2021-to-2022)

Fly-tipping is a crime, which carries serious penalties. In the Crown Court, the maximum penalty is 5 years jail and/or an unlimited fine. In the magistrates' court, persons convicted of fly-tipping can be fined an unlimited amount, jailed for 12 months, or sent to The Crown Court for more severe penalties. The legislation creating the offence is section 33 of the Environmental Protection Act 1990. A fly tipping prosecution, brought by the Environmental Enforcement Team, was successfully concluded in Q3 with the defendant pleading guilty to 11 counts of the offences under s.33 of the Environmental Protection Act 1990. The defendant was instructed to pay a total of £8,802.25, consisting of a Fine (£1,166), Victim Surcharge (£466), staff/legal costs (£1,105.25) and Clean-up costs (£6,065).

Street lighting – response to notified faults.



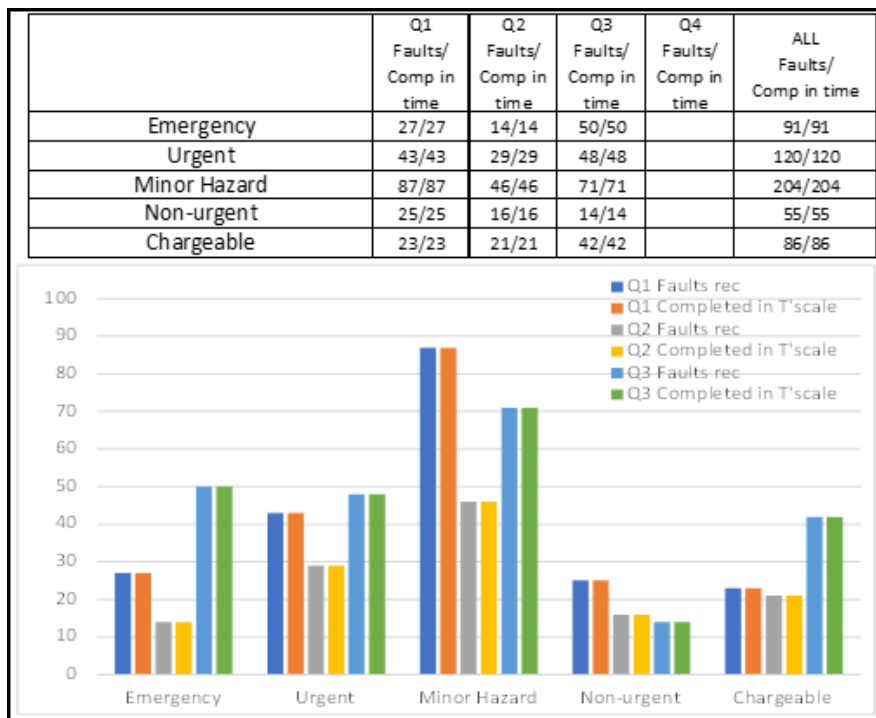
The Council has approximately 37,000 streetlights on its highways and recognises the importance of keeping them working well. When we are notified of faults, we assess the urgency of repair (e.g. 2-hours; 24 hours, 5 days etc.) allocate a target time for repair and pass it on to our appointed Contractor. We then monitor their performance against the targets. The contract includes financial penalties that can be applied if they fail to meet the required level of performance.

In respect of targets for 2023/24, the KPIs are set in the Contract and are based on rectifying a set proportion of faults on time in each urgency category, as follows: Emergency 2hr 99%, Urgent 24hr 99%, 5-day response 95% and 28-day Response 95%. Any non-compliance within a category can result in a financial penalty for that category expenditure and is assessed on a rolling three-month period. The number of faults dealt with in time (pass) and out of time (fail) is shown in the table within the chart above.

In respect of what is going well in relation to this target, excellent collaboration between Sefton, the Contractor and component suppliers has helped to manage performance across the maintenance contract and the £14m Street Lighting Asset (LED Retrofit) project in the face extremely challenging circumstances (e.g. rising costs, workforce shortages, supply chain issues due to Covid, Brexit and war in Ukraine). In 2023, the programme was successfully re-programmed to target highest energy lanterns and thereby reduce in-year budget pressures by reducing highest energy usage more quickly.

In respect to improvement, this is one of our most highly developed service areas, with a high standard of asset management, financial monitoring, and fault rectification evidence. The Street Lighting Asset project will reduce faults and maintenance costs.

Urban traffic control – response to notified faults.



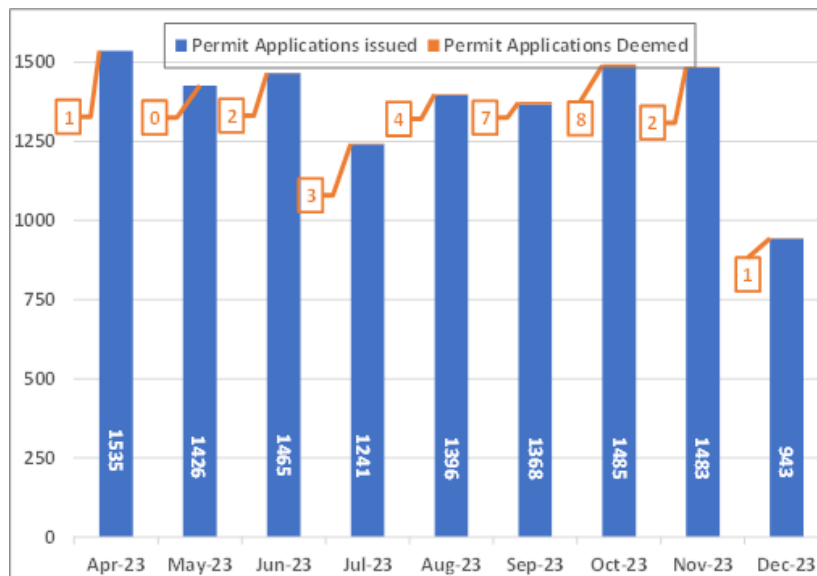
Urban Traffic Control (UTC) refers to our connected network of Traffic Lights and signal-controlled pedestrian crossings. Keeping these working well is essential for keeping people safe and the highway network flowing. When we are notified of faults, we assess the urgency of repair (e.g. emergency; urgent; minor hazard etc.) allocate a target time for repair and pass it on to our appointed Contractor. We then monitor their performance against the targets. The contract includes Key Performance Indicators and financial penalties that can be applied if they fail to meet the required level of performance.

In respect of targets for 2023/24, the KPIs are set in the Contract, which in the case of UTC is a Merseyside-wide contract. The KPI is based on rectifying a set proportion of faults on time in each urgency category, as follows: Emergency 99%, Urgent 80%, Minor Hazard 75% and Non-Urgent 70%. Any non-compliance within a category can result in a 5% financial penalty for that category expenditure, if any group falls below 60% the 5% can be increased to 10% of the total monthly demand works. Sefton's performance is shown in the table within the above chart and when benchmarked, compares favourably with other authorities using the same contract.

In respect of what is going well in relation to this target, we work well with the contractor across the maintenance contract and a £1.2 million LED retrofit Lamp change programme. We have also worked effectively to submit a bid for GLF funding up to £500k. We hope to hear the outcome at the end of the month.

In respect to improvement, we are one of few authorities with a full recent asset review which we can use to support bids for future funding. UTC is a specialist area and we have struggled to recruit. We are currently exploring an alternative approach, including potentially a graduate apprenticeship approach.

Network Management Permit Approvals



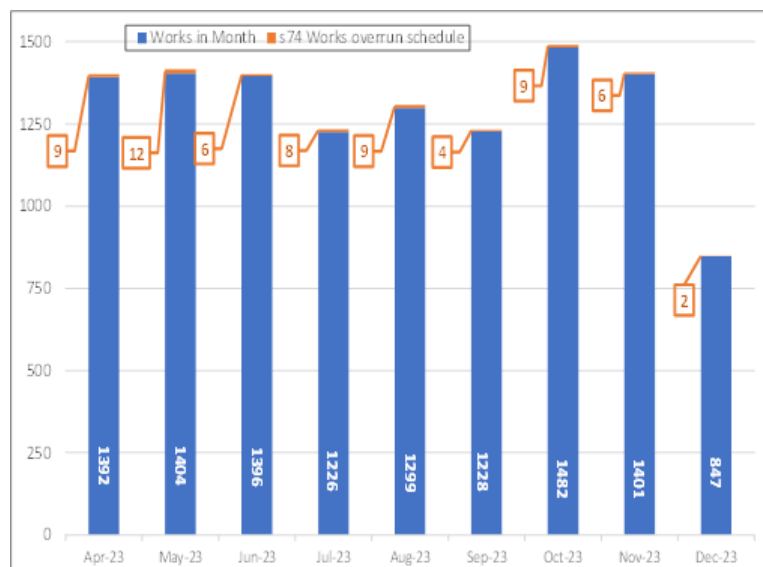
Minimising disruption caused by works on the highway is important for managing the network and keeping traffic moving. For this reason, anyone wishing to excavate part of the highway requires permission and a permit for the work. We have a set time to deal with requests (the time differs depending upon the length of time the works will take) and either accept, challenge, or amend the permit requested. If we do not deal with these requests in time, the permission is automatically granted (a Deemed Permit). This data shows how effectively we manage this important function. Ideally there would be zero Deemed Permits, but we occasionally receive permits for roads that are not our responsibility (e.g. a Trunk Road or an unadopted road), and these show as deemed permits because we cannot give permission for those works.

In respect of targets for 2023/24, ideally there would be zero Deemed Permits, but we occasionally receive permits for roads that are not our responsibility (e.g. a Trunk Road or an unadopted road), and these show as deemed permits because we cannot give permission for those works.

In respect of what is going well in relation to this target, there are a minimal number of deemed permits (single figures for all months except May), all of which were out of our control.

In respect to improvement, we are challenging the durations requested in permit applications, to reduce occupancy where possible, and following the roll-out of Visual Impairment Awareness Training for staff, we are placing much greater emphasis on ensuring that the layout and management of the works ensure appropriate pedestrian access, taking into account people with disabilities such as visual impairment.

Network Management Permit Overruns



Anyone wishing to excavate part of the highway requires permission and a permit for the work. When we issue a permit, it allows a set time to complete the works and remove the obstruction. We monitor compliance with the permits and charge companies if they overrun the time allowed. This helps to minimise disruption and ensure that the works are dealt with efficiently.

In respect of targets for 2023/24, we have not defined a specific target and it is not benchmarked against other Authorities. Ideally there would be no overruns, but this is beyond our control.

In respect of what is going well in relation to this target, there are a minimal number of overrunning works (0.56%) which indicate that the works are being managed effectively.

In respect to improvement, this measure is outside our control, as it is dependent upon the performance of the utility companies and contractors undertaking the permitted work. We are reviewing this and intend to replace this measure with a more meaningful one for 2024/25, a measure of the number of permitted works inspected against a target number.

Agenda Item 10

Status: Final

Inclusive Growth – “Creating more and better jobs for local people.”

Planning, Business Growth & Investment, Employment & Learning, Tourism, Housing and Regeneration.

Indicator		Target	Performance	Comments
Planning	Major planning applications to be determined within 13 weeks (about 3 months)	63% (SMBC target) 60% (national target)	100%	<p>The targets for next year will not change, although depending on the changes to the planning system, the local target for speed may be brought in line with the national 60%.</p> <p>What is going well is that with extensions of time, we are meeting this target.</p>
Planning	Council's decision making on major applications by appeal over a 2-year period + 9 months	10% maximum (national target)	2.45%	<p>In terms of what we are doing to improve, we are ratcheting up the use of pre-application enquiries and planning performance agreements to frontload the system and better manage more complex cases, which may help improve.</p> <p>Expedient decision making in planning, consistency of advice and support around the development of project proposals is critical to securing growth and investment, employment, business rates and council tax, infrastructure and social value.</p>

Agenda Item 10

Status: Final

<p>Business Growth & Investment</p>	<p>No of businesses contacting Invest Sefton for Information, Advice & Guidance- Triage system (Phone/email/ website)</p>	<p>250</p>	<p>143</p>	<p>Target provided is conservative. Based on previous contractual targets given to InvestSefton by funders such as Growth Hub. We are on track to exceed this target as InvestSefton delivers outward engagement activities such as events and workshops that are promoted borough wide and therefore continue to grow awareness of the InvestSefton brand and which in turn helps encourage enquiries to the service. On average InvestSefton receives between 15 – 25 enquiries per week. Not all enquiries go on to receive guidance, some are purely signposted.</p>
<p>Business Growth & Investment</p>	<p>No of businesses receiving 1:1 support (face to face/diagnostic /action plan)</p>	<p>90</p>	<p>15</p>	<p>Target based on demand and resource within team, 2 full time business advisers (eqv) and 2 growth hub officers who are business facing and provide 1:1 support. Target is realistic and we will achieve it however, unlikely we will significantly exceed as each of those businesses will undertake a time intensive 360 diagnostic, action plan and tailored 1:1 to support, this support is not light touch.</p>
<p>Employment & Learning</p>	<p>% retention across all Adult Community Learning Courses</p>	<p>90%</p>	<p>95.4%</p>	<p>A contractual target to indicate best practice across a range of Adult Education contracts. Where we are ahead of targets our focus is to maintain our current delivery level across all parts of the service.</p>
<p>Employment & Learning</p>	<p>% of vulnerable people referred into the service from a third</p>	<p>70%</p>	<p>82.6%</p>	<p>A local target developed from contractual requirements to ensure that we are meeting our outputs and outcomes.</p>

	party receive targeted support, including subsidized placements			Where we are ahead of targets our focus is to maintain our current delivery level across all parts of the service.
Employment & Learning	Remain in the best performing quartile for 16-18 Not Known when compared to Liverpool City Region and National Statistical Neighbours.	Yes	Yes	To maintain our current ranking year on year across Liverpool City Region, regionally and nationally. We are currently ranked 3 rd out of 151 Local Authorities and 1st in the LCR. Where we are ahead of targets our focus is to maintain our current delivery level across all parts of the service.
Tourism	A swift recovery back to 2019 levels of tourism volume and visitor expenditure	5,882,340	Information collated annually	Increase visitor numbers (both day and staying) by 2% a year
Housing	Number of Landlord Licenses Issued	160	220	The target is to issue 640 licenses for 2023/24. We are ahead of target, as most licenses have been received this year, the first year of the new 5-year licensing schemes. This figure is not benchmarked against other LAs, as not all LAs run schemes and if they do, they vary in size. The target was set to be reasonable and achievable within staff resources.
Housing	Number of actions taken against	15	13	The target for 23/24 was 60 actions. We are ahead of target for the year. This target was chosen as a realistic and achievable target given team

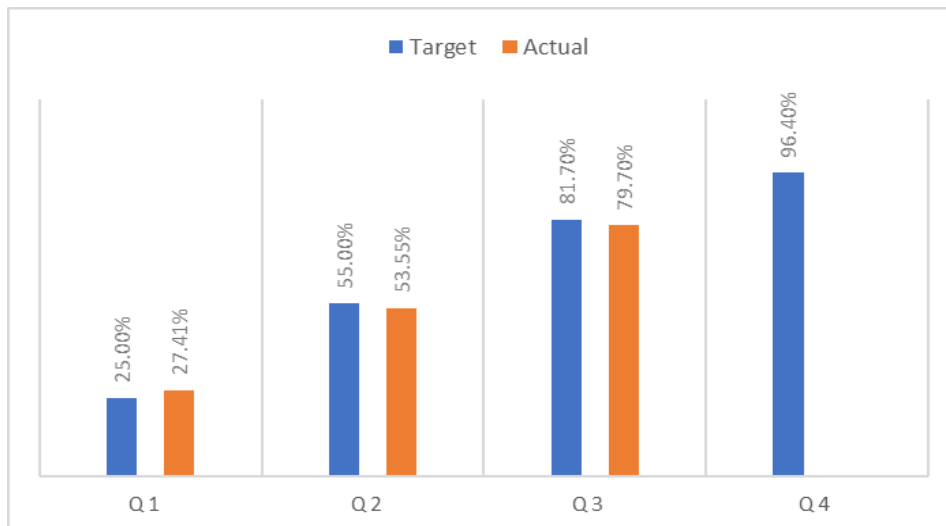
Agenda Item 10

Status: Final

	owners of vacant homes			resources. It has not been benchmarked with other LAs.
Regeneration	100% of expenditure verified for projects which are externally funded.	100%	100%	There are a number of significant Growth and Strategic Investment Projects to which external funding has been secured, and requires a significant resource associated with governance. Projects such as Crosby Lake House, Cambridge Rd refurbishment, Southport Town Deal and Bootle Levelling Up Funding are typical examples, all feature and all of which are at different stages of delivery.
Regeneration	Funding Claims submitted completed and submitted on time to Audit	90%	90%	As above. Funding claims have somewhat of a lag, linked to the mixed internal and external teams developing projects, the internal governance and assurance, and the GFA process which is required to precede any grant claims, for example.

Working for Our Communities Every Day – “Working together to deliver affordable services which achieve the best possible outcomes for our communities.”

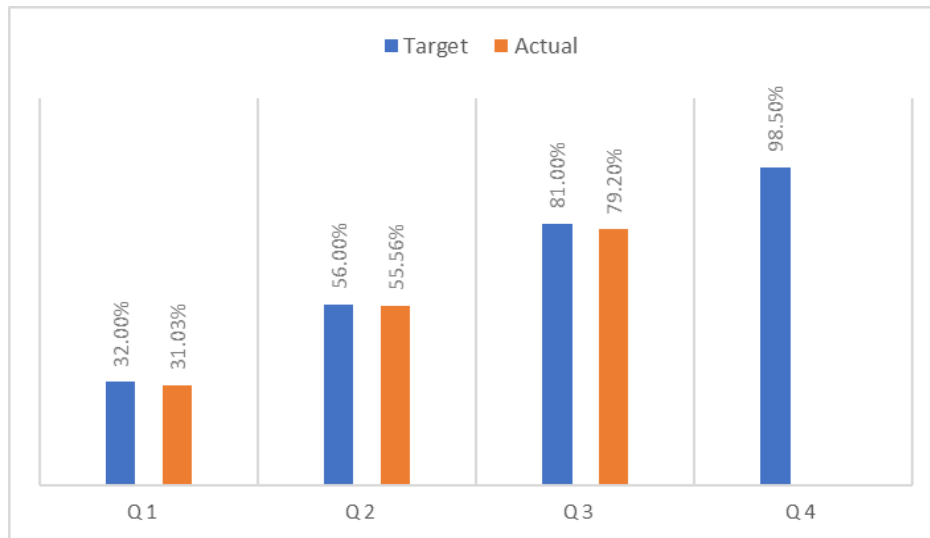
Council tax collection rates %



Council Tax collection is currently volatile across the country however the position in Sefton has remained stable over the last 18 months. The Q3 position shows a slight adverse variance against target. Targets reflect previous collection rates, although it should be noted that the targets are higher than the rates achieved during 2022/23. The Council benchmarks itself against other Metropolitan Councils, including others in the Liverpool City Region using annual Government published national collection data. For 2022/23 Sefton had the highest collection rate in the Liverpool City Region.

The Council continues to be pro-active in its management, engagement, collection, and enforcement activities. The Service is continually looking for ways to improve service delivery to ensure residents receiving timely, accurate bills so they know what they should pay when, e.g. increasing automation through use of technology to reduce delays, more web-based information and advice, thereby maintaining collection performance.

Business rates collection rates %

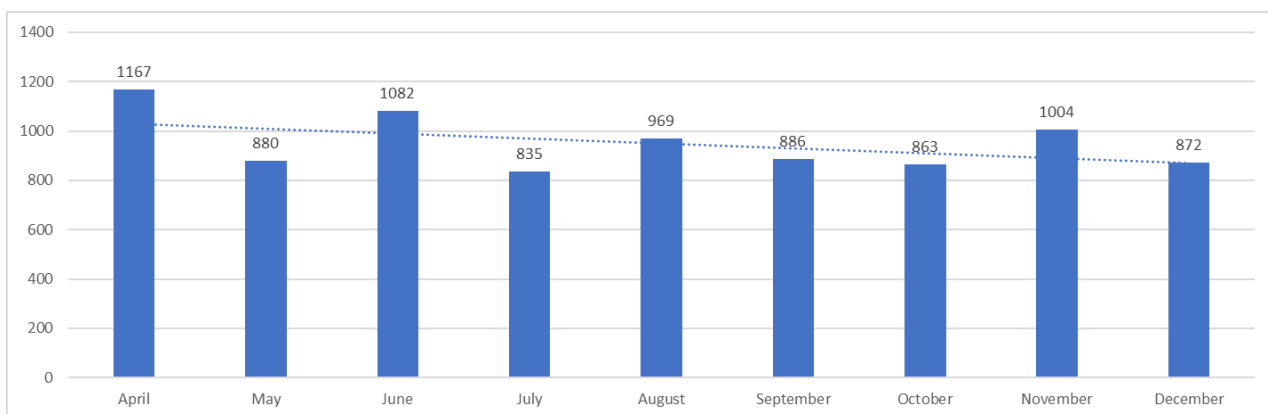


Business Rates collection continues to be close to target in Q3. Targets reflect previous collection rates, although it should be noted that the targets are slightly lower than the rates achieved during 2022/23. Also, because individual liabilities are larger the timing of payments from major Business Rates payers can have a significant impact on the percentages.

The Council benchmarks itself against other Metropolitan Councils, including others in the Liverpool City Region using annual Government published national collection data. For 2022/23 Sefton had the highest collection rate of all the Metropolitan Councils in England.

As for Council Tax, the Council continues to be pro-active in its management, engagement, collection, and enforcement activities.

Number of Emergency Limited Assistance Claims



Many local authorities offer a form of local welfare assistance schemes (LWASs), also known as local welfare provision (LWP) or crisis support, where they may be able to help people secure items of furniture, as well as helping with other issues, such as debt advice, food, and fuel poverty. Most local authorities with a scheme only help with the most essential items such as a cooker, fridge/freezer, and bed. Some will also provide a washing machine, sofa, and wardrobe. Many schemes also provide other support beyond furniture, such as help with utility bills and food. Not all councils have these schemes, and some do not provide help with furniture and white goods, which can make benchmarking (demand, volume, core funding

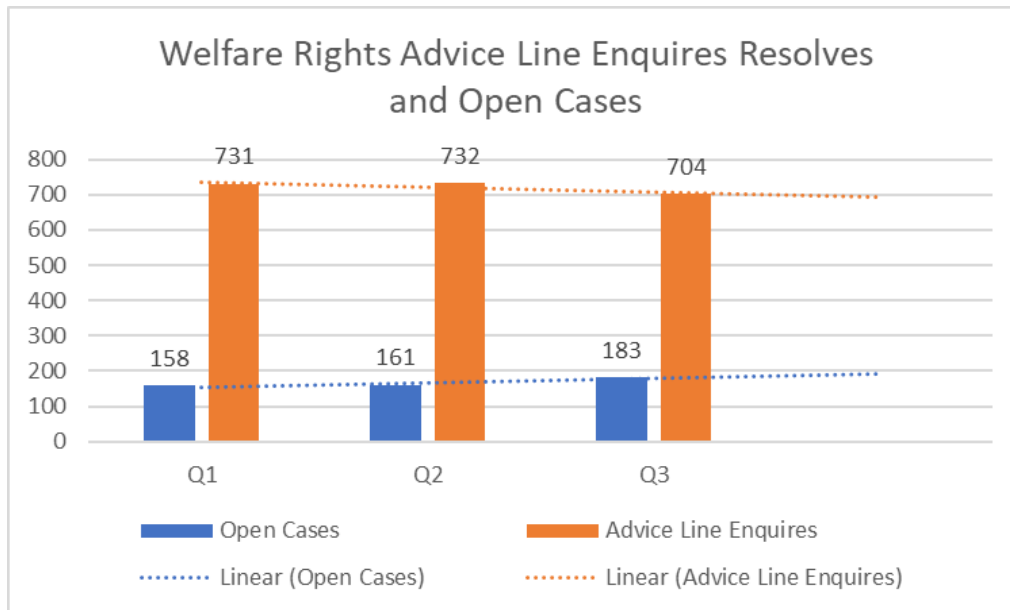
and offer) against other local authorities challenging. However, Sefton does collaborate with other local authorities across the Liverpool City Region (LCR) to ensure consistency in provision, share best practice and informing the universal offer across the Merseyside geography. Although the schemes across the LCR are all different, they all have similar application processes, and despite the difference in volumes, the seasonal volumes in demand for support follow a similar pattern.

Sefton's Emergency Limited Assistance Scheme (ELAS) is well established and continues to support local people experiencing severe hardship, a disaster or emergency. Consistently since 2013, the local authority has responded to more than 10,000 applications per annum. In Q3 there were 2,739 applications for support, and by the end of Q3 the number of applications received in 2023/24 is 9,841 to the end December 2023, compared to 12,038 received at the same point last year. However, the relative fall in demand is attributed to the Department for Work and Pensions (DWP) Open Access Household Support Fund (HSF) providing some applicants with an alternative route for support rather than ELAS, but it's anticipated that demand will return to the levels seen in previous financial years if the Department for Work and Pensions (DWP) HSF scheme is discontinued.

In respect of the ELAS scheme, there have been 3,488 food vouchers provided, compared to 4,143 provided at the same point last year and there have been 4,425 utility awards, down on the 6,443 the previous year.

The second phase of the Open Access HSF scheme went live from April 2023, and currently a total of 11,356 applications have been received. The Council has made 8,100 awards and a total of £1,740,200 has been spent/committed through the Post Office Pay Out Service. It was agreed early in February 2024 that the Open Access HSF applications should close to new applicants, as forecasting indicates that the remaining balance of DWP-funding will extend cover the volume of outstanding claims being processed. ELAS core funding for 2023/24 is available and as such the scheme continues to operate to support vulnerable members of our community and those experiencing financial difficulties, impacted by the cost-of-living crisis.

Welfare Rights Open Cases

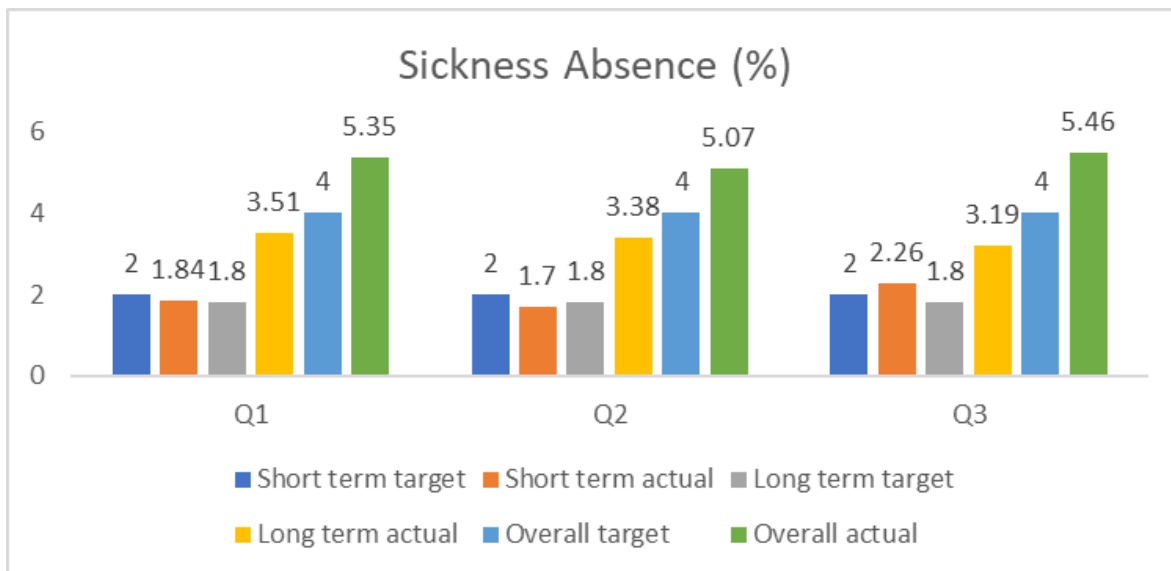


To ensure that people claim their full entitlement, the local authority provides a “Welfare Rights Advice and Guidance Service.” Working in partnership with other local organisations, the Council’s team of expert advisers provide free, confidential advice, guidance and support for people who live or work in Sefton across the entire range of Welfare Benefits, delivered through advice sessions, personal appointments, and home visits. The team assist in maximising people’s income by providing advice on claiming appropriate benefits including back to work benefits and better off calculations, helping people to complete benefit claim forms, and assistance with challenging benefit decisions, including tribunal representation where appropriate. The team also offers personal budgeting support, assisting/supporting people with money management (prioritising and budgeting, help and advice surrounding Council tax and rent arrears, Utilities – gas, electricity, water, unsecured loans, charge cards, credit cards, overdrafts and benefit overpayments, checking liability and establishing repayment arrangements based upon budget analysis, information on setting up bank accounts and making a referral to Citizens Advice for multiple debt issues and insolvency options.

In Q3 the Welfare Rights team received and responded to 704 enquiries through the ‘advice line,’ proving initial immediate response and advice to aid people in crisis (e.g. no income), and follow-up support. They also worked on 183 open cases, which include benefit claims and challenges, including reconsiderations and tribunals. Whilst the number of requests for initial support through the advice line decreased marginally in Q3 from Q2, the number of open client cases increased in the same period. The figures represent an average of 241 advice line resolutions per month and 56 cases per month.

As part of its improvement journey the service has purchased ‘AIMS,’ a new Case Management system, which will enable the team to record involvements, and therefore produce much more detailed statistics about the service it provides. This will extend beyond contact, response, and one-to-one support, to include statistical data on income maximization and financial outcomes.

Sickness Absence



Different local authorities use different methodologies for calculating sickness absence, making it challenging to benchmark and directly compare performance across local authorities in England.

The Office for National Statistics Sickness absence in the UK labour market: 2022, reported that the average sickness absence rate (the percentage of working hours lost because of sickness or injury) in the UK labour market was 2.6%. In the same period sickness absence rates of NHS Hospital and Community Health Services (HCHS) staff working in NHS Trusts and other core organisations and NHS Support Organisations and Central Bodies was 4.9%, dropping to 4.5% in April 2023, but 5.4% in the Northwest region.

The current overall sickness absence target of 4% for the local authority is indicative, aiding to monitor levels on a quarterly and annual basis across the workforce, and there are naturally differences in expected sickness levels in individual services, affected by the nature of work in those service areas. An annual target of 5% for 2023/24 could be more realistic baseline considering the external evidence and data.

Short term sickness absence is defined as 20 days or under, and long terms as over 20 days. The calculation for sickness absence is Total Days Sick / Total FTE Days available in a period.

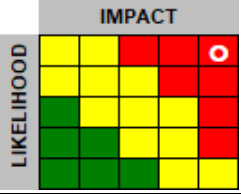
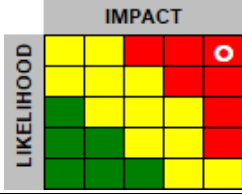
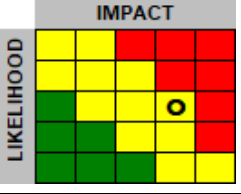
AT Q3 short term sickness absence (2.6%) has risen above the indicative target of 2% for the first time in 2023/24. In the same period long term sickness absence (3.19%) is significantly higher than the indicative target of 1.8%, however there has been a gradual decline in long term sickness absence, dropping from 3.51% at the end of Q1 to 3.19% at the end of Q3. The Total FTE Days Available in Q3 was 185,433 and the total FTE Days Sick was 10,119.82 (Short Term: 4,195.02 | Long Term: 5,924.82. This is where the overall 5.46% is derived from - Short Term 2.26% & Long Term 3.19%). The top three absence reasons in Q3 were (1) Mental Health (1.55% of the overall 5.46%), (2) Infection (1.31% of the overall 5.46%), and (3) Musculoskeletal (0.81% of the 5.46%).

Agenda Item 10

Status: Final

From the beginning of April 2023, the overall sickness absent rates per quarter have exceeded the 4% target, and the average overall sickness absence across the 9-month period is 5.29%. Subsequently the Council continues to monitor sickness absence and work with employees to ensure a healthy return to work. In response to the levels of sickness absence each service and the Executive leadership team receive regular, detailed information about short-term, long-term, and overall sickness absence levels, including information about the groups with highest sickness absence rates, and ranked reasons for sickness absence. Managers are routinely provided with clear guidance and support as to how staff can be supported, including the increasing offer of wellbeing assistance programmes for all staff, plus the consistent application of the process to be followed to maximise that support and reduce sickness absence, which should lead to increased attendance and improved performance.

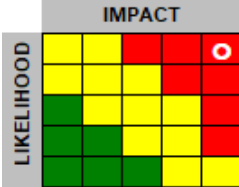
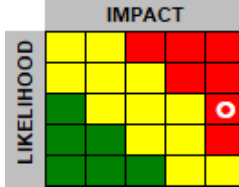
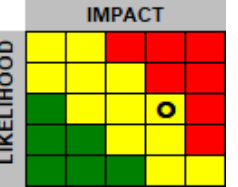
Appendix C - Corporate Risk Register February 2024

Risk Description	Previous risk score	Current risk score	Target risk score
<p>Dedicated Schools Grant High Needs Funding for Special Educational Needs is inadequate to meet requirements.</p>			
<p>Causes</p>	<ul style="list-style-type: none"> • High Needs budgets are under considerable pressure from increasing numbers of children being diagnosed with complex and life-long SEND related issues. • National funding allocations are not increasing annually at a rate to reflect increases in local population demand and so any additional commissioned places need to be financed from within existing budget envelope. • The number and value of requests from mainstream schools for "top-up" funding (for children with SEND) continues to increase year on year as schools face financial pressures to meet the first £6k of any SEN Support. • Maintained special school provision is full and more children are being placed in independent provision which is more expensive. Whilst this issue is being addressed through extra In-house provision, there remain risks that external placements may continue at high additional cost. • Central Government have advocated parental preference for SEND provision - which has added to the number of children being placed in independent provision - with no additional funding. • The current accounting override whereby the HNF deficit is ringfenced will continue until April 2026, but the increasing accumulative deficit poses a significant financial risk to the council 		
<p>Result</p>	<ul style="list-style-type: none"> • Sefton's High Needs cumulative budget deficit is £18m at the end of 22/23. • The estimated deficit on the high needs block continues to be held on the Council's Balance Sheet. Whilst the current DfE regulations do not expect the Local Authority's General Fund to cover accumulated deficits, this is still only on a temporary basis until 2026. The council does not have the reserves or balances to meet this deficit if required in 2026 hence the threat to financial sustainability. • This is a significant risk to the council and quarterly monitoring statements will continue to be reported to cabinet throughout the 2023/24 financial year. 		
<p>Current treatment and controls</p>	<ul style="list-style-type: none"> • The quarterly reporting to Cabinet and Council should focus on the work program that seeks to improve the support to children, the demand for the service and the financial forecast- it should also take full account of the progress in the DFEE led Delivering Better Value Programme. • Leadership from Sefton's Executive Director of Children's Social Care and Education, Assistant Head of Education and the SEN team Managers on how costs can be contained. • Sufficiency statement produced that will drive future strategy and financial sustainability. • Lobbying and engagement of both DfE and MCCLG on financial impact and the need for increased support or confirmation that this will continue to be a DSG issue post 2026. • Engagement with special schools actively working with individual schools to review impact of any proposed changes to their funding, reviewing three-year financial plans, identifying any strategic savings to mitigate high calls on DSG High Needs funding. 		

Appendix C - Corporate Risk Register February 2024

	<ul style="list-style-type: none"> • Review of place and top up levels of funding. • In addition, further work is being undertaken on alleviating the barriers to inclusivity within mainstream settings and assessment of effectiveness of capital spend to maximise mainstream settings for children and young people. • Council now part of DfE Delivering Better Value Program-it should be noted however that this is focused on the system and not on delivering financial sustainability therefore the council cannot rely on this programme to meet its key financial objective. • Comprehensive quarterly reports to be presented to Cabinet and Council on sufficiency, in house provision, funding and deficit to provide rigor, transparency and inform decision making
<p>Risk owner</p>	<p>Assistant Director of Education</p>
<p>Proposed actions</p>	<ul style="list-style-type: none"> • Through the High Needs Review the LA has been working on two specific workstreams with School representatives working on a number of key areas: • Developing a new funding model to support children with EHCPs; • Clarifying high needs funding outside of the EHCP process. • Reviewing provision and placement sufficiency. • Considering new ways of working with SEN children in schools, making them more cost effective and with good outcomes. • Review of the graduated response and supporting SEN leadership in schools. • Sefton has been working in partnership with the DfE since December 2022 to develop solutions to bring the High Needs Budget into a more financially secure position going forward and help to reduce the accumulated deficit over a set period. • The sign off of the High Needs Deficit action plan through the Delivering Better Value Programme was conducted in summer 2023 with a work programme of planned improvements and changes in SEN support for HN children commencing from September 2023.

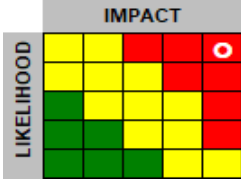
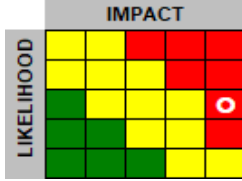
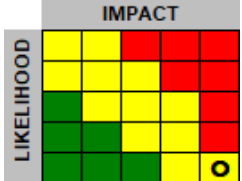
Appendix C - Corporate Risk Register February 2024

Risk Description	Previous risk score	Current risk score	Target risk score
Financial sustainability beyond 2023/24.			
Causes	<ul style="list-style-type: none"> The national economy, taking into account inflation and direct government funding which has been reflected in the financial settlement for 2023/24 and planning assumptions for 2024/25 and the demand for services will place substantial strain on the Council's overall medium-term budget. As a result, significant budget and cost reductions will be required. Due to the scale of budget reductions made since 2010 there is a risk that further suitable cost-saving / income generating measures will be difficult to identify. The impact on the financial sustainability of the Council is therefore a key risk. 		
Result	<ul style="list-style-type: none"> The Council will need to identify substantial sustainable savings to meet the funding gap that arises from inflation, potential government grant reductions and increased demand for services for the next 3 year period 2024/25 to 2026/27. The Budget reductions could have an adverse impact on residents and communities. The reputation of the Council may be compromised. Financial sustainability could be compromised. 		
Current treatment and controls	<ul style="list-style-type: none"> The council set a budget for 2023/24 at its meeting on 2 March 2023. Substantial investment has been made into ASC, CSC and home to school transport as part of this and this is where the financial risk exists- robust financial management and monitoring will be required for the delivery of the approved budget. If there are any variations to the approved budget remedial plans will need to be put in place from within the already approved budget. The council does have an appropriate level of general fund reserves however these do not offer the scope to address a budget gap similar to that experienced in 2022/23 indeed there is no scope to support an overspend from reserves. Within that budget report the key issues that need to be addressed within the next MTFP are identified and work commenced from May 23 on refining these assumptions and the potential budget gap for these next 3 years 2024/25 to 2026/27-This was reflected in the MTFP that was considered by Cabinet and Council in September 23. Work has commenced on bridging the budget in accordance with the budget planning timetable and will be reported to Members. This is key to the financial sustainability of the council with the key risk remaining being Adults and Children's Services. Within Childrens Services this has been mitigated for 23/24 by all budget assumptions having been agreed with the DCS which ensured that the MTFP for the council was aligned to the improvement plan and provided the service with the resources required to meet this plan but it is clear that this risk remains. 		
Risk owner	ED CR&CS		

Appendix C - Corporate Risk Register February 2024

Proposed actions	<ul style="list-style-type: none">• Key financial risk for 2023/24 is delivery of savings and Children's Social Care delivering services within budget agreed with DCS - regular and rigorous financial management, monitoring and reporting is required by SLB to inform Cabinet decision making and this is in place.• Budget Package for 24/25 has been developed and will be presented to Budget council on 29 February 2024
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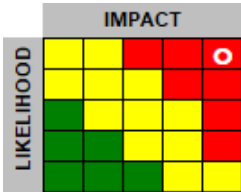
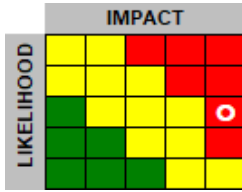
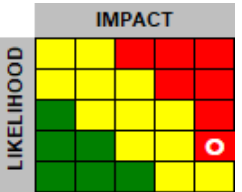
Appendix C - Corporate Risk Register February 2024

Risk Description	Previous risk score	Current risk score	Target risk score
The Council is the victim of a cyber-attack.			
Causes	Malware, ransomware, or another virus infects the Council's systems.		
Result	<ul style="list-style-type: none"> • Services will not have access to systems and data as standard and will have to fall back on non-ICT delivery methods, albeit without access to key data. • Data breach occurs. • Financial impact of ransom. • Reputational damage 		
Current treatment and controls	<ul style="list-style-type: none"> • Cyberattack prevention measures are in place, including: <ul style="list-style-type: none"> ○ - Upgraded Council firewalls and active SIEM monitoring service. ○ - Anti malware tools ○ - Acceptable use policy updated annually ○ - LGA Stocktake completed/Cyber 360 completed ○ - PSN Accreditation achieved and reviewed annually ○ - New security standards for email encryption implemented ○ - Further network security in place to reduce risk • Back-up disaster recovery facility is in place at a separate site, for both cloud based and on premises systems • Agilisys has a Business Continuity-Disaster Recovery plan in place which covers an action plan for this priority restoration, and the subsequent restoration of all other systems. • Ongoing monitoring in in place via ICT governance arrangements • Anti-virus software is constantly updated across the estate. • Communication to employees regarding the rise in malware attacks is in place, with an enhanced training offer in place. • Review of Cyber Incident planning completed and revised policy released. • Removal of unsupported systems from the network and segregation in place as required and work completed to bring all services into scope of the support contract. 		
Risk owner	ED CR&CS		
Proposed actions	<ul style="list-style-type: none"> • The ongoing ICT Transformation programme has seen most systems and data migrated to Microsoft Azure cloud hosting, which will reduce the overall risk; and improve Business continuity however further work is underway to improve the current security posture further. 		

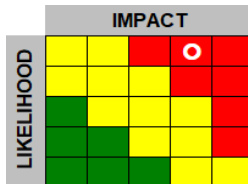
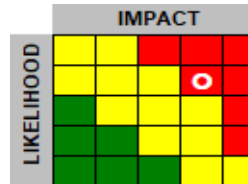
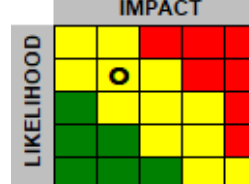
Appendix C - Corporate Risk Register February 2024

	<ul style="list-style-type: none">• Ongoing Cyber Security Improvement plan in place, including plans to bring all systems in the support of the existing ICT Contract• External validation and assurance ongoing linked to improvement plan.
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Appendix C - Corporate Risk Register February 2024

Risk Description	Previous risk score	Current risk score	Target risk score
<p>Inadequate capability to prepare for and respond effectively to a Major Incident affecting the Council or occurring in Sefton as per the Council's responsibilities under the Civil Contingencies Act 2004.</p>			
Causes	A major incident occurs affecting the Council or the Borough		
Result	<ul style="list-style-type: none"> • Loss of human life, illness, or serious injury • Major damage or destruction to infrastructure, property and/or the environment • Disruption or loss of critical services such as transport, communications, utility services • Reputational or financial harm to the authority 		
Current treatment and controls	<ul style="list-style-type: none"> • Emergency Response Manual and Major Incident Guidance in place. • Revised Command and Control structure in place which defines Strategic and Tactical level officers. • Emergency Duty Co-ordinators (EDCs) are able to access Resilience Direct containing incident response plans. • Relevant training provided to Emergency Duty Co-ordinators and volunteers on an ongoing basis. • Five EDCs have now completed Multi Agency Gold Incident Commander (MAGIC) accredited training. • Attendance and participation in Merseyside Resilience Forum and joint planning across Merseyside. • Humanitarian volunteers in place and regular meetings and training now offered. • Continuous development and review of supporting plans. • Service Level Business Continuity plans now completed. Business Continuity eLearning package available to all staff • Business Continuity risk register completed and review on quarterly basis • Business Continuity Policy and strategy have been devised and approved. • BC exercise completed in January 2023 for Senior Leadership Board • Corporate BC plan drafted and endorsed by ELT in January 2024 		
Risk owner	CEX/ED CR&CS		
Proposed actions	<ul style="list-style-type: none"> • A Business Continuity Management System has been devised and is currently being implemented. This includes the following: • Six monthly review of BC plans and activation exercise undertaken to confirm accuracy of contact details included. • External provider to continually provide support in hosting regular BC exercises for all Exec/Assistant Directors. • Review and update of BC manual ongoing 		

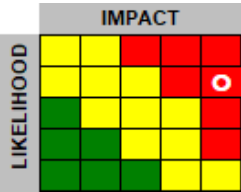
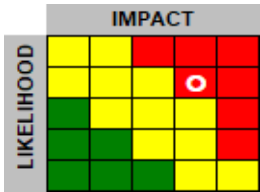
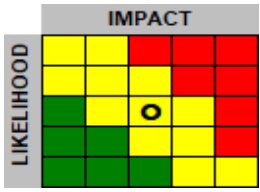
Appendix C - Corporate Risk Register February 2024

Risk Description	Previous risk score	Current risk score	Target risk score
Market Failure of Social Care Provision across Adults and Children's			
Causes	<ul style="list-style-type: none"> • Lack of national response to the Independent Review of Children's Social Care and report by the Competition and Markets Authority calling for action on the children's social care market • National and regional pressures in Social Work recruitment and available workforce • Sufficiency in children's residential provision • Inflation 		
Result	<ul style="list-style-type: none"> • Lack of alternative providers able to support social care. • Poor quality service provision and high costs • Increase in unmet needs of children and young people due to a fragile market that is not developing. • Inability to meet sufficiency duty. • Growing number of children placed out of borough with more LA's placing young people within Borough, placing additional pressure on ASC markets linked to transitions. • Reliance on high cost out of borough residential provision for children and young people 		
Current treatment and controls	<ul style="list-style-type: none"> • Market Position Statement and refresh of Children's Sufficiency strategy 22-25 allows market management. • Strengthen governance via actions and oversight of Executive Commissioning Group/Strategic Commissioning Group • Strategic Commissioning Team more permanent capacity to increase resource. • Implementation of Commissioning priorities improvement plan • Delivery of Health and Wellbeing Strategy 2020-2025 • Implementation of robust and timely Winter Planning/checklist • Regular review of supply chain contracts • Demand Management Programme embedded in adults and children's. • Recommissioning of Local Dynamic Purchasing system for Domiciliary Care • Mitigation of market failure by block purchasing arrangements to support hospital discharge. • Weekly escalation/ visibility of capacity and costs with AD, DASS and wider system • Maximising learning opportunities across C&M DASS group with key areas of focus • CQC Assurance preparation • Provider Failure Policy updated. • Regular Cost of Care exercises • Market Engagement Strategies in production to focus on relationship based market management. 		
Risk owner	DCS/DASCH		
Proposed actions	<ul style="list-style-type: none"> • Strengthened oversight of Quality Assurance (QA) with dedicated Senior Manager support will add the ability to refocus QA resources on identified areas of Market Risk. Gather intelligence to inform risks and ensure resilience and capacity. • Continue to focus on strategic plans to current contracts to ensure Value for Money and objectives are met. 		

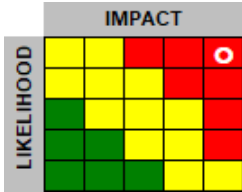
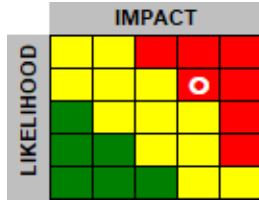
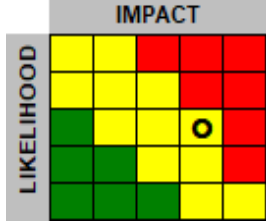
Appendix C - Corporate Risk Register February 2024

	<ul style="list-style-type: none">• Development of new opportunities through Sefton Place Based Partnership development• Children's High Risk/High-Cost Project, Commissioning priorities and full work plan• Recruitment campaign developed with Market with ongoing input from Sefton at Work - Workforce Strategy now developed, and subsequent Market Sustainability Plan roll out 2023/24. Work includes use of International Recruitment funding to be allocated to Providers.• Links maintained with LCR on key market risks (capacity, workforce, cost of living, ceasing of covid funding, demand)• New Procurement for Domiciliary Care completed.• Integrated commission arrangements will develop via new place arrangement. Market Sustainability Plan and Fair Cost of Care Exercise to be sent to Central Government mid Oct. National Government Market Sustainability funding applied to Dom Care and Care Homes 65+. Discharge funding now recurrent through the Better Care Fund. Work continues to mobilise a rapid reablement expansion. Linked to ND review. Work jointly with Health to develop approach to reduction of one to one requests. Cost of Care / fee setting work for 2024/25 is commencing, including Care Analytics being commissioned to support with 2024/25 fee setting work, including analysis of impacts of implementing RLW across all ASC sectors. SOP for fee setting in place.
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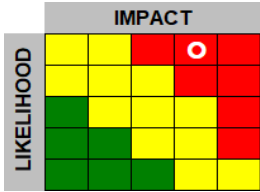
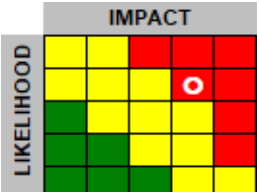
Appendix C - Corporate Risk Register February 2024

Risk Description	Previous risk score	Current risk score	Target risk score
Demand and Cost of Home to School Transport – Impact on the Financial Sustainability of the Council			
Causes	<p>Increasing expenditure is being driven by:</p> <ul style="list-style-type: none"> • Rising number of children and young people with an Education Health and Care Plan • Rising number of children and young people whose needs are not met in local mainstream provision and placed in educational provision outside the local area. • The rising cost of fuel and living. • Driver and escort shortages, competing for scarce resources. • Parental choice 		
Result	<ul style="list-style-type: none"> • Supply unable to match demand. • Increased waiting times for service users, impact on school attendance • Financial and reputational risks, financial sustainability of Council could be compromised, Budget pressure cannot be contained. • Capacity of the workforce to meet this demand. • Potential for poor service delivery • Negative socio-economic impact. • High level of media and public interest in the Council's actions • Loss of reputation 		
Current treatment and controls	<ul style="list-style-type: none"> • A comprehensive review of all systems, procedures and contractual arrangements and structures in relation to Home to School Transport has been launched by the council- this is an internal review that will aim to develop a sustainable model that supports children in the Borough 		
Risk owner	Assistant Director of Education		
Proposed actions	<ul style="list-style-type: none"> • The outcome of the comprehensive review of the system has commenced inc reviewing all commercial arrangements, key cost drivers and all decisions that impact cost over the next 6-9 months is the key activity currently being undertaken. 		

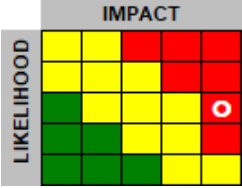
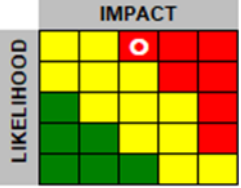
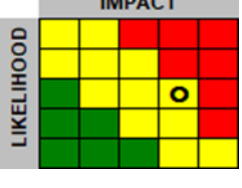
Appendix C - Corporate Risk Register February 2024

Risk Description	Previous risk score	Current risk score	Target risk score
Children’s Services - Impact of Regulatory Framework Outcomes			
Causes	<ul style="list-style-type: none"> The Council’s Children’s Services are currently rated as Inadequate. As a result, the council is currently delivering its improvement with the support of a Commissioner and DFE advisor. 		
Result	<ul style="list-style-type: none"> Social work practice does not meet the standard required. Services are found to not adequately safeguard children. Reputational damage to the Council and Statutory partners Loss of confidence in partnership arrangements Workforce and financial pressures develop. 		
Current treatment and controls	<ul style="list-style-type: none"> Improvement board established under DfE improvement notice. DfE Advisor supporting Improvement Programme Regular reports to Overview & Scrutiny Committee Self-evaluation has been refreshed and updated. Comprehensive Performance dashboard developed based on required specification Quality Assurance Framework in place Practice Standards in place Triangulation of evidence through audit and peer review, regular auditing, and monitoring of performance. Workforce strategy in place and delivering skilled and stable workforce. Financial plan in place based on DCS requirement. Accommodation in place for consolidated service. 		
Risk owner	DCS		
Proposed actions	<ul style="list-style-type: none"> Role of Improvement Board to provide oversight, guidance and support will continue and will meet bi-monthly. The council will continue to progress the delivery of recommendations made by Children’s Commissioner and the Improvement plan. Report progress and risks to Overview & Scrutiny Committee each cycle in addition to Improvement Board. 		

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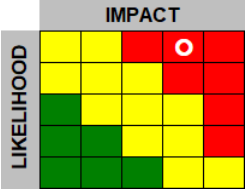
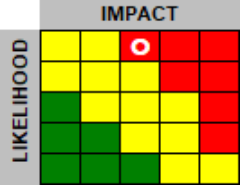
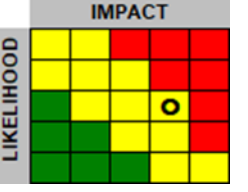
Risk Description	Previous risk score	Current risk score	Target risk score
Increase in academisation of schools within the borough			TBC
Causes	<ul style="list-style-type: none"> National Agenda DfE sponsored academies for schools in a category. Instability within LA 		
Result	<ul style="list-style-type: none"> Loss of SLA income Loss of LA ability to monitor educational standards. Overall effect on services will mean loss of services and jobs. Impact of timescales between notification of academy order and timing of Cabinet meetings Academisation of Rowan Park (removal of mobile classroom) may result in reallocation of 43 SEN children 		
Current treatment and controls	<ul style="list-style-type: none"> EE team continue to review offer. Engaging with academies to encourage purchase of SLAs. Promote "Sefton Family of Schools" image- working party established to support schools with decision making and to ensure compliance with academies act 		
Risk owner	Assistant Director of Education		
Proposed actions	<ul style="list-style-type: none"> Many of the decisions are out of council control 		

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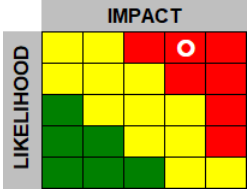
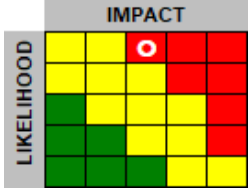
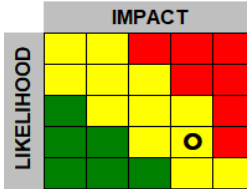
Risk Description	Previous risk score	Current risk score	Target risk score
<p>Failure to Comply with Sections 1 and 10 of the Freedom of Information Act 2000</p>			
<p>Causes</p>	<ul style="list-style-type: none"> • A person requesting information from a public authority has a right, subject to exemptions, to be informed by the public authority in writing whether it holds the information, and to have that communicated to him, if the public authority holds it (section 1 of The Freedom of Information Act 2000). Section 10(1) specifies that public authorities must respond to requests within 20 working days. • A public authority which fails to comply with any of the requirements of Part I of the FOIA, may be served with a notice by the Information Commissioner (referred to as an ‘enforcement notice’) requiring the authority ‘to take within such time as may be specified in the notice, such steps as may be so specified for complying with those requirements’ (section 52(1)). • Compliance performance levels differ across the Council, due to the demands on particular service areas. Consistency is required in terms of prioritising responses to FOIA requests so that the Council ensures it responds to requests in a timely way. 		
<p>Result</p>	<ul style="list-style-type: none"> • Failure to comply with legal requirements; enforcement action by the Information Commissioner’s Office, damage to Council's reputation; loss of public confidence, diversion of resource and financial consequences 		
<p>Current treatment and controls</p>	<ul style="list-style-type: none"> • Information management and governance, including compliance with the Freedom of Information Act is overseen by the Information Management and Governance Executive Group (IMGEG), which consists of officers with lead responsibilities for key aspects of information compliance (i.e. Data Protection Officer/IG Lead, Senior Information Risk Owner and Chief Legal and Democratic Officer) supported by other officers with key roles relating to IMG. • Each service is responsible for the handling and management of FOIA requests made to their respective service area. • Each service has designated Information Asset Owners and Information Asset Administrators. Policies, procedures, processes and issues are communicated to these officers through the Information Management and Governance Operational Group. • Support, co-ordination, advice and guidance is provided corporately. • The Council has implemented policies, procedures and processes to assist the management of FOIA requests made to the Council. 		
<p>Risk owner</p>	<p>CEX</p>		

<p>Proposed actions</p>	<p>SLB to ensure Appropriate resourcing, prioritisation and focus on information management and governance across the Council include the following:</p> <ul style="list-style-type: none">• Monthly reporting to Heads of Service of a list of any outstanding FOIA requests, to ensure appropriate action across their service.• Regular monitoring and review by IMGEG of compliance with statutory timescales associated with requests and numbers outstanding.• Set targets to ensure compliance with ICO recommendations (95% or more of requests are responded to within 20 working days = good, 90 to 95% of requests are responded to within 20 working days = adequate, fewer than 90% = unsatisfactory).• Regular reporting by IMGEG to SLB and Audit and Governance Committee, as necessary, as to the Council's compliance with the FOIA.• Maximise the opportunities from the Council's ICT Transformation to increase and embed effective information management and governance.
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Appendix C - Corporate Risk Register February 2024

Risk Description	Previous risk score	Current risk score	Target risk score
<p>Ability of the Council to Recruit to its Workforce in order to Deliver its Core Purpose.</p>			
Causes	<p>Due to the contraction of the labour market both nationally and locally the council cannot recruit sufficiently skilled staff in order to meet business need</p>		
Result	<ul style="list-style-type: none"> The Council does not have the capacity to deliver the services it needs to at the pace or standard required. Due to the contraction in the market the council cannot recruit to key roles - over the past 12 months this has been evident in Social Care, Regeneration, Procurement, Performance, Property and Finance Such a scenario places increased pressure on the workforce that cannot be maintained over the long term. In addition to the lack of candidates in the market seeking permanent employment and a reduction in availability of temporary or agency staff, the cost of bringing in temporary cover is increasing exponentially this creating budget pressure 		
Current treatment and controls	<ul style="list-style-type: none"> The Council's approach to recruitment and retention has been and will continually be the subject of review. This is a key theme within the recently approved workforce strategy and action plan. The Council is building on the success in some areas will seek to 'grow its own' workforce with the promotion of apprenticeships, the social worker academy and graduate programmes. The Council will seek to continually enhance its culture in order that staff remain in Sefton. The Council will work with Liverpool City Region Partners to recruit talent nationally and look at training and development programmes across the region that will be attractive to potential candidates 		
Risk Owner	<p>ED CR&CS</p>		
Proposed Actions	<ul style="list-style-type: none"> The action plan for the workforce strategy details the key activities that will be undertaken to maximise the council's position in the workforce market. Extensive work has been undertaken within Childrens services over the last 18 months to ensure that a skilled and stable workforce can be recruited to and retained. This includes a full review of pay and benefits the development of the social worker academy and the recruitment of overseas social workers. this work will continue to support the service and similar activities and innovation will take place across the council. Work has commenced with Liverpool John Moore's University to determine how pathways can be opened for graduates to join the council both on interim placements and full-time employment. 		

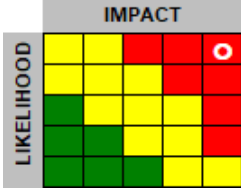
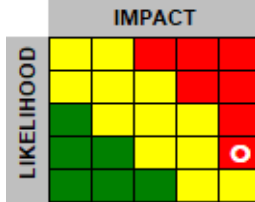
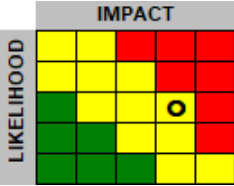
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Risk Description	Previous risk score	Current risk score	Target risk score
<p>Non achievement of our aim and ambition to secure the best outcome from a CQC assessment, against current local pressures and demands.</p>			
<p>Causes</p>	<ul style="list-style-type: none"> Lack of sufficient preparedness for CQC Regulatory Visit and Assessment Strategic - Not having in place the right workforce targeted skills, experience and resources to deliver such a significant programme of change, that delivers the best outcomes for Sefton residents. Workforce - insufficient resources and skills to effectively and responsively meet local demand and pressures across ASC. 		
<p>Result</p>	<ul style="list-style-type: none"> Reputational Damage - CQC rating for the Council will reflect requiring improvement or inadequate that impacts on Council reputation across its market and with partners. Operational - Unsatisfactory outcomes for individuals/Carers identified, impacting people who access and use services. Legal Compliance/ Regulatory - Service deemed to not be effectively discharging statutory duties for those adults with care and support needs in one or more areas of the assurance framework and under its Care Act legal duties and obligations meaning the SOS will intervene. Reputational - Loss of confidence with local residents, not yet known to ASC. Workforce - Impact on recruitment and retention of staff, resulting in service disruption. Financial - Impact of 'new' regulation on ASC budget with additional pressures. 8) The Cost of additional resources will impact budget. 		
<p>Current treatment and controls</p>	<ul style="list-style-type: none"> Executive Assurance Board (EAB) and monitoring in place and ELT reporting and Monitoring in place. Part 1 Codesigned CQC Self-Assessment completed. HR and Learning Resource Plan in Place. Comms and Marketing Resource Plan in place. Sefton Safeguarding Board Resource and Plan in place Health and Social Care Community Partners Continued Engagement in Place Workforce Plan in place Finance Budget setting, reporting and monitoring in place. Transformation programmes in place Workforce and Delivery Operational Assurance Groups in place, reporting to SMT/EAB/ELT with actions. Monthly Assurance Reporting to ELT Overview and Scrutiny Reporting and Monitoring in place National and Regional ADASS Assurance reporting and monitoring in place Application of the National ADASS/LGA Guide. 		

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	<ul style="list-style-type: none"> • Monthly Practice Forums and feedback in place • Let's Chat Assurance and feedback in place. • ASC Policy Board and actions in place • ASC IT Systems Group and actions in place • Workforce Plan in place, leading positive culture of change. • LGA to Peer Review Safeguarding to take place. (Jan 24) • C&M Assurance Lead Workshops and Learning
Risk owner	Executive Director of Adult Social Care (ASC) and Health (DASS)
Proposed actions	<ul style="list-style-type: none"> • Governance - To review current EAB and consider implementation of an ASC Quality and Improvement Programme Board. • Resources - Identify corporate strategic resources to support programme of work over the next 12 months. • Improvement Plan Operational finalised and regular reporting in place. • ELT Data Reporting and Monitoring - To Review CQC Outcomes Data, ELT reporting and ensure Plans are robust. Regular reports to Overview and Scrutiny Committee • CQC Risk Reporting - To implement CQC Risk Reporting Framework across operational services regarding - Is the Council Safe, Effective, Responsive, Caring and Well-led. • Completion of Quality Statements and Local Account • Peer review for Safeguarding to be explored

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Risk Description	Previous risk score	Current risk score	Target risk score
<p>Inability to deliver the Requirements and Commitments for the Growth Program and its Associated Projects</p>			
<p>Causes</p>	<ul style="list-style-type: none"> • Required Capital and Revenue funding not available to deliver the projects for Economic Recovery and Growth. This can be due to unavailability or timing of funds available. • External pressures affecting the construction sector, leading to challenges to project deliverability, affordability or timescales. This includes inflationary cost pressures; insufficient market capacity, contractor availability and contractor capacity; insufficient availability of materials and/or labour; delayed lead-in times for materials or services; rising prices for services, materials and equipment. • Insufficient internal staffing resource, hindering effective and timely delivery. 		
<p>Result</p>	<ul style="list-style-type: none"> • Increased business failure • Reputational Damage especially on projects declared already in the public domain. • Increased unemployment • Financial and reputational risks to the Council • Impact on communities. • Loss of reputation • Impact of wider economic change on residents, particularly the most vulnerable 		
<p>Current treatment and controls</p>	<ul style="list-style-type: none"> • Growth Programme and associated Governance and project controls. • Bid process and expertise applied to all existing and new funding opportunities. • Members approval and prioritisation of existing and new projects. • Constant and consistent evaluation and use of Growth Budget. • Opportunities in respect to Capital receipts from asset disposal. 		
<p>Risk owner</p>	<p>ED Place</p>		
<p>Proposed actions</p>	<ul style="list-style-type: none"> • Actively pursue all additional funding available in timely and at the earliest opportunity. • Create and make available Bid Team focused on and challenged with successful bids. • Establish Project Review forums and reporting mechanisms for early visibility of reporting of project progress and any emerging issues - on a project-specific and programme-wide basis. • Proactive external engagement with construction sector and key partners (e.g. LCR CA) to ensure visibility and understanding of risks to the sector and potential mitigants. • Develop and implement procurement strategy to ensure sustained competition, robustness of process and suitable partners for project delivery - Currently being actioned. • Further refine and strengthen capital project planning, delivery and governance measures 		