

CABINET

**MEETING HELD AT THE BIRKDALE ROOM, TOWN HALL,
SOUTHPORT
ON THURSDAY 11TH JANUARY, 2018**

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

97. APPOINTMENT OF CHAIR

RESOLVED:

That Councillor Hardy be appointed Chair for this meeting.

98. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Fairclough, Maher and Veidman.

99. DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interest were received.

100. MINUTES OF THE PREVIOUS MEETING

Decision Made:

That the minutes of the Cabinet Meeting held on 7 December 2017 be confirmed as a correct record.

101. RESIDENTIAL AND CARE HOMES WORKING GROUP - FINAL REPORT

Further to Minute No. 37 of the Overview and Scrutiny Committee (Adult Social Care and Health) of 9 January 2018, the Cabinet considered the report of the Head of Regulation and Compliance that formally presented the final report of the Residential and Care Homes Working Group.

Councillor Linda Cluskey, Lead Member of the Working Group, presented the final report to the Cabinet, placing on record her thanks and appreciation to the other Members of the Working Group, Councillor Lynne Thompson and Associate Member Mr. Roger Hutchings of Healthwatch Sefton, together with the relevant officers concerned. Councillor Cluskey had visited residential and care homes under recent difficult personal circumstances and she referred to the need for greater co-operation within the care sector, whilst commending the report to the Cabinet.

The Cabinet was advised that at its meeting held on 9 January 2018, the Overview and Scrutiny Committee (Adult Social Care and Health) had considered the final report of the Residential Care Homes Working Group and had supported the recommendations, subject to the amendment of recommendation 1 (h).

The Cabinet Member – Adult Social Care thanked Councillor Linda Cluskey for the work undertaken by the Working Group and referred to the challenges facing the care sector, together with joint working initiatives being undertaken across the City Region to address some of the issues concerned.

Decisions Made: That:

Subject to the inclusion of the revised recommendation 1 (h), as amended by the Overview and Scrutiny Committee (Adult Social Care and Health) on 9 January 2018, the recommendations of the Residential and Care Homes Working Group be approved, as follows:-

1. the Head of Commissioning Support and Business Intelligence be requested to:-
 - (a) Consider proposals for fee levels, both in the current and next two financial years, in order to provide more stability for Providers with the proviso that such proposals are made within available resources and in line with previously agreed delegations in relation to the setting of Adult Social Care fees;
 - (b) Give further consideration to paying Providers gross, as opposed to net of Service User financial contributions, for care placements;
 - (c) Establish a strategic group consisting of Adult Social Care and Commissioning officers, Providers and interest groups to:
 - (i) Assess future demands and needs, including those relating to other service areas such as Extra Care housing;

- (ii) Ensure co-operative and collaborative working takes place;
 - (iii) Share good practice; and
 - (iv) Ensure that “working in silos” does not occur;
- (d) Ensure joint working is continued between Commissioning, Adult Social Care and the Sefton Clinical Commissioning Groups, particularly with respect to joint quality, safeguarding and monitoring of services;
- (e) Explore the potential to implement revised methods of monitoring care home services, including the use of Information Technology to record quality, performance and market capacity information;
- (f) Continue to work as part of the Liverpool City Region to standardise approaches to information sharing, monitoring and contractual approaches;
- (g) Continue to seek information from Providers, such as details of costs and charges, in order for the Council to better understand the care home market;
- (h) Implement the decision to deliver the Quality Assurance Service, as approved by the Cabinet at its meeting on 7 September 2017;
- (i) Continue to monitor and revise procedures, as necessary, relating to issues such as home closures, in order to improve working practices and implement any lessons learnt;
- (j) Review documentation given to Service Users, Families, Carers and Advocates on topics such as paying, charging for services and needs assessment processes; and
2. the Senior Democratic Services Officer be requested to liaise with relevant officers in order to ensure that the Overview and Scrutiny Committee (Adult Social Care and Health) receives a six-monthly monitoring report, setting out progress made against each of the recommendations outlined above.

Reasons for the Decisions:

The Working Group had made a number of recommendations that required approval by both the Overview and Scrutiny Committee (Adult Social Care and Health) and the Cabinet.

Alternative Options Considered and Rejected:

No alternative options were considered. The Overview and Scrutiny Committee (Adult Social Care and Health) established the Working Group to review residential and care homes and the Working Group had performed this task.

**102. CHILDREN AND ADOLESCENT MENTAL HEALTH WORKING GROUP
- FINAL REPORT**

Further to Minute No. 28 of the Overview and Scrutiny Committee (Children's Services and Safeguarding) of 5 December 2017, the Cabinet considered the report of the Head of Regulation and Compliance that formally presented the final report of the Children and Adolescent (CAMHS) Mental Health Working Group.

Councillor Hands, Lead Member of the Working Group, and Councillor Webster, Member of the Working Group, presented the final report to the Cabinet, placing on record their thanks and appreciation to the other Members of the Working Group, Councillors Bennett, Keith, Spencer and Associate Member Miss Libby Kitt of Healthwatch Sefton, and to Ruth Harrison, Democratic Services Manager.

Councillors Hands and Webster referred to some of the issues found during the duration of the Working Group including waiting times; difficulties obtaining information on good practice on emotional health and wellbeing in schools; issues with transitional arrangements; issues with budget allocations and commissioning arrangements; and difficulties in obtaining information from different organisations.

Cabinet Members thanked Working Group Members for producing the report and expressed concern regarding the findings of the Working Group, together with the necessity for the Council to monitor CAMHS.

The Chair proposed an additional decision to be included, requesting the Sefton Clinical Commissioning Groups (CCGs) to respond when the final report was considered at the Health and Wellbeing Board and to provide responses back to both the Overview and Scrutiny Committee (Children's Services and Safeguarding) and the Cabinet on the findings of the Working Group.

Decision Made: That:

Subject to the inclusion of an additional decision (13), the recommendations of the Children and Adolescent (CAMHS) Mental Health Working Group be approved, as follows:-

- (1) the Clinical Commissioning Group for both Southport and Formby and South Sefton be requested to issue a statement to Alder Hey expressing concerns regarding all waiting times within the referral into CAMHS process and notifying them that unless improvements

are made within a reasonable timescale (6 months) then notice will be given to terminate the contract;

- (2) the Head of Schools and Families in consultation with the Head of Children's Social Care be requested to investigate with all sectors of schools and colleges the feasibility of providing Emotional Health and well-being training to nominated staff working in Sefton's Schools;
- (3) the Head of Schools and Families in consultation with the Head of Children's Social Care be requested to work with the Head Teachers Associations to investigate establishing an Emotional health and well- being mentoring scheme;
- (4) the Head of Children's Social Care in consultation with Sefton CVS, be requested to provide a comprehensive list of all voluntary and charity groups that work with emotional health and wellbeing, publishing the list on the website, the Council's website and disseminating the information to all Schools throughout the Borough, signposting individuals to all the groups available;
- (5) Merseycare be requested to investigate setting up a transitional arrangement in the Borough for outreach facilities for CAMHS ages 16 – 19 years (25 years for Looked After Children);
- (6) the Head of Schools and Families in consultation with the Head of Children's Social Care be requested to work with the Head Teachers Associations to consider incorporating Emotional Health and well-being into the Personal and Social Education Curriculum;
- (7) the Head of Regulation and Compliance be requested to approach Alder House with a view to extending an invitation to all Members of the Overview and Scrutiny Committee (Children's Services and Safeguarding) to attend a site visit to Alder House;
- (8) the Director of Social Care and Health in consultation with the Head of Children's Social Care be requested to work in collaboration with the Clinical Commissioning Group for both Southport and Formby and South Sefton, be requested to identify and release funds to Emotional Health and well – being specifically Tier 1 and Tier 2 to invest in Early Intervention and Prevention;
- (9) the Chief Officer for both South Sefton and Southport and Formby Clinical Commissioning Groups be requested to notify the Head of Regulation and Compliance of the re-aligned budget allocation for Children and Adolescent Mental Health Services in Sefton as a result of Recommendation (8) above;
- (10) the Chief Officer for both South Sefton and Southport and Formby Clinical Commissioning Groups be invited to a future Meeting of the Overview and Scrutiny Committee (Children's Services and

Safeguarding) to present its budget allocation for Children and Adolescent Mental Health Services in Sefton;

- (11) the Head of Schools and Families in consultation with the Head of Children's Social Care be requested to provide an annual update in relation to the implementation of recommendations to the Overview and Scrutiny Committee (Children's Services and Safeguarding);
- (12) the Children and Adolescent Mental Health Services Final Report be referred to the Health and Wellbeing Board for information and comment; and
- (13) the Chief Executive be requested to write to the Chief Officer for both South Sefton and Southport and Formby Clinical Commissioning Groups (CCGs), requesting the CCGs to respond when the final report is considered at the Health and Wellbeing Board and to provide responses back to both the Overview and Scrutiny Committee (Children's Services and Safeguarding) and the Cabinet on the findings of the Working Group, in due course.

Reasons for the Decision:

The Working Group had made a number of recommendations that required approval by the Cabinet.

Alternative Options Considered and Rejected:

No alternative options were considered. The Overview and Scrutiny Committee (Children's Services and Safeguarding) established a Working Group to review the Children and Adolescent Mental Health Service in Sefton and the Working Group had performed this task.

103. PROGRAMME OF MEETINGS – 2018/19 MUNICIPAL YEAR

The Cabinet considered the report of the Head of Regulation and Compliance that sought approval of a Programme of Meetings for the 2018/19 Municipal Year.

Decision Made:

That the Programme of Meetings for the Cabinet, Public Engagement and Consultation Panel, Sefton Safer Communities Partnership and the Health and Wellbeing Board for 2018/19, as set out in Annexes A and D of the report be approved.

Reasons for the Decision:

To enable the business of the Council and its various Committees/bodies to be conducted during the 2018/19 Municipal Year.

Alternative Options Considered and Rejected:

None. The Council has to produce a timetable of meetings.

104. TENDER FOR PARK & RIDE BUS SERVICE

The Cabinet considered the report of the Head of Regulation and Compliance that sought approval to invite tenders through the appropriate procurement route for the provision of a park and ride bus service for Southport.

Decision Made: That:

- (1) the tender process to procure the provision of a park and ride bus service, as outlined in the report, be approved;
- (2) the contract be authorised for a period of 5 years from 1 August 2018; and
- (3) authority be delegated to the Head of Regulation and Compliance to award the contract resulting from the procurement, in consultation with the Cabinet Member - Regulatory, Compliance and Corporate Services.

Reasons for the Decision:

To allow the continued delivery of the Southport Park and Ride Service which is an important part of the parking offer in Southport.

Alternative Options Considered and Rejected:

Not to award a contract, which would mean no park and ride service was provided for in Southport.

105. PROVISION OF AGENCY STAFF

The Cabinet considered the report of the Head of Commissioning Support and Business Intelligence that sought approval to award a contract for the supply of Agency Workers, from 1 February 2018, for an initial period of 3 years with the option to extend for a further period of 1 year.

Decision Made: That:

- (1) the Council's continued participation in the collaborative supply arrangement with other Liverpool City Region authorities be

approved, to ensure purchasing power on a common category of spend within the region is maximised;

- (2) approval be granted to procure agency workers through the new Agency Worker Framework via Matrix SCM, as negotiated by Eastern Shires Purchasing Organisation (ESPO); and
- (3) the requirement for all service areas to utilise the new Framework, under a call off with Matrix SCM, for the supply of Agency Workers, in order to provide visibility of spend and scope for continuous improvement and value for money efficiency gains, be reinforced.

Reasons for the Decision:

There is an ongoing need to employ Agency Workers in some service areas, to ensure sufficient capacity is available for those services to be provided safely and effectively.

In December 2016 the Cabinet agreed to utilise the one year extension option within the existing contract for the provision of Agency Workers, in order to facilitate collaborative work by Liverpool City Region (LCR) authorities, including pre-procurement analysis and options appraisal, ahead of an anticipated joint procurement of a new service to replace the current Framework Agreement at the end of its full contract term (31 January 2018).

The options have now been appraised, including existing Framework Agreements and a separate full OJEU collaborative procurement process, with the recommended option being identified as the one that provides the most economically advantageous.

Alternative Options Considered and Rejected:

The options appraisal is presented in paragraphs 1.3 to 1.6 of the report.

106. PROCUREMENT OF AN ELECTRONIC CASE MANAGEMENT SYSTEM

Further to Minute No. 19 of 22 June 2017, the Cabinet considered the report of the Director of Social Care and Health that sought approval to commence a procurement exercise for the provision of an Electronic Case Management (ECM) System for utilisation by contracted Lead Domiciliary Care Providers; and which detailed the proposed procurement approach under Liverpool City Region (LCR) joint working arrangements and the linkage to the new Domiciliary Care contracts.

Decision Made: That

- (1) the commencement of a procurement exercise for the provision of an Electronic Case Management System for a period of three years, as detailed in the report, be approved;
- (2) the following decisions be delegated to the Director of Social Care and Health, in consultation with the Cabinet Member - Adult Social Care:-
 - (a) agreeing the specification for the Electronic Case Management system;
 - (b) agreeing the specific procurement process (i.e. whether to utilise an existing contract framework, or for Sefton to undertake its own process to procure the system);
 - (c) the approach to be taken to funding “open access” to the ECM system, as detailed in Section 5.5 of the report (i.e. whether Sefton Council meets the costs or the successful Electronic Case Management System supplier will be able to directly charge Service Users, Families etc. for access to the system); and
 - (d) the awarding of the “contract” following the tender evaluation exercise.

Reasons for the Decision:

On 22 June 2017 the Cabinet approved the commencement of a procurement exercise for Domiciliary Care services, from 1 May 2018, via Liverpool City Region joint commissioning. This process is currently being conducted jointly with Knowsley Metropolitan Borough Council. The new contracts awarded will encompass a more outcome based model of service and will ensure a greater focus on the delivery of a quality service to Service Users.

It has been identified that the implementation of an Electronic Case Management system can support these aims by ensuring that there is better monitoring of service delivery, such as visit durations and activities conducted during those visits, thus ensuring that any complaints and issues raised can be fully investigated as the system will be able to provide real-time and verified information.

The system can also support future service delivery changes such as revising the payment process and mechanisms to Providers, and wider strategic work such as analysing service delivery trends and needs.

The system will be purchased by Sefton Council for contracted Domiciliary Care Providers to implement during their initial three-year contract term. Following this the Providers will be required to fund the system for any additional period should their contract be extended.

Alternative Options Considered and Rejected:

1. Contractually obliging Providers to purchase and pay for the system – this option was rejected as it has been identified that it will be more cost effective for Sefton Council to purchase the system as opposed to Providers purchasing it who would then request an increase to their fee level. In addition, by purchasing the system Sefton Council and Knowsley Council can ensure that the same system is operated across all Providers, thus ensuring a consistency in the type of data being recorded, which can then be used to analyse trends across both Sefton and the LCR and be used to inform wider strategic work such as the quantification of the current and future demand for services. The purchasing of the system re-iterates the Authorities’ commitment to investing in the Domiciliary Care sector and supporting providers to deliver quality services; and
2. Maintaining the Status Quo – this was not considered a viable option as within the new Domiciliary Care contracts and service model there is a commitment to implement such a system in order to deliver the wider aims of improving the quality and monitoring of the commissioned services. At present it is difficult to effectively monitor services as this requires analysis of paper records, for example where concerns are raised concerning late/missed visits.

107. PROCUREMENT ON BEHALF OF THE LIVERPOOL, KNOWSLEY, SEFTON AND WIRRAL REGIONAL ADOPTION AGENCY(RAA)

The Cabinet considered the report of the Head of Children’s Social Care that sought approval to make contractual arrangements and the future procurement of statutory adoption related provision on behalf of the Regional Adoption Agency (RAA), known as “Adoption in Merseyside” (AIM), following Sefton being recently nominated as Lead Commissioner for the RAA by the RAA Strategic Board.

Decision Made: That:

- (1) the fact that Sefton has been nominated as the lead commissioner for the new Regional Adoption Agency (Strategic Board) to procure a range of service contracts on behalf of the RAA, be noted;
- (2) authorisation to procure a range of service contracts on behalf of the RAA on behalf of all participating authorities of the RAA, for future purchasing of statutory adoption activity that all parties have agreed should be procured externally from 1 April 2018 – 31 March 2020, be approved;
- (3) authority be delegated to the Head of Children’s Social Care, in consultation with the Cabinet Member – Children, Schools and

Safeguarding, to approve the resulting post procurement contract award; and

- (4) it be noted that if any of the current service staff within the existing service contracts under TUPE have an entitlement to LGPS pensions, the Cabinet authorises officers to enter into arrangements to ensure that the new service provider enters into an admissions agreement and bond in relation to the affected staff.

Reasons for Decision:

The establishment of Regional Adoption Agencies (RAA) across the Country will enable the process of adoption for Looked after Children to be streamlined and made more efficient through partnership working. Sefton is working in partnership with three other neighbouring Local Authorities, namely, Liverpool, Knowsley and Wirral to form one of the new Regional Adoption Agencies, and work is advanced towards this new Agency being in place and operational from April 2018.

The new agency will be called AIM – Adoption in Merseyside, and in the interim, a Strategic Board has been established to determine the operational details of the RAA and to determine how it will operate. This includes staffing and who will be hosting the new joint service, and includes managing operational contracts to ensure more efficient procurement of bought in services across all four Authorities, on behalf of the RAA.

The AIM RAA staffing model is still in development and there are final details of partnership working still to conclude in the New Year. However, the Strategic RAA Board has agreed recently for Sefton to take the lead in commissioning new adoption service contracts on behalf of the RAA.

This report is therefore seeking Cabinet approval to enable Sefton's commissioning officers to act on behalf of the RAA for the future purchasing of statutory adoption activities for the period 1 April 2018 to 31 March 2020 (2 years) and to commence immediately, a process of procurement for these services, which will involve drawing down existing budgets from across each Local Authority in the RAA.

Currently there are a range of service contracts across all four partners that have been extended until 31 March 2018, and all of these have exhausted the number of extensions permitted.

There are some currently contracted adoption activities, such as Letterbox and Lifebook's, which it is anticipated would be delivered internally within the new RAA, but it is proposed that procurement of additional activity such as access to records, counselling for birth parents and letterbox is developed within the existing budget to ensure the capacity to meet the RAA's demand. This is mirrored in existing RAAs where parallel commissioning arrangements are in place.

Alternative Options are Considered and Rejected:

The Strategic RAA Board have considered a number of options for delivery of adoption services including a further extension of existing contracts; Spot purchase activities from 1 April and delivering services mostly in-house. None of these options has proven viable or provide adequate market stability. The favoured option is to procure a single contract with flexibility to meet the demands of the evolving Regional service.

108. COUNCIL TAX REDUCTION SCHEME 2018/19 & COUNCIL TAX BASE 2018/19

The Cabinet considered the report of the Head of Corporate Resources that provided details of the consultation proposing various options for revising the existing Council Tax Reduction Scheme and making recommendations to revise the scheme accordingly for 2018/19; that recommended an updated Council Tax Base for Sefton Council and each Parish Area for 2018/19; and noting that the proposed changes did not affect any person of state pension credit age.

Cabinet Members thanked staff for their work on this matter.

Decisions Made: That:

- (1) the contents of the Council Tax Reduction Scheme 2017/18 review be noted;
- (2) the outcomes of the consultation process and the Equality Impact Assessment (EIA) both of which have informed the recommendations for the Council Tax Reduction Scheme 2018/19, be noted;
- (3) the existing Council Tax Reduction Scheme, as indicated in Section 5 of the report (Options 1 to 6), with effect from 1 April 2018, be revised and that this be recommended to the Council on 25 January 2018;
- (4) authority be delegated to the Head of Corporate Resources to consider and implement any minor textual changes to the Council Tax Reduction Scheme 2018/19; and
- (5) the Council be recommended to approve the Council Tax Base for 2018/19 for Sefton Council and each Parish Area, as set out in Annex A of the report.

Reasons for Decision:

Council Tax Reduction Scheme

Each financial year the Council must consider whether to revise or replace its Council Tax Reduction Scheme. The Council must approve and adopt the 2018/19 Council Tax Reduction scheme by 31 January 2018, to take effect from 1 April 2018.

Any decision to revise or replace the scheme would require compliance with statutory provisions in accordance with The Local Government Finance Act 2012 (Chapter 17), schedule 4.

There are two major drivers for changing the Council Tax Reduction Scheme (CTR) in 2018/19. Firstly, the Government is making significant welfare reform changes between April 2016 and April 2019 and secondly, the Full Service roll out of Universal Credit from October 2017. As the CTR Scheme operates within these frameworks, these changes will have an impact upon the operation and cost of the Council's local scheme.

As a result of these changes the Council has reviewed its local scheme with the following key objectives:-

- Align key welfare reform changes to the CTR scheme;
- Maintain fairness, consistency and at the same time cost of the CTR scheme;
- Work more effectively with Universal Credit, recognising that UC makes provision for children, disability, housing and caring responsibilities; and
- Deliver administrative efficiencies where possible in support of the scheme.

Council Tax Base

In accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the Council is required to set a tax base for both Sefton Council and for each Parish Area for 2018/19.

Alternative Options Considered and Rejected:

The Council could choose not to make any revisions to the current scheme. However, by maintaining the current scheme and not bringing it in line with key welfare reform, changes would have an impact on working age claimants, in particular those claiming Universal Credit. In addition, keeping the current scheme will have software and administrative implications.

109. REVENUE AND CAPITAL BUDGET PLAN 2017/18 – 2019/20

The Cabinet considered the report of the Head of Corporate Resources that advised of the current forecast revenue outturn position for the Council for 2017/18 as at the end of November 2017 and that this forecast

would be informed by the latest analysis of expenditure and income due to the Council, in addition to the progress in delivering approved savings; the current forecast on Council Tax and Business Rates collection for 2017/18; and the current position of the Capital Programme.

Decisions Made: That

- (1) further actions to consider in the delivery of a balanced in-year budget, which is currently forecasting a financial year-end deficit position of £1.721m, be approved;
- (2) the progress to date on the achievement of approved Public Sector Reform savings for 2017/18 be approved;
- (3) the forecast position on the collection of Council Tax and Business Rates for 2017/18 be approved; and
- (4) the current progress in the delivery of the 2017/18 Capital Programme and the forecast outturn position for the year be approved.

Reasons for Decision:

To ensure the Cabinet is informed of the forecast outturn position for the 2017/18 revenue and capital budgets, as at the end of November 2017, and to provide an updated forecast of the outturn position with regard to the collection of Council Tax and Business Rates.

Alternative Options Considered and Rejected:

None.