

# SHEFFIELD CITY COUNCIL

## EXECUTIVE FUNCTIONS DECISION RECORD

The following decisions were taken on Wednesday 19 April 2017 by the Cabinet.

Date notified to all members: Tuesday 25 April 2017

The end of the call-in period is 4:00 pm on Tuesday 2 May 2017

The decision can be implemented from Wednesday 3 May 2017

### **Item No**

#### **6. ITEMS FROM SCRUTINY**

6.1 The Safer and Stronger Communities Scrutiny and Policy Development Committee submitted a report outlining in depth work undertaken around hate crime. This was done through a cross party Task Group. The work focussed on the reporting of hate crime and the report submitted was the final report of the Task Group.

6.2 **RESOLVED:** That Cabinet:-

- (a) thanks the Safer & Stronger Communities Scrutiny and Policy Development Committee for its work on hate crime;
- (b) notes the Hate Crime Task Group Report attached as Appendix A to the report;
- (c) agrees that an initial joint response from the Cabinet Members for Community Services and Libraries, Housing, and Children, Young People & Families is provided to the Safer & Stronger Communities Scrutiny and Policy Development Committee's July 2017 meeting; and
- (d) agrees that a further report to the Safer & Stronger Communities Scrutiny and Policy Development Committee on progress on implementing the Task Group's recommendations be provided to the Committee by December 2017.

#### **6.3 Reasons for Decision**

6.3.1 In order to make it clear to the Scrutiny Committee what actions the Council is committing to, the Committee requests a joint response report to its Hate Crime Task Group Report.

6.3.2 To enable the Committee to scrutinise progress made in implementing the recommendations, the Committee requests a further report back on implementation.

#### **6.4 Alternatives Considered and Rejected**

6.4.1 An alternative option in relation to the recommendations would be to do nothing with the Task Group Report. However, given the time and effort spent by the Task Group and contributions, to the work from external organisations this is not deemed a viable option.

6.4.2 An alternative option in relation to the recommendations would be to respond to the Committee's report over a much longer timescale. However, the Scrutiny Committee would welcome a fast response to its recommendations. The Committee believes a report to its July 2017 meeting strikes an appropriate balance between speed and allowing sufficient time for Cabinet Members and officers to consider the recommendations in the Hate Crime Task Group report.

**6.5 Any Interest Declared or Dispensation Granted**

None

**6.6 Reason for Exemption if Public/Press Excluded During Consideration**

N/A

**6.7 Respective Director Responsible for Implementation**

Laraine Manley, Executive Director, Place

**6.8 Relevant Scrutiny and Policy Development Committee If Decision Called In**

Safer and Stronger Communities Scrutiny and Policy Development Committee

**8. PROPOSED CHANGES TO THE POST 16 TRAVEL AND TRANSPORT POLICY**

8.1 The Executive Director, People submitted a report in relation to proposed changes to the Post 16 travel and transport policy:-

- to report back on the proposals following a thorough consultation with all affected users, alongside schools and colleges, between 30 January and 24 March 2017; and
- to highlight a number of recommended changes to the Post 16 travel and transport policy from the findings of the consultation, to Cabinet, for their endorsement.

The report also included the questionnaires that went out to affected families, a detailed analysis of the consultation, and the findings from the consultation.

8.2 **RESOLVED:** That:-

- (a) the Council ceases to provide the discretionary zero fare bus pass for post 16 students with effect from 1 September 2017 and instead request that

families who are eligible apply for and use the 16 - 19 Bursary fund to pay for transport and the Council shall continue to work alongside schools and colleges to offer the necessary support to any families or young people who need help with the application process in order that they are able to access the bursary;

- (b) completely free post 16 Special Educational Needs transport be ceased to be provided; whilst not asking families to pay the full cost of Special Educational Needs transport, it is proposed to ask all families for a contribution of £540 per year regardless of the location of their education provision (the weekly cost over the year would be £10.38); a variety of payment options to meet families' needs will be available and families who are eligible for either the vulnerable or discretionary bursary will be expected to apply and use this fund towards the cost of transport;
- (c) the Council continues to support Independent Travel Training and to ensure that it remains a central part of the post 16 travel and transport policy to ensure that as many students who are able, travel independently to and from their place of education and training in order to maximise their independence, lifelong learning and employment prospects;
- (d) a hardship fund be created and administered order to mitigate the impact on those families with students in post 16 education who may be significantly affected by these proposals; those who could access the fund may include:
- Families with siblings attending post 16 education at the same time, who are both on Special Educational Needs transport
  - Low wage working families who have children on Special Educational Needs post 16 transport
  - Young people who are mid-way through their course at 1 September 2017, for whom the changes will have a negative impact on their studies; and
- (e) the policy changes be implemented from 1st September 2017 and the Executive Director, People be authorised to implement these recommendations.

### 8.3 **Reasons for Decision**

- 8.3.1 That the Council should cease to provide the discretionary zero fare bus pass for post 16 students with effect from 1/9/2017 and instead request that families who are eligible apply for and use the 16- 19 Bursary fund to pay for transport. The Council will continue to work alongside schools and colleges to offer the necessary support to any families or young people who need help with the application process in order that they are able to access the bursary.

The 16-19 Bursary Fund is to help with education-related costs for students aged 16 to 19 and travel is a key element of education-related costs. Government guidance states that: Local authorities may take receipt of 16-19 bursary funding

into account in assessing an individual's need for financial help with transport (see statutory duties outlined in paragraph 1.3).

Whilst it is recognised that the bursary has been used by students in a variety of ways, it remains an appropriate fund for the Council to take into consideration when providing travel assistance (see statutory duties (paragraph 1.3). As noted in paragraph 1.1.1 of the report, all other identified authorities are using their right to take bursary funding into consideration and as such do not automatically provide zero fare bus passes to students in receipt of the bursary.

In addition, as a Local Authority, Sheffield City Council ensures that post 16 students are able to travel at a reduced rate on public transport (currently 80p per journey on buses within Sheffield) with its reduced bus fare scheme via the funding the Council contributes to the South Yorkshire Passenger Transport Executive.

Taking all the consultation responses into account, the Council believe that we should come into alignment with other authorities and cease to provide a discretionary zero fare bus pass for post 16 students. However, the consultation has raised potential issues which we have sought to mitigate (see section 6.5 of the report).

The Council will work with schools and colleges throughout the summer term 2017 to ensure that students who are eligible have all the information and support that they need to apply for the bursary. Following any policy change, the Council, across all relevant services, will continue to offer the necessary support to any families or young people who need help with the application process in order that they are able to access the bursary.

Other responses from parents included concerns that students in post 16 education should not be given money and should instead be given a bus pass. We recognise parents' concerns and there is an option for families to purchase bus passes from South Yorkshire Passenger Transport Executive if this best suits their family's needs.

- 8.3.2 To cease to provide completely free post 16 Special Educational Needs transport. Whilst not asking families to pay the full cost of Special Educational Needs transport, it is proposed to ask all families for a contribution of £540 per year regardless of the location of their education provision (The weekly cost over the year would be £10.38). A variety of payment options to meet family's needs will be available. Families who are eligible for either the vulnerable or discretionary bursary will be expected to apply and use this fund towards the cost of transport.

Sheffield City Council is committed to providing Special Educational Needs transport for eligible post 16 students in order to facilitate their attendance at school/college. Whilst recommending that families pay a contribution of £540 per year, we acknowledge the need for these payments to be able to be made in a variety of ways, monthly, termly or annually, and will ensure that a range of payment options are available for families.

It is proposed that students who are eligible use the 16-19 Bursary Fund to pay the

contribution of £540 for Special Education Needs post 16 transport. 87% of respondents stated that it would be a good idea for this contribution to be deducted at source. It is therefore proposed that the Council works with schools so that if possible students who access the discretionary bursary via the Council's administrative function have the cost of transport removed before any remainder funds are given to families.

As noted in paragraph 6.1 of the report, the Council will work with schools and colleges throughout the summer term 2017 to ensure that students who are eligible have all the information and support that they need to apply for the bursary. Upon implementation of any policy change, the Council, across all relevant services, will continue to offer the necessary support to any families or young people who need help with the application process in order that they are able to access the bursary.

8.3.3 To continue to support Independent Travel Training and to ensure that it remains a central part of the post 16 travel and transport policy. To ensure that as many students who are able, travel independently to and from their place of education and training in order to maximise their independence, lifelong learning and employment prospects.

Sheffield City Council recognises the life changing and life enhancing impact of all levels of independent travel and will continue to provide a free travel training programme for all of those who are deemed suitable. In order to support children with Special Educational Needs and Disabilities to live happy, healthy and fulfilling lives, our travel training offer extends not just to those who can reach full independence but also to facilitate the maximum level of independence each child and young person can accomplish.

8.3.4 To create and administer a hardship fund in order to mitigate the impact on those families with students in post 16 education who may be significantly affected by these proposals. Those who could access the fund may include:

- Families with siblings attending post 16 education at the same time, who are both on Special Educational Needs transport
- Low wage working families who have children on Special Educational Needs post 16 transport
- Young people who are mid-way through their course on 1st September 2017, for whom the changes will have a negative impact on their studies.

As noted throughout this Cabinet report, the Council is committed to ensuring that all Sheffield children and young people are able to reach their full potential, and it is determined to ensure that this change in policy enables students to access education. This hardship fund will take into consideration the individual family circumstances, and will be dealt with on a case by case basis.

It is proposed that the hardship fund will also be used to ensure that young people who will be mid-way through their course on 1st September 2017, for whom the changes will have a negative impact on their studies, are able to access this fund if necessary to ensure their continued attendance. This will be dealt with by officers

upon a family's request on an individual basis. The hardship fund will also be available for students if there is a funding gap between their bursary and the cost of a student's travel.

We do not know how many students may need support from the hardship fund who are currently mid-way through their post 16 education, as we have not historically asked students to fund their fare in this way (see section 4.2 of the report).

8.3.5 To publish the changed policy by 31 May and to implement the policy changes from 1st September 2017. To delegate authority to the Executive Director, People to implement these recommendations

There is a duty on local authorities to publish an annual Post 16 Transport Policy Statement (see section 1.5 of the report). The deadline for this is 31 May each year. Sheffield City Council has made the decision to implement these changes later than many other local authorities, including our neighbouring authorities. It is proposed that these changes are introduced in September 2017.

Finally, we would like to thank all those families, schools, colleges and voluntary sector organisations who took the time to give us their views and suggestions, which in turn have helped to shape our proposals.

8.4 **Alternatives Considered and Rejected**

8.4.1 Sheffield City Council has maintained discretionary provision regarding its post 16 travel policy for longer than neighbouring authorities. One option was to continue with this provision, however in light of continuing and extensive budget cuts this option was no longer considered sustainable.

8.4.2 For those whose child is educated outside of South Yorkshire, the contribution that we would be asking families to pay is £700 (£13.46 per week). This reflects the increased equivalent public transport cost.

The Council considered all the initial proposals which were sent out to families, but in order to decrease inequalities and ensure that no young people were detrimentally disadvantaged the proposal to charge families £700 for travelling outside of South Yorkshire was rejected.

8.5 **Any Interest Declared or Dispensation Granted**

None

8.6 **Reason for Exemption if Public/Press Excluded During Consideration**

N/A

8.7 **Respective Director Responsible for Implementation**

Jayne Ludlam, Executive Director, People

**8.8 Relevant Scrutiny and Policy Development Committee If Decision Called In**

Children, Young People and Family Support

**9. COMMISSIONING OF HOME CARE AND SUPPORTED LIVING FOR ADULTS WITH SOCIAL CARE NEEDS**

9.1 The Executive Director, People submitted a report highlighting the importance of good quality Homecare and Supported Living to many of Sheffield's most vulnerable residents and seeking authority to proceed with the procurement of Home Care and Supported Living services and subsequent awarding of contracts.

9.2 **RESOLVED:** That Cabinet:-

- (a) notes plans to ensure that both Homecare and Supported Living are commissioned to provide positive outcomes and sustainable quality at best value for the people of Sheffield;
- (b) approves the procurement strategy outlined in the report;
- (c) delegates authority to the Director of Adult Services, in consultation with the Director of Finance and Commercial Services, to award the contracts for Home Care and Supported Living; and
- (d) delegates authority to the Director of Adult Services, in consultation with the Director of Legal and Governance and the Director of Finance and Commercial Services, as appropriate, to take all other necessary steps not covered by existing delegations to achieve the outcomes outlined in the report.

**9.3 Reasons for Decision**

9.3.1 Nationally the Home Care market is fragile and some major national Home Care providers are leaving the market – particularly in the north of England. Home Care providers are citing low fees, difficult trading conditions, and challenges with recruitment as the primary reasons for their exit. However, Sheffield City Council has offered increased rates for homecare providers in 2017-18 and all but two of 29 providers have accepted these rates. This provides a stronger foundation for the development of homecare in Sheffield than has been in place in recent years.

9.3.2 If quality and supply of Home Care and Supported Living are not sustainable there are obviously direct consequences for Sheffield's citizens. This is not only in relation to poor customer experience. For example, insufficient homecare supply can result in older people staying in hospital longer than they need to, creating significant pressures for others around access to emergency treatment and also risking worse longer term outcomes for themselves.

9.3.3 There are clear standards for practice in this area which will help deliver services of a sustainable quality. Some have a cost implication but others can be delivered

through improved commissioning practice including more collaborative and supportive market relationships. For example, the National Institute for Health and Care Excellence (NICE) published national guidance on Homecare Standards in June 2016. UNISON's Ethical Homecare Charter provides a framework for improving quality. The principles within both the NICE guidance and the Ethical Homecare Charter will be contained within the Council's proposed approach to procurement.

**9.4 Alternatives Considered and Rejected**

9.4.1 Discontinuing support in these areas is not an option. These services are required to fulfil the Council's functions and duties under the Care Act 2014.

**9.5 Any Interest Declared or Dispensation Granted**

None

**9.6 Reason for Exemption if Public/Press Excluded During Consideration**

N/A

**9.7 Respective Director Responsible for Implementation**

Jayne Ludlam, Executive Director, People

**9.8 Relevant Scrutiny and Policy Development Committee If Decision Called In**

Healthier Communities and Adult Social Care

**10. MONTH 11 CAPITAL APPROVALS**

10.1 The Acting Executive Director, Resources submitted a report providing details of proposed changes to the Capital Programme as brought forward in Month 11, 2016/17.

10.2 **RESOLVED:** That the proposed variations, slippage and additions to the Capital Programme listed in Appendix 1 of the report be approved, including the procurement strategies, and authority be delegated to the Director of Commercial Services to award the necessary contracts following stage approval by Capital Programme Group.

**10.3 Reasons for Decision**

10.3.1 To record formally changes to the Capital Programme and gain Member approval for changes in line with Financial Regulations and to reset the Capital Programme in line with latest information.

**10.4 Alternatives Considered and Rejected**

10.4.1 A number of alternative courses of action are considered as part of the process



undertaken by Officers before decisions are recommended to Members. The recommendations made to Members represent what Officers believe to be the best options available to the Council, in line with Council priorities, given the constraints on funding and the use to which funding is put within the Capital Programme.

**10.5 Any Interest Declared or Dispensation Granted**

None

**10.6 Reason for Exemption if Public/Press Excluded During Consideration**

N/A

**10.7 Respective Director Responsible for Implementation**

Eugene Walker, Acting Executive Director, Resources

**10.8 Relevant Scrutiny and Policy Development Committee If Decision Called In**

Overview and Scrutiny Management Committee