

# SHEFFIELD CITY COUNCIL

## EXECUTIVE FUNCTIONS DECISION RECORD

The following decisions were taken on Wednesday 17 October 2018 by the Cabinet.

Date notified to all members: Thursday 25 October 2018

The end of the call-in period is 4:00 pm on Wednesday 31 October 2018

The decision can be implemented from Thursday 1 November 2018

### **Item No**

### **8. COMMUNITY INFRASTRUCTURE LEVY NEIGHBOURHOOD PORTION**

8.1 The Executive Director, People Services submitted a report seeking approval for the process for allocating the “Neighbourhood Portion” (currently 15%) of the Community Infrastructure Levy (CIL) receipts within wards that are not within a Parish Council boundary or an area in which a neighbourhood plan is in place; and (b) delegated authority for decisions on the spending be granted to the Head of Libraries, Community Services & Learning & Skills in consultation with the Cabinet Member for Neighbourhoods and Community Safety.

8.2 **RESOLVED:** That Cabinet:-

- (a) agrees that where there is no Parish Council or neighbourhood plan in place in the ward where a chargeable development has taken place, the Neighbourhood Portion is collected into a single Local CIL pot and redistributed using the process set out in the report;
- (b) delegates authority to the Head of Libraries, Community Services & Learning & Skills, in consultation with the Cabinet Member for Neighbourhoods and Community Safety, to determine: (i) how the CIL Neighbourhood Portion allocated to each ward is spent, following engagement with local communities and Ward Councillors, subject to the proviso that monies are spent in accordance with agreed Ward Priorities and (ii) to determine the terms on which such expenditure is incurred including authorising the completion of any related funding agreement or other legal documentation; and
- (c) delegates authority to the Head of Libraries, Community Services & Learning & Skills to produce a Guidance Note for Councillors and Officers, setting out how decisions on spending the CIL Neighbourhood Portion will be made, based on the details set out in the report.

8.3 **Reasons for Decision**

8.3.1 The recommendations made in this report are considered to be in line with the CIL Regulations and have been made with regard to the National Planning Policy

Guidance (NPPG).

8.3.2 The proposals that were consulted upon received broad support and so form the basis of the recommendations.

8.3.3 The allocation of some of the Neighbourhood Portion based on Indices of Multiple Deprivation provides an opportunity to close the gap between richer and poorer areas of the city.

8.3.4 The existing ward based approach to community engagement and funding is an efficient mechanism for these decisions. Adopting a similar approach for decisions on the spending of the Neighbourhood Portion would enable better coordination with other ward based funding.

#### 8.4 **Alternatives Considered and Rejected**

8.4.1 The Council must ensure the Neighbourhood Portion is spent appropriately in accordance with the CIL Regulations and have regard to the NPPG. The options available are alternative methods of allocating neighbourhood CIL, such as different governance mechanisms and/or different geographies.

8.4.2 The entirety of the Neighbourhood Portion could be retained in the ward where the development has taken place but this would remove the opportunity to close the gap between the richer and poorer parts of the city.

8.4.3 Delegations to other officers were considered but the recommendation that the Head of Libraries, Community Services and Learning & Skills, in consultation with the Cabinet Member for Neighbourhoods and Community Safety, is authorised to make these decisions is considered the most appropriate option and would align the Neighbourhood Portion with other ward based funding.

#### 8.5 **Any Interest Declared or Dispensation Granted**

None

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

None

#### 8.7 **Respective Director Responsible for Implementation**

Jayne Ludlam, Executive Director, People Services

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

Safer and Stronger Communities

### 9. **ASSISTIVE TECHNOLOGY AND CALL HANDLING SERVICES TO SUPPORT PEOPLE IN THEIR HOMES (CITY WIDE CARE ALARMS - KIT/CALLS**

## **PROJECT)**

9.1 The Executive Director, People Services submitted a report outlining the methodology for re-tendering kit/calls contracts and seeking permission to proceed. Two key contracts are due to expire at end April 2019. The first is for the provision of assistive technology (kit) in people's homes. The second is for the provision of call handling services (calls) connecting people using assistive technology to a call centre. Both contracts (kit and calls) are key pillars of the Council's Social Care provision.

9.2 **RESOLVED:** That Cabinet:-

- (a) agrees that ESPO (Procurement Services for the Public Sector) be utilised to procure both contracts to commence in May 2019, based upon the current delivery model and in line with the report;
- (b) delegates authority to the Executive Director, People Services in consultation with the Director of Finance and Commercial Services to award such contracts, and thereafter to enter into such agreements to secure such services, detailed and in line with the report; and
- (c) delegates authority to the Executive Director, People Services, in consultation with the Director of Finance and Commercial Services to carry out such activities, where no existing authority exists, in order to meet the aims and objectives of the report.

9.3 **Reasons for Decision**

9.3.1 This proposal is the preferred option because the delivery model is tried and tested with the lowest cost/risk factors and the proposed procurement of the service will enable increased flexibility and innovation and at the same time allow integration opportunities and rationalisation of services to be explored.

9.3.2 The outcome will be new assistive technology and call handling (kit/calls) contracts that are:

- More flexible and sustainable
- Innovative and up to date
- Customer focused and responsive
- Providing the right kit, to the right people at the right time
- Empowering - enabling greater independent living
- Supportive - helping vulnerable people and their carers
- Preventative - preventing falls and social isolation
- Investing to save - enabling future savings via prevention

9.4 **Alternatives Considered and Rejected**

9.4.1 Two further options were considered for both the call handling and equipment contracts:-

- Extension of existing contracts for a set period of time was considered. However, this option was rejected because it is not commercially or legally compliant. In addition it fails to provide the flexibility and innovation required of the contracts moving forward.
- Open tenders for both contracts. This option was rejected because even though it would offer greater flexibility, it would not allow for further market testing to take place, or testing to understand the actual cost of provision. It would also prevent any opportunity to integrate the current services with other activities and other strategic partners.

**9.5 Any Interest Declared or Dispensation Granted**

None

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

None

**9.7 Respective Director Responsible for Implementation**

Jayne Ludlam, Executive Director, People Services

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

Overview and Scrutiny Management Committee

**10. MONTH 5 CAPITAL APPROVALS**

10.1 The Executive Director, Resources submitted a report providing details of proposed changes to the Capital Programme as brought forward in Month 05 2018/19.

10.2 **RESOLVED:** That Cabinet:-

- (a) approves the proposed additions and variations to the Capital Programme listed in Appendix 1 of the report, including the procurement strategies and delegates authority to the Director of Finance and Commercial Services or nominated Officer, as appropriate, to award the necessary contracts;
- (b) gives authorisation to accept the grants from the Environment Agency as detailed in Appendix 2 of the report;
- (c) gives authorisation to accept the grant from the Marine Management Organisation (MMO)/European Maritime Fisheries Fund if the key features of the grant are as outlined in Appendix 2 of the report; and
- (d) delegates authority to the Director of City Growth, in consultation with the

Director of Finance and Commercial Services and the Director of Legal and Governance, to decide whether or not to accept the Marine Management Organisation (MMO)/European Maritime Fisheries Fund grant in the event that the key features of the grant are not as outlined in Appendix 2 of the report.

**10.3 Reasons for Decision**

10.3.1 The proposed changes to the Capital Programme will improve the services to the people of Sheffield.

10.3.2 To formally record 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.

10.3.3 Obtain the relevant delegations to allow projects to proceed.

**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 Revenue Budget and the Capital Programme.

**10.5 Any Interest Declared or Dispensation Granted**

None

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

None

**10.7 Respective Director Responsible for Implementation**

Eugene Walker, Executive Director, Resources

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

Overview and Scrutiny Management Committee

**11. FUTURE OF THE REVENUE AND BENEFITS AND FINANCIAL BUSINESS TRANSACTIONS SERVICES**

11.1 The Executive Director, Resources submitted a report containing proposals in relation to the future delivery of the Revenue and Benefits and Financial Business Transactions (FBT) services.

11.2 **RESOLVED:** That Cabinet:-

- (a) notes and approves the proposal for the future delivery of the Revenues & Benefits & FBT services outlined in this report and in particular that:
- these proposals would move the Council towards the delivery of those functions through an in-house service;
  - this will necessitate early termination of the Revenues & Benefits and FBT elements of the Programme Agreement with Capita Business Services Ltd (Capita); and
  - there may be a transfer of staff from Capita into the Council that will require a formal consultation with staff affected and the Trade Unions.
- (b) to the extent not covered by existing delegations, grants delegated authority to the Executive Director of Resources, in consultation with the Cabinet Member for Finance, the Director of Finance & Commercial Services and the Director of Legal and Governance, as necessary to:
- approve the procurement strategies and contract awards for the various procurements required to deliver transfer and ongoing delivery of the services;
  - utilise the appropriate contractual mechanisms to give notice to Capita to terminate the Revenues and Benefits and FBT services and Partnership elements of the Programme Agreement; and
  - take such other steps as he feels necessary to achieve the outcomes in the report.
- (c) gives approval for the budget required to cover the costs of delivering the transfer of the Revenues & Benefits and FBT services to the Council including the one-off implementation and set-up costs, as set out in the financial implications of the report; and
- (d) notes that a further report will be presented to Cabinet in due course setting out the strategy for the future delivery of the services in more detail once the proposals have been fully worked up.

11.3 **Reasons for Decision**

- 11.3.1 The detailed rationale for the recommendations is set out in the report. Insourcing the services will give the Council direct control over the delivery of Revenues, Benefits and FBT services, especially given the changing political and legal factors around Welfare Review and Universal Credit. It will enable the Council to implement the necessary changes to transform the services to adapt to these

environmental demands in the most effective way we see fit and deliver these changes more quickly and more cost-effectively than if the services were managed by a strategic partner. This option gives us the opportunity to take back control over the future direction of the services and continue to deliver high performance through our own workforce.

#### 11.4 **Alternatives Considered and Rejected**

11.4.1 Four other options were shortlisted for detailed analysis:

- 'Do nothing' and allow the contract to run until 2022.
- Reprocurement of all services.
- Hybrid Delivery
- Renegotiation

#### 11.5 **Any Interest Declared or Dispensation Granted**

None

#### 11.6 **Reason for Exemption if Public/Press Excluded During Consideration**

None

#### 11.7 **Respective Director Responsible for Implementation**

Eugene Walker, Executive Director, Resources

#### 11.8 **Relevant Scrutiny and Policy Development Committee If Decision Called In**

Overview and Scrutiny Management Committee

### 12. **CARE AT NIGHT SERVICE**

12.1 The Executive Director, People Services, submitted a report requesting authority and approval for Sheffield City Council ("SCC") to jointly commission with Sheffield Clinical Commissioning Group ("SCCG") for the provision of a revised night visiting service, called 'Care at Night'.

12.2 **RESOLVED:** That Cabinet:-

- (a) approves the recommendations made by the Executive Management Group ("EMG") of the Better Care Fund, on 5th September 2018, in relation to the commissioning, contracting, financial and risk arrangements for the

Care at Night service which will be, subject to approvals and agreement from both SCC and SCCG, covered and funded under the existing Framework Partnership Agreement relating to the Commissioning of Health and Social Care Services (“S75 Agreement”); with EMG’s recommendations including:

(i) approval for a revised night visiting service (now called “Care at Night”) to be jointly commissioned between SCC and SCCG;

(ii) approval for the Care at Night service to be managed on a ‘Jointly Managed Scheme – Integrated Commissioning Arrangements’ basis within the S75 agreement; and

(iii) approval for the costs of the jointly commissioned contract for the Care at Night service to be shared between SCC and SCCG on a fixed % contribution basis which is expected to deliver a 50:50 sharing of the modelled savings. The proportionate share of costs would be split into 60% SCC and 40% SCCG. The risk-share for any future increase in costs, such as additional rounds, will be in line with the percentage splits above.

(b) delegates authority to:-

(i) the Executive Director, People Services, in consultation with the Director of Finance and Commercial Services and the Director of Legal and Governance, to vary the S75 Agreement and any other necessary documentation that are required in order to give effect to the implementation of the EMG’s recommendations as set out above;

(ii) the Director of Finance and Commercial Services, in consultation with the Executive Director, People Services, to procure the proposed service and approve the procurement strategy; and

(iii) the Executive Director, People Services, in consultation with the Director of Finance and Commercial Services and the Director of Legal and Governance to:-

(A) approve the terms of the variation to the S75 Agreement and enter into all necessary documents (such as deed of variation) in order to add the Care at Night service to the S75 Agreement, in line with this report;

(B) approve the terms and enter into the new contract for the Care at Night service; and

(C) take all other necessary steps not covered by existing delegations to achieve the outcomes outlined in this report.

### 12.3 **Reasons for Decision**

12.3.1 The proposed jointly commissioned Care at Night service will aim to achieve the following outcomes:

- Individuals benefit from continuity of care without the need to change care provider should their eligibility for CHC services change.
- Individuals and their families have a strong voice enabled through provider-led regular quality check surveys which helps to monitor service quality and inform continual service improvement.
- People are supported to get home more quickly from hospital by providing short-term support, including wraparound care as required.
- Systemic pressures are reduced and better outcomes for people achieved, for example, by enabling a family carer to have a short break or get a good night's sleep, without the cost and upheaval associated with admitting the cared for person to a care home.
- The service represents value for money with service costs reflective of both the market value and the health and social care activities being delivered.
- Savings for SCC and SCCG are potentially achieved.
- New ways of joint working are tested as a staging post on the journey to fully integrated commissioning, by working through the challenges and capturing the lessons learned on a relatively small project.
- A unified, consistent approach to pricing and contract management for night care is implemented.
- A platform for further potential developments is created, for example incorporating the overnight elements of the CWCA and Intensive Home Nursing Service, which may realise additional structural benefits and citywide savings in future, and deliver a better experience for users.

### 12.4 **Alternatives Considered and Rejected**

12.4.1 Do not provide a night care service after the existing contract is due to expire at the end of March 2019: This is not a viable option. The individuals requiring care and support during the night are often among our most vulnerable citizens. While opportunities to increase independence and reduce the amount of care required will be actively explored as part of the new arrangement, not having any night care in place is likely to result in individuals being placed in residential settings or being admitted to hospital, which is not acceptable from an operational

perspective, nor a reasonable or desirable outcome for individuals and their families.

12.4.2 Procure contracts separately from the CCG: For the reasons outlined elsewhere in the report, to continue to procure contracts separately removes the opportunity to make collective savings and deliver a more efficient service which is better for individual users, and contradicts the national direction of greater integration of health and social care services.

12.5 **Any Interest Declared or Dispensation Granted**

None

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

None

12.7 **Respective Director Responsible for Implementation**

Jayne Ludlam, Executive Director, People Services

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

Healthier Communities and Adult Social Care