

# SHEFFIELD CITY COUNCIL

## EXECUTIVE FUNCTIONS DECISION RECORD

The following decisions were taken on Wednesday 20 March 2019 by the Cabinet.

Date notified to all members: Monday 25 March 2019

The end of the call-in period is 4:00 pm on Friday 29 March 2019

The decision can be implemented from Saturday 30 March 2019

### **Item No**

### **8. MAINTAINING A STABLE ADULT SOCIAL CARE MARKET IN SHEFFIELD**

8.1 The Executive Director, People Services, submitted a report setting out the process that the Council has followed to propose fair and sustainable fee rates for independent sector care home, home care, extra care and supported living providers in Sheffield for the financial year 2019-20.

8.2 **RESOLVED:** That Cabinet:-

- (a) approves an inflationary uplift fee rate of 3.89% for standard rate care homes;
- (b) approves an inflationary uplift to fee rates of 4.24% for home care, extra care (care element only) and supported living providers on the Council's standard contracted and framework rate;
- (c) delegates authority to the Executive Director, People Services, in consultation with the Director of Adult Services and the Cabinet Member for Children and Families and Cabinet Member for Health and Social Care, to agree any appropriate and proportionate fee increases requested by recipients of Direct Payments and care providers who are not on the Council's standard contracted and framework rate on a case-by-case basis;
- (d) delegates authority to the Executive Director, People Services, in consultation with the Director of Adult Services and the Cabinet Member for Children and Families and Cabinet Member for Health and Social Care, to agree any appropriate and proportionate fee increases requested by care homes outside Sheffield because cost pressures will vary from place to place; and
- (e) delegates authority to the Executive Director, People Services, in consultation with the Director of Adult Services and the Cabinet Member for Children and Families and Cabinet Member for Health and Social Care, to take all other necessary steps not covered by existing delegations to achieve the outcomes outlined in the report.

**8.3 Reasons for Decision**

8.3.1 To develop and maintain a stable adult social care market in Sheffield by ensuring that the fees paid by the Council for adult social care in the city of Sheffield are uplifted in line with the cost of delivering care in the city including inflationary pressures in 2019/20.

**8.4 Alternatives Considered and Rejected**

**8.4.1 Alternative Option 1: Inflationary uplift of 2.4%**

This option considered an uplift on all contracts based purely on the Consumer Price Index (CPI) rate for September of 2.4%

This option works on the basis that the CPI uplift is applied to all areas of the current fee rate. This would be less than the percentage increase in the minimum wage but as the national minimum data sets show that the average care worker in Sheffield is paid above this rate, then the short fall could potentially be covered.

However, there may be an impact on recruitment and retention if wages remain low/unchanged or close to minimum wage and this in turn may also have an impact on business continuity and quality which would be a high risk strategy.

**8.4.2 Alternative Option 2: Inflationary uplift based on public sector pay award and CPI**

This option would see the current fee rates uplifted based on the public sector pay award and CPI. This option works on the basis that CPI is added to all non-staffing activity and 2% is added to all staffing activity. This would be less than the percentage increase in minimum wage but the national minimum data sets show that the average care worker in Sheffield is paid above this rate.

This is an even more affordable solution, meaning less will need to be sourced from other provision. However the risk to the market is increased. We know that there are providers who could become unviable and we cannot afford the changes to the market or quality at this time without impacting on the quality of care, the customer experience and the wider health and social care system.

**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**

Healthier Communities and Adult Social Care

9. **JOINT COMMISSIONING FOR HEALTH AND SOCIAL CARE**

9.1 The Executive Director, People Services submitted a report providing an update on progress to date on delivering the Sheffield City Council (SCC) and Sheffield Clinical Commissioning Group's (SCCG) integrated commissioning agenda and sets out a proposal for enhancing the governance arrangements. These enhanced arrangements are designed to ensure that commissioners have a truly joint approach to commissioning in a way that secures the transformational change that is required to realise our ambitions.

9.2 **RESOLVED:** That Cabinet:-

- (a) notes the progress made to date on joint commissioning and the proposals for future joint commissioning; and
- (b) endorses the objectives, principles and priorities for joint commissioning set out in the report.
  - **RESOLVED:** That the Deputy Leader agrees to the amendment of the existing Better Care Fund partnership arrangements under s75 NHS Act 2006 to establish a joint committee to:
    - take responsibility for the management of the partnership arrangements;
    - lead on shaping the development of joint health and care commissioning; and
    - provide advice and guidance on ways in which the partnership arrangements could be strengthened and developed and on appropriate engagement of all relevant stakeholders, this should include guidance on specific areas of service improvement.

9.3 **Reasons for Decision**

9.3.1 Learning from other authorities suggests that significant progress can be made against downstream outcomes, at the same time as having a measurable impact on overall budget positions, by adopting different approaches to governance, management models, commissioning arrangements and delivery priorities, focussing on early intervention and prevention, by taking an asset-based approach.

9.3.2 The health and social care system in Sheffield must create a shift towards delivering better outcomes for people, via a more preventative approach that supports individuals to remain as well as possible within communities, and reduces the population need for acute care, with a particular emphasis on reducing inequalities in acute need. The recommended approach will provide the basis for this shift.

**9.4 Alternatives Considered and Rejected**

**9.4.1 Do Nothing**

The Council is forecasting increasing funding pressures in the short-term, and longer term forecasts predict a £61m funding gap by 2023 for SCC. Without social care, hospital discharge will suffer dramatically, beds will become unavailable for those who need them and NHS costs will rise. Business as usual is, therefore, not a realistic option, although it is important to recognise that it will be the default position unless we take action. The aim of developing joint risk sharing is to ensure there is a shared approach to risk and benefit sharing, recognising that doing nothing also carries financial risks, and these are set out below.

**9.4.2 SCC Delivers statutory responsibilities only**

A second option would be for SCC to focus solely on statutory responsibilities, removing discretionary support (such as STIT, People Keeping Well etc.) in order to address the immediate financial challenge. This would have dramatic effects on the people of Sheffield, leaving its most vulnerable residents unsupported. The impact on partner NHS organisations would rapidly lead to financial failure and then, inevitably, to very poor outcomes for individuals, which would include avoidable deaths. It would also lead to subsequent failure for SCC, as our budgets became more and more focused on dealing with more and more acute demand for services.

**9.4.3 Alternative Joint Commissioning Model**

The possibility of a model where one provider had responsibility for all provision was considered. However, it is not recommended that this option is actively considered at this time. The legal and structural changes that would be required to facilitate this model mean that progress would be much slower than with the proposed arrangements. In addition, there is a risk that structural integration – where separate organisations merge to form a new organisation – could become the main focus rather than better coordination and integration of services.

**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**

Healthier Communities and Adult Social Care

**10. COMMISSIONING ADULT LEARNING IN COMMUNITY SETTINGS**

10.1 The Executive Director, People Services, submitted a report seeking approval to commission adult learning in community settings.

10.2 **RESOLVED:** That Cabinet delegates authority to the Executive Director, People Services, in consultation with the Cabinet Member for Education and Skills, the Director of Finance and Commercial Services and the Director of Legal and Governance, to agree the procurement strategy and thereafter award contracts as required to meet the aims and objectives as set out in the report.

10.3 **Reasons for Decision**

10.3.1 The duration of the pseudo-framework is intended to be four academic years from August 2019 to July 2023.

10.3.2 This option will give Sheffield City Council (SCC) the capacity and capability to meet the community based learning needs of the various localities of the city as established through consultation and research, with maximum flexibility within the parameters of the allocated budget and the funding rules attached to the agreement with the Education and Skills Funding Agency.

10.3.3 The intended outcomes are as follows and are congruent with the national priorities for Adult Education Budget, those of the Council's own Corporate Plan and the vision of the Lifelong Learning service,

".....to improve the life chances and opportunities of adults and their families in Sheffield by developing and delivering a high quality learning and support offer that:

- Improves qualifications, skills and employability – providing a skills escalator to move individuals closer to work.
- Addresses the needs and issues of particular groups – providing a vehicle for social inclusion.
- Supports families to learn with their children and for themselves.
- Delivers positive learning, progression and wellbeing outcomes for adult learners and vulnerable learners.
- Enhances health and wellbeing.
- Equips individuals with the skills, knowledge and behaviours to succeed in life and work
- Contributes to developing strong, cohesive and resilient communities

10.4 **Alternatives Considered and Rejected**

10.4.1 The option of a waiver which would allow an extension of the current framework with existing suppliers was rejected on the grounds that this would place the

Council in a position where it would not be compliant with procurement legislation and Contract Standing Orders. Therefore, the commissioning of new arrangements is required.

**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**

Jayne Ludlam, Executive Director, People Services

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

Economic and Environmental Wellbeing

**11. ADULT SOCIAL CARE 2018 LOCAL ACCOUNT**

11.1 The Executive Director, People Services, submitted a report in relation to the local account which explains the Council helps Sheffield people stay independent, safe and well. It explains our achievements, priorities and challenges, and our plans for the next year.

11.2 **RESOLVED:** That Cabinet notes the account and approves its publication.

**11.3 Reasons for Decision**

11.3.1 Sheffield was not legally required to produce a local account. However local accounts are considered good practice and are produced by many local authorities.

**11.4 Alternatives Considered and Rejected**

11.4.1 National guidance leaves the format and content to be determined locally. We have sought feedback on each account we have produced in order to continually improve the format and content.

11.4.2 This year we will support the account with an e-bulletin to encourage people to read the report, and to provide further resources people can use to find out more about particular topics. This will also provide a way we can identify topics of particular interest.

**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**

Jayne Ludlam, Executive Director, People Services

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

Healthier Communities and Adult Social Care

**12. FOSTERING BUSINESS CASE**

12.1 The Executive Director, People Services, submitted a report seeking to gain Cabinet endorsement and approval to proceed with the improvements and investment identified within the Fostering Business Case and outlined in the report, supporting the Children and Families Placement Sufficiency Strategy.

12.2 **RESOLVED:** That Cabinet endorses the proposals of the Fostering Business Case, as set out in the report, include the following changes: -

- Enhanced skill level payments to all carers
- The introduction of increased fees at level 1, which is entry level for almost all new foster carers, this will support more people to be able to afford to foster, in that it is more likely to enable them to reduce or give up paid work to take on fostering.
- Removal of the current system of reduction of skill level payment when a carer looks after more than one CLA. Meaning there is no reduction in fee payment for a second or third child in placement. This will enable and encourage carers to foster more than one child and be beneficial in providing more capacity for keeping sibling groups together. Currently only around 5% of our carers look after 3 children or young people.
- Introduce differentials related to the age of children fostered in levels 1 and 2. This is because we want to target investment at areas of greater need – i.e. placements for older children,
- In addition to the increase in fees, the service will have to increase the fostering allowance for 2019/20 in order to comply with the increase applied to the National Minimum Fostering Allowance. On average across the different age groups the increase will be approximately 2% per child per week.

**12.3 Reasons for Decision**

12.3.1 Supporting the recommendations in this report will ensure that the local authority is able to meet its Statutory Duty to provide sufficient placements for children looked after. It will also support the local authority to deliver on the ambitions for children looked after laid out in the Corporate Parenting Strategy 2018/20.

**12.4 Alternatives Considered and Rejected**

12.4.1 The service has considered and consulted with foster carers about what improvements to the service and the 'offer' to carers would make Sheffield a more attractive agency to foster for. We know that we are in a competitive market for foster carers and that there are very many independent fostering agencies in Sheffield and the region which work hard to recruit the limited number of people who are interested and have the qualities to be good foster carers. We have reasoned that the significant investment detailed in this report is essential to ensure Sheffield's Fostering Service is competitive with other local fostering services and in an improved position to recruit the additional foster carers needed to care for Sheffield's Children Looked After. We consider that to not invest in our service in such a way would leave the service uncompetitive and without the potential for the required growth in carer numbers.

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**

Children, Young People and Family Support

**13. MONTH 10 CAPITAL APPROVALS**

13.1 The Executive Director, Resources, submitted a report providing details of proposed changes to the Capital Programme as brought forward in Month 10 2018/19.

13.2 **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) subject to acceptance of funding from the Environment Agency in accordance with the recommendation below in relation to Appendix 2a, approves the proposed addition to the Capital Programme listed in Appendix 1a 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 contract;
- (c) approves the acceptance of accountable body status of the grant funding



detailed at Appendix 2 of the report; and

- (d) approves the acceptance of accountable body status of the grant funding detailed at Appendix 2a of the report, subject to the grants being offered in line with the terms as described; in the event that that grant terms vary significantly from those outlined, delegates authority to the Head of Commercial and Business Development, in consultation with the Director of Legal and Governance, to negotiate acceptable terms.

### **13.3 Reasons for Decision**

- 13.3.1 The proposed changes to the Capital Programme will improve the services to the people of Sheffield.
- 13.3.2 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.
- 13.3.3 Obtain the relevant delegations to allow projects to proceed.

### **13.4 Alternatives Considered and Rejected**

- 13.4.1 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.

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

None

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

None

### **13.7 Respective Director Responsible for Implementation**

Eugene Walker, Executive Director, Resources

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

Overview and Scrutiny Management Committee

## **14. THE TUC'S GREAT JOBS AGENDA**

- 14.1 The Executive Director, Resources submitted a report seeking to identify the measures the Council will take, as both an employer and through its place based leadership role with local businesses and communities, to align with the TUC's

Great Jobs agenda.

**14.2 RESOLVED:** That Cabinet:-

- (a) endorses the aims of the Great Jobs Agenda and continues to seek to meet the standards to provide better jobs that offer a living wage and good working conditions;
- (b) notes the activity that will be undertaken by the Council and the aligned strategies and activity proposed to engage a wider range of employers to provide great jobs; and
- (c) notes that the officer responsible for all employment issues within the Council, including engagement with the trade unions, is the Director of Human Resources, and the officer's responsible for the aligned intervention to support city wide employer engagement is the Director of City Growth.

**14.3 Reasons for Decision**

14.3.1 Through our commitment to the Great Jobs Agenda we have an opportunity to create 'Great Jobs' at Sheffield City Council as well taking a leadership role in encouraging other employers to do the same for the benefit of the city.

**14.4 Alternatives Considered and Rejected**

14.4.1 The Council has already taken action against the six standards set out in the Great Jobs Agenda and is well placed to continue this work on low pay, apprenticeships, procurement and health and wellbeing, as well as promoting these ambitions to a wider range of organisations through our local leadership role to create a difference for the City.

**14.5 Any Interest Declared or Dispensation Granted**

None

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

None

**14.7 Respective Director Responsible for Implementation**

Eugene Walker, Executive Director, Resources

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

Overview and Scrutiny Management Committee

**15. THE SHEFFIELD TRANSPORT STRATEGY - ADOPTION OF FINAL STRATEGY**

15.1 The Executive Director, Place submitted a report outlining the stakeholder engagement which has been recently undertaken on the Sheffield Transport Strategy, and the proposed updates to the document in light of new evidence and other developments, especially the declaration of a Climate Emergency by Sheffield City Council's meeting of 6 February, 2019. The report also provided an update on the emerging programme of projects. The final version of the Sheffield Transport Strategy was presented for formal adoption.

15.2 **RESOLVED:** That Cabinet approves the adoption of the final version of the Sheffield Transport Strategy, as set out in appendix 3 of the report, subject to an amended cover sheet and foreword as agreed.

15.3 **Reasons for Decision**

15.3.1 There is very strong public recognition that "doing nothing" is not an option, and that the adverse impacts of increased congestion have to be addressed. The proposed Transport Strategy draws on the evidence available to identify key themes and early candidate projects for inclusion in a developing long-term strategic programme (an Action Plan), with further consultation to engage people in that developing programme.

15.3.2 This process will enable the Council to adopt a clear strategic approach to transport for the next 20 years, in close alignment with parallel work on Transport for the North priorities, with Sheffield City Region investment decisions, and with other cross-cutting work on the Sheffield Plan, the City Centre Plan and housing plans.

15.4 **Alternatives Considered and Rejected**

15.4.1 One alternative would be to not have a long-term transport strategy. This option would, however, diminish Sheffield City Council's influence on transport in the city, and weaken the support a transport strategy could provide towards the local economy.

15.4.3 Other alternatives could place more emphasis on individual modes of transport. This would increase travel benefits for some but diminish benefits for others, and hence work against the Council's overall desire for fairness, and the strategy for increasing opportunities for everyone. Issues of accessibility, congestion and air quality would be less likely to be addressed. The approach adopted is felt to offer a balanced strategy benefitting the whole community.

15.5 **Any Interest Declared or Dispensation Granted**

None

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

None

15.7 **Respective Director Responsible for Implementation**

Laraine Manley, Executive Director, Place

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

Economic and Environmental Wellbeing

**16. EXTENSION OF REFUGEE RESETTLEMENT ARRANGEMENTS**

16.1 The Executive Director, Place submitted a report advising Cabinet of requests that the Council continues to resettle refugees under both programmes until May 2020 and to seek approval for the extension of both agreements, together with a variation to the Vulnerable Persons Resettlement Scheme (VPRS) agreement to incorporate resettlement of additional refugees under the Vulnerable Children's Resettlement Scheme. This would not include any unaccompanied asylum seeking children.

16.2 **RESOLVED:** That Cabinet:-

- (a) notes the contents of the report and in particular the financial implications;
- (b) approves the acceptance of Home Office grant funding by entering into an extension to the funding agreement, subject to submitted costs being agreed, to deliver the Gateway Protection Programme between April 2019 and March 2020;
- (c) agrees to the Council continuing to be the Accountable Body for the Home Office grant in respect of Hull City Council and the Refugee Council and that the funding agreements with both organisations for the elements of the programme that they deliver be extended on terms which reflect the Council's agreement with the Home Office;
- (d) agrees that the existing funding agreement with Leeds City Council, as the regional accountable body, for delivery of the Syrian Vulnerable Person's Resettlement Scheme in Sheffield be varied to provide funding to the Council (i) to continue providing resettlement and support under the scheme, and (ii) to provide resettlement and support under the Vulnerable Children's Resettlement Scheme, from April 2019 to March 2020;
- (e) delegates authority to the Executive Director, Place, in consultation with the Director of Finance and Commercial Services, to instruct the Director of Legal and Governance to finalise terms and complete the necessary documentation; and
- (f) delegates authority to the Director of Housing and Neighbourhoods to accept a small additional increase in the number of refugees to be resettled if requested to do so, subject to adequate funding being offered, sufficient properties being available and the service being able to accommodate and support the additional refugees.

**16.3 Reasons for Decision**

- 16.3.1 The Council now has over 14 years' experience of management and delivery of Refugee resettlement programmes, the longest involvement of any local authority in the UK.
- 16.3.2 The Council has managed a successful programme delivery partnership with Hull City Council and the Refugee Council since 2011. As well as overall management of the programme, the Council has also managed the provision of housing and associated tenancy support for the Gateway refugees. The local authority VCF partnership provides excellent quality and value for money services and delivering a further programme going forward will ensure the continuity of the current delivery partnership as well as providing the best housing and resettlement services for new refugees arriving in the city.
- 16.3.3 The UK government have committed to resettling the most vulnerable Syrian refugees, bringing people to the UK who have fled the war and are temporarily based in neighbouring countries. The VPRS is funded by central government, with money provided at a level which funds the Council and its delivery partners to provide services and support to refugees for a period of up to 5 years following arrival in the city.
- 16.3.4 The Government has committed to resettling families with vulnerable children under the Vulnerable Children's Resettlement scheme and other local authorities in the Yorkshire and Humberside region have taken families under this scheme.

**16.4 Alternatives Considered and Rejected**

- 16.4.1 If the Council did not extend the funding agreements with the Home Office and Leeds City Council for Migration Yorkshire it would mean that refugees waiting for resettlement may not be offered a place of sanctuary. It could affect national targets to resettle refugees.
- 16.4.2 The current delivery partners have committed to continuing the existing arrangements for the requested period of extension.

**16.5 Any Interest Declared or Dispensation Granted**

None

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

None

**16.7 Respective Director Responsible for Implementation**

Laraine Manley, Executive Director, Place

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

Safer and Stronger Communities