

SHEFFIELD CITY COUNCIL

EXECUTIVE FUNCTIONS DECISION RECORD

The following decisions were taken on Wednesday 18 December 2019 by the Cabinet.

Date notified to all Members: Thursday 19 December 2019

The end of the call-in period is 4:00 pm on Thursday 2 January 2020

The decision can be implemented from Friday 3 January 2020

Item No

9. SHEFFIELD DEMENTIA STRATEGY

- 9.1 The Executive Director, People Services, submitted a report seeking approval of the Sheffield Dementia Strategy as a set of overarching principles for further projects relating to Dementia care. The Dementia Strategy, and subsequent projects carried out under the Strategy, will improve the support available to people living with dementia and their carers.

The Sheffield Dementia Strategy, which consists of 13 Commitments (as appended to the report), has been finalised by the Dementia Strategy Implementation Group (a multi-agency group, reporting to the Mental Health, Learning Disability and Dementia Delivery Board), and is now being taken to the relevant decision making bodies for partner organisations for final approval; alongside a progress update on activity related to the Strategy.

- 9.2 **RESOLVED:** That Cabinet approves the Sheffield Dementia Strategy, as set out in the appendix to the report now submitted.

9.3 Reasons for Decision

- 9.3.1 The Sheffield Dementia Strategy is now being taken to the appropriate decision making bodies across partner organisations for final comment and approval; alongside this progress update on activity related to the Strategy. As part of this process, Cabinet is asked to approve and adopt the strategy.

- 9.3.2 The development of the strategy forms Sheffield's response to the Prime Minister's 2020 Challenge on Dementia. It builds on ongoing work (both established and emerging) across the city. It will support work to embed, drive and coordinate activity to improve dementia care and experiences across the system.

9.4 Alternatives Considered and Rejected

- 9.4.1 **Not have a strategy** - It is not a legal requirement to respond to the Prime Minister's Challenge with a strategy. However there is a Government expectation that progress is made to achieve the aspirations of the Challenge and it was felt by the Dementia Strategy Implementation Group that having a strategy will help

Sheffield to achieve this.

9.4.2 **Have a local authority-specific strategy for dementia** – The Dementia Strategy Implementation Group felt that having a strategy that all key partners were signed up to would be the most effective way to embed, drive and coordinate work to improve dementia care and experiences across the system.

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**

John Macilwraith, Executive Director, People Services

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

Healthier Communities and Adult Social Care

10. **PROCUREMENT OF DAYTIME OPPORTUNITIES FOR PEOPLE LIVING WITH DEMENTIA**

10.1 The Executive Director, People Services, submitted a report seeking approval to proceed with a joint procurement (led by Sheffield City Council on behalf of the Sheffield Clinical Commissioning Group) and award various contracts in respect of a number of daytime opportunities for people of all ages who are living with dementia, and, in addition, improve the support network for younger people under 65 and their families.

10.2 **RESOLVED:** That Cabinet:-

- (a) approves the procurement of the daytime opportunities for people living with dementia, as outlined in the report;
- (b) delegates the decisions for the award of the various contracts procured, to the Director of Commissioning, Inclusion and Learning or the Interim Director of Adult Services, in consultation with the Director of Finance and Commercial Services, the Director of Legal and Governance and the Clinical Commissioning Group's Director of Commissioning and Performance, Deputy Accountable Officer, in line with the report; and
- (c) to the extent not already delegated to them by the Leader's Scheme of

Delegation, delegates authority to the Director of Commissioning, Inclusion and Learning or the Interim Director of Adult Services, in consultation with the Director of Finance and Commercial Services, to take any other decisions necessary in order to meet the aims and objectives of the report.

10.3 **Reasons for Decision**

The proposals will ensure that:-

- People living with dementia are able to enjoy life, forge meaningful relationships and feel they have a purpose.
- Daytime opportunities actively contribute to a more fulfilling rewarding life that maintains good health and well-being and help prevents 'decline'.
- Support is aimed at families so individuals are able to remain at home for as long as possible but carers are also able to take a break from their caring role and improve their own health and wellbeing.
- Daytime opportunities are person centred, tailored towards the individual, their preferences and their support needs.
- There will be improved access through more locally based provision and the support will be able to adapt to changing need.
- There will be improved collaboration across health and social care which will achieve better outcomes for people and increase value for money across the system.
- It will meet with legislation, guidance and operational requirements.

10.4 **Alternatives Considered and Rejected**

10.4.1 Alternative option 1 - Extend the contract with the current providers.

This option would not meet the Council's procurement requirements and would lead to the continuation of a fragmented service design.

10.4.2 Alternative option 2 - Do not Procure.

The Sheffield Dementia Strategy recognises the need to support people in different ways and offer people living with dementia the opportunity to live fulfilling lives; the contracts for all these services expire at end June 2020 and there would be no alternative if we did not procure.

10.4.3 Alternative option 3 - Provide the service in-house.

Day opportunities for people with dementia is currently provided by the voluntary

sector in all but one of the contracts. Bringing this in-house would not be in keeping with the Council and CCG's aim to develop and maintain a thriving voluntary sector. The delivery of day opportunities in-house will also increase the funding required or would mean a reduction in service to meet the price difference.

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

John Macilwraith, Executive Director, People Services.

10.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Healthier Communities and Adult Social Care.

11. REPORT OF THE LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN REGARDING ASSESSMENT FOR BLUE BADGES

11.1 The Monitoring Officer and the Executive Director, Resources, submitted a joint report, in line with the requirements of the Local Government & Social Care Ombudsman, outlining the Ombudsman's report on a complaint made by an applicant (Mrs. B) about the Council's decision not to issue her a blue badge and its failure to offer her a face-to-face mobility assessment. The report also describes the Council's actions in response to the Ombudsman complaint. Appended to the report were the Ombudsman's report and the Council's updated Blue Badge Policy.

11.2 **RESOLVED:** That Cabinet notes the findings of the Ombudsman's report, the actions taken by the Council and acknowledged by the Ombudsman, and the additional recommendations of the Ombudsman, as set out in the report now submitted, and in particular, that:-

(a) the Council has taken the following actions:-

- arranged an assessment by a physiotherapist for the complainant (Mrs. B); and
- identified 25 applicants affected by its failure to offer face-to-face assessments and will contact them to offer an assessment by a physiotherapist;

- (b) the Council has also agreed to review the way it deals with applications for blue badges to ensure that, in future, all applicants will be offered an assessment by a physiotherapist in accordance with legislation and statutory guidance; and
- (c) in addition, the Ombudsman recommended that the Council:-
 - apologises to Mrs B for the failure to offer her a face-to-face assessment; and
 - pays her £250 for the time and trouble it has put her to.

11.3 Reasons for Decision

The Council has considered the findings of the Ombudsman in this case and believes that they are accurate. The Council has taken steps to ensure that the issues identified in the report have been addressed for Mrs B and other service users and are not repeated.

11.4 Alternatives Considered and Rejected

- 11.4.1 The Council could choose to contest the findings of the Ombudsman. However the Council accepts the Ombudsman's view that there has been fault causing injustice to Mrs B.
- 11.4.2 The Council could contest the recommendations of the Ombudsman, but as it has acknowledged the failings in this case and taken steps to ensure that no other customer is similarly affected, it believes it should accept the recommendations the Ombudsman has proposed to remedy these failures.

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

12. MONTH 7 CAPITAL APPROVALS

12.1 The Executive Director, Resources, submitted a report providing details of proposed changes to the Capital Programme 2019/20, as brought forward in Month 7.

12.2 **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 contract;
- (b) approves the acceptance of accountable body status of the grant funding detailed at Appendix 2 of the report; and
- (c) approves the making of grants to third parties, as detailed at Appendix 2a of the report.

12.3 Reasons for Decision

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

12.3.2 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.

12.3.3 Obtain the relevant delegations to allow projects to proceed.

12.4 Alternatives Considered and Rejected

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.

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

Eugene Walker, Executive Director, Resources.

12.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Overview and Scrutiny Management Committee.

13. LEASE RENEWAL - ROSE GARDEN CAFE, GRAVES PARK

13.1 The Executive Director, Place, submitted a report to seek approval of Cabinet, acting as Charity Trustee of Graves Park (*Registered Charity Number 510841*) ("the Charity"), to grant a lease of the Rose Garden Café Property to the current tenant for a further period of 2 years to ensure continued provision of a café facility at Graves Park for the benefit of Park users.

13.2 **RESOLVED:** That Cabinet, acting as Charity Trustee of Graves Park:-

- (a) approves the short-term lease of the subject property (Rose Garden Café, Graves Park) to the current tenant, based on the terms set out in Appendix 1 of the report now submitted;
- (b) on consideration of the Commercial Details in Appendix 1 and the Qualified Surveyor's Report in Appendix 2, agrees that the Trustees are satisfied that the proposed terms are the best that can be reasonably obtained in the circumstances; and
- (c) authorises the Chief Property Officer, in consultation with the Director of Legal and Governance, to negotiate the terms of the lease with the current tenant, and the Director of Legal and Governance to prepare and complete all the necessary legal documentation in accordance with the agreed terms.

13.3 Reasons for Decision

The proposal to grant a further short-term lease:-

- safeguards the café facility at Graves Park for the benefit of park users
- secures an increased income stream for the Trust which can be reinvested in the Park
- enables SCC and the Trustees to explore alternatives for this through the Better Parks programme.
- enhances the attractiveness of the Park as a valuable asset for visitors
- enables the demised property to be occupied for the purposes of the charitable objects of the Charity
- complies with the provisos contained within the power granted to the Trustee by the Scheme and with the statutory provisions contained within the Act and, further, with the requirements of the Charity Commission.

13.4 Alternatives Considered and Rejected

13.4.1 The Council may, in due course, offer alternative options for this property, but at present it is considered that renewing the café lease is the only realistic short term option available to ensure provision of this facility within the Park.

13.4.2 The reason for this is that if the current tenant was required to leave and a new tenant sought, by the time a new suitable tenant were found and terms agreed (which could not be guaranteed), the best part of the two year term would have elapsed, depriving the Park of a valuable facility and the Trust of income.

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

Laraine Manley, Executive Director, Place

13.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Economic and Environmental Wellbeing