

Meeting: **Adults and Communities Overview and Scrutiny Committee**

Date/Time: **Tuesday, 10 June 2014 at 2.00 pm**

Location: **Sparkenhoe Committee Room, County Hall, Glenfield**

Contact: **Mr. S. Marra (Tel. 0116 3053047)**

Email: **stuart.marra@leics.gov.uk**

Membership

Mrs. R. Camamile CC (Chairman)

Mr. M. H. Charlesworth CC Mr. P. G. Lewis CC
Mr. S. J. Hampson CC Ms. Betty Newton CC
Mr. D. Jennings CC Mr. A. E. Pearson CC
Mr. J. Kaufman CC Mr. R. Sharp CC

**Please note: this meeting will be filmed for live or subsequent broadcast via the Council's web site at <http://www.leics.gov.uk/webcast>
– Notices will be on display at the meeting explaining the arrangements.**

AGENDA

- | <u>Item</u> | <u>Report by</u> |
|---|------------------|
| 1. Appointment of Chairman for the period ending with the date of the Annual Meeting of the County Council in 2015.

To note that Mrs R Camamile CC was nominated Chairman elect to the Adults and Communities Overview and Scrutiny Committee at the County Council meeting held on 21 May 2014. | |
| 2. Election of Deputy Chairman for the period ending with the date of the Annual Meeting of the County Council in 2015. | |
| 3. Minutes of the meeting held on 25 March 2014. | (Pages 5 - 10) |
| 4. Question Time. | |



5. Questions asked by members under Standing Order 7(3) and 7(5).
6. To advise of any other items which the Chairman has decided to take as urgent elsewhere on the agenda.
7. Declarations of interest in respect of items on the agenda.
8. Declarations of the Party Whip in accordance with Overview and Scrutiny Procedure Rule 16.
9. Presentation of Petitions: Community Libraries.

A petition signed by 1061 residents is to be presented by Mr Matthew O'Callaghan, as Lead Petitioner, in the following terms:-

"We the undersigned petition the Council to reconsider its decision to close or transfer 36 of Leicestershire's smaller libraries"

- | | | | |
|-----|--|--|-------------------|
| 10. | Consultation on proposals for changes in the delivery of Community Library Services. | Director of Adults and Communities | (Pages 11 - 40) |
| 11. | Consultation on Snibston Proposed Future Offer. | Director of Adults and Communities and Director of Corporate Resources. | (Pages 41 - 80) |
| 12. | Strategic Review of Preventative Services in Leicestershire. | Director of Adults and Communities, Director of Children and Family Services and Director of Public Health | (Pages 81 - 114) |
| 13. | Strategic Review of Carer Support Services in Leicestershire. | Director of Adults and Communities | (Pages 115 - 138) |
| 14. | Review of Non-Residential Charging Policy for Adult Social Care. | Director of Adults and Communities | (Pages 139 - 152) |
| 15. | Cost Effective Care Policy for Adult Social Care. | Director of Adults and Communities | (Pages 153 - 176) |
| 16. | Implementation of the Care Act 2014. | Director of Adults and Communities | (Pages 177 - 184) |
| 17. | Leicestershire and Rutland Safeguarding | Director of Adults | (Pages 185 - |

18. Date of next meeting.

The next meeting of the Committee is scheduled to take place at 2pm on Tuesday, 2 September 2014.

19. Any other items which the Chairman has decided to take as urgent.

QUESTIONING BY MEMBERS OF OVERVIEW AND SCRUTINY

Members serving on Overview and Scrutiny have a key role in providing constructive yet robust challenge to proposals put forward by the Cabinet and Officers. One of the most important skills is the ability to extract information by means of questions so that it can help inform comments and recommendations from Overview and Scrutiny bodies.

Members clearly cannot be expected to be experts in every topic under scrutiny and nor is there an expectation that they so be. Asking questions of 'experts' can be difficult and intimidating but often posing questions from a lay perspective would allow members to obtain a better perspective and understanding of the issue at hand.

Set out below are some key questions members may consider asking when considering reports on particular issues. The list of questions is not intended as a comprehensive list but as a general guide. Depending on the issue under consideration there may be specific questions members may wish to ask.

Key Questions:

- Why are we doing this?
- Why do we have to offer this service?
- How does this fit in with the Council's priorities?
- Which of our key partners are involved? Do they share the objectives and is the service to be joined up?
- Who is providing this service and why have we chosen this approach? What other options were considered and why were these discarded?
- Who has been consulted and what has the response been? How, if at all, have their views been taken into account in this proposal?

If it is a new service:

- Who are the main beneficiaries of the service? (could be a particular group or an area)
- What difference will providing this service make to them – What will be different and how will we know if we have succeeded?
- How much will it cost and how is it to be funded?
- What are the risks to the successful delivery of the service?

If it is a reduction in an existing service:

- Which groups are affected? Is the impact greater on any particular group and, if so, which group and what plans do you have to help mitigate the impact?
- When are the proposals to be implemented and do you have any transitional arrangements for those who will no longer receive the service?
- What savings do you expect to generate and what was expected in the budget? Are there any redundancies?
- What are the risks of not delivering as intended? If this happens, what contingency measures have you in place?



Minutes of a meeting of the Adults and Communities Overview and Scrutiny Committee held at County Hall, Glenfield on Tuesday, 25 March 2014.

PRESENT

Mrs. R. Camamile CC (in the Chair)

Mr. M. H. Charlesworth CC

Mr. P. G. Lewis CC

Mr. S. J. Hampson CC

Ms. Betty Newton CC

Mr. D. Jennings CC

Mr. A. E. Pearson CC

Mr. J. Kaufman CC

Mr. R. Sharp CC

In attendance.

Mr D W Houseman MBE CC, Cabinet Lead Member for Adult Social Care (minutes 46, 47 and 48 refers)

Ms Fiona Barber, Healthwatch Leicestershire (minutes 46 and 48 refers)

39. Minutes.

The minutes of the meeting held on 21 January 2014 were taken as read, confirmed and signed.

40. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 35.

41. Questions asked by members under Standing Order 7(3) and 7(5).

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

42. Urgent Items.

There were no urgent items for consideration.

43. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

Mr J Kaufman CC declared a personal interest in the item entitled 'Overview Report: Domiciliary Care' as Director of an Employment Agency which supplied care workers.

44. Declarations of the Party Whip in accordance with Overview and Scrutiny Procedure Rule 16.

There were no declarations of the party whip.

45. Presentation of Petitions under Standing Order 36.

The Chief Executive reported that no petitions had been received under Standing Order 36.

46. Overview Report: Domiciliary Care.

The Committee received a report of the Director of Adults and Communities which provided an overview of a range of factors in relation to the provision of domiciliary care services for adults and older people in Leicestershire. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

The Chairman welcomed Mr D W Houseman MBE CC, Cabinet Lead Member for Adult Social Care, to the meeting for this and other items. Mr Houseman CC explained how the Department aimed to work with the Clinical Commissioning Groups (CCGs) to co-design an integrated domiciliary care model as part of the Better Care Fund (BCF). This new model would be based on delivering outcomes whilst providing a cost effective service. There were currently approximately 3,000 people in receipt of domiciliary care services across the County. It was important to recognise the good work being undertaken by carers through a number of care providers.

The Chairman also welcomed Fiona Barber, Healthwatch, to the meeting for this and other items. Healthwatch recognised that it was challenging to provide adequate domiciliary care services, especially in a large rural county such as Leicestershire. Ms Barber explained that due to the high turnover of care staff, in some instances this had caused delays in people receiving domiciliary care services. The County Council needed to ensure that there was an adequate provision of carers in the more isolated rural areas of the County.

Arising from discussion the following points were raised:-

- (i) The Committee expressed concern at the high number of zero hour contracts for care staff and the relatively low wage level paid by care providers. It was recognised that this may be a contributing factor to the high turnover of care staff and difficulties in recruitment in the sector. It was explained that the County Council commissioned care providers to provide care packages and it was the responsibility of those providers to define the terms and conditions for its employees, not the Council. A planned fundamental review of domiciliary care services would help to provide more cost effective solutions for the County Council and in future commissioning of contracts, additional support to care staff would be explored;
- (ii) It was explained that although the wage levels for carers was relatively low, often this was considered a foundation stage before people moved on to more specialised work within the sector such as at care homes, hospital ancillary care and nursing. The County Council needed to ensure that it monitored and regulated contracts with care providers. The CQC also monitored providers;
- (iii) It was explained that pay for time spent by carers travelling between visits varied by provider. Often staff would not receive pay for travel between visits but would receive a mileage rate;

- (iv) Care assessments were carried out to determine the length of visits, in 15 minute increments, required for each individual. Approximately 10% to 15% of service users received the minimum time frame of 15 minute visits as part of their care package. The use of 15 minute visits were currently being reviewed to ensure that they were not used for personal care visits, which by their nature required longer time frames;
- (v) The County Council looked at best practice and engaged with providers to ensure that services provided were of a high standard. It was noted that compared to other local authorities, the County Council provided a good standard of domiciliary care services;
- (vi) The Director and Lead Member were currently exploring options for future domiciliary care policy for implementation in 2015. It was suggested that the Committee could have an input on this through a Scrutiny Review Panel. If a Panel were established it would wish to focus on how aspects of domiciliary care and the delivery of services could be improved.

AGREED:

- (a) That the overview of the provision of domiciliary care services for adults and older people in Leicestershire be noted;
- (b) That the Scrutiny Commissioners be recommended to establish a Scrutiny Review Panel at the appropriate time to enable members to contribute to the development of the future domiciliary care policy as referred to in paragraphs 36 to 41 of the report.

47. Progress on Taking Forward the Development of the Extra Care Housing Strategy in Leicestershire.

The Committee received a report of the Director of Adults and Communities which provided an update on the progress in taking forward the development of the County Council's Extra Care Housing Strategy in Leicestershire. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

Mr D W Houseman MBE CC, Cabinet Lead Member for Adult Social Care, was pleased to note progress in this area. The County Council needed to promote Extra Care housing with district councils to ensure it was given due consideration when districts were developing their core strategies or considering new housing developments.

Arising from discussion the following points were raised:-

- (i) The Committee welcomed the work undertaken by the County Council in relation to Extra Care housing but noted that work in this area had been slow to progress;
- (ii) It was noted that the County Council currently funded or commissioned 166 placements in five of the seven Extra Care housing schemes in Leicestershire;
- (iii) The Committee was pleased to note that the capital receipt from the transfer of the County Council's nine Elderly Person's Homes would be available for investment in new Extra Care schemes subject to an appropriate business case.

It was hoped that this capital would be available as soon as was reasonably possible;

- (iv) There was a need to better understand the future ambition for Extra Care in Leicestershire. It was explained that the goal of 500 Extra Care units between 2010-15 set in 2009 would no longer be achievable due to the current economic climate. The County Council would seek to develop sustainable schemes on an individual site by site basis with a view to reviewing the Extra Care Strategy in 2015. An officer stakeholder group had recently been established to help develop future Extra Care strategy;
- (v) It was suggested that the new Sustainable Urban Extension (SUE) to be developed at Lubbethorpe would be a suitable site to create a new Extra Care scheme using Section 106 monies;
- (vi) All Extra Care schemes included overnight support and the Council provided a subsidy for this provision. It was explained that basic level support services were provided to all residents in the Scheme. If a person required any personal care services then these would be subject to means testing and charged for appropriately;
- (vii) Where a person passed away in Extra Care housing, it was queried if their spouse would be required to vacate their housing unit. It was explained that each Extra Care scheme had its own specific rules in relation to the retention of housing, and that specific information could be provided to members if required. It would be usual for the tenancy for rented accommodation to transfer to the surviving spouse.

AGREED:

That the progress on the development of the Leicestershire Extra Care Housing Strategy 2010-2015 be noted.

48. Quarter 3 2013/14 Performance Dashboard Report.

The Committee received a report of the Director of Adults and Communities which provided an update of the Adults and Communities Department performance at the end of Quarter Three of 2013/14. A copy of the report marked 'Agenda Item 10' is filed with these minutes.

Mr Houseman stated that he had been pleased with those indicators that were green, mindful of those that were amber and appropriately concerned with those that were red.

Fiona Barber of Healthwatch suggested that it would be useful for service user data to be included in any future performance reports. The Committee was advised that soft data was collected through surveys and other means to ensure that all service user and staff views were taken into account. This ensured that an accurate representation of departmental performance was provided

Arising from discussion the following points were raised:-

- (i) It was explained that performance data provided in the report had been produced according to set performance measures outlined in the National Performance Framework. This enabled the Department to better identify where it was and was not performing well. Data parameters needed to be set to allow comparison between quartiles;
- (ii) The Committee suggested that it would be useful in future performance reports for the previous quarter performance figures to be included. This would allow the Committee to better monitor trends in performance levels. It would also be beneficial to have the contributing factors to service areas current direction of travel outlined where appropriate;
- (iii) The Committee queried the mechanisms in place to increase performance where required. The Director responded that where an area was identified as needing improvement, relevant officers would report on the issues and appropriate actions would be undertaken. It was acknowledged that in some areas, such as personal budgets and library services, it would be difficult to improve due to changes in client systems and service reconfiguration;
- (iv) It was explained that some service areas outlined through the performance indicators would be included as part of the Better Care Fund plan from next year;
- (v) In respect of library issues it was noted that correspondence had been received from some parish councils by local members in relation to the proposed devolved management of community libraries to local community partnerships. Arising from concern expressed regarding legislation preventing parish councils from running community libraries, it was explained that the County Council had the power to delegate authority to parish councils, or other community bodies, to run libraries on its behalf. It was noted that a meeting was scheduled to take place on Monday 31 April with local parish councils. Guidance on this matter would be provided to members of the Committee in due course.

AGREED:

That the update of Adults and Communities performance at the end of quarter three of 2013/14 be noted.

49. Date of next meeting.

It was noted that the next meeting of the Committee would be held on Tuesday, 10 June at 2.00pm.

2.00 - 3.35 pm
25 March 2014

CHAIRMAN

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ADULTS AND COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE:
10 JUNE 2014

CONSULTATION ON PROPOSALS FOR CHANGES IN THE
DELIVERY OF COMMUNITY LIBRARY SERVICES

REPORT OF THE DIRECTOR OF ADULTS AND COMMUNITIES

Purpose of report

- 1 The purpose of this report is to invite members of the Adults and Communities Overview and Scrutiny Committee to comment, as part of a consultation exercise, on changes to the way community library services are to be delivered by the County Council in order to make the required savings in line with the Medium Term Financial Strategy (MTFS).

Policy Framework and Previous Decisions

- 2 National legislation regarding Libraries is outlined in the 1964 Public Libraries and Museums Act.
- 3 Under the Public Libraries and Museums Act 1964, public library services are a statutory duty for local authorities who are required to provide a comprehensive and efficient public library service. To comply with the act local authorities must:
 - Promote a comprehensive and efficient library service for all persons in the area that want to make use of it (Section 7);
 - Promote the service (Section 7(2)(b));
 - Lend books and other printed material free of charge for those who live, work or study in the area (section 8(3)(b)).
- 4 The Government superintends how councils undertake this role and has a duty to:
 - Oversee and promote the public library service (Section 1(1));
 - Take action where a local authority fails to perform its duties (Section 10).
- 5 In September 2013, the County Council consulted on its budgetary priorities in relation to the MTFS. The outcome of this consultation ranked libraries as overall 12th as a service where those who responded to the consultation felt that less money could be spent.

- 6 On the 5 March 2014, the Cabinet approved a consultation exercise regarding the future of community library services on the basis set out in this report, with a view to a report detailing the outcome of the consultation exercise being submitted to the Cabinet in September 2014.

Background

- 7 The County Council has a statutory obligation to ensure the provision of a comprehensive and efficient library service. An analysis of the current library service indicates that whilst it is comprehensive, there are a large number of service points, potentially leading to inefficient use of resources. A re-provision of the service would continue to meet the statutory obligations of the Council contributing £0.8m towards MTFS savings.
- 8 The rationale of the proposals is for the Council to enable and facilitate the on-going provision, wherever possible, of these services, by closer partnership with communities and other providers, whilst at the same time sustaining the countywide infrastructure to enable the obligations on the Council to be sustained, and meeting budget challenges.
- 9 The vision for the Communities and Wellbeing Service within the Adults and Communities Department is to:
- “Support communities by preparing people for the future through learning and skills, connecting the vulnerable to the wider society, preserving the best of the past, and encouraging a sense of health and wellbeing among all residents. These ambitions are being delivered by changing the service – by making it more integrated, more digital and peripatetic, more enabling and more entrepreneurial and through these changes making it leaner”.
- 10 The wider transformative change in how services are to be delivered in the future will involve a significant remodelling of service delivery shifting away from traditionally recognised models. In the case of libraries, the focus on working with communities to reduce demand for services, and supporting communities to deliver services, is an approach which is already generating interest in the County.
- 11 The MTFS targets approved by the County Council on 19 February 2014 relating to the reduction in funding for community libraries and the review of other library services (with a reduction in associated infrastructure costs) provides the opportunity to develop community partnerships for up to 36 community libraries depending on public appetite and viability, plus a reduction in opening hours of major and shopping centre libraries by 20%.

Strategic approach to meet MTFS targets

- 12 The main objectives are to:
- Encourage digital and online access;

- Encourage certain libraries to devolve to partnership delivery with communities;
- Reduce opening hours for libraries where appropriate;
- Share services within the region;
- Reduce infrastructure and staffing in line with the savings and realignment indicated above;
- Continue to support income and commercial growth.

13 Recognising the role of each library in its community, the strategic approach will be based on:

- a) A core offer that is online and virtual providing e-books, transactions and engagement, images of heritage collections and works of art, centred on its Library Management System and Image Leicestershire.
- b) A core offer in libraries that is physical and based around the 16 Market Town and Shopping Centre locations listed in Appendix A with reduced opening hours;
- c) A discretionary physical offer in community managed libraries (the remaining libraries listed in Appendix A), with support from the Council for their initial establishment, ICT, book stock and other services and based on an agreement clarifying responsibilities of the Council (reasonable property and related costs and services) and the community group which would be expected to provide staffing, access, advice, activities and events.
- d) A subsequent review of service infrastructure to accommodate the changes brought about by implementation of the above.

The proposed Community Partnership Model

14 The Council recognises the importance of providing enough support to enable community partnerships to be viable and sustainable into the future. Details of the proposed community partnership model are set out in Appendix B. This will be included in the proposed consultation. It will also be important to ensure that transitional support is available to assist community partnerships to take up this challenge and become fit for purpose going forward.

Options for devolved delivery

15 The service has been researching and keeping in close touch with organisations which have devolved their delivery in different ways. The options for this will be developed through the consultation process and invitations for bids to take over the management of libraries will be sought between September 2014 and January 2015, subject to the outcome of the consultations.

Status Quo

- 16 This is not a viable option. The savings cannot be made if the status quo is maintained.

Devolved Governance

- 17 Options such as community interest companies and partnerships with Parish and Town Councils are the possibilities for devolved governance. These will be explored in terms of sustainability depending on what levels of interest are expressed during the consultation period. Indications of interest thus far are encouraging.

Outsourcing to the private sector

- 18 There are a small number of private companies that may offer to manage libraries on behalf of the Council. Consultation on the MTFS indicated a lack of public appetite in Leicestershire for privatisation. However, there is scope to explore this option further should organisations express an interest in a discussion with the Council.

Consultations

- 19 In September 2013, the County Council consulted on its budgetary priorities in relation to the MTFS. Focus group work indicated that library services were service areas where less money could be spent through an exploration of alternative delivery models.
- 20 A range of related informal engagement activity on aspects of the proposals was undertaken in the autumn of 2012. A summary of the outcomes of this is as follows:
- Overall recognition and understanding of the need to make savings;
 - Libraries recognised for the professional service they provide and seen as being core to communities;
 - Support for the concept of using volunteers to help run small rural libraries, but not without the support of professionally qualified staff;
 - Certain activities could be conducted by non-library employees such as reading groups;
 - The mobile library service was felt to be essential for certain communities;
 - It was felt that mobile services could become less frequent if book allowances/borrowing times increased;
 - The concept of using technology (ie e-books) was not universally liked;
 - Libraries sharing buildings with other organisations – this option received strong support. Although the practicalities of achieving this were noted, it was recognised that long term benefits could be achieved.
- 21 In order to progress further, it was recommended that a formal consultation exercise be undertaken to gather insight around the proposals and to refine

them in order for a full recommendation for implementation to be presented to the Cabinet in September 2014.

- 22 Formal consultation will give an opportunity to provide detailed information around the proposals, give an opportunity to explore any other suggested alternatives than the ones detailed in this report and to ascertain how the citizens of Leicestershire would prioritise future options.

Public

- 23 A public consultation exercise commenced on the 7 April 2014 and will run to the 7 July 2014. The consultation is constructed principally around:
- The proposed new model of library service provision for Leicestershire;
 - A reduction in opening hours at all major libraries.
- 24 Informal meetings are being held with interested local Parish Councils in order to explore their role in supporting community partnerships. Parish Councils can support local communities in a variety of ways. These are summarised in a briefing note attached to this report as Appendix C. It has been recommended that legal advice be sought by any Parish Council planning a pro-active role in any future proposals post September 2014.
- 25 In addition, a full Equalities and Human Rights Impact Assessment (EHRIA) will be undertaken to understand the mitigation required for people with a protected characteristic; this EHRIA work may reflect the need to consider changes in the provision of the mobile library service in order to support communities who may no longer have direct access to a community library service. The questionnaire for Barwell library is attached to this report as an example of how this may be taken forward (Appendix D).
- 26 The consultations involve the following components:
- Information and bespoke documents outlining the details of the proposals available on-line, as paper copy and in easy read format.
 - Data sheets with information and proposals for each library available electronically and in hard copy.
 - Survey form accessible through the County Council's website.
 - Hard copy freepost survey form available in all library service points and on request via dedicated telephone number.
 - 36 facilitated public consultation meetings at or near each of the community libraries.
 - 32 "speak to a manager" drop-in sessions – two at each of the 16 libraries for which changes in opening hours are proposed.
 - Four Community Partnership Library workshops to enable interested people and groups to further explore the detailed proposals with regards to partnership libraries.
 - A variety of venues and times to facilitate access by a wide cross section of the public.

- Four focus group workshops with library users - two with younger people and two with older people.
- Dedicated e-mail account and telephone number for the consultation.

27 The consultations have been highlighted to:

- The general public;
- Library users;
- Organisations with an interest in the delivery of library services.
- All Leicestershire District and Borough Councils;
- All Leicestershire Parish Councils;
- Arts Council England;
- The Big Lottery.

Staff

28 Staff have been consulted on the proposals by:

- Providing access to the on-line information and on-line survey form (hard copy survey form where appropriate);
- Staff meetings across the county;
- Regular engagement with staff representatives notably UNISON;
- Staff will have the opportunity to comment on the service proposals as they develop, before final decisions are made.

29 Should some, or all of the proposals be agreed by Cabinet following its consideration of the consultation feedback, then a further 30 or 45 day (as appropriate) consultation will be undertaken with affected staff.

Timetable

30 In order to achieve the savings within the budget set for 2014/15 it will be necessary to adopt the following decision making timetable.

<u>Action</u>	<u>Date</u>
• Cabinet – authorisation of staff and public consultation on the proposals	5 March 2014
• Start of 90 day staff and public consultation. Consultation events to be held during this period	7 April 2014
• Adults and Communities Overview and Scrutiny Committee consideration of the proposals	10 June 2014
• Analysis of Feedback starts	7 July 2014
• Adults and Communities Overview and Scrutiny Committee to consider emerging proposals	2 September 2014
• Cabinet – Final decision on the future of community library services	12 September 2014
• Start of implementation process	September 2014

- Invitations for Community Library expressions of interest issued September 2014
- Final deadline for receipt of business cases for Community Managed Libraries 3 January 2015
- Implementation of Community Managed Libraries or alternative arrangements for service delivery. The timeline will be flexible to allow for early implementation of individual community partnerships as appropriate. April-June 2015

Resource Implications

- 31 The savings requirement for libraries approved by the County Council on the 19 February 2014 is as follows:

	14/15	15/16	16/17	17/18
	£000	£000	£000	£000
“S.37 Reduction in Funding for Community Libraries and review of other library services	170	640	800	800

- 32 This is part of an overall savings reduction amount to £1.91m in total by 2016/17 in the Communities and Wellbeing service area.
- 33 Due to timescales associated with both the public consultation and partnership negotiations the majority of the 2014/15 savings for libraries are expected to slip into 2015/16. The balance of the 2014/15 savings target will be met by an earlier than anticipated implementation of changes to the Communities and Wellbeing infrastructure.
- 34 The scale of future library savings achieved will be dependent upon the interest and speed of any community partnerships that come forward as a result of the consultation and a mandate given to progress with the proposals.
- 35 Data and usage information for libraries has been provided as part of the public consultation. These can be found via the following links:
- http://www.leics.gov.uk/16_libraries.pdf
- http://www.leics.gov.uk/36_community_libraries.pdf
- 36 The Director of Corporate Resources and the County Solicitor have been consulted on the contents of this report.

Timetable for Decisions

- 37 The MTFs was approved by the County Council at its meeting on the 19 February 2014. It identifies the reduction in the library budget that needs to be made during the period 2014-18. In order to achieve the reductions identified, it will be necessary to implement the necessary changes from Spring 2015.

- 38 A report detailing the outcome of the consultation exercise will be submitted to the Cabinet in September 2014.

Conclusion

- 39 The proposed redesign of library service provision creates an opportunity to realign these services within the resources available beyond 2016, whilst not compromising the Council's statutory library obligations.
- 40 It will give the opportunity for communities and other organisations to work together to decide what services they need for the future in their local area.

Background Papers

- Report to Cabinet: 5 March 2014 – Consultation on proposals for changes in the delivery of Community Library Services
[http://politics.leics.gov.uk/Published/C00000135/M00003988/AI00037201/\\$4communitylibraryservices.docA.ps.pdf](http://politics.leics.gov.uk/Published/C00000135/M00003988/AI00037201/$4communitylibraryservices.docA.ps.pdf)
- Report of the Cabinet to the meeting of the County Council on 19 February on the Medium Term Financial Strategy 2014/15 to 2017/18.
[http://politics.leics.gov.uk/Published/C00000134/M00003961/AI00037151/\\$5aBudgetReportoftheCabinet.docx.pdf](http://politics.leics.gov.uk/Published/C00000134/M00003961/AI00037151/$5aBudgetReportoftheCabinet.docx.pdf)
- Arts Council England: Envisioning the Library of the future
<http://www.artscouncil.org.uk/google-search/?q=envisioning+libraries+of+the+future>

Circulation under the Local Issues Alert Procedure

- 41 The Cabinet reported dated the 5 March 2014 was circulated to all members of the Council via the Members' News in Brief.

Officers to Contact

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Nigel Thomas, Head of Service (Communities and Wellbeing)
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List of Appendices

- Appendix A Libraries affected
- Appendix B Proposed Community Partnership Model for Leicestershire Community Library Services
- Appendix C Briefing Note on Parish Council Role
- Appendix D Barwell Library Equality and Human Rights Impact Assessment questionnaire

Relevant Impact Assessments

Equal Opportunities Implications

- 42 The Council's duty under the Human Rights and Equality Act needs to be taken into account when coming to any decision. An initial EHRIA questionnaire has been undertaken using Barwell Library as an example and is attached at Appendix D. The approach that we have adopted is to assess Equality and Human Rights implications using data covering the services, resources, users and attendees at events offered at Barwell Library during 2012/13. The intention is to highlight the potential impacts that would need to be addressed by mitigation should Barwell Library be faced with closure (but in no way pre-empts such an outcome).
- 43 Research data included as appendices provides an idea of how library provision could be optimised across the County by a number of priorities which include the Equality protected groups of Age (older), Age (younger), Health, Gender and Ethnicity. It is clear from the questionnaire that full EHRIAs will have to be undertaken, where any library cannot be satisfactorily run by alternative means, eg community managed. This will evolve over the course of the consultation period.
- 44 In addition, a community analysis will be produced and submitted to the Cabinet prior to any final decisions about the service being taken.

Partnership Working and Associated Issues

- 45 The consultation on the recommended strategy is anticipated to be sensitive and will require extensive discussion with a range of national and local stakeholders.

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APPENDIX A**LEICESTERSHIRE LIBRARIES AFFECTED****Market Towns**

Melton Mowbray
Market Harborough
Oadby
Wigston
Coalville
Hinckley
Loughborough

Shopping Centres

Ashby
Birstall
Blaby
Broughton Astley
Earl Shilton
Glenfield
Lutterworth
Shepshed
Syston

Community Libraries

Anstey
Asfordby
Barrow
Barwell
Bottesford
Braunstone Town
Burbage
Castle Donington
Cosby
Countersthorpe
Desford
East Goscote
Enderby
Fleckney
Glenhills
Great Glen
Groby
Hathern
Ibstock
Kegworth
Kibworth
Kirby Muxloe
Leicester Forest East

Market Bosworth
Markfield
Measham
Mountsorrel
Narborough
Newbold Verdon
Quorn
Ratby
Rothley
Sapcote
Stoney Stanton
Sileby
South Wigston
Thurmaston

**PROPOSED COMMUNITY PARTNERSHIP MODEL FOR
LEICESTERSHIRE COMMUNITY LIBRARY SERVICES**

Community partnerships will be set up with bodies that are legal entities. These could be existing public sector organisations such as Town and Parish Councils, private sector companies such as post offices, the voluntary sector, or community organisations that are set up as a form of trust or other 'not for profit' organisation.

Based on a Service Level Agreement (SLA), the partnership body and the County Council would agree the minimum level of library service to be provided by the partnership in exchange for an identified level of support from the County Council.

Premises

The library service could be delivered either from the existing building or another building as long as the agreed minimum level of service continues to be provided, as would be detailed in an agreement to be drawn up between the Council and organisation.

For library freehold premises these will be leased on an internal repairing basis for a term of not less than 10 clear years, which will enable bids for external funding to be made. The lease will be initially at a peppercorn rent payable to the Council, with a Council contribution to reasonable directly related property operating costs for an initial period of up to five years.

Reasonable property operating costs will include head rent (where applicable), electricity, gas, buildings insurance, water and rates.

There will be an expectation that where the legal body running the library secured charitable status allowing it to claim rate relief, then this relief would then be reflected in a reduction in the contribution towards running costs paid by the County Council.

Where a library is relocated into an organisation's own building then a contribution to reasonable directly related operating costs will be made as above to a maximum of the amount currently paid. There is an expectation that where rate relief is sought then this relief would then be reflected in a reduction in the contribution towards running costs paid by the Council.

Staffing

The partnership would provide all staffing resources, presumed to be volunteers, to meet the minimum number of opening hours agreed. The Council would provide initial and refresher training in appropriate ICT and other systems to all volunteers free of charge. The Council would also provide access to professional advice by phone, email, web based resources and by visits.

ICT Support will be via the Council's helpdesk for the equipment identified in the SLA.

ICT infrastructure

The Council would provide the Library Management System (LMS) – (for computerised loan issue and returns) including one LMS PC within the existing library premises.

The Council will provide a minimum of one public access PC to include access to the 'virtual' library on-line resources. Additional PC's for public access may be provided subject to negotiation but not exceeding the current provision.

Wifi access will be provided.

Bookstock – The Council will loan library book stock to a level appropriate to the levels of service being provided.

Other Equipment

The Council will provide use of existing fixtures and fittings such as shelving, tables, chairs and counters. This would not include any costs of repairs or replacement which would be the responsibility of the community partnership.

Transition Costs

A one off grant could be available to support any reasonable costs incurred in setting up the service dependent upon the submission of a satisfactory business case. The actual amount would be dependent upon the nature of the work required but examples could include minor alterations to buildings to enable the service to be provided and/or the fees involved in setting up a trust or other legal entity.

Insurance

The Council will be responsible for insuring the fabric of the building. The partnership would be responsible for arranging insurance cover for the loaned book stock.

The partnership body would be required to take out public liability insurance with a minimum cover of £10 million. Guidance on how to arrange suitable insurance will be issued.

APPENDIX C**Note to Elected Members with regard to the position of Parish Councils and the management of Public Libraries.****Background**

1. This note has been prepared in response to a number of queries relating to the role that Parish Councils can play in supporting the development of public libraries that may be managed by local communities. The note has been prepared with advice from Legal Services.
2. On April 7th the County Council began a three month public consultation period with residents and stakeholders to consider proposals to enable local communities to play a greater role in the management of the network of 36 local community libraries, with support from the County Council.
3. In the lead up to the consultation, the County has been engaged in informal discussions with interested Parish Councils who have wished to explore the role that they might play in managing the libraries.
4. This note seeks to clarify the role that Parish Councils can play in supporting the County Council proposals outlined in the consultation.

Summary

5. Although there is no explicit legal power to do so, Parish Councils can play a role in supporting library provision through the General Power of Competence under Section 1 of the Localism Act 2011.
6. In all cases, Parish Councils should satisfy themselves that they have the power to do so and are advised to take appropriate legal advice before any decisions are taken in relation to their involvement in library provision..

General Powers of Competence

7. In order to gain the General Power of Competence, the Parish Council must resolve annually at a meeting that it meets the criteria for eligibility. The criteria are:
 - That two thirds of the Parish Council must have been elected (as opposed to being co-opted or appointed)
 - The clerk should hold one of a list of specified qualifications.

8. However, for those parish councils which do not meet the requirements to be an “eligible council “ under the Localism Act in relation to the general power of competence, there must be some doubt concerning their powers in relation to library services..

Other options which may be available to a Parish Council

9. Parish councils also have a number of specific powers which could be of assistance depending on the detail of proposals in each case. For example:
- under section 133 of the Local Government Act 1972, parish councils have the power to provide, or “contribute towards the expenses of” the provision of “buildings to be used for public meetings and assemblies”. If this use is part of a multi-purpose building including a library, then this power could be used to support a community organisation which could then run the library service and other services from the facility;
 - Parish Councils could consider relying on the residual power in section 137 of the Local Government Act 1972 to incur expenditure “in the interests of their area ... or any part of it”, but this power is subject to strictly defined financial limits
 - under section 144 of the Local Government Act 1972, parish councils may provide facilities for conferences, trade fairs, and exhibitions, or may encourage any other person to do so;
 - under section 19 of the Local Government (Miscellaneous Provisions) Act 1976, a parish council may provide “such recreational facilities as it thinks fit” including the power to charge (or not) for such provision, and to supply “assistance of any kind”. Provision of a Reading Room would appear to fall to be considered “a recreational facility”.

Conclusion

10. There are a number of ways in which a Parish Council may be able to play an active role in supporting and enabling communities to manage their local libraries through either the General Powers of Competence (which is more targeted at the Parish Council themselves running the library) or through one of the other powers mentioned in paragraph 9 above where they might play an enabling and supporting role. In either case, it cannot be stressed enough that they should take their own legal advice before any decisions are made in respect of library provision.

Officer to Contact

Nigel Thomas

Head of Service: Communities and Wellbeing Service

Tel: 0116 3057379

E-mail: nigel.thomas@leics.gov.uk

N.B.

1. This note is provided for the benefits of Members in their capacity as County Councilors. The views expressed are not to be taken by any Parish Council as a statement of the law as it applies to them. Separate legal advice should be obtained by any Parish Council as to its powers to act.
2. One option not discussed above as far as the County Council is concerned may be for the authority to delegate its functions in relation to the provision of Library Services to the Parish council which it could do in accordance with arrangements made under section 9EA of the Local Government Act 2003. The issue would remain however for the Parish Council as to under what power it would incur any expenditure above and beyond any funding provided by the County Council. The only possibilities would appear to be those considered above.

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APPENDIX D

Equality & Human Rights Impact Assessment (EHRIA)

This Equality and Human Rights Impact Assessment (EHRIA) will enable you to assess the **new, proposed or significantly changed** policy/ practice/ procedure/ function/ service** for equality and human rights implications.

Undertaking this assessment will help you to identify whether or not this policy/ practice/ procedure/ function/ service** may have an adverse impact on a particular community or group of people. It will ultimately ensure that as an Authority we do not discriminate and we are able to promote equality, diversity and human rights.

Before completing this form please refer to the EHRIA [guidance](#), for further information about undertaking and completing the assessment. For further advice and guidance please contact your Departmental Equalities Group or equality@leics.gov.uk

***Please note: The term 'policy' will be used throughout this assessment as shorthand for policy, practice, procedure, function or service.*

Key Details	
Name of policy being assessed:	Barwell Library
Department and Section:	Communities & Wellbeing
Name of lead officer/ job title and others completing this assessment:	Chris Housden (Equalities Officer)
Contact telephone numbers:	0116 3056947
Name of officer/s responsible for implementing this policy:	Nigel Thomas
Date EIA assessment started:	November 2013
Date EIA assessment completed:	

Section 1: Defining the policy

Section 1: Defining the policy

You should begin this assessment by defining and outlining the scope of this policy. You should consider the impact or likely impact of the policy in relation to all areas of equality, diversity and human rights, as outlined in Leicestershire County Council's Equality Strategy.

1 What is new or changed in this policy? *What has changed and why?*

Leicestershire County Council's Library Service is subject to a significant reduction in funding and as a result all related services are subject to review. As a means of identifying the key factors that will require consideration, this EHRIA explores the potential Equality impacts of the closure of a community library, using Barwell as an example but by no means pre-empting that particular outcome. It may well be that mitigation will require LCC to consider alternatives to closure if other means are insufficient to meet the Public Sector Equality Duty (PSED).

The following detail on services, opening hours and resources held at Barwell Library reflect what is currently on offer.

Barwell Library is located on the ground floor of the George Ward Centre, in a Housing Estate close to the village centre. It has (as of July 2013) the following facilities and services:

Automatic doors	Local Studies and Family History
	Children's Area
Audio/Talking Books	Children's story tapes/CDs
DVDs	Bookstart
Reference Books Information Services	Parent-led Story time
Access to courses/classes	Photocopier
Newspapers	Scanner
Local / Tourism information	Printer
Study space / Homework help	<u>Wi-Fi</u>
Exhibition/Display space?	Internet Taster Sessions
Housebound reader service	Computer suite

Free Access to ICT

The Library holds the following information specific to the locality:

Information about the local community including borough and county information

Books and village file on Barwell

Census returns and parish registers

Ancestry Library Edition

Find My Past (Library Edition) is available in this library free of charge to do family history research.

Current opening hours:

Monday	Closed all day .
Tuesday	10am - 1pm 2.30pm - 7pm
Wednesday	Closed am 2.30pm - 5pm
Thursday	Closed am 2.30pm - 5pm
Friday	Closed all day .
Saturday	10am - 1pm Closed pm

The Library Plan this year offers the following:

- Provide free Bookstart Treasure Bags
- Summer Reading Challenge
- Provide an up-to-date quality book stock
- Have a website that is up-to-date and attractive
- Provide online and printed reference material
- Deliver the national 24/7 Enquire Service
- Provide free internet taster sessions
- Provide study support for children and young people
- Support Reading Groups
- Support Job Seekers
- Deliver a Home Library Service
- Offer opportunities for volunteering
- Work with partners to improve services
- Continue to promote community use of the library
- ICT classes (run by LALS)
- Employment skills classes (LALS)
- Consult with customers

2	<p>Does this relate to any other policy within your department, the Council or with other partner organisations? <i>If yes, please reference the relevant policy or EHRIA. If unknown, further investigation may be required.</i></p> <p>Barwell is part of LCC's library service network. As well as its primary purpose of lending books , it is an information resource for a range of services provided by the council and offers support to users of outside agencies such as Job Seekers.</p> <p>As part of the government's Welfare Reform programme, the Department for Work and Pensions (DWP) is developing on-line claims as a more efficient and cost-effective means of delivering benefit payments. The DWP nationally has highlighted the importance of computer access in public libraries as an important means of supporting this programme. This will be of particular importance in rural locations.</p> <p>Information and Advice provision by local authorities is a component of the current Care Bill. Libraries are an important outlet, particularly for written, published, and on-line information, and will play an important role in delivering this new responsibility.LCC's Policy for Library provision is determined by National legislation, contained in the <i>Public Libraries and Museums Act 1964</i>.</p> <p>Under the Act, public library service provision is a statutory duty for local authorities. The requirement is to provide a comprehensive and efficient public library service. To comply with the Act, local authorities must:</p> <ul style="list-style-type: none"> • Promote a comprehensive and efficient library service for all persons in the area that want to make use of it (Section 7) • Promote the service (Section 7(2)(b)) • Lend books and other printed material free of charge for those who live, work or study in the area. (section 8(3)(b)) <p>The Government superintends the work of Councils, and has a duty to:</p> <ul style="list-style-type: none"> • Oversee and promote the public library service (Section 1(1)) • Take action where a local authority fails to perform its duties (Section 10)
3	<p>Who are the people / groups (target groups) affected and what is the intended change or outcome for them?</p> <p>Potentially everyone in the locality who uses the library, or may do so in the future. Other groups such as local schools, and individuals looking for</p>

volunteering opportunities may also be affected.

2012/13 data on users:

The total number of visitors was 30,125, of which 1,039 were active borrowers, the 11th highest figure of the 36 Community libraries. As of 31/12/2013, there were 1,404 live members, broken down in age range as follows:

Age band	number
0-4	112
5-11	507
12-17	103
18-29	105
30-49	281
50-64	124
65+	172

The two highest age groups as a percentage of total members are 5-11 (36%) and 30-49 (20%). Just over half of the total is under 18.

There were 264 attendees at 14 events in the library, and 138 attendees at ICT learning sessions.

Barwell has the 3rd highest number of individual PC users out of the 36 Community Libraries.

Articulating information for different target groups to enable informed decisions can be presented in a number of ways, using different data. Examples might be:

1. Households without a car
2. People who are unemployed
3. People whose daily activities are limited by poor health
4. People aged 65 and over
5. People aged 11 and under
6. People without a qualification

Work is continuing to establish a robust set of information for each location

Transport links.

The nearest main library is Hinckley. The distance between the Hinckley and Barwell Libraries is 3.02 miles by road. The 158 Arriva service from Barwell Square to Hinckley bus station runs every 30 minutes during current library opening hours (weekdays and Saturday mornings) and the journey takes 12 minutes. This may impact on some protected groups, e.g young people, old people people with disabilities.

Will this policy meet the Equality Act 2010 requirements to have due regard to the need to meet any of the following aspects? **(Please tick and explain how)**

	Yes	No	How?
--	-----	----	------

	Eliminate unlawful discrimination, harassment and victimisation		X	
	Advance equality of opportunity between different groups	X		The Library seeks to provide free reading and audio material to groups who may not otherwise have access, such as children from low income families. Library services are also made available to people with restricted mobility, via the Home Library Service.
	Foster good relations between different groups	X		The library is open to everyone and helps to attract people from different backgrounds to the wider opportunities offered within the Community Centre.

Section 2: Equality and Human Rights Impact Assessment (EHRIA) Screening

Section 2: Equality and Human Rights Assessment Screening

The purpose of this section of the assessment is to help you decide if a full EHRIA is required.

If you have already identified that a full EHRIA is needed for this policy/ practice/ procedure/ function/ service, either via service planning processes or other means, then please go straight to [Section 3](#) on Page 7 of this document.

Section 2

A: Research and Consultation

5.	Have the target groups been consulted about the following?	Yes	No*
	a) their current needs and aspirations and what is important to them;		X
	b) any potential impact of this change on them (positive and negative, intended and unintended);		X
	c) potential barriers they may face		X
6.	If the target groups have not been consulted directly have representatives been consulted or research explored (e.g. Equality Mapping)?		X
7.	Have other stakeholder groups/ secondary groups (e.g. carers of service users) been explored in term of potential unintended impacts?		X
8.	*If you answered 'no' to the questions above and feel that consultation is not necessary, please use the space below to explain why.		
	Consultation will be an essential part of assessing local need, what the library does to meet this, and how it might be met in the future. This will take account of the needs of different groups and of access and deprivation issues. The opinions of local people are essential in collecting this data. Consultation with all stakeholders will take place when realistic proposals for the future of the library have been established in the context of the County-wide service.		

Section 2

B: Monitoring Impact

8.	Are there systems set up to:	Yes	No
	a) monitor impact (positive and negative, intended and unintended) for different groups;	X	
	b) enable open feedback and suggestions from different communities	X	

Note: If no to Question 8 you will need to ensure that monitoring systems are established to check for impact on the protected characteristics.

Section 2

C: Potential Impact

9.	Use the table below to specify if any individuals or community groups who identify
----	--

with any of the ' protected characteristics ' may potentially be affected by this policy and describe any positive and negative impacts, including any barriers.			
	Yes	No	Comments
Age	X		Data for usage by age group is reflected above. It is evident that younger people would be disadvantaged if some of the services were discontinued, such as Parent-led story time, Homework help, Bookstart, Summer Reading Challenge, the children's area and children's audio books, and these could not be provided elsewhere.
Disability	X		If the Home Library Service was discontinued, this would disadvantage people with poor mobility and unable to reach the library unaided. Travelling distances between libraries in a reduced network may reduce access for people with physical mobility difficulties or other problems with travel as a result of mental health conditions or learning difficulties. The public transport links for Barwell to the nearest hub library (Hinckley) are outlined in section 1 (3) above.
Gender Reassignment		X	No disadvantage identified.
Marriage and Civil Partnership		X	No disadvantage identified
Pregnancy and Maternity	X		The library is an information point for women in pregnancy and during maternity. Similar information may be provided elsewhere. Travelling may be difficult for women in advanced pregnancy or with babies, so the comments regarding travelling (listed under disability above), may

				equally apply to this group.
	Race	X		In common with other libraries within the network, Barwell is committed to providing a culturally and racially appropriate range of reading and audio material. This must be retained in any revised provision.
	Religion or Belief	X		As above.
	Sex		X	Nothing identified.
	Sexual Orientation	X		See Race (above).
	Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities	X		The particular needs of Barwell, as determined by its demographic and socio-economic profile will need to be fully analysed to assess the value of the provision to its locality. There are known areas of local deprivation, and Barwell would fit some measures as a disadvantaged community. There is a local Travelling community. There is a relatively high level of unemployment and low skill levels. High levels of substance abuse. Any difficulties specific to Barwell identified from local knowledge or through consultation may inform the EHRIA but may be equally relevant to the Community Assessment to be prepared for Barwell.
	Community Cohesion	X		Many of the services provided (e.g. support for reading groups, promoting community use of the library and the wider George Ward Centre provision) contribute towards the promotion of community cohesion. Barwell Junior School won the

				Summer Reading Challenge in 2011.
10.	Are the human rights of individuals <u>potentially</u> affected by this proposal? Could there be an impact on human rights for any of the protected characteristics? (Please tick)			
	Explain why you consider that any particular article in the Human Rights Act may apply to your policy/ practice/ function or procedure and how the human rights of individuals are likely to be affected below: [NB. Include positive and negative impacts as well as barriers in benefiting from the above proposal]			
		Yes	No	Comments
	Part 1: The Convention- Rights and Freedoms			
	Article 2: Right to life		X	
	Article 3: Right not to be tortured or treated in an inhuman or degrading way		X	
	Article 4: Right not to be subjected to slavery/ forced labour		X	
	Article 5: Right to liberty and security		X	
	Article 6: Right to a fair trial		X	
	Article 7: No punishment without law		X	
Article 8: Right to respect for private and family life	X		The library makes a significant contribution to family life as 1 in 5 local children do not have access to a book at home. Promoting interest in a deprived area in this way nurtures self respect and pride in a locality that may not readily arise from elsewhere.	
Article 9: Right to freedom of thought, conscience and religion	X		Libraries are a vital source of information, particularly for marginalised groups (e.g. from minority cultures) who may not have this readily available from other sources (e.g. local retail outlets). In this sense, the service promotes the rights contained in Article 9.	
Article 10: Right to freedom of expression	X		As for Article 9.	

	Article 11: Right to freedom of assembly and association		X	
	Article 12: Right to marry		X	
	Article 14: Right not to be discriminated against	X		The shortfalls that may occur, as identified for Articles 8 & 9, are more likely to discriminate against certain groups, e.g. BME or people from minority faiths.
Part 2: The First Protocol				
	Article 1: Protection of property/ peaceful enjoyment		X	
	Article 2: Right to education	X		The educational functions of libraries are a strong aspect of their provision, and added value comes from the Summer Reading Challenge, Bookstart, and the study / homework support. It is recognised that this is not part of mainstream statutory education provision, but an important enhancement.
	Article 3: Right to free elections		X	
Section 2				
D: Decision				
11.	Is there evidence or any other reason to suggest that:	Yes	No	Unknown
	a) this policy could have a different effect or adverse impact on any section of the community;	X		
	b) any section of the community may face barriers in benefiting from the proposal	X		
12.	Based on the answers to the questions above, what is the likely impact of this policy? This is to be assessed in a full EHRIA.			
	No Impact <input type="checkbox"/>	Positive Impact <input type="checkbox"/>	Neutral Impact <input type="checkbox"/>	Negative Impact or Impact Unknown <input checked="" type="checkbox"/>
Note: If the decision is 'Negative Impact' or 'Impact Not Known' an EHRIA Report is required.				

13.	Is an EHRIA report required?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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ADULTS AND COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE:
10 JUNE 2014

CONSULTATION ON SNIBSTON PROPOSED FUTURE OFFER

**JOINT REPORT OF THE DIRECTORS OF ADULTS AND
COMMUNITIES AND CORPORATE RESOURCES**

Purpose of report

- 1 The purpose of this report is to seek the views of the Adults and Communities Overview and Scrutiny Committee on the proposed future offer at Snibston based around the mining heritage and colliery assets. These proposals are currently out for public consultation and the Committee is being invited to comment, as part of the consultation process.

Policy Framework and Previous Decisions

- 2 The County Council's overall Medium Term Financial Strategy (MTFS) saving requirement for the period 2013/14 to 2017/18 is £110m. In order to achieve this figure, the County Council has drawn up a programme of deliverable revenue savings across all service delivery areas. The agreed MTFS revenue saving for Snibston is £240,000 per annum from 2015/16 (£60,000 part year in 2014/15).
- 3 The Adults and Communities Overview and Scrutiny Committee, at its meeting on 21 January 2014, considered the draft MTFS proposals including S35 – Redevelopment of Snibston. An extract from the minutes of that meeting relating Snibston is attached as Appendix 1. As part of the MTFS process information was requested by members relating to Contingent Liabilities and Covenants associated with Snibston. This information was included in the budget report to the Council - the responses from the Scrutiny Commission and Committees are attached as Appendix 2.
- 4 At its meeting on 19 February 2014, the County Council agreed the MTFS including the saving proposals in relation to Snibston. The Leader advised the Council that the intention was to consult on the way forward regarding Snibston and that it would be open to anyone or any group with an interest to respond to

the consultation. The Cabinet would give careful consideration to the consultation responses before coming to a view.

- 5 The County Council has a statutory obligation to ensure the maintenance of the Scheduled Ancient Monument (SAM) which forms the historic core of the Snibston site. To date, the Council has invested £1.9m in restoration works with the intention that, as a consequence, English Heritage will agree to remove the SAM from its Buildings at Risk register.
- 6 On the 1 April 2014, the Cabinet noted the findings arising from the analysis of the current and proposed future offer for Snibston and gave agreement to commence with a consultation process on the proposed future offer, with a view to reporting its outcome and a proposed way forward to the Cabinet on 12 September 2014.

Background Context

- 7 The MTFs (2014) includes a proposal to redevelop Snibston with a new offer focused on mining heritage and former colliery buildings. As a consequence, Snibston Museum in its current form would close.
- 8 The current Snibston Museum is the largest in the county-wide network of County Council museums telling the story of Leicestershire over 2,000 years. The permanent and temporary displays showcase the science, industry, design and technology of the county and contribute to the wider heritage of the region.
- 9 The required MTFs (2014) revenue savings in respect of Snibston are £240,000 pa as from 2015/16. In its current form (2013/14), the Snibston Museum is operating at a net annual revenue cost of c£850,000. The deteriorating financial position compared to the net budget of £740,000 largely reflects falling visitor numbers.
- 10 The Snibston colliery site comprises buildings dating from the 19th and 20th centuries and has considerable national as well as local heritage significance. Snibston colliery was originally created by pioneer railway engineer George Stephenson, who acquired the estate in 1829 and opened the Number 1 Pit in 1831. Additional land was bought in 1832 and Number 2 Pit (the surviving colliery) began to produce coal in 1833. Snibston colliery eventually closed in 1983 after running continuously for 150 years. Snibston colliery is representative of the growth of industry in the East Midlands and the sinking of the mines was set against a planned expansion of the railway system, in which George Stephenson was also actively involved.
- 11 Parts of the former Snibston colliery were designated by English Heritage in 1999 as a SAM, shown edged red on the plan in Appendix 3. Snibston colliery is regarded as one of the five most important collieries in Britain that have been

preserved and which are likely to survive into the foreseeable future because they lie in public ownership and are subject to statutory protections.

Additionally, Snibston colliery is unique within this group as the only surviving example of a coal mine modernised post World War Two, housing a nationally important collection of mining machinery, equipment, fixtures and fittings and prototype technologies.

- 12 At a local level, Snibston colliery is a valued part of the mining economy and culture legacy that forged the identity of Coalville and the wider regions of north west Leicestershire and the East Midlands. Snibston colliery is closely associated with the experiences and memories of the local community, a large proportion of whom were engaged in coal production at the site for over a century and a half.

- 13 The County Council has a statutory responsibility, as owner of the property, to preserve the SAM. The Council has recently completed £1.9m investment into ongoing repair works to the colliery buildings which includes works to remove the SAM from the English Heritage 'At Risk' Register. Even if the Council opted to mothball the SAM and colliery assets and cease delivering any form of public access or service other than the continued operation of the Century Theatre, there would be further upfront capital costs, including those relating to the contingent liabilities, in the order of £1.1m and an on-going annual net revenue cost of around £225,000 per annum.

Proposals

- 14 The future proposed Snibston colliery mining museum will be formed around the historic core of the colliery buildings and will focus on the SAM and the associated buildings of interest. The museum will tell the story of the Snibston mine, the people associated with it, and the wider context for coal mining in Leicestershire. In addition to the colliery buildings the physical scope of the offer will include the Century Theatre, the mineral railway line, the play area and car parking facilities as illustrated on the site plan in Appendix 3.

- 15 Museum collections retained for the purposes of the future museum will be either stored or displayed in upgraded accommodation within the existing colliery buildings or within the external areas of the site. All other museum objects that remain within the museum building following the closure of Snibston Museum will be removed from the site and items will either be returned to the Council's museum stores or transferred to alternative accredited museums or non-accredited museum collections/bodies if appropriate.

- 16 The existing main gallery building would be demolished and cleared and land that will be surplus to the future proposed mining museum would be released

for alternative re-development. The existing site access way off Ashby Road will be retained and will be extended to lead to a new car park adjacent to the play area. The original Ashby Road entrance to the colliery may also be incorporated within the design of the new mining museum if compatible with on-site visitor access and circulation. The extension to the existing site access would enable improved access links between the future mining museum and the Country Park including access to the existing surfaced car parking in the Country Park - this could be useful as overflow for the future mining museum. The more effective integration between the mining museum and the Country Park creates opportunities for developing new amenities within the Country Park, subject to business case, such as additional planting, landscaping, pedestrian and cycle routes. The existence of open green space in the form of an improved Country Park is likely to become an increasingly valuable local community facility as the proposed new housing surrounding the Snibston site becomes developed.

- 17 The new mining museum will be open to the public upon the completion of the improvement works and the installation of the new displays and interpretation works to the colliery buildings and the clearance of the former gallery site and external areas. This work is expected to be completed and the new mining museum to be opened to the public by the end of 2015. Visitors to the new mining museum will be able to access the new displays and buildings' interiors via guided tours following a planned route. Educational activities will take place in the Century Theatre. The Theatre itself will continue to be open as at present for community and leisure purposes. Volunteer working and links with the community will be actively developed and there is a possibility that the future museum could be transferred to a suitable community trust/voluntary group. A small entrance fee has been estimated at £3 per adult and £2 per child for the guided tour of the colliery and £3 per adult and £2 per child for a train ride on the mineral line.
- 18 There are various permutations to the possible opening hours and levels of accessibility that could be applied to the future mining museum. Options range from a full-time seven days a week operation offering guided tours, train journeys and educational services to a much reduced model based on opening the museum by special arrangement and for heritage open days only. The delivery option that provides the best fit with revenue funding targets as well as providing an attractive offer to the public is based on the mining museum being open at weekends, bank holidays and during school holidays, providing colliery guided tours and train rides. In addition, educational visits could be arranged on weekdays by prior appointment. The additional net marginal cost of providing an educational visit would be re-charged to the customer.

Resource Implications

- 19 In 2013/14, Snibston was budgeted to cost £740,000 net of all income. However, the forecast position at year end is a net cost of £850,000. The increase of £110,000 is because of a reduction in visitor numbers of circa 10% over the last year and a resulting reduction in income. This is the second year in a row visitor numbers have fallen.
- 20 If no changes are made to Snibston, the steady state net cost is expected to increase in later years to circa £900,000 and if visitor numbers continue to fall costs could increase further.
- 21 The current Snibston Museum gallery building has a significant backlog of maintenance arising from the need for roof and other repairs. Over the next 5 years £2.2m investment would be required to address the priority issues.
- 22 The proposed offer set out in this report would have ongoing steady state revenue costs of circa £350,000. This equates to a saving of £550,000 compared to the steady state status quo. This will exceed the MTFS savings target of £240,000 by 2015/16 with savings of £390,000 forecast to be achieved compared to the budget. There will be transitional costs associated with the proposal. The key ones are set out below:
- Capital investment in the new facility of £1.2m;
 - Contingent liabilities of up to £730,000. These relate to previous grants including the fashion gallery. Discussions will need to take place with the Heritage Lottery Fund and if alternative display in an accredited museum can be agreed, this cost could be mitigated.
 - There will also be transitional costs including those associated with storage and transportation of the existing exhibits. It has not been possible to quantify these at this stage. However, the County Council will seek to minimise costs by working with partners such as the Leicester City Museums service and utilising cost effective storage facilities.
- 23 With regards to capital costs, the current Snibston museum gallery has a significant backlog of maintenance arising from the need for roof and other priority repairs. Over the next 5 years £2.2m investment, including capital works of £1.4m, would be required to address these issues.
- 24 The upfront capital costs will be mitigated by the use of capital receipts from the sale of land and an allowance has been included in estimating the receipts in light of National Coal Board covenants on parts of the site. Discussions will be held with the Coal Authority with a view to reducing the impact of these covenants on capital receipts.

- 25 Comparison of the status quo and the proposed option using discounted cash flow shows that the proposed offer would save £9.4m discounted over a 25 year period.
- 26 There will also be costs associated with storage and transportation of the existing exhibits. It has not been possible to quantify these at this stage. However, the County Council will seek to minimise costs by working with partners such as the Leicester City Museum service and utilising cost effective storage.

Consultations

- 27 A 12 week public formal consultation exercise commenced on the 14 April 2014 and will run until 7 July 2014.
- 28 The detailed consultation and engagement plan is underway and involves:
- Extensive publicity through the media, local publications, Leicestershire Matters, local advertising and targeted mailings and emails.
 - Online information about the proposals;
 - Survey form accessible through the County Council's website and available in hard copy through the museum and by telephone;
 - A dedicated email account for the consultation has been set up, with a telephone number. A number of questions and comments have been received which will be fed into the consultation and analysed
 - Stakeholder meetings with heritage, arts, museum and tourism bodies will take place on 12 and 13 June 2014.
 - A meeting with the Friends of Snibston and Friends of Leicestershire Museums will take place on 16 June 2014.
 - Sessions for season ticket holders and those who have expressed an interest in finding out more about the proposals will take place on 20 June 2014.
 - Consultation events with volunteers and vulnerable groups will take place during June
- 29 On 21 May 2014, around 330 completed surveys had been received.
- 30 Communication and engagement activity continues to target a range of audiences, including:
- Staff;
 - Members;
 - The general public;
 - Education sector;
 - Business community;
 - Organisations with an interest in the delivery of heritage, arts and museums services;
 - Tourism bodies;
 - Season ticket holders;

- Volunteers;
- Friends / interest groups
- Media

31 A further report summarising the outcome of the consultation will be presented to Cabinet on the 12 September 2014.

Staffing and other Implications

- 32 The proposed mining museum offer would deliver substantial revenue savings when compared with the status quo of the current museum and would exceed the MTFS savings target of £240,000 by 2015/16.
- 33 At present Snibston has a forecasted net cost of £850,000 by year end 2013/14. The steady state net cost of continuing with the status quo is expected to increase in later years to circa £900,000 and if visitor numbers continue to fall could increase further.
- 34 The proposed mining museum would have ongoing steady state revenue cost of circa £350,000. This equates to a saving of £550,000 compared to the status quo.
- 35 The proposed mining museum requires a capital investment of £1.2m to create the new facility. In addition, there are contingent liability costs amounting to £730,000 relating to grants including the fashion collection. It may be possible to mitigate these costs if the collections can be re-accommodated in alternative accredited museum facilities, subject to the agreement of the Heritage Lottery Fund.
- 36 The upfront capital costs for the proposed mining museum will be mitigated by the use of capital receipts from the sale of cleared and surplus land. An allowance has been included in estimating receipts for the effect of the National Coal Board covenants. There may be scope to mitigate their impact in discussion with the Coal Authority.
- 37 The discounted cash flow appraisal of the status quo and the proposed mining museum over a 25-year lifecycle period reveals that the proposed offer would save a total £9.4m. As explained above, it would be necessary to deduct the storage and transportation costs relating to the exhibits in the existing Snibston Museum when these are known.
- 38 If the proposal for a new mining museum is implemented there will be implications for the current staff and volunteers, including redundancies. Staff and volunteer feedback will form part of the consultation. An appropriate action plan would be drawn up with further consultation with staff in due course.

- 39 A full Health and Safety report and action plan would also be undertaken and any additional requirements that have not already been anticipated and allowed for would need to be incorporated.

Timetable for Decision (including Scrutiny)

- 40 The consultation commenced on the 14 April 2014 and will run until the 7 July 2014. The outcome of the consultation and proposed way forward will be submitted to the Cabinet on 12 September 2014. The papers for the Cabinet meeting will be published on Friday, 5 September and should the Committee wish to do so it could meet before the Cabinet meeting to consider the report and submit any additional comments it may have to the Cabinet.

Conclusion

- 41 The proposed mining museum would deliver considerable revenue savings when compared with the current Snibston Museum and would exceed the required MTFS savings targets. The net capital cost of the proposed mining museum is less than the capital investment required to continue with the current Snibston museum but it should be noted that there would be additional upfront costs, that remain to be quantified, associated with the transportation and storage of exhibits displaced through the closure of Snibston Museum.
- 42 As owner of the Snibston colliery assets the County Council has unavoidable fixed capital and annual revenue costs associated with keeping the site safe, maintaining the buildings and preserving the SAM. Going a step further and providing a new mining museum around these colliery assets means that the public can continue to have access to these buildings and exhibits and the mining heritage and history are not lost. The additional net steady state revenue cost of creating this visitor experience is £125,000 pa.

Recommendations

- 42 The Committee is invited to submit any comments it may have on the proposed future offer at Snibston based around the mining heritage and colliery assets which will be taken into account as part of the consultation process.

Background Papers

- Adults and Communities Scrutiny Committee on 21 January 2014
[http://politics.leics.gov.uk/Published/C00001040/M00003910/AI00036718/\\$MTFS.docxA.ps.pdf](http://politics.leics.gov.uk/Published/C00001040/M00003910/AI00036718/$MTFS.docxA.ps.pdf)
- Cabinet on 4 February 2014
[http://politics.leics.gov.uk/Published/C00000135/M00003987/AI00036934/\\$MTFSCabinetReport4Feb2014.docA.ps.pdf](http://politics.leics.gov.uk/Published/C00000135/M00003987/AI00036934/$MTFSCabinetReport4Feb2014.docA.ps.pdf)

- County Council on 19 February 2014
[http://politics.leics.gov.uk/Published/C00000134/M00003961/AI00037151/\\$5aBudgetReportoftheCabinet.docx.pdf](http://politics.leics.gov.uk/Published/C00000134/M00003961/AI00037151/$5aBudgetReportoftheCabinet.docx.pdf)
- Cabinet on 5 March 2014
[http://politics.leics.gov.uk/Published/C00000135/M00003988/AI00037286/\\$5consultationonfutureofsnibston.docA.pdf](http://politics.leics.gov.uk/Published/C00000135/M00003988/AI00037286/$5consultationonfutureofsnibston.docA.pdf)
- Cabinet on 1 April 2014
<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MIId=3989&Ver=4>

Circulation under the Local Issues Alert Procedure

The Cabinet report dated the 1 April 2014 was circulated to Dr T Eynon CC as local member. A copy was also sent to County Councillors representing the area covered by North West Leicestershire District Council. A similar circulation is proposed for this report.

Officer(s) to Contact

Mick Connell, Director of Adults and Communities
Tel: 0116 305 7454 Email: mick.connell@leics.gov.uk

Brian Roberts, Director of Corporate Resources
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Equal Opportunities Implications

40 The Council's duty under the Equality Act needs to be taken into account when coming to any decision. An impact assessment of the proposals has been undertaken (Appendix 4). It is clear from the impact analysis that a range of groups/individuals has been identified as being impacted by the proposed model and also a range of mitigating factors to address these impacts has also been considered. This impact analysis will be reviewed in light of the public consultation to produce a revised analysis prior to any final decisions about the service being taken.

List of Appendices.

Appendix 1 – Extract from the minutes of the Adults and Communities Overview and Scrutiny Committee: 21 January 2014

Appendix 2 – Information requested on Contingent Liabilities and Covenants associated with the redevelopment of Snibston

Appendix 3 - Site Plan

Appendix 4 - Equality and Human Rights Impact Assessment

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**EXTRACT FROM THE MINUTES OF THE ADULTS AND COMMUNITIES
OVERVIEW AND SCRUTINY COMMITTEE HELD ON 21ST JANUARY 2014****Communities and Wellbeing – Service Reductions**

- (i) Item S35 – Redevelopment of Snibston - At the request of the Chairman, Mr Voller, Lead Petitioner, addressed the Committee. He requested the Council to reconsider the current proposal which would see a refocusing of the Snibston offer on mining and the scheduled ancient monument. He drew attention to the fact that approximately 48% of the 8047 signatories to the petition resided in the Coalville area and that Snibston was an important local facility. He urged the Council to consider alternatives including partnership options, which would see the retention of Snibston on the current basis.

The Committee also noted a written submission made by the local member, Dr T Eynon CC, a copy of which is attached to these minutes.

In reply to questions and comments the Committee was advised as follows:-

- The significant financial pressures facing the County Council had meant that all services of the Council needed to look critically at how they operated and make a contribution to savings requirements;
- The proposals to refocus on mining and the scheduled ancient monument and to reduce the current level of subsidy provided to Snibston Museum would be worked up in greater detail over the coming weeks once the Council had agreed the budget proposals;
- The detailed proposals setting out the proposed new 'Snibston offer' would be the subject of consultation with local community and other interested parties and there would be an opportunity for elected members to contribute to the debate prior to a decision being taken. This further work would include details about the cost of operating the future offer as well as any costs that would be incurred in terms of repayment of Heritage Lottery Fund grants and any costs that would arise from securing the museum's collections. This information together with details of the agreement reached with the National Coal Board regarding the use of the land would be made available to members prior to the meeting of the Scrutiny Commission;
- The County Council had a good track record of working with volunteers and local communities and as part of the consultation on the future of Snibston interested community groups and organisations would be asked to put forward proposals of their own

if they wished. Any such proposal received would be evaluated and would have to demonstrate that it was sustainable.

The Committee expressed the view that given that a significant number of Coalville residents had signed the petition and there was a clear view emerging that Snibston was a valuable local resource, North West Leicestershire District Council should, as a number of other District Councils had done, provide financial support for their local museum. It was noted that the District Council would be debating the matter later in the day.

“It was moved by Mr Sharp and seconded by Mr Charlesworth:-

- (a) That the attention of the Cabinet be drawn to the petition containing 8047 signatures of people requesting the County Council to honour its civic duty and continue to manage and fund this important local heritage site and resource for learning;
- (b) That, whilst accepting the requirement to make the savings identified, the Cabinet be asked to defer the current working assumption to refocus the existing Snibston offer on mining and the Scheduled Ancient Monument and to work with the Friends of Snibston over the next twelve months to develop an on-going and sustainable solution which will retain the existing Snibston offer within the new reduced financial envelope now proposed.”

The motion was put and not carried, four members voting for the motion and five against.

(The Committee was advised that in line with normal practice the contents of the resolution above, which was not carried, would be drawn to the attention of the Cabinet.)

INFORMATION REQUESTED AT THE MEETING
(\$35) – REDEVELOPMENT OF SNIBSTON

Contingent Liabilities

The main contingency liabilities to date associated with Snibston from the Heritage Lottery Fund are as follows:

- The Fashion Gallery – Capital grant - 25 year legacy expires 2030.
Maximum liability £680,000 (if tapered £435,000 repayable assuming declining balance),
- Mine of Memory – Revenue Grant - 10 year legacy expires 2017
Maximum liability £50, 000 (if tapered £15,000 repayable assuming declining balance),

The Heritage Lottery Fund contract indicates that, should the agreed purposes of the bid not be fulfilled, HLF could request “the grant or a lesser amount” to be repaid.

With regard to the Fashion Gallery, should this be displayed at another accredited museum which delivers the same outcome (i.e. visitor numbers) the liability might not arise.

Covenants

A copy of the HM Land Registry entry, which is publicly available, is attached below.

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THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 8 OCT 2013 AT 15:21:06. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN THE REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY LAND REGISTRY, LEICESTER OFFICE.

TITLE NUMBER: LT175404

There is no application or official search pending against this title.

A: Property Register

This register describes the land and estate comprised in the title.

LEICESTERSHIRE : NORTH WEST LEICESTERSHIRE

- 1 (16.06.1986) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Snibston Discovery Park, Ashby Road, Coalville (LE67 3LN).
- 2 The mines and minerals together with ancillary powers of working are excepted.
- 3 The Conveyance dated 27 March 1986 referred to in the Charges Register is expressed to grant the following right:-

"TOGETHER WITH the right of way set out in the Second Schedule

SECOND SCHEDULE

Right of Way granted to the Council

The right (in common with the Board its servants Agents Licensees and all other persons entitled to a like right) with or without vehicles so far as may be necessary to ingress to and egress from the Property over and along the access road coloured brown on the plan ("the Access Road") or along such other access road the exact route to be agreed by the parties hereto and the approximate position of which is indicated on the plan and such Road to be constructed to the standard of the Highways Authority by the Council at its own cost) SUBJECT TO the Council paying a proportion of the expense incurred by the Board in repairing rebuilding cleansing and maintaining the Access Road as provided in the Fifth Schedule PROVIDED ALWAYS THAT during the continuance of the Lease between the Board and the Council referred to in Part III of the Fourth Schedule the Council shall not exercise the rights set out in this Schedule without the prior approval of the Colliery Manager

FOURTH SCHEDULE

III

Lease to which the Property is sold subject to and with the benefit of

Date	Parties	Term	Rent
11.4.1979	The Council (1) The Board (2)	2 years from the date hereof"	£11,023 p.a.

NOTE: The access road coloured brown referred to is tinted brown on the filed plan.

- 4 The Conveyance dated 27 March 1986 referred to in the Charges Register contains the following exceptions and reservations:-

"EXCEPTING AND RESERVING to the Board as set out in the Third Schedule

Title number LTi75404

A: Property Register continued

THIRD SCHEDULE

Exceptions and Reservations in Favour of the Board

I

All interests of the Board in any mines (other than the shafts) beds and seams of coal and other minerals (so far as the other minerals are not now vested in the Board's predecessors in title) in or under the Property with all necessary rights powers and easements for searching for winning working getting and carrying away by underground operations the said coal and other minerals and any other coal or other minerals in which the Board has any interest including the right to drive occupy and use roadways and other works in the strata under and adjacent to the Property and also under and adjacent to the shafts or in or through the shafts and any fillings thereof without any obligation to leave subjacent or lateral support for the shafts or for the fillings caps or plugs thereof or for any building structure or works erected or placed in or over the same and the right to let down the surface of the Property and any building structure or works now or hereafter erected constructed or placed on or in the Property and except as provided by the Coal Mining (Subsidence) Act 1957 the Board shall not be liable to make good or pay compensation for any damage or loss whatsoever caused directly or indirectly by any mining or other operations in under or adjacent to the Property carried out by the Board or any other person whether before or on or after the date hereof

II

All coal and other minerals (so far as the same are not now vested in the Board's predecessors in title) colliery waste and red shale now lying in or on the property

III

Full and free right for the Board and its respective servants and agents and all other persons authorised by it to enter upon the Property to inspect the tip comprised in the Property and to carry out and perform in on or in the vicinity of the Property all of such works and operations as are in any way relevant to the performance in relation to the said tip of the obligations imposed upon the Board and its servants by Part I of the Mines and Quarries (Tips) Act 1969 (hereinafter called "the Tips Act" which expression where appropriate shall include statutory modification replacement or re-enactment thereof) and the regulations made or to be made thereunder PROVIDED that the right and liberty by this clause reserved shall cease to have effect from the date of the making of an Order under Section 2(3)(b) of the Tips Act in respect of the tip comprised in the Property

IV

A right of way for the Board its Servants Agents and Licensees (in common with the Council and all other persons entitled to the like right) at all times and for all purposes with or without vehicles to use the existing roadway (in its existing condition) adjoining the boundary of the property through the gate at the point marked "G" on the plan to the point marked "D" on the plan the Board paying the Council a fair and proportionate part of maintaining the same according to user

V

(1) The right to the free passage and running of water soil gas electricity and other services from and to any adjoining or neighbouring land of the Board through the property through and along the service installations which now or hereafter may serve the Property and the retained land together with all easements rights and privileges over the Property necessary and proper for inspecting cleaning repairing and reinstating the same

(2) The right for the Board and any appropriate County and District Council Electricity Board and other Statutory or Public Authority or Undertaker and their respective servants agents and licensees to enter

Title number LT175404

A: Property Register continued

upon the Property on giving reasonable notice for (except in the case of emergency) the purpose of laying making inspecting cleaning repairing maintaining and reinstating any Service Installations for the use of any adjoining or neighbouring land of the Board and to connect to the same and to use any Service Installations on or under the Property but so that the persons so entering and carrying out any such work shall at their own cost forthwith make good all damage thereby occasioned and shall restore the Property to its former condition

(3) Full and free right to use the Board's adjoining or neighbouring land for building and any other purposes notwithstanding that any buildings or other erections built or to be built or erected thereon may interfere with the access of light and air to the Property

(4) All easements quasi-easements liberties privileges rights and advantages now or heretofore occupied or enjoyed by any adjoining or neighbouring land of the Board over or in respect of the Property and which would be implied by statute or by reason of severance in favour of a purchaser of any adjoining or neighbouring land of the Board if the same had been conveyed to such Purchaser and the Property had been retained by the Board."

NOTE: The points G and D referred to have been reproduced on the filed plan and the shafts referred to are marked X, Y and Z in blue on the filed plan.

- 5 (12.05.2009) The mauve tinting on the title plan is no longer of any significance and should be ignored since the entry in the register which gave rise to this reference has been cancelled.
- 6 (03.01.2013) The reference edged and numbered 1 and 2 in yellow on the title plan is no longer of any significance and should be ignored since the entry in the register which gave rise to this reference has been cancelled.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (16.06.1986) PROPRIETOR: THE LEICESTERSHIRE COUNTY COUNCIL of County Hall, Glenfield, Leicestershire. LE3 8RA.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 A Conveyance of the land tinted blue on the filed plan dated 7 July 1923 made between (1) The Chaplains and Poor of the Hospital of William Wyggeston (Chaplains and Poor) and (2) The South Leicestershire Colliery Company Limited (Purchasers) contains covenants details of which are set out in the schedule of restrictive covenants hereto.
- 2 A Conveyance of the land tinted pink and hatched blue on the filed plan and other land dated 14 December 1938 made between (1) The Chaplains and Poor of the Hospital of William Wyggeston in the City of Leicester (Vendors) and (2) The South Leicestershire Colliery Company Limited (Purchasers) contains covenants details of which are set out in the schedule of restrictive covenants hereto.
- 3 A Conveyance of the land in this title and other land dated 27 March 1986 made between (1) National Coal Board (Board) and (2) Leicestershire County Council (Council) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

Title number LT175404

C: Charges Register continued

- 4 The parts of the land affected thereby are subject to the leases set out in the schedule of leases hereto.
The leases grant and reserve easements as therein mentioned.

Schedule of restrictive covenants

- 1 The following are details of the covenants contained in the Conveyance dated 7 July 1923 referred to in the Charges Register:-

"The Purchasers for themselves and their successors and assigns hereby covenant with the Chaplains and Poor their successors and assigns that they the Purchasers

shall not nor will use the said piece of land hereby conveyed for the purpose of a dumping pit waste or any other purpose which in the opinion of the said Surveyors shall be offensive or a nuisance to the Chaplains and Poor their successors and assigns or other adjoining owners."

- 2 The following are details of the covenants contained in the Conveyance dated 14 December 1938 referred to in the Charges Register:-

FOR THE BENEFIT of the adjoining lands now forming part of the estate of the Vendors and to the intent that this covenant shall so far as the law will permit run with the said premises and be binding upon the owner or owners into whosoever hands the same may come the Purchasers hereby covenant with the vendors that they will observe and perform the conditions and stipulations set out in the Fifth Schedule hereto

The Fifth Schedule above referred to

If at any time hereafter during the lives of the issue now living of His Majesty King George IV and the last survivor of them and 21 years after the death of such survivor the strip of land not exceeding 35 feet in width hatched red on the said plan forming parts of enclosures numbered 98 268 269 and 270 and abutting upon the occupation road hereinbefore mentioned shall be required by the Vendors for the purpose of the formation of a new street and the Vendors shall give to the Purchasers a notice in writing in that behalf the Purchasers shall give up the said strip of land accordingly and the Purchasers shall on demand pay to the Vendors one half of the cost (as certified by the Vendors' Surveyors) of constructing and kerbing the carriage way of such new street and the sewers thereunder in accordance with the requirements of the Local Authority and of maintaining the same in repair until adopted and the repair thereof undertaken by the Local Authority.

NOTE: The land hatched red referred to is hatched blue on the filed plan.

- 3 The following are details of the covenants contained in the Conveyance dated 27 March 1986 referred to in the Charges Register:-

"THE Council hereby covenants with the Board to the intent and so as to bind (so far as practicable) the Property or any part or parts thereof into whosoever hands the same may come and to benefit and protect any mines and minerals in which the Board has any interest and which provide subjacent or lateral support for the Property or any part or parts thereof but not so as to render the Council personally liable in damages for any breach of covenant committed after it shall have parted with all interest in the Property in respect of which such breach shall occur that no new building structure or works and no addition to any existing building structure or works shall at any time be erected constructed or placed on or in the Property or any part or parts thereof except in accordance with plans and specifications previously approved in writing by the Board but such approval shall not be withheld unless the design layout or method of construction of such new or additional building structure or works or the materials to be used in the construction thereof do not conform to the reasonable requirements of the Board for minimising damage by subsidence PROVIDED that if any dispute shall arise between the Board and the Council as to whether such approval as aforesaid has been properly withheld such

Title number LT175404

Schedule of restrictive covenants continued

dispute shall in default of agreement be referred to the arbitration of a single arbitrator appointed by the Board and the Council or in default of agreement on such appointment of two arbitrators one to be appointed by each party subject to and in accordance with the provisions of the Arbitration Act 1950 or any statutory modification or re-enactment thereof

(A) THE Council hereby covenants with the Board at all times hereafter to discharge any duty imposed on the Board in relation to the shafts whether at Common law or by subsection (1) of Section 151 of the Mines and Quarries Act 1954 or any statutory modification of re-enactment thereof for the time being in force and to fulfil all obligations imposed in relation to the shafts as to safety or otherwise which have effect by virtue of any Act of Parliament (except such obligations as are imposed on the Board by the Coal Mining (Subsidence) Act 1957 or any other legislation relating to subsidence damage for the time being in force) and to keep the Board indemnified against all actions costs claims and demands which arise in consequence of failure to discharge the duty or fulfil the obligations aforesaid

(B) The Council hereby covenants with the Board to the intent and so as to bind (so far as practicable) the shafts and the land (hereinafter called "the land") within a distance of Forty feet from the centre of each of the shafts at surface level and any part or parts thereof into whosoever hands the same may come and to benefit and protect any mines and minerals in which the Board has any interest and which provide subjacent or lateral support for the shafts or the land or any part or parts thereof as follows:-

1. Not at any time hereafter without the Board's consent in writing and without obtaining written approval to its plans specifications elevations and drawings to use or permit the shafts and the land to be used for any purpose nor carry out any works of alterations demolition or construction therein or thereon

2. Not at any time hereafter to deposit any matter in or fill in the shafts except in accordance with directions in writing given by the Board and not to deposit therein any effluent or noxious matter or thing likely to affect injuriously any water supply or which may cause a nuisance damage or annoyance or be harmful to property or persons in the neighbourhood or which by its nature could impede or interfere with any of the workings of the Board or result in the sterilisation of coal

(3) If at any time the land shall be cleared of buildings and permanent structures then the Council will forthwith at its own expense in accordance with plans specifications elevations and drawings approved by the Board fully and permanently cap the shafts

(C) THE Council hereby covenants further with the Board

(1) Not to dispose of the shafts or the land or grant any interest therein to any person or body or persons corporate or unincorporate or permit any person or persons as aforesaid to occupy or use the shafts or the land without obtaining from such person or persons covenants in favour of the Board in the terms of the covenants imposed on the Council by virtue of these clauses

(2) to ensure that the Board is made a party to any disposition or grant referred to in item (1) above for the purpose of taking the benefit of covenants in its favour that the Board is without the cost to it furnished with a duly stamped duplicate executed by the covenantor of any instrument giving effect to any such disposition or grant such duplicate instrument being supplied to the Board within six weeks of the date of execution thereof Provided that the Board shall not be called upon to execute any such instrument

III

THE Council hereby covenants with the Board for the benefit and protection of any adjoining or neighbouring land of the Board or any part or parts thereof and so as to bind so far as may be practicable the Property into whosoever hands the same may come that the Council will at all times hereafter observe and perform the matters which are

Title number LT175404

Schedule of restrictive covenants continued

set out in the Fifth Schedule

FIFTH SCHEDULE Covenants on behalf of the Council

I To maintain the existing fences hedges and walls bounding the property to the satisfaction of the Board's South Midlands Area Estate Manager so far as the same where heretofore the Board's responsibility

II To erect and thereafter forever maintain good and sufficient fences of a type to be approved by the Board's South Midlands Area Estate Manager between the boundaries of the Property marked "A" and "B" "B" and "C" "D" and "E" "E" and "F" on the plan and also to erect and thereafter maintain a gate at the point marked "G" on the plan to the satisfaction of the Board's South Midlands Area Estate Manager

III Not to use the tip and that part of the Property coloured purple on the plan for any use other than for recreational purposes

IV To pay to the Board on demand a reasonable proportion (according to user) of the expense incurred by the Board in repairing rebuilding cleansing and maintaining the Access Road (or any alternative Access Road constructed by the Purchaser in accordance with the Second Schedule) such proportion in the case of dispute shall be conclusively determined by the Board's South Midlands Area Estate Manager

V Not without the previous consent in writing of the Board to extract or remove or cause or permit or suffer to be extracted or removed any material from any tip situated on the Property PROVIDED that the Council may make use of any such material in connection with the reclamation or landscaping of the Property

VI to maintain the existing roadway referred to in the Third Schedule in good repair and condition

VII To keep the Board indemnified against any expenditure the Board is required to incur by reason of action taken by a Local Authority under Part II of the Tips Act or under any statutory instrument in relation to any tip situated on the Property

VIII Not to do or suffer to be done in on or in the vicinity of the Property any action in contravention of any of the provisions of the Tips Act or the regulations made or to be made thereunder and to comply with any direction given by the Board with the object of ensuring compliance with the said provisions and to indemnify and keep indemnified the Board and its servants Agents and Licensees from and against any claims losses costs charges demands actions and all other liabilities arising out of any such contravention of any of the said provisions PROVIDED that the covenant contained in this clause shall not be enforced in relation to any act or event which may take place after the date of the making of any order in respect of the tips comprised in the Property under Section 2(3) (b) of the Tips Act

IX To take all reasonable precautions to ensure that any works carried out on the Property will not constitute any danger to members of the public by reason of causing any tip or part of a tip on or in the vicinity of the Property to become unstable

X Not to dispose of the property coloured purple on the plan or grant any interest therein to any person or body of persons corporate or incorporate or permit any person or persons as aforesaid to occupy or use the purpose land without obtaining from such person or persons covenants in favour of the Board in the terms of the covenants set out in clause V and XI of this Schedule and in order to ensure the Board is made a party to the disposition or grant referred to above to make the Board a party to any disposition or grant and to comply with Clause 211 C of this Conveyance

XI The Council hereby covenants to indemnify the Board and its servants agents or licensees against all losses costs charges claims demands damages actions and all other liabilities arising in connection with any statutory duty or liability imposed on the Board its servants agents or licensees in relation to the property and Section 18 of the

Title number LT175404

Schedule of restrictive covenants continued

Clean Air Act 1956 or any statutory modification or reenactment thereof."

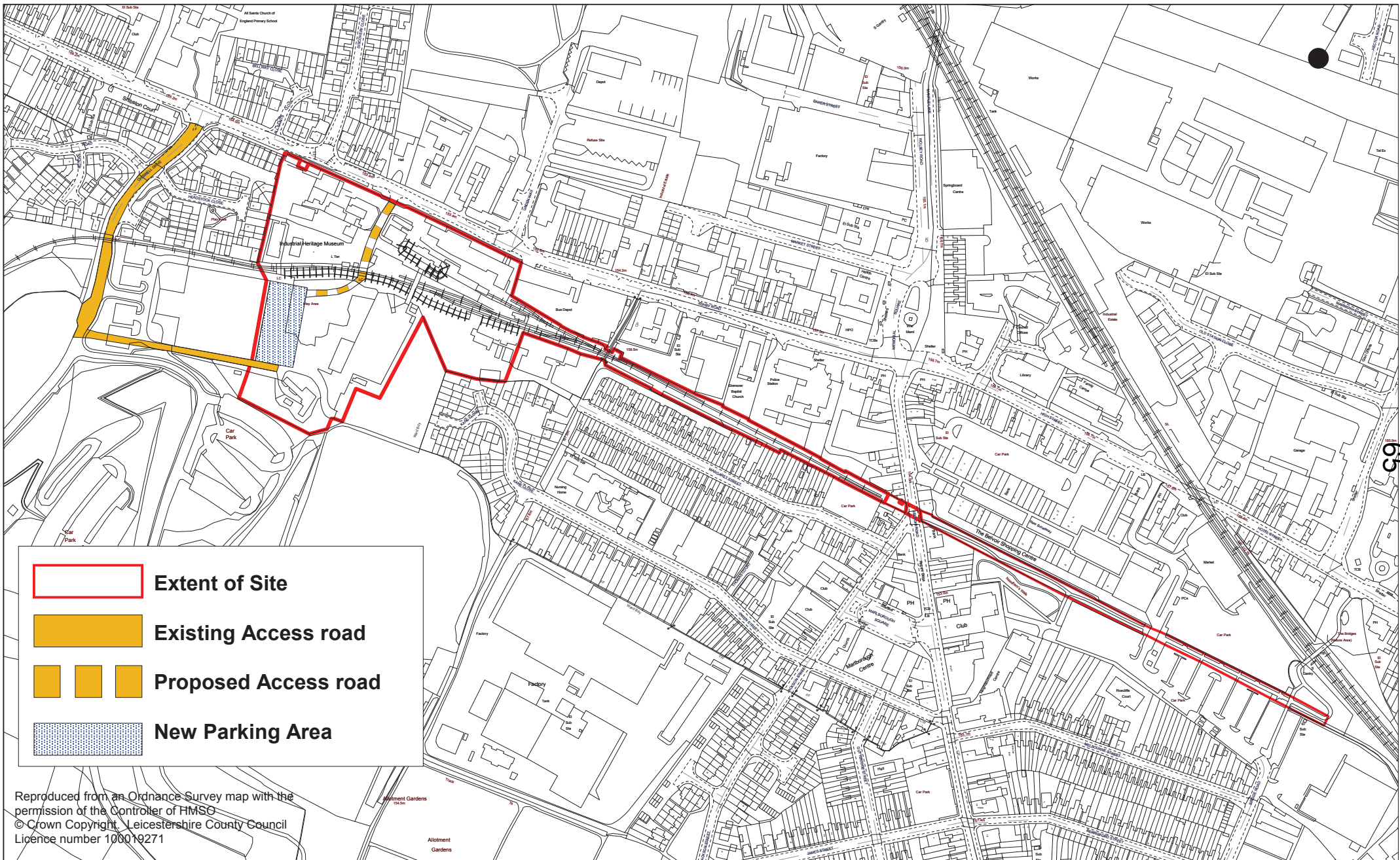
NOTE 1: The points A, B, C and D referred to have been reproduced on the filed plan and the shafts referred to are marked X, Y and Z in blue on the filed plan


NOTE 2: Copy Conveyance plan filed.

Schedule of notices of leases

1	03.08.2009	Padmount Transformer at Snibston Discovery Park	19.07.2000 21 years from 19/07/2000	LT422614
2	14.02.2012 Edged blue	Land on the north east side of 2 Jackson Street, Coalville	11.10.2011 10 years from and including 1.5.2011	LT442154

End of register



	Extent of Site
	Existing Access road
	Proposed Access road
	New Parking Area

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Not to Scale @ A4 Landscape

Future Snibston Mining Museum

by Lis Owen
 13 March 2014



Property Services
 Corporate Resources Department
 County Hall, Glenfield.
 Leicester. LE3 8RE

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Equality & Human Rights Impact Assessment (EHRIA)

This Equality and Human Rights Impact Assessment (EHRIA) will enable you to assess the **new, proposed or significantly changed** policy/ practice/ procedure/ function/ service** for equality and human rights implications.

Undertaking this assessment will help you to identify whether or not this policy/ practice/ procedure/ function/ service** may have an adverse impact on a particular community or group of people. It will ultimately ensure that as an Authority we do not discriminate and we are able to promote equality, diversity and human rights.

Before completing this form please refer to the EHRIA [guidance](#), for further information about undertaking and completing the assessment. For further advice and guidance please contact your Departmental Equalities Group or equality@leics.gov.uk

***Please note: The term 'policy' will be used throughout this assessment as shorthand for policy, practice, procedure, function or service.*

Key Details	
Name of policy being assessed:	Function /Service: Snibston Discovery Museum
Department and Section:	Adults and Communities Communities and Wellbeing
Name of lead officer/ job title and others completing this assessment:	Nigel Thomas Chris Housden Carolyn Abel
Contact telephone numbers:	Chris Housden 0116 3056947 Nigel Thomas 0116 305 7379 Carolyn Abel 0116 305 3468
Name of officer/s responsible for implementing this policy:	Nigel Thomas
Date EIA assessment started:	November 2013
Date EIA assessment completed:	

Section 1: Defining the policy

Section 1: Defining the policy

You should begin this assessment by defining and outlining the scope of this policy. You should consider the impact or likely impact of the policy in relation to all areas of equality, diversity and human rights, as outlined in Leicestershire County Council's Equality Strategy.

<p>1</p>	<p>What is new or changed in this policy? <i>What has changed and why?</i></p> <p>Leicestershire County Council is subject to a significant reduction in funding and as a result all related services are subject to review.</p> <p>In its Medium Term Financial Strategy (MTFS), the County Council details its budget and the requirement to save £110 million for the period 2014-16. C&Ws target is £1.9 million</p> <p>As part of the MTFS, this ERHIA initial questionnaire explores the impact of a proposal to redevelop the Snibston Discovery Museum with a new offer focusing on mining and the Scheduled Ancient Monument (SAM) which identifies £240k annual saving.</p>
<p>2</p>	<p>Does this relate to any other policy within your department, the Council or with other partner organisations? <i>If yes, please reference the relevant policy or EHRIA. If unknown, further investigation may be required.</i></p> <p>National legislation regarding Museums is outlined in the 1964 Public Libraries and Museums Act.</p> <p>The Act identifies that museum services are a discretionary function of the local authority. Local authorities may:</p> <ul style="list-style-type: none"> • provide and maintain museums and art galleries within its administrative area or elsewhere in England or Wales, and may do all such things as may be necessary or expedient for or in connection with the provision or maintenance thereof (Section 12 (1)) • A local authority maintaining a museum or art gallery under this section may enter into an agreement with any other local authority empowered to maintain it for the transfer of the museum or gallery and its collections to that authority.(section 12 (2)) <p>As part of the Accreditation of its museums, the Council is responsible for the care of its collections as defined by the Code of Ethics for Museums demonstrating the relationship of trust between the museum and the communities it serves.</p> <p>Arts Council England (ACE) has the national responsibility of supporting Libraries and Museums, taking over from the Museums Libraries and Archives Association in 2011.</p>

	<p>In 2013 ACE published their revised 10 year strategy for Arts libraries and museums, Great Art and Culture for Everyone (http://www.artscouncil.org.uk/advice-and-guidance/browse-advice-and-guidance/great-art-and-culture-everyone). Their goals are listed as:</p> <ul style="list-style-type: none"> • Excellence is thriving and celebrated in the arts, museums and libraries • Everyone has the opportunity to experience and to be inspired by the arts, museums and libraries • The arts, museums and libraries are resilient and environmentally sustainable • The leadership and workforce in the arts, museums and libraries are diverse and appropriately skilled • Every child and young person has the opportunity to experience the richness of the arts, museums and libraries <p>Leicestershire County Council has statutory obligations surrounding the scheduled ancient monument (SAM) which encompasses the former Snibston Colliery buildings adjacent to the main museum site.</p> <p>Snibston plays an important function in regard of the acquisitions and disposal policy of Leicestershire's Museums Service.</p> <p>A range of national and local stakeholders have a stake in the museum site, including, for example, Arts Council England, North West Leicestershire District Council, English Heritage, Coalville Town Centre team, the National Forest Company, NEXT Plc., Mantle Arts, Leicestershire Promotions, regional universities, Retro Computer Museum, Stephenson College, Engineering Development Trust, British Science Association, Education CPD+ and a range of volunteers, community organisations and a Friends group.</p>
3	<p>Who are the people/ groups (target groups) affected and what is the intended change or outcome for them?</p> <p>Target groups likely to be affected by the proposed redevelopment will be associated with the current scale and diversity of the Snibston offer and service provision. They will also be affected by the related infrastructure consequences of the MTFs.</p> <p>In addition to the SAM, and the artefacts relating to the mining heritage, the current offer includes:</p> <ul style="list-style-type: none"> • Artefacts and exhibitions that reflect Leicestershire's scientific, technological and industrial innovation including large scale artefacts such as Gimson beam engines, Brush loco, Auster aircraft • The fashion gallery that showcases the clothing industry • The Century Theatre and Sheepy Magna wheelwrights building • Outdoor Science Play, Wild Water and Sand pit • Colliery tours and heritage railway rides • Community space/Venue hire/Gallery space • Volunteering and work placements including placements for persons from vulnerable groups • Schools learning across all key stages including expertise in STEM (Science, Technology, Engineering, Mathematics) provision, SEN (Special Educational Needs) and workshops to support the national curriculum.

- Out of school learning opportunities supporting maths and science such as Royal Institution maths master classes
- Targeted engagement work with vulnerable audiences including people with dementia and their carers, young people with a disability and their siblings, looked after children and vulnerable families.
- Adult learning courses and skills development
- Changing programme of exhibitions and events (including in the Century Theatre), conference/ room hire and weddings

1,146, items are on display at the Museum. This represents approximately 2.3% of the total collections held by the Museums Service. Many of the items are large (e.g. carriages, buses) and therefore, storage and /or disposal will present a significant issue if the focus of the site is changed.

Snibston offers a universal service that is open to all of Leicestershire's residents.

An analysis of a range of data coupled with the current offer suggests that the following groups of people may be most affected:

General Visitors

- Snibston had 91,000 paid visitors in the 2013 calendar year - this does not include people visiting the free parts of the museum. Indicative figures from postcode analysis representing 40% of all visits indicates that 60% of these come from outside Leicestershire, 29% from across the county and within that 15% from NW Leicestershire.
- The reduction of the current offer to a single subject mining-themed offer is forecast to impact on the volume of visitors attracted to the site and therefore Leicestershire.

A full EHRIA assessment is needed in order to detail the extent that any change may affect protected groups and also any subsequent economic impact that a change in site focus may have. **Appendix 1** details visitor numbers by location for different aspects of the service for 2013.

Volunteers

- There are currently 85 volunteers registered at Snibston. **Appendix 2** provides data on volunteers engaged at Snibston. This reflects characteristics of age, employment status, disability and ethnicity. There are also figures for the main attractions and benefits for volunteers and their home postcode. A little under half of the volunteers are self classified as disabled. The majority of the volunteers classify themselves as White British.
- The proposed change in focus to the site will impact on the volunteering and skills development opportunities available. Consideration will also need to be given to the support available for volunteers with particular needs. This would require remodelling as part of any potential change to the site.

Local Communities

- As a local community resource, large and small scale events such as the Fireworks and the Miners' Gala are well attended by local communities; the make-up of audiences at the Century Theatre is predominantly local. Local groups also exhibit their works in the Community Gallery and are represented among the Season Ticket Holders.
- A full EHRIA needs to look at the scope of any changes within the context of the equalities agenda to determine the impact of any potential reduction in the capacity to use the venue on protected groups.

Students

- 14,392 students visited Snibston as part of a school visit including National Curriculum workshops. A change in size and focus of the museum will reduce the National Curriculum offer to schools and access to offers e.g. National Science and Engineering Week, fashion and design, transport, engineering etc., the majority of which come from out of County.
- Specialist provision for SEN students will need to be reviewed in the context of the setting of sessions and appropriate resources to support learning.
- There may be a reduced offer to young people at risk of exclusion, if outreach work is significantly reduced.
- Out of school provision of STEM subjects increasing educational attainment of students would need to be reassessed.
- There is likely to be an impact on further and higher education students, particularly around fashion and STEM subjects, with a reduced offer – specialist activity delivered in partnership with regional universities and others
- Adult learning courses currently delivered at Snibston, involving students with learning difficulties and work experience placements are offered to students from Stephenson College, for example.

Stakeholders

- A range of national and local stakeholders have a stake in the museum site, including, for example, Arts Council England, North West Leicestershire District Council, English Heritage, the National Forest Company, Next, Mantle Arts, National Coal Mining Museum for England, Leicestershire Promotions and a range of volunteer and friends groups. A redevelopment of Snibston will require consultation with these groups as part of the change process.

The Snibston site is situated at the centre of an area of deprivation in the County ,but also serves the rest of Leicestershire.

A full EHRIA report is recommended in order to analyse the full impact of the proposed redevelopment on the locality and beyond within the equalities and human rights contexts as well as economy of the area. This would include a full risk analysis and mitigating actions.

4	Will this policy meet the Equality Act 2010 requirements to have due regard to the need to meet any of the following aspects? (Please tick and explain how)			
		Yes	No	How?
	Eliminate unlawful discrimination, harassment and victimisation		X	
	Advance equality of opportunity between different groups	x		Any redevelopment will need to address any reduction in activities that promote equality of opportunity, e.g. volunteering and skills development opportunities that currently take place at Snibston for people with learning disabilities and young people at risk; SEN and schools provision
Foster good relations between different groups	x		Any redevelopment will need to address any changes to activities that foster good relationships in communities, e.g. Miners Gala, Fireworks and the volunteering projects fostering intergenerational and cross cultural relations.	

Section 2: Equality and Human Rights Impact Assessment (EHRIA) Screening

Section 2: Equality and Human Rights Assessment Screening

The purpose of this section of the assessment is to help you decide if a full EHRIA is required.

If you have already identified that a full EHRIA is needed for this policy/ practice/ procedure/ function/ service, either via service planning processes or other means, then please go straight to [Section 3](#) on Page 7 of this document.

Section 2

A: Research and Consultation

		Yes	No*
5.	Have the target groups been consulted about the following?		
	a) their current needs and aspirations and what is important to them;		X
	b) any potential impact of this change on them (positive and negative, intended and unintended);		X
	c) potential barriers they may face		X
6.	If the target groups have not been consulted directly have representatives been consulted or research explored (e.g. Equality Mapping)?		X
7.	Have other stakeholder groups/ secondary groups (e.g. carers of service users) been explored in term of potential unintended impacts?		X
8.	*If you answered 'no' to the questions above and feel that consultation is not necessary, please use the space below to explain why.		
	Broad public consultation was undertaken by the Council in Summer 2013 (Leicestershire's Future) on a range of council services as part of the process of enabling the council to begin the budget planning process. This asked consultees about their views on a range of council services in helping to shape future prioritisation of resources. The outcome of the consultation indicated that museum services were service areas where less money could be spent through an exploration of alternative delivery models. The full consultation response can be accessed via the following link: http://www.leics.gov.uk/leicestershires_future_consultation_report.pdf		
	A range of consultation exists as part of the strategic review of Libraries Heritage and Arts services undertaken in 2010. This included stakeholders, focus groups and residents. However this did not cover in any detail a proposal to redevelop the site along the lines proposed.		

<p>The proposed redevelopment to Snibston described in Section 1 (1) would require further consultation with the public and the identified stakeholders and this is scheduled for April 2014.</p> <p>Consultation will be underpinned by the statutory requirements contained in the Museums and Libraries Act 1964. Guidance is also provided by the Museums Association in the form of a Code of Ethics (see Appendix 3).</p>
--

Section 2			
B: Monitoring Impact			
8.	Are there systems set up to:	Yes	No
	a) monitor impact (positive and negative, intended and unintended) for different groups;	x	
	b) enable open feedback and suggestions from different communities	x	
Note: If no to Question 8 you will need to ensure that monitoring systems are established to check for impact on the protected characteristics.			
Section 2			
C: Potential Impact			
9.	Use the table below to specify if any individuals or community groups who identify with any of the ' protected characteristics ' may <u>potentially</u> be affected by this policy and describe any positive and negative impacts, including any barriers.		
		Yes	No
			Comments
	Age	X	Issues affecting representation may be positive or negative, depending on the option under consideration. Redevelopment of the site may remove access to the local heritage and collections, community activities and good value place to visit which may impact disproportionately on young people, families, and other vulnerable groups. The Volunteer data in Appendix 2 shows that 33% of all volunteers fall into the under 25 age range, suggesting a disproportionate impact on young people if the opportunities are lost.
	Disability	X	Key volunteering opportunities may be affected that specifically target people with learning disabilities and mental health issues. Appendix 2 shows that 42% of all volunteers regard themselves as disabled, and 34% as

			unable to work. Redevelopment of the site may remove access to the local heritage and collections and a good value place to visit. There are educational opportunities specifically aimed at SEN children and others with Autism who may be disadvantaged by a remodelled offer. There are clubs supporting the wellbeing of young people who are risk of mental health issues.
	Gender Reassignment		X
	Marriage and Civil Partnership		X
	Pregnancy and Maternity		X
	Race	X	Redevelopment of the site may remove access to the local heritage and collections and good value place to visit. National Curriculum workshops on 'Discrimination & Difference' may be affected by the change in the offer.
	Religion or Belief		X
	Sex		X
	Sexual Orientation		X
	Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities	X	The redevelopment of site may remove access to the local heritage and collections and a good value place to visit. Redevelopment of the site may have impact on the local economy Redevelopment of site may remove volunteering opportunities that specifically target people with learning disabilities and mental health issues, local young people at risk of anti-social behaviour, single parents and long term unemployed. On this last point, the data in Appendix 2 shows that 33% of

				volunteers named training/employability as the main benefit of volunteering, and 36% cited personal skills. Some educational events are specifically aimed at looked after children (e.g. curriculum booster days).
	Community Cohesion	X		<p>Redevelopment of site may remove access to the local heritage and collections and a good value place to visit, helping to reinforce sense of place and identity.</p> <p>Redevelopment of site might mean that events and exhibitions previously organised by Snibston that pull local communities together disappear.</p> <p>Snibston is seen by visitors, volunteers and stakeholders and a key community hub in Coalville.</p> <p>Volunteering is seen as a key factor in community cohesion. Reduction in levels and types of opportunities offered would affect this. 74% of listed volunteers live in the Coalville area (See Appendix 2).</p>
10.	<p>Are the human rights of individuals <u>potentially</u> affected by this proposal? Could there be an impact on human rights for any of the protected characteristics? (Please tick)</p> <p>Explain why you consider that any particular article in the Human Rights Act may apply to your policy/ practice/ function or procedure and how the human rights of individuals are likely to be affected below: [NB. Include positive and negative impacts as well as barriers in benefiting from the above proposal]</p>			
		Yes	No	Comments
Part 1: The Convention- Rights and Freedoms				
	Article 2: Right to life		X	
	Article 3: Right not to be tortured or treated in an inhuman or degrading way		X	
	Article 4: Right not to be subjected to slavery/ forced labour		X	
	Article 5: Right to liberty and security		X	
	Article 6: Right to a fair trial		X	

Article 7: No punishment without law		X	
Article 8: Right to respect for private and family life	X		Privacy and data protection rights will need to be taken into account in managing any changes to exhibitions/collections belonging to persons other than the County Council
Article 9: Right to freedom of thought, conscience and religion		X	Although any proposals to remodel the provision would not deprive any one of their Article 9 rights it may be that the acquisition/ display of museum objects, provision of events and learning resources enhance a person's ability to explore a range of thoughts and ideas
Article 10: Right to freedom of expression		X	Although any proposals to remodel the provision would not deprive any one of their Article 10 rights it may be that the acquisition/ display of museum objects, provision of events and learning resources enhances a person's ability to form and express different views as . exhibitions/ events/ collections reflect a variety of different beliefs/ views/ expression.
Article 11: Right to freedom of assembly and association		X	
Article 12: Right to marry		X	
Article 14: Right not to be discriminated against		X	Article 14 relates to discrimination in the way in which the convention rights are applied and is not believed to be engaged
Part 2: The First Protocol			
Article 1: Protection of property/ peaceful enjoyment		X	
Article 2: Right to education		X	The right of the individual to access the existing educational system is not denied by any proposed changes but a broader educational objective may be affected if the service does not deliver universal, specialist and/or targeted learning provision for a range of groups. There may be an

				<p>impact on an educational opportunity to adults and young people. Education is also provided through informal activities e.g. intergenerational events/ activities, volunteering. Approximately 50% of visitors are from Schools. Feedback and evaluation from School visits confirm that their purpose is closely linked to the formal curriculum rather than having a leisure purpose.</p>
	Article 3: Right to free elections		X	<p>However, Snibston site used as Polling station</p>

Section 2**D: Decision**

11.	Is there evidence or any other reason to suggest that:	Yes	No	Unknown
	a) this policy could have a different effect or adverse impact on any section of the community;	X		
	b) any section of the community may face barriers in benefiting from the proposal	X		
12.	<p>Based on the answers to the questions above, what is the likely impact of this policy?</p> <p>The varied future options and potentially significant change to the provision requires us to be mindful of the impacts on different sections of the community. As far as we are able to appraise at this stage, it is incorporated in sections 9 and 10 above, and will be reappraised as Consultation develops. In addition, we will be mindful of the potential for indirect discrimination on any protected Equality groups and direct discrimination as related to engaged Human Rights Act Articles.</p>			
	No Impact <input type="checkbox"/>	Positive Impact <input type="checkbox"/>	Neutral Impact <input type="checkbox"/>	Negative Impact or Impact Unknown <input checked="" type="checkbox"/>

Note: If the decision is 'Negative Impact' or 'Impact Not Known' an EHRIA Report is required.

13.	Is an EHRIA report required?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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APPENDICES

- 1 Visitor analysis
- 2 Volunteer Analysis
- 3 Museum Association Code of Ethics

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ADULTS AND COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE:
10 JUNE 2014

STRATEGIC REVIEW OF
PREVENTATIVE SERVICES IN LEICESTERSHIRE

REPORT OF THE DIRECTORS OF ADULTS AND COMMUNITIES,
CHILDREN AND FAMILY SERVICES AND PUBLIC HEALTH

Purpose of Report

- 1 The purpose of this report is to update the Committee on the recent strategic review of the Adults and Communities' preventative services and to invite the Committee to make comments as part of the consultation process on the proposed secondary prevention offer and commissioning options.
- 2 The report also details how the commissioning options will ensure delivery against the savings target for prevention, set in the Medium Term Financial Strategy (MTFS), 2014-2018.

Policy Framework and Previous Decisions

- 3 The Government's White Paper Our Health, Our Care, Our Say (2006), sets out a framework for adult social care in the future and expects local authorities to work strategically with partners to promote independence and provide opportunities for greater choice and control for service users.
- 4 In May 2013 the Care Bill was introduced to Parliament and published. It not only proposes reforms about how the law works in respect of health and social care, but also prioritises people's wellbeing, needs and goals so that individuals will no longer feel like they are battling against the system to get care and support. The Bill highlights the importance of preventing and reducing needs and putting people in control of their care and support. For the first time the Care Bill will put carers on a par with those for whom they care. Local authorities will be expected to ensure that local populations receive services and support that prevent their care needs from becoming more serious and that individuals can get the information that they need in order to make good and appropriate decisions about care and support.
- 5 The Leicestershire Health and Wellbeing Strategy, 2013-2016 has been developed by the Health and Wellbeing Board and sets out the overarching plan to improve the health and wellbeing of children and adults in the County and to reduce health inequalities with a focus on the local population. The strategy sets out a number of priorities across the life course and cross cutting themes in support of these objectives, and many of these have a clear focus on early intervention and prevention.

- 6 An extension to the contracts for voluntary sector and housing related support services up to a maximum of 30 September 2015 was approved by the Cabinet in June 2013 in order to allow sufficient time for the prevention review and ensure alignment of services to an overarching, unified secondary prevention offer.
- 7 In relation to the older persons housing related support services:
 - On 14 September 2012, a report was presented to update the Cabinet on work to re-commission housing related support services for older people, including community alarm services, and to seek approval (granted) to consult on a proposed service model.
 - On 12 June 2013, a report was presented to advise the Cabinet on the outcome of the consultation on proposed changes to assistive technology for people aged 18+, mobile response services and housing related support for older people and to seek approval (granted) on how these services are provided and commissioned in the future.
- 8 The following decisions about the Department's preventative adult mental health services and carers' services should also be noted, as they are seen as part of the wider departmental prevention offer but have been reviewed outside of the remit of the prevention review.
- 9 On 9 July 2013, a paper was received by the Cabinet updating it on the review of preventative adult mental health services (including social drop-ins, befriending, and dementia services). The paper also sought approval (granted) to undertake a formal consultation exercise in respect of the proposed commissioning options for the social drop-in and befriending services and to undertake further engagement around the proposed service redesign of the Voluntary Services Officers (VSO) service.
- 10 On 20 November 2013, a paper was received by the Cabinet detailing responses to public consultation around proposed commissioning options for the social drop-in and befriending services. It also sought approval (granted) to proceed with the preferred commissioning option for the social drop-in and befriending services and the proposed service redesign of the VSO service. New contracts for the services will be in place by 1 October 2014.
- 11 On 4 February 2014, the Cabinet was presented with information on the County Council's proposed 2014/15 to 2017/18 MTFS for approval (granted).
- 12 On the 1 April 2014, the Cabinet noted the initial findings from the strategic review of the Adults and Communities' preventative services and gave approval to commence consultation on the proposed secondary prevention offer and commissioning options, prior to reporting the consultation outcomes and final commissioning options to the Cabinet in autumn 2014. At the same time the Cabinet authorised the extension of the current contractual arrangements for older person's housing related support, contained in Appendices A, B and C to this report, up to a maximum of 30 September 2015 in order to align these services with the prevention review.
- 13 As the 1 April 2014 Cabinet report was a joint report between the Adults and Communities, Children and Family Services and Public Health departments, this

Scrutiny report will also be presented to the following scrutiny committees for information:

- Children's and Families Overview and Scrutiny Committee (9 June 2014);
- Health Overview and Scrutiny Committee (11 June 2014).

- 14 On the 1 April 2014, the Cabinet were presented with a separate report on the Strategic Review of Carers Support Services in Leicestershire detailing proposed future commissioning options and approved a formal consultation process.

Context to the Council's overall approach

- 15 There is a clear recognition of the benefits of developing a more joined up approach to the commissioning of prevention and early intervention services across the Council. This will improve outcomes for individuals, promote better relationships between key stakeholders, and enhance value for money. Given the requirement to achieve significant budget savings, it is vital that these benefits are realised if the Council is to continue to deliver an effective prevention offer.
- 16 A range of work is already underway to develop this more co-ordinated approach. A Prevention Advisory Board has been established with representatives from across different Council departments. This Board has identified a number of areas where different departments are commissioning similar or overlapping services. This has provided an opportunity to co-ordinate commissioning and de-commissioning plans in these areas. This work is at an early stage, but the consultation outlined in this report (which commenced in April 2014) will provide further opportunities to develop the approach. The proposals that will be reported back to Cabinet in the autumn will outline in more detail how the benefits of these opportunities can be realised.
- 17 Prevention is an approach which is cross-cutting and broad in scope. As explained in more detail from paragraph 46, this report focusses on secondary prevention in the context of a broader prevention offer also spanning Children and Young People's Services (CYPS) and Public Health.

Background to the Adults and Communities Review

- 18 The Strategic Planning and Commissioning Team has led on a review of the Department's prevention services, with assistance from the Department's Market Development and Compliance Teams (henceforth known as 'the review team'). The services included within the review were defined as 'early intervention and prevention services' in a report to Cabinet in June 2013 and a full list can be found in Appendices A and B. An extension to the contracts for these services up to a maximum of 30 September 2015 was approved in order to allow sufficient time for the prevention review and ensure alignment of services to an overarching 'prevention offer'.
- 19 As part of the review process, the review team developed a revised secondary prevention and early intervention offer which reflects a longer term strategic vision, offering an opportunity to align investment and service provision to need and to move to an outcome based framework.

- 20 This prevention offer is based upon secondary prevention. The definition of secondary prevention underpinning the review is that put forward by Public Health in 2012:
- 'Identifying people at risk and halting or slowing down any deterioration. Interventions are aimed at identifying people at risk of specific health conditions or events (such as strokes or falls) or those that have existing low level social care needs'.*
- 21 It is recognised, however, that in order for the secondary prevention offer to be effective it is important to consider its development as part of a whole pathway approach, including primary and tertiary prevention.
- 22 It is also recognised that the secondary prevention offer needs to take into account the contributions from many other key partners who share the goal of reducing or delaying the need for health and social care support.
- 23 The wider context of the review includes:
- Significant financial and demographic challenges faced by the Department – including a considerable reduction in the available budget for prevention services, as set by the MTFS;
 - The Council's wider Transformation programme;
 - The need to reduce pressure on social care and health services by identifying effective ways of supporting people to stay fit and healthy;
 - Work on the prevention review has progressed as part of an overarching and integrated approach to the commissioning of preventative services across all of the Council's departments and partners, as reflected in current proposals for the Better Care Fund's (BCF) unified prevention offer (March 2014);
 - Taking into account two related strategic reviews which have been undertaken between 2012-14. These are the Preventative Adult Mental Health Review and the Carers Services Review. Both of these reviews cover services which were included in the list of voluntary sector and housing related support services specified in the paper approved by the Cabinet in June 2013 (see above). The Cabinet has already approved the commissioning options for the Preventative Adults Mental Health Review (November 2013) and a separate paper entitled 'Strategic Review of Carer Support Services in Leicestershire' (to be considered elsewhere on the agenda for this meeting) was presented to the Cabinet on 1 April 2014 where it approved a consultation on the proposed commissioning options for future carer support services in Leicestershire .
- 24 The review process has been supported by a Prevention Advisory Board involving representatives from the Adults and Communities Department, Children and Young People's Service, Chief Executives Department, Public Health, Housing (Borough/District Council representation), and Healthwatch Leicestershire.

Scope of Review

- 25 At the point of commencement, the review encompassed those services defined as 'early intervention and prevention services' in a report to the Cabinet in June 2013 (see Appendices A and B).

- 26 In June 2013, the Cabinet agreed the commissioning of a countywide assistive technology service and low level housing related support service for older people. While plans for a countywide assistive technology service are progressing, a subsequent tender process was unable to deliver sufficient bids to move forward with the housing related support service.
- 27 This has provided an opportunity to consider housing related support for older people within the wider context of the strategic review of preventative services. This will align housing related support for older people with the approach to other housing related support services, which are already part of the strategic review.
- 28 In order to consolidate older people's housing related support within the overarching prevention offer, it is proposed that contracts for a number of existing services are extended up to 30 September 2015. This would bring these contracts into line with other contracted services already included in the strategic review and ensure that service users continue to receive a service, pending work to establish and re-commission a revised prevention offer. A list of services for which contract extensions are proposed is attached at Appendix C.
- 29 It has also been clarified that the savings targets in the MTFs for prevention have been set against all housing related support and voluntary sector budgets.
- 30 It should be noted that the above detailed changes to the scope of the prevention review have two important implications:
- The savings targets, as set at the commencement of the review, now include savings across the whole of housing related support and the voluntary sector;
 - The targets include several services which have not been part of the prevention review process. Accordingly, further work will be required to review and make additional savings against these contracts.
- 31 In light of the significant savings required. It will be necessary to cease all contracts detailed in Appendix A, B and C between March 2015 and September 2015 (dependent on complexities relating to transition), in order to re-shape the Department's prevention offer and deliver the savings requirement.

The Strategic Review Process

- 32 Initial work focussed on the development of an overall prevention model for the Department, against which to review current service provision and to plan future commissioning options. The work had several key phases:
- Identification of current and future demand for services;
 - Desk-based research to identify examples of preventative interventions that have been evaluated to be successful (internationally, nationally and locally);
 - Establishing a 'Citizens Reference Group' to undertake detailed analysis of social care need and potential interventions from an individual perspective.

- 33 This work broadly confirmed the findings of the Wanless Review (2005)¹, which identified four main causes contributing towards a persons need for social care support:
- Health, mobility and rehabilitation problems;
 - Social reasons – loneliness, fear or crime, abuse etc;
 - Lack or breakdown of informal care/carer stress;
 - Poor or inappropriate housing/environment.
- 34 Taking into account this information and learning, an early draft model for the Department’s prevention offer was developed which identified the need to support people to contribute to their community and in turn strengthen the capacity of communities to include and support vulnerable people. Maximising people’s own assets, support and community resources is an essential part of the model. This is in line with the development of the Local Area Coordinator role as part of the BCF unified prevention offer.
- 35 Current services were reviewed against this model using an established review process. Information about services was gathered, including contract monitoring data, feedback from previous consultation exercises, and client records (where held or accessible by the Department). Further information was requested from current providers (through a standardised questionnaire) and all providers were given the opportunity to submit further information in a written submission or through a 1:1 interview.
- 36 In addition, a series of three provider workshops were conducted during January and February to give the review team insight into current service provision and to further inform the team of risks associated with decommissioning. Further engagement was also undertaken with key stakeholders in addition to the formal Prevention Advisory Board meetings.
- 37 The review also recognised that some services aligned to the prevention review would not comfortably align to departmental priorities. Therefore throughout the review process, risk of decommissioning services was a key consideration.
- 38 The review has also ensured that the proposed model reflects findings from the Carers and Adults Mental Health reviews to ensure a consistent approach.

Financial Analysis

- 39 The budget for the Department’s prevention services has been established as £9.4m (including all housing related support and voluntary sector contracts).
- 40 Financial targets for the prevention review have been set by the MTFs. These are as follows:

¹ Wanless Review Team (2005) *Social Care Needs and Outcomes*, Wanless Review Team

Sum of budget for Prevention Services	£9,400,000
Savings to be made 2014/15	£1,000,000
Savings to be made 2015/16	£500,000
Savings to be made 2016/17	£2,000,000
Total budget for Prevention Services post 2016/17	£5,900,000

- 41 This means that by 2017/18, the budget for the Department's prevention services must not exceed £5.9m. This represents a budget reduction of 41% on the current budget over the next three years. This significant reduction in spending on prevention services represents a considerable challenge for the development of an overall secondary prevention offer and future commissioning options, although brings with it an opportunity to ensure the Departments contribution to the secondary prevention agenda complements the developing BCF unified prevention offer.

Commissioning options

- 42 The review has progressed to the point where commissioning options for the Department's future prevention offer have been developed. It should also be noted that the outcomes of the carers review and the new preventative adults mental health service model will also form part of the Department's prevention offer.
- 43 The commissioning options described below have been developed with the concept of Local Area Coordination (LAC) borne in mind. By September 2014, early implementation of the LAC will be developed and will further inform the countywide rollout of the LAC model (to be in place by 2016). The commissioning options presented below are intended to enhance and be enhanced by the existence of the LAC model when it is rolled out across Leicestershire. However, the options have also been designed to be sustainable should the LAC model not be pursued Countywide.
- 44 The review outcomes discussed below cover five main areas:
- The overarching Departmental prevention offer;
 - Commissioning options for secondary prevention;
 - Commissioning options for services/client groups straddling secondary and tertiary prevention;
 - Realignment of funding for people eligible for social care support;
 - Overview of all spend against housing related support and the voluntary sector and detail of further work required.
- 45 The areas covered by the commissioning options/outcomes and future potential investment across housing related support and voluntary sector are set out in Table 1 of this report.

Overarching Departmental Secondary Prevention Offer

- 46 The specific commissioning options for secondary prevention set out below form part of an overarching departmental prevention offer, which will over the coming years,

form the Department's contribution to the developing unified prevention offer through the BCF.

- 47 This offer is focussed on secondary prevention. Secondary prevention is concerned with identifying those most at risk of needing social care support in the future - for example: a new diagnosis of dementia; those at risk of isolation; low-level mental health problems; and, services for carers. This is distinct from primary prevention (which represents universal services for the whole population and includes families, communities, green spaces, libraries and information and advice) and tertiary prevention (which is concerned with support post-event – for example, after a major health event and include interventions such as reablement [HART, Assistive Technology and adaptations]).
- 48 Research and analysis of local population data in addition to consideration of opportunities to identify, intervene and have an impact has revealed three priority populations for the secondary prevention offer: older people (aged 65 and over); carers; and, people with a mental health need (see Figure 1).

Table 1: Future proposed spend against housing related support and voluntary sector budgets (NB the figures shown below reflect the MTFS)

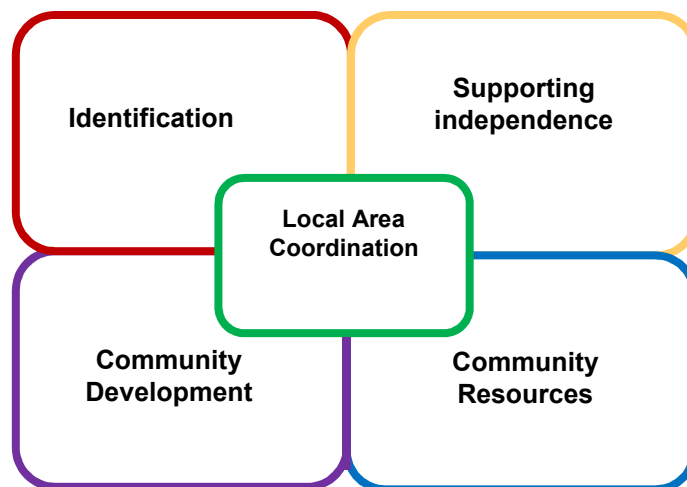
Level of Prevention	Intervention	Target population	Committed Funding (A&C)	Related projects in the Better Care Fund	Proposed re-investment	
Primary / Secondary	Advice and information	Available to all	£ 200,000			
Secondary	Identification	This includes our First Contact scheme and a GP carers health and wellbeing service	All	£ 334,000	Blind register (statutory) £17,000	
	Supporting Independence	This includes specialist advice, information and 1-1 support	Carers, Autism and Dementia	£ 460,000	£ 470,000	Older People: £500,000
	Maximising & Enhancing Community Resources	Social groups (peer support, info and advice, addressing isolation).	Mental Health, Carers and Dementia	£ 370,000		Older People: £50,000, Specialist: £50,000
	Community Development	Time banking and Innovation fund - investment in community solutions to prevent or reduce need (other funding sources also identified)	All at risk groups			Timebanking: £35,000
Underpinned by development of Local Area Co-ordination				£ 600,000		
Secondary / Tertiary	Homelessness and domestic violence support, advocacy and support to improve home environment	All	£ 440,895		Homelessness: £300,000 Domestic Violence: £120,000	
Tertiary	Specialist advice, assistive technology, Extra Care Housing, support after hospital	All	£ 1,180,672	£ 1,067,000		
Services for people eligible for Social Care Support	Personal budgets for individuals and carers, including Housing related support for eligible service users	Carers, Mental health and learning disabilities	£ 1,959,000	£ 475,000		
Commissioning Support	Engagement and procurement	All	£ 140,000			
Totals:			£ 4,750,567	£ 2,946,000	£ 1,072,000	

Figure 1: Target population groups



- 49 The proposed departmental offer for secondary prevention is based on the premise that the model should, as far as possible, be determined and led by need and the opportunity to intervene. It should promote an asset-based approach and links to local services and should also reflect expected future demand for support services. The secondary prevention offer is concerned with maximising people's own assets, support networks and community support to reduce demand for commissioned services.
- 50 The proposed commissioning model for secondary prevention covers four main areas with LAC as a key enabler (see Figure 2):

Figure 2: Key elements of the Secondary Prevention Commissioning Model



- *Identification* – this is concerned with the target populations as set out above, identifying those at risk and addressing future demand. Timeliness is a key factor – it is essential to be proactive and to intervene at the right time. The

offer may be targeted and in some instances it may be necessary to make a repeat offer of support or to 'follow up' with some individuals. To make identification successful, there will need to be a range of information and service access points provided by a range of providers, including Clinical Commissioning Groups where established methods of identifying people at risk are utilised (risk stratification tools). The community should also be playing a key role in early identification;

- *Supporting Independence* – working with people, to identify what their needs are and assisting them to get timely, effective and relevant information and to access community resources. This should be a largely short-term intervention which enhances control, increases resilience, facilitates participation and promotes inclusion. It should be outcomes-focussed and evidence-based and include an element of contingency planning for the future;
- *Maximising and Enhancing Community Resources* – maximising community resources. There should be a wide range of community resources available or developed and should be able to respond to need associated with isolation/loneliness, health concerns, living environments, and carers. This community resource includes families, friends, neighbours, communities of interest, community groups and providers;
- *Community Development* – developing and supporting existing community infrastructures and community development. Key to community development is LAC which harnesses existing and developing social capital, has knowledge of local assets and which can ensure that the right infrastructures are in place to sustain community responses to the needs of groups and individuals.

- 51 As stated above, key to the long term and effective implementation of the four elements is a coordinating role. It is envisaged that this could be delivered by LAC which is based on an integrated approach with partners. The BCF is resourcing a small LAC service in Leicestershire with a view to rolling the model out countywide in 2016 following evaluation. The LAC and the secondary prevention offer outlined above would result in a whole-systems approach in order to avoid duplication in service delivery, commissioning and funding for care and support across the whole of the health and social care system.
- 52 Primary and tertiary prevention services, in addition to Adult Social Care services (for which eligibility according to Fair Access to Care Services [FACS] is necessary) and commissioning support services are also highlighted in order to clarify spend across voluntary sector and housing related support budgets (see Table 1).
- 53 It should be noted that the CYPS have agreed to take responsibility for the review of several services providing support to the 18-25 year age group (funding is aligned to CYPS). It has been agreed however, that CYPS will ensure involvement from the review, in order to fully explore any risks to adult service users in light of future CYPS commissioning intentions.
- 54 In addition to recommended investment for the Department, Table 1 also illustrates how new investment through the BCF aligns and complements the model.

Specific Commissioning Options: Secondary Prevention

- 55 The secondary prevention offer has four main components:

- a. Identification;
- b. Supporting Independence;
- c. Maximising and Enhancing Community Resources; and
- d. Community Development.

56 The commissioning options for each of these are as follows:

a) Identification

- *First Contact Scheme, Customer Service Centre (CSC), GPs, CCG Integrated/Proactive Care* – these schemes and infrastructures are already in place and outside the scope of the review. However, they form an essential part of the Department's prevention offer in terms of identification;
- *Visual Impairment Register* – maintenance of the visual impairment register is a statutory responsibility for the Council under The Chronically Sick and Disabled Persons Act 1970 and will continue to be a statutory requirement under the new Care Bill. It will be necessary to continue to provide funding for the visual impairment register.

b) Supporting Independence

- This includes services and support for people with dementia, carers (including the Carers Support Fund [CSF]) and autism. These have been allocated funding from the BCF or have been reviewed and commissioning options developed as part of the recent Carers Review;
- The older persons housing related support services were added to the prevention review in February 2014. Further consideration will need to be given to future commissioning options in light of the difficulties experienced through the procurement process, and previous review findings. However, significant resources have been allocated to reflect the fact that older people are one of the Department's priority populations in terms of prevention (see above, paragraph 48 and Figure 1). The formal consultation period is an opportunity to clarify our future commissioning model for supporting independence for older people within allocated resources, to be shaped through stakeholder engagement, particularly with Borough and District Council representatives. The core principles identified through the prevention review (and during an earlier review of older person's housing related support) will provide a framework for future modelling and echo the principles of the prevention model as described above:

- | | |
|----------------|---------------------|
| • Needs Led | • Personalised |
| • Flexible | • Equitable |
| • People-based | • Outcomes-focussed |
| • Preventative | • Responsive |

In order to undertake the necessary review and resulting procurement work around older persons housing related support it will be necessary to extend these contracts up to a maximum of September 2015.

c) Maximising and Enhancing Community Resources

- The core focus of this element is the provision of social groups (offering a safe environment in which to meet, receive/provide peer support, information and advice, and addressing social isolation);
- It includes social groups for carers and dementia (i.e. memory cafes);
- It also includes social drop-in groups for adults with mental health needs (reviewed as part of the recent preventative adult mental health services review and new contracts to be in place by October 2014);
- It has been identified that there needs to be an allocated resource to develop social groups for older persons. The principle commissioning option in respect of this cohort would be to establish a community seed fund to set up support for social groups/peer support (including Lunch Clubs), prioritising older people;
- It is also recognised that there needs to be a specific offer of social groups for individuals with specialist needs (i.e. individuals with a physical disability, acquired brain injury, autism, and stroke). The principle commissioning option in respect of this cohort would be to establish a community seed fund to support social group/peer support development, prioritising those with specialist needs. Funding will be prioritised according to prevalence and potential impact on health and social care resource.

d) Community Development

- This element includes schemes such as Timebanking and the Innovation Fund which do not form part of the prevention review but are in place to develop low level interventions/services and support in the community. It is recommended that a small amount of funding is allocated to secure the future of Timebanking as it represents a low cost option to provide an infrastructure for developing individual and community assets. Separate funding is in place to support the innovation fund, although further work is required to ensure funding is targeted towards priority populations, developing sustainable interventions to further inform the evidence base relating to prevention.

Specific Commissioning Options: Vulnerable People

- 57 The review process has identified that there are a number of existing housing related support services for vulnerable people (covering homelessness, substance abuse, offenders, domestic abuse, and gypsy and traveller communities) which do not align to the wider secondary prevention offer (as described above). However, the review has identified considerable risks to service users (current and future), the public, stakeholders, partners, providers and the Council if some form of service provision is no longer commissioned for these client groups.
- 58 Accordingly, two commissioning options for housing related support for vulnerable people (covering homelessness, substance abuse, offenders, domestic abuse, and gypsy and traveller communities) have been identified, as set out below:

Option 1 - Commissioning a Countywide Generic Short Term Floating Support Service

59 This option is based on the following principles:

- a) Decommission existing housing related support services for vulnerable people;
- b) Commission a Countywide Generic Short Term Floating Support service with a focus on vulnerable people requiring an element of specialist support taking into account the following:
 - Explore with local authorities the options available for homeless people that can support any reduction in hostel provision with the exception of domestic abuse refuges where the close link of accommodation need and support is considered valuable;
 - Explore potential to remodel domestic abuse refuges to include some support for victims of domestic abuse other than single women or women with children;
 - Work with partners, such as the Probation Service, to explore specialist support for ex-offenders (especially higher risk groups);
 - Explore options for transferring responsibility for specialist substance misuse services to Public Health;
 - Housing needs of Gypsy and Travellers to be met under homelessness remit of new generic countywide floating support service.

<i>Option 1 – Commissioning Countywide Generic Floating Support Service</i>	
<i>Benefits</i>	<i>Disadvantages</i>
Achieve savings targets	Impact on existing and potential service users
Disaggregation of responsibilities for: <ul style="list-style-type: none"> • accommodation • support services 	Political sensitivities (i.e. decommissioning homeless hostels)
Opportunities for meeting future capacity/need (i.e. reducing length of intervention)	Willingness of partners
Retention of domestic abuse refuges	Ability of local housing authorities to meet accommodation needs
Commissioning options for providers	Potential issues around nomination rights to accommodation based services
	Considerable transitional arrangements

Option 2: Commissioning an element of accommodation-based support and floating support with a preferred provider

60 This option is based on the decommissioning of existing housing related services for homelessness, substance abuse, offenders and gypsy and traveller communities. Discussion would be held with key partners (such as Public Health and the Probation

Service) to establish responsibilities for elements of support (i.e. supporting substance misusers and high-risk offenders).

- 61 It would lead to the commissioning of a countywide floating support service to support homelessness with a specification for an element of accommodation-based support (i.e. hostel provision); the accommodation element to be provided at nil cost to the Department. This approach would comprise an initial period of market testing/engagement to determine provider appetite, accommodation opportunities and to further shape and scope the service requirements, followed by a formal procurement process.
- 62 In this option, domestic abuse refuges would be maintained but with reduced investment and possible remodelling of existing provision (i.e. possible reduction in number of units countywide).

<i>Option 2 – Commissioning an element of accommodation-based support and floating support with a preferred provider</i>	
<i>Benefits</i>	<i>Disadvantages</i>
Achieve savings targets	Impact on existing and potential service users
Retain domestic abuse refuges and some homeless hostel provision	Risk around securing a preferred provider (i.e. no expressions of interest)
Opportunities service design and development with preferred provider	Longer timescales to implement than standard commissioning process
Potential use of external funding to support service provision	Considerable transitional arrangements
Commissioning options for providers	

Specific Commissioning Options

- 63 It is recognised that primary and tertiary prevention as well as adult social care services (for which eligibility according to FACS is necessary) and commissioning support services are funded through housing related support and voluntary sector budgets (see Table 1) which were not within the scope of the prevention review. These will now be discussed in brief.

Primary Prevention

- 64 This element of the prevention offer represents universal services (including those provided by the Department - i.e. libraries and museums) as well as information advice. The recent Information and Advice project and resulting commissioning of a service providing Advice about Social Care (adults and older people) forms a major part of this element.

Secondary/Tertiary Prevention

- 65 The secondary/tertiary element consists of the following existing services:

- Home Improvement Agency (HIA)
- Specialist advice for armed forces (SSAFA)
- Extra Care housing
- Advocacy
- Assistive Technology (AT)
- Hospital2Home

- 66 The majority of these services (with the exception of assistive technology and extra care) have not been reviewed and further work will be required to establish potential savings or service remodelling.

Eligibility

- 67 During the review it was identified that a number of existing housing related support services need to be aligned with the care pathway as individuals accessing the services are eligible for adult social care services. In addition, services for which individuals are eligible for social care services and which fall within the wider departmental prevention offer include personal budgets for carers (as dictated by the new Care Bill) and carers assessments.

Commissioning Support

- 68 The overall budget also includes funding for an engagement provider and procurement with Eastern Shires Purchasing Organisation (ESPO). However, these have not been reviewed and further work will be required to establish further savings or service remodelling where applicable.

Consultations

Engagement to Date

- 69 Throughout the review process opportunities have been taken to engage with as many key partners and stakeholders as possible. Engagement undertaken to date includes:
- Meetings of the Prevention Advisory Board;
 - Meetings with key stakeholders including: Public Health; CYPS; Clinical Commissioning Groups (CCG) representatives; Chief Executive's Department; and, operational team managers;
 - Specific providers or teams where an important interdependency has been identified (ie East CCG integrated care; First Contact scheme; and, Multi-Agency Traveller Unit (MATU));
 - Citizen Reference Group workshops;
 - Workshops and offer of 1-1 meetings with current housing related support and voluntary sector involved in the reviews;
 - Workshop with wider voluntary sector providers, facilitated by Voluntary Action LeicesterShire (VAL);
 - Meetings with Healthwatch Leicestershire;
 - Use of existing consultation from Preventative Adult Mental Health Review; Carers Review; and, Information and Advice project;
 - Attendance at various events and forums considered relevant to the review;
 - Briefings with Members.
- 70 Further stakeholder engagement is recognised as essential in the further development of the commissioning options set out above.

Formal Consultation Exercise

- 71 On 1 April 2014 a paper was presented to the Cabinet asking for permission to undertake a formal consultation exercise. As permission was granted, a formal consultation exercise on the prevention offer and future commissioning options for adult preventative services commenced on 14 April 2014 and will run until 13 July 2014 (inclusive).
- 72 As part of the consultation exercise, the Department's financial position will be clarified (that is, money available and savings to be made) and a clear statement made about the fact that all contracts which have been subject to the review are proposed to cease at appropriate dates between March 2015 and September 2015. A co-production approach is being taken to develop more detailed commissioning proposals within the context of future investment. It is a process which will enable the Department to be sure that it has a detailed understanding of risks associated with proposed changes and potential mitigating actions. It will also provide an opportunity to check that people agree with the approach being proposed and to gather together and consider any alternative ideas.
- 73 The consultation period will also be used to further inform:
- Methods for the identification of vulnerable groups and referral/ prioritisation processes;
 - Outcomes to be achieved by new services;
 - Detailed delivery mechanisms through working with providers, partners and service users;
 - Appropriate contract end dates taking into account transitional arrangements;
 - Risk and Impact assessments.
- 74 The approach to the consultation is varied and is intended to enable the greatest amount of people (including stakeholders, providers, service users and their carers and families, and members of the general public) to be involved and provide feedback and comments on the commissioning proposals. Active participation in consultation will be sought from all key stakeholders as listed within Appendix D.
- 75 The consultation will be conducted in a number of ways, including the following:
- Wide promotion of the consultation, including an article in Leicestershire Matters, and posters advertising events distributed to various community locations.
 - Information to support participation in the consultation available on-line and in hard copy format upon request.
 - Online questionnaires available to all to complete. Hard copy versions available upon request.
 - A series of workshops for providers (of existing prevention services).
 - A series of workshops for current service users accessing existing prevention services.
 - A series of workshops for the general public.
 - Attendance at various stakeholder meetings.
 - Wide distribution of information relating to the review to key stakeholders.

76 Although the consultation period only commenced on 14 April 2014 the following can be reported:

- Five provider workshops have taken place focusing on the commissioning proposals. These included a generic session for all providers and four smaller workshops where providers of specific service groups (i.e. 'other vulnerable people' or 'social groups') came together to give detailed feedback on specific aspects of the commissioning proposals.
- Two service user workshops have taken place based on specific service groups (i.e. 'other vulnerable people' or 'social groups').
- Three workshops for the general public have taken place providing the public with an opportunity to hear more about the commissioning proposals and to give feedback and comments.
- A total of 40 questionnaires been completed by 1 May 2014 (17 days into the consultation period). These include questionnaires completed online or hard copies completed and returned.
- Meetings have been held with a number of external stakeholders to get feedback on the commissioning proposals and to explore further options for the development of the prevention model. These have included meetings with representatives from: Public Health; Leicestershire and Rutland Probation Trust; and partners who sit on the Council's Domestic Abuse Commissioning Group;
- Further discussions have been held with internal stakeholders, including meetings with locality managers and Heads of Service (for specific areas, such as reablement and mental health services) in order to highlight the commissioning proposals, to capture initial feedback and to consider alternatives.

Future Work/Steps

77 It is expected that the key milestones of the review will be as follows:

Timescales	
Formal consultation	April – July 2014
Papers presented to Overview and Scrutiny Committees (Adults and Communities; Children and Families; and, Health)	June 2014
Revision of model	August 2014
Cabinet – outcome of consultation and confirmation of model from 2015/16 onwards	Autumn 2014
De-commissioning of services undertaken and new commissioned services procured (dependent on Cabinet decision).	Contracts ending between April 2015 and September 2015, dependent on complexity of transition processes.

78 Following the end of the formal consultation period preferred options for future commissioning as part of the Department's prevention offer will be established. It should be noted that there may be exceptional circumstances where the Cabinet may be requested to extend a small number of contracts for an additional six months (up to March 2016) to allow sufficient time for transitional arrangements between existing and new services. This will be subject to consultation findings and finalisation of commissioning options.

Resources Implications

- 79 As set out in the Council MTFs, demographic pressures are increasing as income reduces resulting in a funding gap that needs to be addressed by making an unprecedented level of budgetary savings. Consequently the Adults and Communities Department has a target departmental saving of £21m to make over the next four years and has identified £3.5m to be saved by 2016/17 from “New model of Early Intervention and Prevention Support (S34)”.
- 80 The current spend for these contracts is £9.4m so a reduction of £3.5m represents 41% of the budget over the next four years and sets the maximum budget for the Department’s preventative services as £5.9m from 2016/17. A £1m reduction in spend is targeted in the interim for and including 2014/15; the majority of which has already been identified.
- 81 This report details proposals for the de-commissioning of all services detailed in Appendices A and B which will deliver the savings target set, and re-investment proposals which will deliver a more focussed, partnership approach to prevention.
- 82 The costs of extending all older persons housing related support contracts up to a maximum of September 2015 is £2.6m (a full list of relevant contracts is included in Appendix C).
- 83 The Director of Corporate Resources and the County Solicitor have been consulted on the contents of this report and it has been reviewed by Commercial and Procurement services.

Timetable for Decisions (including Scrutiny)

- 84 The consultation commenced on the 14 April 2014 and will run until the 13 July 2014.
- 85 As the 1 April 2014 Cabinet report was a joint report between the Adults and Communities, Children and Family Services and Public Health departments, this Scrutiny report will also be presented to the following scrutiny committees for information:
- Children’s and Families Overview and Scrutiny Committee (9 June 2014);
 - Health Overview and Scrutiny Committee (11 June 2014).
- 86 The consultation outcomes and finalised commissioning options will be reported to the Cabinet in the autumn of 2014, including proposed timelines for the decommissioning of existing services and procurement timelines for new services.

Background Papers

- *Our Health, Our Care, Our Say: A New Direction for Community Services* (2006) – Government White Paper
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/272238/6737.pdf
- *Draft Care Bill* (2013) – Government Legislation
<http://www.parliament.uk/business/committees/committees-a-z/joint-select/draft-care-and-support-bill/>
- *Leicestershire’s Health and Wellbeing Strategy, 2013-2016* (2013)

[http://politics.leics.gov.uk/Published/C00000135/M00003397/AI00033271/\\$FFAppendixD.doc.pdf](http://politics.leics.gov.uk/Published/C00000135/M00003397/AI00033271/$FFAppendixD.doc.pdf)

- Report to Cabinet: 12 June 2012 - Request for Exception to Contract Procedure Rules – Voluntary Sector and Housing Related Support Services
[http://politics.leics.gov.uk/Published/C00000135/M00003392/AI00031503/\\$IRequestforExceptiontoContractProcedureRulesVolSectorandHsgRelatedSupport120612.doc.pdf](http://politics.leics.gov.uk/Published/C00000135/M00003392/AI00031503/$IRequestforExceptiontoContractProcedureRulesVolSectorandHsgRelatedSupport120612.doc.pdf)
- Report to Cabinet, 14 September 2012: *Proposed Service Model for Assistive Technology and Housing Related Support for Older People*
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- Report to Cabinet, 9 July 2013 - *Strategic Review of Adult Preventative Mental Health Services in Leicestershire*
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[http://politics.leics.gov.uk/Published/C00000135/M00003636/AI00036274/\\$5strategicreviewadultpreventativementalhealthservices.docxA.ps.pdf](http://politics.leics.gov.uk/Published/C00000135/M00003636/AI00036274/$5strategicreviewadultpreventativementalhealthservices.docxA.ps.pdf)
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Circulation under the Local Issues Alert Procedure

The Cabinet report dated the 1 April 2014 was circulated to all Members of the County Council via the Members' News in Brief.

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List of Appendices

Appendix A Contracts that form part of the revised Early Intervention and Prevention offer

- Appendix B Contracts that form part of the revised Early Intervention and Prevention offer but do not need extension
- Appendix C Older Person Supported/Sheltered Accommodation Contracts that form part of the revised Early Intervention and Prevention offer, that require a contract extension
- Appendix D List of Key Stakeholders to be alerted of the consultation

Relevant Impact Assessments

Equal Opportunities Implications

- 87 The extent of decommissioning suggests a number of Equalities and Human Rights Impact Assessments (EHRIA's) will be required under different headers. These will be included in the Equalities programme as per appropriate timescales and the Equalities lead for the Department has been engaged with the review. An EHRIA questionnaire for the overall review has been prepared and presented to the Departmental Equalities Group (DEG) in April 2014. Discussion with DEG have been held to determine further work required and it has been agreed that individual EHRIAs for each service group (i.e. social groups, other vulnerable people) will be prepared and presented to DEG for sign off during the consultation period. Two separate EHRIAs for each service group will be prepared, one to cover the review process and services as is and another to cover impacts of proposed commissioning options. The latter set of EHRIAs will be completed following the formal consultation exercise at which point firm commissioning proposals will have been developed. This approach has been approved by the DEG.

Partnership working and associated issues

- 88 Significant engagement with a number of key stakeholders has already been undertaken. However in recognition of the scale of change required full stakeholder mapping has been conducted to ensure the formal consultation period can effectively capture partners perspectives in terms of:
- Impact of the changes;
 - Any other relevant services provided/ commissioned;
 - Future delivery/ commissioning intentions;
 - Alignment with the Department's secondary prevention review;
 - Alignment with the unified prevention offer.

Risk Assessment

- 89 Investment as highlighted in Table 1 will deliver the target savings as set out in the MTFS.
- 90 It is important to highlight that reduced investment in preventative services may lead to an increase in the number of people requiring more intensive interventions in the longer term. This will be a key consideration through the consultation process in order to determine final commissioning decisions.
- 91 A full risk log and impact assessment is being maintained and will be further informed through feedback during the consultation process.

92 Future proposed investment options however, have been designed to:

- Ensure funding is focussed on reducing future need;
- Provide a limited offer for high risk populations in order to mitigate impact/risks.

APPENDIX A**Contracts that form part of the revised Early Intervention and Prevention offer**

Existing HRS Contracts	Maximum Contract End Date
Adullam Housing Association (Floating Support for Offenders)	30/09/2015
Advance Housing & Support (Blaby and Oadby & Wigston Floating Support Service (Long-Term) - MH)	30/09/2015
Advance Housing & Support (Charnwood and Melton Supported Accommodation (long-term) - MH)	30/09/2015
Advance Housing & Support (Charnwood Floating Support Service (Long-Term) - MH)	30/09/2015
Advance Housing & Support (Countywide Floating support (long-term) - LD)	30/09/2015
Advance Housing & Support (Countywide Floating support (short-term)- MH)	30/09/2015
Advance Housing & Support (Harborough Supported Accommodation (Long-Term) - MH)	30/09/2015
Advance Housing & Support (Hinckley & Bosworth floating support (long-term) - LD)	30/09/2015
Advance Housing & Support (North West Leics and Hinckley & Bosworth Supported Accommodation (long-term) - MH)	30/09/2015
Advance Housing & Support (Oadby & Wigston Supported Accommodation (long-term) - MH)	30/09/2015
Creative Support Learning Disability Supported Living (long-term)	30/09/2015
Creative Support Oadby & Wigston learning disability supported living (long-term)	30/09/2015
Creative Support Countywide learning disability floating support (long-term)	30/09/2015

Existing HRS Contracts	Maximum Contract End Date
East Midlands Housing Assoc (Melton 24 hr supported accom for homeless families and young homeless people (short-term))	30/09/2015
Headway Floating Support for people with a physical or sensory impairment	30/09/2015
Leicester City Council (Star) (Site: 642)	30/09/2015
Leonard Cheshire Homes (Roelcliffe Court)	30/09/2015
Mencap Melton, Charnwood and Harborough LD supported living (long term)	30/09/2015
Nacro (Countywide floating support for substance misusers (short-term))	30/09/2015
Nacro (Floating Support services for offenders/those at risk of offending (short-term))	30/09/2015
Nottingham Community Housing Assn LD Floating Support (long-term)	30/09/2015
Nottingham Community housing Assn (Charnwood mental health supported accommodation (short-term))	30/09/2015
Nottingham Community housing Assn (North West Leicestershire mental health floating support (long-term))	30/09/2015
Nottingham Community Housing Assn (Homelessness Prevention Floating Support Service - North)	31/03/2015
Nottingham Community Housing Assn (Homelessness Prevention Floating Support Service - South)	31/03/2015
The Shaw Organisation (Kennedy House)	30/09/2015
Womens Aid Leicestershire Ltd (Charnwood refuge accommodation (short-term))	30/09/2015

Existing HRS Contracts	Maximum Contract End Date
Womens Aid Leicestershire Ltd (Hinckley and Bosworth refuge accommodation (short-term))	30/09/2015
Womens Aid Leicestershire Ltd (North West Leicestershire refuge accommodation (short-term))	30/09/2015
Youth Shelter (Leicestershire North Support Services (The Falcon Centre))	29/03/2016
Youth Shelter (Charnwood Floating Support for homeless people (short-term))	30/09/2015

Existing Lunch Club Contracts	Maximum contract end dates
Agar Nook Community Centre	30/09/2015
Age UK L&R Travelling Lunch Clubs	30/09/2015
Age UK O&W Lunch Clubs	30/09/2015
Age UK Lutterworth 2 Travelling Clubs	30/09/2015
Age UK Lutterworth 1 Travelling clubs	30/09/2015
Age UK Oadby & Wigston, Paddock St. Café	30/09/2015
Anstey	30/09/2015
Barlestone	30/09/2015
Blaby & Glen Parva Community Service - The Drop in Centre	30/09/2015
Bradgate Flats	30/09/2015
Cameo (Ibstock) Lunch Club	30/09/2015
Choice	30/09/2015
Co-op Castle Donington	30/09/2015
Co-op Glenfield	30/09/2015
Co-op Luncheon Club Coalville	30/09/2015
Co-op Melton	30/09/2015
Douglas Jane	30/09/2015
Fleckney	30/09/2015
Greenhill Community Church Trvg	30/09/2015
Groby	30/09/2015
Harb Theatre	30/09/2015
Higham Way	30/09/2015

Existing Lunch Club Contracts	Maximum contract end dates
Hugglescote CC	30/09/2015
Hugglescote Primary School	30/09/2015
Jagruti	30/09/2015
John Storer House WRVS Tuesday & Friday	30/09/2015
JSH VAL Wed	30/09/2015
JSH VAL Sileby	30/09/2015
Kirby Muxloe Library	30/09/2015
Leicester Chinese LC	30/09/2015
Moira	30/09/2015
MS Travelling	30/09/2015
New Syston	30/09/2015
Oadby Sevak Semaj	30/09/2015
Packington Memorial Hall	30/09/2015
Rearsby	30/09/2015
Roman Way DC	30/09/2015
Saltersford Valley	30/09/2015
Sapcote	30/09/2015
Sathi	30/09/2015
Shalom Club	30/09/2015
Shrada	30/09/2015
Syston (Young at Heart)	30/09/2015
The Cove	30/09/2015
The Edge	30/09/2015
The Reform Lunch Club, Moira	30/09/2015
Vidur	30/09/2015
Whitwick Community Coffee Shop	30/09/2015
WHM Work Connections Greenfields Skills Centre	30/09/2015
Wigston Library	30/09/2015
Willows	30/09/2015

Existing Voluntary Sector Organisation Contracts	Maximum Contract End Date
Albert Street Artists	30/09/2015
Broughton Astley Stroke Club	30/09/2015
Glebe House Charnwood Ltd - Challenge Group	30/09/2015
Headway Information & Daycare Services	30/09/2015
Hinckley Association For The Disabled	30/09/2015
Hinckley Mencap - Gateway Group	30/09/2015
Leicester Stroke Club	30/09/2015
Market Harborough Stroke Club	30/09/2015
Ibstock & District Stroke Club	30/09/2015
Melton Mowbray Welfare Sitting Service - Mencap	30/09/2015
Monday Club Leicestershire Ltd (The)	30/09/2015
Mosaic - Shaping Disability Service - Early Intervention & Prevention Services	30/09/2015
Next Generation	30/09/2015
Pursuit	30/09/2015
Volunteer Centre Castle Donnington & District (Stroke Club)	30/09/2015
VISTA - Rehabilitation, Registration, Equipment and Advice & information	30/09/2015

APPENDIX B**Contracts that form part of the revised Early Intervention and Prevention offer but do not need extension**

VSO services that already form part of discreet procurement package	
Alzheimer's Society - Blaby Dementia Café	
Alzheimer's Society - Dementia Support	
Leicester Charity Link	

VSO services that already form part of discreet procurement package – Mental Health Services Review	
Age UK Leicester Shire & Rutland Community Mental Health Service - Voluntary service organisers	30/09/2015
Volunteer Centre Lutterworth	30/09/2015
West Leicestershire Mind	30/09/2015
Adhar Project	30/09/2015
Age UK L&R Befriending and Drop in community mental health service	30/09/2015
Community Action Partnership - Community MH Service & MH Day Services (formerly Community Action Blaby)	30/09/2015

VSO services that already form part of discreet procurement package – Carers Services Review	
Age UK L&R Dementia respite scheme	30/09/2015
Alzheimer's Society - Carers - Side By Side Project	30/09/2015
East Midlands Crossroads – Caring to Carers	30/09/2015
East Midlands Crossroads – Dementia Respite	30/09/2015
Housing 21 – Emergency Respite Service	30/09/2015
Leicestershire Community Partnership Trust (LCPT) - Carers Health & Wellbeing service	30/09/2015
Royal Mencap - Older Carers	30/09/2015
Rethink	30/09/2015
Voluntary Action South Leicestershire - Adult MH Community Respite Scheme	30/09/2015
Voluntary Action South Leicestershire - Carers Support	30/09/2015
Voluntary Action South Leicestershire - Carers Education Training Programme	30/09/2015

VSO services & HRS transferred to CYPs
Catch 22 (Floating Support for Care Leavers)
East Midlands Housing Assoc (NWL Supported accom for young homeless people (short-term))
Hinckley Homeless (Hinckley & Bosworth 24 hour supported accommodation for young homeless people (short-term))
Home Group Stonham (Hinckley and Bosworth supported move on accommodation (short-term))
Home Group Stonham (Supported Lodgings Plus Service)
Nottingham Community Housing Assn (Charnwood supported accom for young homeless people (Foyer) (short-term))
The Bridge (Charnwood Floating Support for teenage parents (short-term))
Youth Shelter (Charnwood Supported accommodation for young homeless people (Park Rd/Marshalls Ct) Short-term)

APPENDIX C**Older Person Supported / Sheltered Accommodation Contracts that form part of the revised Early Intervention and Prevention offer, that require a contract extension**

Existing HRS Contracts	Proposed Maximum End Date
Abbeyfield Loughborough Society – Ashby Road	30/09/2015
Abbeyfield Loughborough Society – Forest Road	30/09/2015
Abbeyfield UK – Barnes House	30/09/2015
Abbeyfield UK – Holloway House	30/09/2015
Anchor Trust – Willow Court	30/09/2015
Anchor Trust – Beech Court	30/09/2015
Charnwood Borough Council – Arnold Smith House	30/09/2015
Charnwood Borough Council – Longcliffe Road	30/09/2015
Charnwood Borough Council – St. Peters Court	30/09/2015
Charnwood Borough Council – Riverside Court	30/09/2015
Charnwood Borough Council – St. Michaels Court	30/09/2015
Charnwood Borough Council – St. Pauls Court	30/09/2015
Charnwood Borough Council – Sorrel Court	30/09/2015
Charnwood Borough Council – Dudley Court	30/09/2015
Charnwood Borough Council – Babington Court	30/09/2015
Charnwood Borough Council – Durham Road	30/09/2015
Charnwood Borough Council – Fielding Court	30/09/2015
Charnwood Borough Council – Community Alarms	30/09/2015
Charnwood Borough Council – Charnwood Mobile Warden Service	30/09/2015

Existing HRS Contracts	Proposed Maximum End Date
East Midlands Housing Assoc – Church Close	30/09/2015
East Midlands Housing Assoc – Rendell Street	30/09/2015
East Midlands Housing Assoc – Peggs Grange	30/09/2015
East Midlands Housing Assoc – Prior Park Phase 2	30/09/2015
East Midlands Housing Assoc - Prior Park Phase 1	30/09/2015
East Midlands Housing Assoc – Vrudha Nivas	30/09/2015
East Midlands Housing Assoc - East Midlands Alarm Service	30/09/2015
Hanover Housing Association – Hanover Court	30/09/2015
Hanover Housing Association – Burbage Court	30/09/2015
Hanover Housing Association – Bellamy Close	30/09/2015
Hinckley & Bosworth Borough Council – Dispersed Lifeline Alarms H&B	30/09/2015
Hinckley & Bosworth Borough Council – Tom Eatough Court	30/09/2015
Hinckley & Bosworth Borough Council – Claredon House	30/09/2015
Hinckley & Bosworth Borough Council – Royal Court	30/09/2015
Hinckley & Bosworth Borough Council – Queensway	30/09/2015
Hinckley & Bosworth Borough Council – Centurion Court	30/09/2015
Hinckley & Bosworth Borough Council – Barlestone	30/09/2015
Hinckley & Bosworth Borough Council – Armada Court	30/09/2015
Hinckley & Bosworth Borough Council – Mayflower Court	30/09/2015
Hinckley & Bosworth Borough Council – Ambion Court	30/09/2015
Hinckley & Bosworth Borough Council – Hereford Way	30/09/2015

Existing HRS Contracts	Proposed Maximum End Date
Hinckley & Bosworth Borough Council – Castle Court	30/09/2015
Hinckley & Bosworth Borough Council – Piper Alarm System	30/09/2015
Housing 21 – Brown Court	30/09/2015
Housing 21 – Wilson Court	30/09/2015
Housing 21 – Sir Robert Martin	30/09/2015
Housing 21 – Ronald West	30/09/2015
Housing 21 – Mowbray Court	30/09/2015
Housing 21 – Kenneth Gamble Court	30/09/2015
Melton Borough Council – Granby Drive	30/09/2015
Melton Borough Council – Floating Warden Service	30/09/2015
Melton Borough Council – Wilton Court	30/09/2015
Melton Borough Council – St Johns Court	30/09/2015
Melton Borough Council – Granby House	30/09/2015
Melton Borough Council – Burnaby Place	30/09/2015
Melton Borough Council – Bradgate Flats / Bungalows	30/09/2015
Melton Borough Council – Warwick Flats	30/09/2015
North West Leicestershire DC – Alarm Service	30/09/2015
North West Leicestershire DC – Warden Service	30/09/2015
Oadby & Wigston BC – William Peardon Court	30/09/2015
Oadby & Wigston BC – Kings Drive – Bungalows	30/09/2015
Oadby & Wigston BC – Marriott House	30/09/2015

Existing HRS Contracts	Proposed Maximum End Date
Oadby & Wigston BC – St Peters Path & Garden Close	30/09/2015
Oadby & Wigston BC – Chartwell House	30/09/2015
Oadby & Wigston BC – Churchill Close	30/09/2015
Oadby & Wigston BC – Peripatetic Warden	30/09/2015
Seven Locks Housing Limited – Arkwright House	30/09/2015
Seven Locks Housing Limited – Brookside Gardens	30/09/2015
Seven Locks Housing Limited – Brooklands Gardens	30/09/2015
Seven Locks Housing Limited – Brookfield Gardens	30/09/2015
Seven Locks Housing Limited – Hearth St & Earth St	30/09/2015
Seven Locks Housing Limited – Naseby Square	30/09/2015
Seven Locks Housing Limited – St Catherines Terrace	30/09/2015
Seven Locks Housing Limited – Westerby Court	30/09/2015
Seven Locks Housing Limited – Knights Close	30/09/2015
Seven Locks Housing Limited – Huntingdon Gardens	30/09/2015
Seven Locks Housing Limited – Harborough Peripatetic Warden	30/09/2015
Seven Locks Housing Limited – Harborough Alarm Only	30/09/2015
Seven Locks Housing Limited – Hazeland Court	30/09/2015
Seven Locks Housing Limited – Morrison Court	30/09/2015

List of Key Stakeholders to be alerted of the consultation

Organisation/ Department	Stakeholder
Leicestershire County Council departments	Adults and Communities staff
	Research & Insight
	Community Safety
	Communities and Places Team
	Business Intelligence & Performance
	Children and Young Persons Service
	Environment and Transport
	First Contact
	Multi Agency Traveller Unit
	Health
West Clinical Commissioning Group	
East Clinical Commissioning Group	
Leicestershire Partnership Trust- Community Provision	
Leicestershire Partnership Trust Community Mental Health Teams	
Pharmacies	
East Midlands Ambulance Service	
Community	Districts and Borough Councils
	Fire service
	Police
	Housing Providers/ Landlords
	Probation
	Leicester City Council
	Rutland County Council
Customers	Public Representation
	Customers of current provision
	Carers
Providers	Provider Forum
	Specific providers
	Voluntary Sector
	Voluntary Action Leicestershire
Governance	Equalities
	Cabinet Lead Member for Adult Social Care
	Efficiencies Programme Manager
	Change Board/ Director of Adults and Communities
	Cabinet
	Scrutiny
	Health & Wellbeing Board
	Learning Disability Partnership Board
	Integrated Commissioning Board
	Leicestershire Together/ Better Care Together
	Healthwatch
Housing Board	

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ADULTS AND COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE:
10 JUNE 2014

STRATEGIC REVIEW OF CARER SUPPORT SERVICES IN
LEICESTERSHIRE

REPORT OF THE DIRECTOR OF ADULTS AND COMMUNITIES

Purpose of Report

1. The purpose of this report is to ask the Committee to note the outcome of the strategic review of carer support services and invite comments from the Committee as part of a three month public consultation on the proposed commissioning options for the future of carer support services outlined in this report.

Policy Framework and Previous Decisions

2. The relevant policy framework includes:
 - The Carers' (Recognition and Services) Act 1995;
 - The Children's Act 2004;
 - The Carers' (Equal Opportunities) Act 2004;
 - Our Health, Our Care, Our Say 2006;
 - The National Carers' Strategy "Carers at the Heart of 21st Century, Families and Communities" (2008);
 - Next Steps for the Carers Strategy (2010);
 - Supporting the Health and Wellbeing of Carers in Leicester, Leicestershire and Rutland – Strategy and Delivery Action Plan 2012-2015;
 - The Care Bill 2013.
3. In June 2013, the Cabinet approved a request to extend the contracts for the existing carer support services up to a maximum of the end of September 2015.
4. The Cabinet agreed to an additional extension to a range of prevention related contracts in June 2013, to allow for further work on developing a new more holistic early intervention and prevention offer, including carer support services.
5. A strategic review of carer support services in Leicestershire has been undertaken by the Strategic Planning and Commissioning Team. The review forms part of the wider review of a new approach to prevention services commissioned by the Department (as detailed in a report presented to Cabinet in June 2013).
6. The review considered the following types of carer support services which are currently commissioned by the Adults and Communities Department:
 - Home Based Carer Respite services;

- Emergency Carer Respite service;
 - Specialist Advice, Information and Support services – including carers of Adults with Learning Disabilities Support Services;
 - GP Carer Health and Wellbeing service;
 - Carers Education Training Programme;
 - Carer Support Fund (CSF).
7. As part of the strategic review and service modelling process, engagement was undertaken with carers, existing providers, customers, stakeholders and departmental commissioning staff. Findings from the review process have informed the development of the proposed commissioning options.
 8. The new commissioning options, proposed for a three month public consultation, for carer support services in Leicestershire have been developed to provide services that meet demand, offer equitable access (both demographically and geographically), have a focus on positive outcomes for carers and customers, give value for money and ensure that the Department complies with the new Care Bill.
 9. On the 1 April 2014, the Cabinet noted the outcome of the strategic review of carer support services and gave approval to commence a three month public consultation on the proposed commissioning options for the future of carer support services in Leicestershire.

Background

10. A strategic review of carer support services in Leicestershire has been undertaken by the Adults and Communities Department between May 2013 and January 2014.
11. A total of 11 commissioned carer support services were included in the review, in addition to the CSF (a one off annual financial payment made to some carers).
12. These services reflect the provision of both universal support services for carers and also targeted support for carers as identified through the completion of a carers' assessment, although some support for carers is also accessed through the personal budget of the person they are caring for.
13. It is acknowledged that the carer support services form part of the Adults and Communities Department's wider early intervention and prevention offer to customers. The model outlined in this report has therefore sought to be consistent with the development of the Department's wider early intervention and prevention offer.

Carer Support Services

Current Service Provision and Challenges

14. Many of the current carer support services have been established for a number of years (see Appendix A to this report).
15. There were several challenges in the context of the current provision of carer support services including:

- A diverse range of services being reviewed that are tailored for different client groups, in order to meet a range of outcomes (for example, at present, the Department only commissions home based respite services for carers of people with dementia or mental ill health);
- A lack of clarity in outcomes achieved;
- Inequity in current service provision;
- A lack of equity due to geographical limitations of some services;
- Unco-ordinated referral routes into services;
- Financially unsustainable levels of service provision for certain services, whilst other services are significantly under-utilised.

Service Demand

16. In the Government's 2011 Census, 70,708 people in Leicestershire identified themselves as unpaid carers; this equates to 10.8% of the resident population of the County. The Census also highlighted a growth of 21% in people aged over 65 in Leicestershire. The percentage of carers aged 65 and over providing 50+ hours of care per week in Leicestershire was 35%; significantly higher than the national figure of 24%, and older carers will have issues around their own health and wellbeing. In 2012/13 there were 2,472 carer assessments carried out; 28% were carers aged 75 and over, indicating a necessity to ensure that services can meet the specific needs of older carers in addition to working age carers.

The Strategic Review Process

17. The review of the carer support services has followed a strategic process established by the Strategic Planning and Commissioning Team. It involves several phases, including:
- Detailed local needs assessment;
 - Service demand analysis;
 - Review of relevant research including good practice;
 - Assessment of strategic fit;
 - Equalities considerations;
 - Engagement with providers and current service users.
18. Due to new duties as set out in the Care Bill, specific analysis was also conducted to ensure that the review and subsequent recommendations were aligned to the new legislation.

Customer and Stakeholder Views

19. Two phases of customer and stakeholder engagement were undertaken as part of the review process. During the first stage, a total of 708 questionnaires were issued to current providers for them to distribute to a random sample of carers currently accessing services. There were 168 completed questionnaires returned. It was felt that overall this was not a sufficient level of customer returns in order to robustly measure the effectiveness of the services although these results have informed the review process.
20. A further 198 questionnaires were issued to a sample of carers who had accessed the CSF during 2012/13; 20% of the total number of carers accessing the CSF. Of

the 82 (41.5%) completed questionnaires, 92% of respondents were White British and the majority cared for people over the age of 75.

21. The Department's engagement provider, Communities in Partnership (CIP) hosted three carer-only participation events. Carers informed us that access to relevant advice and information early on remains a priority. In many instances carers reported contacting their GP at the start of their caring role in order to access help and support. A further priority identified was access to a choice of reliable and good quality home based services, including breaks for carers.

Equality Impact Assessment (EIA)

22. The strategic review and EIA identified the following key issues:
- Future provision should aim to be more equitable across all geographic areas;
 - Services should not be limited to certain groups of carers (ie those caring for a person with a specific condition);
 - Services should have more co-ordinated and easier to access referral routes;
 - Services should be accessible to people with any protected characteristic.
23. The EIA questionnaire was approved by the Departmental Equalities Group (DEG) in August 2013 (See Appendix B) and a full Equality and Human Rights Impact Assessment (EHRIA) will also be completed for the proposed changes to carer support services. This is currently being prepared based on the findings of the review questionnaires and will be further informed by the public consultation outcomes.
24. In summary, the review process has identified the following key issues which are relevant in the context of the carers review and the development of commissioning options for future carer support services in Leicestershire:
- Future carer support services in Leicestershire must be compliant with the Care Bill;
 - Carers need to feel supported in order to continue in their caring role;
 - Equitable access and availability of services;
 - Ensuring equality and fair access to carer support for all groups covered by the Equalities Act – particularly Black and Minority Ethnic (BME) groups (as highlighted in the local Carers Strategy);
 - Ensure that good quality, up to date, timely information and advice is easily available particularly at the start of the caring journey;
 - Older carers will remain a priority for good quality carer support services in order to support them to maintain their caring role.

Proposals for consultation on the future commissioning of Carer Support Services across Leicestershire

25. The proposal is to consult on the commissioning of a new model of carer support services. There are two options for how this model may look. Each option is made up of a combination of elements (A, B, C and D). Accordingly, Option 1 comprises of elements A, B, C and D; Option 2 comprises elements A, B and D only.

26. For both options it will be necessary to decommission all current carer services with the exception of the GP Health and Wellbeing Service, Support for Carers and the re-modelled Carer Respite Services. The outline of the proposed Carers Pathway is set out in Appendix C.

27. The four elements (A, B, C and D) are described below:

A Universal and Preventative Support for Carers - Following identification and recognition of their caring role, a carers initial contact and assessment to determine their eligibility will be undertaken at a Single Point of Access; the Customer Service Centre. Carers will receive general advice, information and signposting about caring issues from various sources including the Council Website (although this is currently under review), Health and Social Care settings, the Customer Service Centre, libraries and various Voluntary Organisations. Carers will also be identified by front line staff carrying out assessments for the person they are caring for and signposted to appropriate services. Carers will benefit from value added services such as the Memory Support Service, the Advocacy Service and the Advice Services. Carers who are not eligible for support services will be signposted to such services as the new Advice Service or the existing First Contact Scheme.

B Targeted, low level Support for carers - Our targeted, low level support for carers will fall into four areas of service provision:

- *Carer support service* - There will be a new service specification for this service with a greater emphasis on targeted advice, information and support to older carers and specialist groups of carers through peer support. It will facilitate the Countywide Carers Forums and Support Groups and offer advice and information around welfare benefit entitlements.
- *GP Health and Wellbeing Service* - Currently this service is only available in two localities; Oadby and Wigston and North West Leicestershire. The service will be re-procured and will become a countywide service operating within Primary Care. This will be subject to Better Care Funding beyond 2015/16.
- *Carers Training Services* - Carers will be able to access low level awareness training to enable them to feel confident in seeking support in areas such as stress management, personal budgets, and coping strategies. Furthermore, specialist one day training around specific areas and conditions will be provided as requested by carers. This could include training around mental health and long term health conditions.
- *Advice Service* - A new provider has been recently appointed to facilitate the countywide Advice Service, a specific element of their service provision will be targeted for carers.

C Carer Support Fund

A one off annual grant of £100-£250 (dependent on assessed impact of caring) for carers to access a break which is non-chargeable. This will be accessed through the Customer Service Centre.

D Carer Personal Budget

The carer will have the option of having a joint assessment alongside the person they care for. The carer will be able to receive support through the personal budget of the person they are caring for (e.g. if the cared for person accesses a day activity, this will provide respite for the carer). In circumstances where a carer is caring for someone who is not eligible for social care support or that person refuses an assessment, the carer may choose to access the Carer Support Fund or to have a full carer assessment and support plan (including a financial assessment) for a chargeable personal budget. Carer Respite Services will be commissioned for carers to purchase with their personal budget allocation

28. As stated above, the two options are therefore made up of a mixture of these elements. These are re-summarised overleaf:

Element	Option 1	Option 2
A	✓	✓
B	✓	✓
C	✓	
D	✓	✓

29. It is important to note the following caveats about the two options:

- **Option 1** takes into account the fact that there are significant costs associated with conducting full and detailed (including financial) assessments. The CSF will provide a limited level of support, but support which is easier to access and will ensure as much of the allocated funding as possible is provided directly to the carer.
- It should be noted that with **Option 1** in the event of a carer receiving a Carer Personal Budget (element D) they will not receive the CSF.
- **Option 2** means that carers will only be able to access a personal budget through a full assessment and support provided will be chargeable, although carers will still be able to opt for a joint assessment with the cared for person. The CSF will not be available under this option.

30. Carers Emergency Care is currently provided by Housing 21 but is both significantly underutilised and expensive; the current cost is £121,800 per annum. The proposal will be that this service is de-commissioned. Under the new pathway, emergency provision will be provided by the in house Crisis Response Team. Between 10.00pm - 7.00am the Emergency Duty Team will decide how best to care for the cared for person should a carer emergency arise.

Consultations

Engagement to Date

31. Throughout the review process opportunities have been taken to engage with as many key partners and stakeholders as possible. Engagement undertaken to date includes:
- Meetings of the Carer Project Board;
 - Carer Champion Network meetings;
 - Meetings with key stakeholders including: Public Health; CYPS; Clinical Commissioning Groups (CCG) representatives; Chief Executive's Department; and, operational team managers;
 - Specific providers or teams where an important interdependency has been identified; First Contact scheme; Customer Service Centre; Efficiencies and Service Reduction Team;
 - Engagement events with both current providers and carers during 2013 as part of the review process;
 - 1-1 meetings with current providers involved in the reviews;
 - Meetings with Healthwatch Leicestershire Carers Forum;
 - Use of existing consultation from Preventative Adult Mental Health Review and, Information and Advice project;
 - Attendance at various events and forums considered relevant to the review;
 - Briefings with Members.
32. Further stakeholder and carer engagement is recognised as essential in the on-going development of carer support services.

Formal Consultation Exercise

33. On 1 April 2014 a paper was presented to the Cabinet asking for permission to undertake a formal consultation exercise. As permission was granted, a formal consultation on the proposed changes to carer support services commenced on 14 April 2014 and will run until 13 July 2014 (inclusive).
34. The consultation will clarify the Department's offer of carer support services and make clear which contracts subject to review are proposed to cease on 31 March 2015. It is a process which will enable the Department to be sure that it has a detailed understanding of risks associated with the commissioning process and provides an opportunity to check that people agree with approach being proposed and to gather together and consider any alternative ideas.
35. The consultation period will be used to further inform:
- Methods for the identification of carers and referral processes;
 - Outcomes to be achieved by new carer support services;
 - Detailed delivery mechanisms through working with providers and carers;
 - Which combination of carer support elements carers prefer;
 - Risk and Impact assessments.
36. The approach to the consultation is varied and is intended to enable the greatest amount of people (including carers and families, stakeholders, providers and

members of the general public) to be involved and provide feedback and comments on the carer support proposals. The approach includes the following:

- Wide promotion of the consultation, including an article in Leicestershire Matters, and posters advertising events distributed to various community locations
- Information to support participation in the consultation available on-line and in hard copy format upon request.
- Online questionnaires available to all to complete. Hard copy versions available upon request
- A workshop for providers (of existing carer support services).
- A series of workshops for carers including those currently accessing existing carer support services
- Promotion through the existing carers' forums and support groups
- Attendance at various stakeholder meetings
- Wide distribution of information relating to the review to key stakeholders

37. Active participation in consultation will be sought from all key stakeholders as listed within Appendix D.

Initial Comments Arising from Formal Consultation

38. Although the consultation period only commenced on 14 April 2014 the following can be reported:

- Ten carers forums have taken place (including one specifically for carers of people with mental ill health) outlining the two options. Carers were able to give detailed feedback and comments on the two proposals.
- A Healthwatch Carers Forum meeting outlining the two options has taken place and gained further support from Healthwatch to actively promote the consultation to their members on our behalf.
- 446 unique visits to the Carers Support Services consultation landing page (www.leics.gov.uk/haveyoursay/carersupport) by 23 May 2014 (39 days into the consultation period).
- A total of 72 questionnaires had been completed by the 23 May 2014). These include questionnaires completed online or hard copies completed and returned.
- Meetings have been held with a number of external stakeholders to get feedback on the commissioning proposals and to explore further options for the development of carer support services. These have included meetings with representatives from: Public Health, East Leicestershire and Rutland and West Leicestershire CCG's and Borough Councils.
- Further discussions have been held with internal stakeholders, including meetings with locality managers and Heads of Service (for specific areas, such as reablement and mental health services) in order to highlight the carer support service options, to capture initial feedback and to consider alternatives.

Future Work/Steps

39. It is expected that the key milestones of the review will be as follows:

Timescales	
Formal consultation Papers presented to Adults and Communities Overview and Scrutiny Committee and for information to the Health Overview and Scrutiny Committee	April – July 2014 June 2014
Revision of Carer Support Services	August 2014
Cabinet – outcome of consultation and confirmation of model from 2015 onwards	Autumn 2014
De-commissioning of services undertaken and new commissioned services procured (dependent on Cabinet decision).	Contracts ending by 1 April 2015

40. Following the end of the formal consultation period the preferred option for future commissioning of the Department's carer support offer will be established.

Resources Implications

41. The cost of the current contracts for carer support services to the Adults and Communities Department is £1,199,000 (based on annual contract values for 2012/13) including:

- CSF: £270,000;
- Home Based Carer Respite services: £510,000;
- Emergency Carer Respite service: £121,000;
- Specialist Advice, Information and Support services – including Carers of Adults with Learning Disabilities Support Services: £277,000;
- Carers Education Training Programme: £21,000 (Jointly funded with East Leicestershire and Rutland Clinical Commissioning Group).
- Health Transfer funds also contribute towards carer services totalling £335,000 (including sole funding for a Pilot GP Carer Health and Wellbeing Service).

42. There is £135 million set aside nationally through the Better Care Fund (BCF) to support the implementation of the Care Bill. The cost of the new proposed commissioning options for carer support services will be £1,484,000 (this includes a total of £450,000 set aside locally in the BCF for 2015/16).

43. The cost of the proposed carer support service will be broken down as follows:

- Targeted, low level support for carers £355,000;
- CSF £355,000;
- Carer Personal Budgets £774,000.

44. This represents a saving of £165,000 in 2015/16 to the authority which will contribute to the reduction target for prevention services as detailed in the Medium Term

Financial Strategy (MTFS). £275,000 has been set aside in the BCF to meet the expected increase in demand for carers' assessments due to the Care Bill.

45. The Director of Corporate Resources and County Solicitor have been consulted on the contents of this report.

Timetable for Decisions (including Scrutiny)

46. The three month consultation commenced on the 14 April 2014 and will run until the 13 July 2014. This allows sufficient time for the procurement of carer support services and for the new carer pathway to be in place by April 2015 and ensures that the Department is compliant with new statutory duties for carers under the proposals within the Care Bill. Significant changes to the Care Bill are not expected at this stage. Once the detailed requirements of the Care Bill are clarified when the draft guidance is published, the recommendations from this review will be adapted as necessary.
47. This report will also be presented, for information, to the Health Overview and Scrutiny Committee on the 11 June 2014.
48. The consultation outcomes and finalised commissioning options will be reported to the Cabinet in autumn 2014, including proposed timelines for the decommissioning of existing services and procurement timelines for new services.

Conclusions

49. The strategic review process and carer engagement have confirmed support for the proposed commissioning models for carer support services.
50. The commissioning options will constantly be reviewed throughout the consultation period to ensure adherence to the Care Bill.
51. The Cabinet will be informed of the outcomes of the consultation in the autumn of 2014, with a view to seeking approval for the implementation of the new model of carer support in April 2015.

Background Papers

- The National Carers' Strategy 'Carers at the Heart of 21st Century, Families and Communities' (2008)
http://image.guardian.co.uk/sys-iles/Society/documents/2008/06/10/carers_strategy.pdf
- Supporting the Health and Wellbeing of Carers in Leicester, Leicestershire and Rutland Strategy and Delivery Action Plan 2012-2015
http://www.leics.gov.uk/carers_strategy_2012_2015.pdf
- Leicestershire Joint Strategic Needs Assessment (JSNA)
<http://www.lsr-online.org/reports/categories/JSNA>
- Report to Cabinet: 12 June 2013 - Request for Exception to Contract Procedure Rules – Voluntary Sector and Housing Related Support Services
[http://politics.leics.gov.uk/Published/C00000135/M00003392/AI00031503/\\$IRequestforExceptiontoContractProcedureRulesVolSectorandHsgRelatedSupport120612.doc.pdf](http://politics.leics.gov.uk/Published/C00000135/M00003392/AI00031503/$IRequestforExceptiontoContractProcedureRulesVolSectorandHsgRelatedSupport120612.doc.pdf)
- Report to Cabinet: 1 April 2014 – Strategic Review of Carer Support Services in Leicestershire
[http://politics.leics.gov.uk/Published/C00000135/M00003989/AI00037767/\\$8StrategicReviewofCarerSupportServicesinLeicestershire.docxA.ps.pdf](http://politics.leics.gov.uk/Published/C00000135/M00003989/AI00037767/$8StrategicReviewofCarerSupportServicesinLeicestershire.docxA.ps.pdf)

Circulation Under Local Issues Alert Procedure

52. This report has been circulated to all Members of the County Council via the Members' News in Brief.

Officer to Contact

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List of Appendices

Appendix A – Current Carer Support Services

Appendix B – Equality Impact Questionnaire

Appendix C – Proposed Carers Pathway

Appendix D – List of Key Stakeholders to be alerted of the consultation

Relevant Impact Assessments**Equal Opportunities Implications**

53. The Equality Impact questionnaire is attached as Appendix B. A full Equality and Human Rights Impact Assessment (EHRIA) will also be completed for the proposed changes to carer support services. Further details of equal opportunities implications arising from this report are contained in paragraphs 22-24 above.

APPENDIX A – Current Carer Support Services

Provider	Service Name	Description of Service	Contract Value 12/13
Housing 21	Emergency Respite Service	Emergency Contact Card and home-based short term, emergency carer replacement service.	£121,806
Alzheimer's Society	Side by Side	Volunteers providing weekly (up to 4hrs) befriending support for cared for younger people in the early stages of dementia.	£18,362
East Midlands Crossroads	Caring For Carers	50/50 fund split with East CCG. Immediate response to medical, terminal situation or social crisis for carers.	£21,752 (LCC funds £10,876)
East Midlands Crossroads	Mental Health Carer Respite	Provides either community or home based breaks for carers of people in receipt of secondary mental health services in the South of the County. This is through carer replacement.	£83,396
Voluntary Action South Leics (VASL)	Mental Health Carer Respite	Acts as a broker by commissioning breaks for carers of people in receipt of secondary mental health services. This is through carer replacement.	£24,119
Voluntary Action South Leics (VASL)	Support For Carers	Carer Development Workers, who support forums & groups, offer advice & information, support consultation and administer the Carer Support Fund.	£190,000
Voluntary Action South Leics (VASL)	Carer Education Training Programme	A Mental Health Education Programme for carers designed to help carers safeguard their own health and wellbeing. 50/50 health funded.	£41,188 (LCC funds £20,594)
Royal Mencap	Carers of Adults with Learning Disabilities	Range of services for carers of people with learning disabilities. Provides advice, future planning & signposting to service users and carers.	£69,184
LCPT & The Carers	GP Carer Health &	Supporting GP practices in 2 localities areas to identify and	

Centre	Wellbeing Service	support patients who are carers at the early stages of the caring role.	£75,065
Age UK	Dementia Carer Respite Service	Respite Provided in the home & community for carers of adults with dementia (up to 8 hours per week).	£450,000
Rethink	Mental Health Carer Respite	Provides either community or home based breaks for carers of people in receipt of secondary mental health services in the north of the County. This is through carer replacement.	£104,379
Carer Support Fund	Annual Financial Payment for Carers	A grant of £100 - £250 per year per person which enables carers to have a break from caring and reduces the impact of caring on their health & well-being.	£355,000

APPENDIX B – Equality Impact Questionnaire

This questionnaire is a pre Equality Impact Assessment tool which will enable you to decide whether or not the **new, proposed or significantly changed** policy/ practice/ procedure/ function/ service needs to go through a full Equality Impact Assessment. For further information on the equality questionnaire see the [guidance](#).

Name of policy/ practice/ procedure/ function/ service being assessed:	Carer's Services – Carer Mental Health Respite Services, GP Health & Wellbeing Service, Carer Support Fund, Carer Support, Emergency Support & Advice & Information
Department and Section:	Adults & Communities Department Strategic Planning & Commissioning Team
Name of lead officer and others completing this assessment:	Jane Robins – Carer Project Officer
Contact telephone numbers:	0116 3057096
Date EIA assessment completed:	20 September 2013
1.	<p>What is its purpose?</p> <p>As part of on-going work with carers and the implementation of the Department's Joint Carers Strategy 2012 - 2015, there is a desire to look at the departmental offer of services for Carers as part of the overall Early Intervention and Prevention offer. Furthermore, due to the impending end dates of a number of Carer service contracts it has been necessary for the Strategic Planning and Commissioning Team to undertake a strategic review of this group of services. The services that are currently being reviewed are:</p> <p>The Emergency Carer Respite Service - Provided by Housing 21. The Side by Side Project – Respite for Carers of Adults under 65 who have Mental ill Health – Provided by The Alzheimer's Society. Caring for Carers – Immediate Response Respite for Carers in the Blaby Locality – Provided by East Midlands Crossroads Care. The Carer Mental Health Respite Service for Carers of Adults over 65 – Provided by Voluntary Action South Leicestershire, East Midlands Crossroads Care and Rethink. The Carers Dementia Respite Scheme – Provided by Age UK The Older Carers (40+) of Adults with Learning Disabilities Support Service – Provided by Mencap. The GP Pilot Carer Health & Wellbeing Service – Provided by The Carers Centre and Leicestershire Community Projects Trust. The Carer Support Fund – An annual one off payment of up to £250 for carers who are eligible – Administered by both LCC and some Voluntary Sector Organisations.</p> <p>The purpose of the review is to further analyse need, building on the recently refreshed JSNA (2012), using new evidence derived from an on-going analysis (or 'deep dive') of carers services in Leicestershire, map the current supply of carer services available from an early intervention and prevention perspective and consider service models which offer the greatest flexibility, equity and support to help carers maintain their caring role and to prevent crisis. This is being identified through co-production with providers, key stakeholders, carers, commissioning staff and customers. The review will highlight commissioning options aimed at preventing carers and their cared for from requiring intensive support from Health and Social Care Services, promote/retain carers independence and prevent deterioration. The review will also consider opportunities for better alignment with other local service provided, potential for joint investment and highlight potential risks associated with recommendations made.</p>
2.	<p>What are its main objectives?</p>

	The main purpose of the strategic review of carer services is to consider the effectiveness of individual services through the implementation of the 'Service Review Process' (which includes a Service Value Tool) and to consider how they fit with preferred delivery models. This will consider current service provision, including stakeholder and customer consultation and develop a new service model and service specification which can be subject to public consultation and a programme of procurement with new contracts in place by September 2014.		
3.	<p>What will it achieve? Who are its beneficiaries?</p> <p>It is anticipated that the review will achieve the following objectives:</p> <ul style="list-style-type: none"> The Carer contracts will be aligned to the needs of carers, the carer pathway and the objectives in the Joint Carers Strategy 2012 -2015; these objectives are: <ul style="list-style-type: none"> The Identification and Recognition of Carers The Realising and Releasing of Carers Potential A Life Outside of Caring Staying Healthy Early Intervention & Prevention Information & Advice for Carers Ensuring Fair Access for all groups of Carers Ensure more equitable service provision Services focussed on future demand The main beneficiaries will be Leicestershire carers and the people they care for, <p>The review will benefit those carers already accessing existing carer services as well as those carers who have yet to be identified and supported.</p>		
4.	<p>Who is responsible for implementing it?</p> <p>Overall project management of the strategic review of carers' services sits with Jane Robins, Carer Project Officer. However, responsibility for service modelling and procurement of the carer services will sit with Carol Stanyard, Market Development Officer.</p>		
		Yes	No
5.	Has prior consultation on the proposal been undertaken?		✓
6.	Has this consultation indicated any dissatisfaction with it from a particular section of the community?		✓
7.	If yes to Question 6, please state what this dissatisfaction is:		
		Yes	No
8.	Is there evidence or any other reason to suggest that it could have a different effect or adverse impact on any section of the community? Or more specifically, one or more of the protected characteristics?		✓

9.	Is a system in place to monitor its impact?	✓		
10.	<p>If yes to Q9, what does this monitoring show?</p> <p>The review process has been designed to be as open, objective and transparent as possible. The Service Review Process (SRP) captures all the evidence used in the review process. This includes consultation with current providers, carers who use the services, locality commissioning staff and current stakeholders. This consultation is ongoing throughout the review process. The evidence detailed in the existing contract monitoring data, is also captured in the SRP toolkit. Furthermore, there is a clear governance structure for the commencement of reviews and the authorisation of key decisions about existing and future service delivery (including authorisation from service managers, DMT and if required Cabinet). Existing carers have been consulted as part of the review process and further public consultation will be undertaken in respect of any service modelling and changes to future service delivery in line with the Department's Engagement Framework.</p> <p>There is also monitoring data supplied by current providers for the existing services which has been submitted on a quarterly basis to the Adults & Communities Compliance Team. This monitoring data, though sometimes not of the highest quality (which is not necessarily the providers fault) allows some crude statements to be made about existing users of these services in terms of Equality & Diversity. The data shows that the carers accessing our existing services (including the Carer Support Fund) are aged between 18 and 85+, represent both genders (although a higher proportion of female carers is recorded) and a range of ethnicities (including British, White Other Background, Indian, Pakistani, Black Caribbean and Other Ethnic Group); and a limited range of religions (Christian, Hindu, Sikh, No Religion). It is noted that a number of carers have chosen not to declare their age, ethnicity or religion. Furthermore, the monitoring data for the carer services also shows carers have generally refused to provide information about their sexuality and there is no information about other protected characteristics such as pregnancy and maternity, gender reassignment and marriage and civil partnership (although we do collect data about who they care for and this is grouped into spouse, partner, child, parent, family member, friend and other). We are assisted in the collection of this information by our Engagement partner CIP (Communities in Partnership), who collect and store monitoring information for Carers on their database.</p> <p>This monitoring data provides a snapshot of the carers currently accessing these current carer services. It provides an indication of different characteristics which could be impacted by changes to service delivery and a benchmark against which to consider service development. Any new services for carers which are established as a result of the review and service development process will also have to submit monitoring data so that equality and diversity issues can continue to be monitored.</p>			
<p>Note: If no to Question 9, you will need to ensure that monitoring systems are established to check for impact on all nine protected characteristics.</p>				
11.	<p>Who is likely to be affected by the proposal? Which of the protected characteristics? (Please tick) Explain how each protected characteristic is likely to be affected below: [NB. Alternatively, if no protected characteristic is deemed to be affected, please explain why]</p>			
		Yes	No	Comments
Age		✓		<p>All the existing carer services are open to all age groups classed as 'adult' (that is, aged 18 years and above); although some of the carer dementia respite services are only available to people caring for those with dementia over 65 years and one carer service for those caring for people with dementia who are under 65. The only stipulation for the carer accessing services is that they are aged 18 or over. The monitoring data for all carer services show a range of ages of carers accessing services (from 18 to 85 and over). There is no intention, as part of the strategic review process or future</p>

		<p>service modelling to change this in any way; that is these services will remain accessible for all aged over 18 years. However, of interest to the review and service development process is the current data for the age of the cared for person which shows significant increases in the age of the person being cared for over 75+. The review will determine whether there are any issues with accessing carer services in respect of certain age groups (i.e. older people). If issues are identified then service modelling will aim to resolve this and ensure continued and (if required) more equitable access to carer services.</p>
Disability	✓	<p>The monitoring data for existing carer services only records the physical or mental health condition of the person they care for and no disability relating to the carer is recorded although this may reflect what carers have chosen to declare. All national and local research shows that carers are more prone to ill health such as physical ailments i.e. bad backs due to lifting, stress related illnesses, poor sleep and depression. It is therefore possible that some carers accessing carer services may have a disability themselves. This will be considered throughout the review and service development process to ensure continued equal access to carer services and seek to improve these services and outcomes for carers.</p>
Gender Reassignment	✓	<p>The monitoring data for existing carer services does not provide any evidence for gender reassignment amongst current carers accessing these services. As such this will be considered throughout the review and service development process to ensure continued access to services. It should be noted that whilst the review and service development process of the carers services will consider this group there is no intention to remove access to services for this group, rather it seeks to improve these services and outcomes for carers.</p>
Marriage and Civil Partnership	✓	<p>The monitoring data for existing carer services does not provide and evidence for marriage and civil partnership amongst carers accessing services, although there is some data regarding the status of the cared for person; i.e. do you care for spouse/partner. It is possible that some of the carers accessing carer services may be affected by issues arising from marriage, civil partnership or being single and this will be considered throughout the review and service development process to ensure equal access to services for all carers. It should be noted that whilst the review and service development process will consider this group there is no intention to remove access to services from carers, rather it seeks to improve these services and outcomes for carers.</p>
Pregnancy and Maternity	✓	<p>Access to carer services may be affected by reasons associated with pregnancy and maternity i.e. carer respite delivered in the carers' home. It is therefore possible that some of the individuals accessing some carer services may have been affected by issues arising from pregnancy and maternity and this will be considered throughout the review and service development process to ensure continued equal access to services. Monitoring data for existing carer services does not provide any evidence for pregnancy and maternity amongst carers but data is collected around whether they are caring for a child. It should be noted that whilst the review and service development process will consider this group there is</p>

			no intention to remove access to services from carers, rather it seeks to improve these services and outcomes for carers.
Race	✓		It is widely acknowledged that access to carer services may be affected due to cultural reasons. This is of interest to the review and service development process and attempts continue to be made to determine what the issues are with accessing carer services in respect of race i.e. some carers may be or feel less able to access services than others because of their race. These issues have been identified in previous consultation with carers. If they continue to be identified then service modelling will aim to resolve these issues and ensure continued and (if required) more equitable access to carer services. It should be noted that whilst the review and service development process will consider this group of carers, there is no intention to remove access to services from them, rather it seeks to improve these services and outcomes for carers.
Religion or Belief	✓		It is widely acknowledged that access to carer services may be affected by religion or beliefs. This is of interest to the review and service development process and attempts will be made to determine what the issues are with accessing carer services in respect of religion or belief i.e. some carers are reluctant to access services due to their religion or beliefs. If such issues continue to be identified then service modelling will aim to resolve these issues and ensure continued and (if required) more equitable access to these services. It should be noted that whilst the review and service development process will consider this group of carers there is no intention to remove access to services from this group, rather it seeks to improve these services and outcomes for carers.
Sex	✓		It is recognised that access to carer services may be affected by sex – for instance, evidence suggest women are more likely to identify themselves as a carer and consequently access carer services than men . This is of interest to the review and service development process and attempts will be made to determine whether there are any issues with carers accessing carer services in respect of their gender. If such issues are identified then service modelling will aim to resolve this issue and ensure continued and (if required) more equitable access to carer services. It should be noted that whilst the review and service development process will consider this group there is no intention to remove access to carer services from this group, rather it seeks to improve these services and outcomes for carers.
Sexual Orientation	✓		Access to carer services may be affected by reasons associated with sexual orientation (such as social exclusion). This is of interest to the review and service development process and attempts will be made to determine whether there are any issues with carers accessing services in respect of their sexual orientation. If such issues are identified then service modelling will aim to resolve this issues and ensure continued and (if required) more equitable access to these services. Monitoring data for existing carer services provides only limited information about sexual orientation amongst current customers as many individuals have chosen not to give a response to this question. It should be noted that whilst the review and service development process will consider this

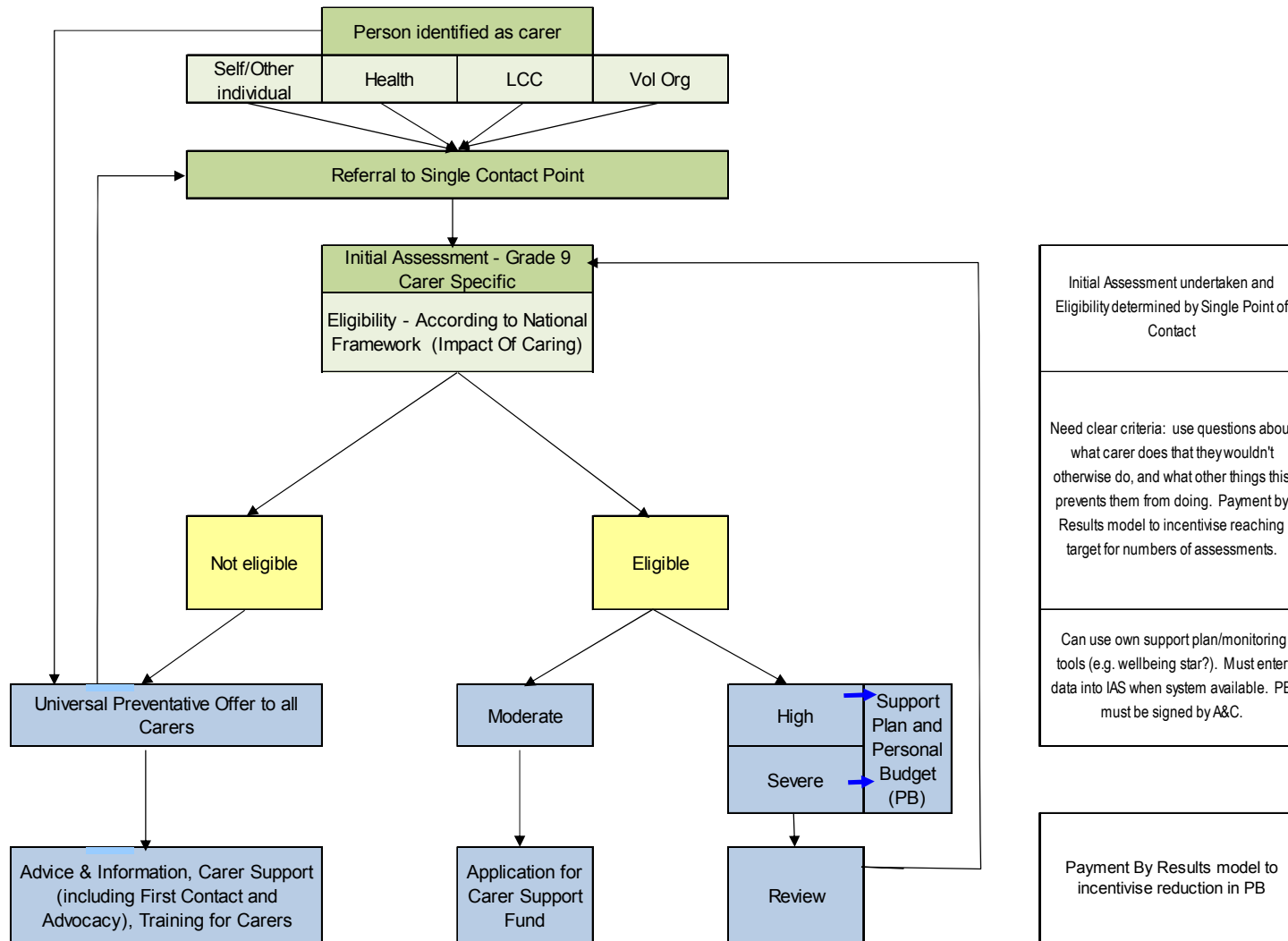
			group there is no intention to remove access to carer services from this group, rather it seeks to improve these services and outcomes for carers.
Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities	✓		Of particular interest is the investigation of unequal access to carer support services due to deprivation or rural communities. This may be of interest to the review and service development process and attempts will be made to determine whether there are any issues with accessing carer services in respect of these other issues. If such issues are identified then service modelling will aim to resolve these issues and ensure continued and (if required) more equitable access to carer services. Monitoring data for existing carer services does not provide any evidence for any of these other groups, however, carers often anecdotally comment that they cannot access carer services due to lack of transport e.g. the dementia café at Huncote Leisure Centre being inaccessible by public transport. It should be noted that whilst the review and service development process will consider these groups there is no intention to remove access to carer services from these groups, rather it seeks to improve these services and outcomes for carers.
Community Cohesion	✓		The review process and service development may have some impact upon community cohesion i.e. the review of the Blaby Dementia Café Service. Although the monitoring data for this service does not collect information around community cohesion, during engagement with carers they have expressed that by accessing services within locality community and leisure services this gives them a sense of contributing to/involvement with their community. There is the potential that (following completion of the strategic review of carer services) service modelling might encourage even greater involvement of carer services in local communities. This would be seen as a positive step/impact.
12.	Other comments:		
13.	Decision:		
	No Impact <input type="checkbox"/>	Positive Impact	Neutral Impact <input type="checkbox"/>
			Negative Impact or Impact Not Known ¹ <input checked="" type="checkbox"/>
Note: If ticked 'Negative Impact or Impact Not Known' box at Question 15, will need to progress to full EIA.			
14.	Proceed to full EIA?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
15.	What are your reasons for your decision?		
	The strategic review process and service development process has been designed so that it can take into account all the protected characteristics (see section 11) without discriminating against any of them. It aims to understand more about potential issues relating to accessing carer support services in respect of these characteristics and to use these to understand existing provision of carer services and to enable the		

¹ 'Impact Not Known' – tick this box if there is no up-to-date data or information to show the effects or outcomes of the function, policy, procedure or service on all of the equality strands.

development of more effective carer services for future commissioning. This should consequently, result in more equitable access by carers to all carer services in Leicestershire and more positive outcomes for carers to enable them to continue caring.

As this will represent a significant change to current service provision, the measures put in place to ensure that Equality groups are protected will need to be reviewed to assess their effectiveness. A full EIA will be produced following consultation in order to record the outcomes from the consultation, demonstrate how the redesigned services for carers have taken account of them and complete the Equalities Improvement Plan.

APPENDIX C – Proposed Carers Pathway



NB: Where eligibility is described in the above diagram it refers to eligibility for carers services as opposed to eligibility for Adult Social Care support through Fair Access to Care Services.

List of Key Stakeholders to be alerted of the consultation

Organisation/ Department	Stakeholder
Leicestershire County Council departments	Adults and Communities staff
	Research & Insight
	Community Safety
	Communities and Places Team
	Business Intelligence & Performance
	Children and Young Persons Service
	Environment and Transport
	First Contact
	Multi Agency Traveller Unit
	Health
West Clinical Commissioning Group	
East Clinical Commissioning Group	
Leicestershire Partnership Trust- Community Provision	
Leicestershire Partnership Trust Community Mental Health Teams	
Pharmacies	
East Midlands Ambulance Service	
Community	Districts and Borough Councils
	Fire service
	Police
	Housing Providers/ Landlords
	Probation
	Leicester City Council
	Rutland County Council
Customers	Public Representation
	Customers of current provision
	Carers
Providers	Provider Forum
	Specific providers
	Voluntary Sector
	Voluntary Action Leicestershire
Governance	Equalities
	Cabinet Lead Member for Adult Social Care
	Efficiencies Programme Manager
	Change Board/ Director of Adults and Communities
	Cabinet
	Scrutiny
	Health & Wellbeing Board
	Learning Disability Partnership Board
	Integrated Commissioning Board
	Leicestershire Together/ Better Care Together
	Healthwatch
Housing Board	



ADULTS AND COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE:
10 JUNE 2014

REVIEW OF THE NON-RESIDENTIAL CHARGING POLICY FOR
ADULT SOCIAL CARE

REPORT OF THE DIRECTOR OF ADULTS AND COMMUNITIES

Purpose of report

- 1 The purpose of this report is to invite members of the Adults and Communities Overview and Scrutiny Committee to comment on a review of the County Council's non-residential charging policy for adult social care, as part of a consultation exercise.

Policy Framework and Previous Decisions

- 2 Section 17 of the Health and Social Services and Social Security Adjudications Act 1983 (HASSASSA Act 1983) gives Councils a discretionary power to charge adult recipients of non-residential services such amounts as they consider reasonable.
- 3 On 3 September 2002, the Cabinet approved the Fairer Charging Policy in order to meet the requirements of the Government's Fairer Charging Guidance. Further guidance by the Department of Health in September 2003 provided a framework to assist Councils in setting individual maximum charges and ensuring that no-one is required to pay more than they can afford.
- 4 In 2009, the Department of Health issued draft guidance to amend charging policies to include personal budgets - "Fairer contributions guidance: calculating an individual's contribution to their personal budget" and, on 15 December 2009, the Cabinet approved a revised Fairer Charging Policy in order to implement the requirements of that guidance.
- 5 On 14 September 2012, the Cabinet approved amendments to the Fairer Charging Policy to include removal of the subsidy for non-residential services (apart from commissioned meals and community meals), charging for Extra Care services, and a revised financial assessment for Housing Related Support Services.
- 6 As part of the Medium Term Financial Strategy (MTFS) for 2013/14, the Cabinet agreed a rate of £13.25 per hour for home care services, £35 per day for day services, £3.25 per meal provided by the Council and 100% for personal budgets.
- 7 On the 5 March 2014, the Cabinet agreed that a consultation exercise be undertaken to seek the views of stakeholders on the charging policy for Extra Care services and removal of the subsidy for community meals and County Council commissioned meals services, with a view to a further report being submitted to the Cabinet in

September 2014 detailing the outcome of the consultation exercise and making recommendations on policy changes.

Background

- 8 In 2002, the Department of Health issued “Fairer Charging Policies for Home Care and other non-residential social services – Guidance for Councils with Social Services Responsibilities” (the Fairer Charging Guidance). The guidance aimed to help Councils to design reasonable and fair charging policies as well as seeking greater consistency in charging policies.
- 9 The Fairer Charging Guidance contained some mandatory principles to which Councils must have regard when designing their charging policies. It also gave Councils some discretion in how those principles should be applied.
- 10 The basic principle was that Councils should have regard to the effect of any charge on a user’s net income and that net incomes should not be reduced below defined basic levels of Income Support or the Guarantee Credit of Pension Credit, plus 25%.
- 11 This principle has been embedded into the Adult Social Care Fairer Charging Policy. All service users receive a means test prior to the charge being applied except for County Council commissioned meals which is not means tested, as described at paragraph 21 below.
- 12 The Adult Social Care Fairer Charging Policy was comprehensively reviewed in 2009 in order to include Fairer Contributions charging options for service users in receipt of personal budgets, and to ensure that the policy was transparent, fair and equitable. The Cabinet approved the revised policy on 15 December 2009.
- 13 The Government has determined that some services should not be chargeable, eg minor adaptations and reablement; these services remain outside the scope of the policy.
- 14 Service users in receipt of personal budgets and hourly based services, ie home care, do not receive any subsidy from the Council towards their care charges and are required to contribute the full amount provided that they can afford to do so.
- 15 The Adult Social Care Fairer Charging Policy requires amendment to ensure that individuals receiving similar services contribute similar amounts towards their care; currently those receiving Extra Care support under a Community Care Assessment (CCA) are charged differently. The Council also needs to review charges for some non-residential care services (ie commissioned meals and community meals) which it currently subsidises: other services (ie personal budgets and home care) are not subsidised. The Council needs to ensure that its charging policy is transparent and continues to be applied fairly and equitably.
- 16 The Council is required to consult with stakeholders on any proposed policy change that will impact significantly on service users, and the consultation will ensure that those affected will have the opportunity to fully engage with the proposals.

Extra Care services

- 17 In 2010, the Adults and Communities Department implemented the Extra Care Housing Strategy which aims to reform and modernise traditional residential care provision in Leicestershire to help better meet the needs and expectations of older people in the County, including those individuals who live in their own home and fund their own care and support needs.
- 18 In 2012, the Fairer Charging Policy was amended to charge service users for their Extra Care support services which were provided under a CCA. The consultation and subsequent amendment did not specifically mention those Extra Care support services which are provided without a CCA. This has resulted in individuals receiving similar services but contributing differing amounts towards their care. An appropriate charging mechanism needs to be implemented for other Extra Care services (ie service charges and shared support services) in order to ensure that individuals in similar circumstances are treated equitably and to improve transparency and equity in the charging process.
- 19 The Adults and Communities Department commissions Extra Care services in five Extra Care schemes which provide a total of 166 units.

Community and commissioned meals services

- 20 Community meals are meals services provided to individuals through lunch clubs and day services. Commissioned meals are meals services provided directly to individuals as part of their adult social care services.
- 21 The charges for some non-residential care services (ie community meals and commissioned meals) are currently subsidised by the County Council whilst other services (ie personal budgets and home care) are not subsidised. People subject to Section 117 of the Mental Health Act 1983 are not currently asked to contribute towards meals services. The Council needs to review its charges in order to ensure that the charging policy continues to be applied fairly and equitably. Community meals charges should be exempted from a means test which is justified because meals are different from other care services. All people, irrespective of whether they need care and support require meals, and can reasonably be expected to make a full contribution towards the cost of the meal; this includes people subject to Section 117 of the Mental Health Act 1983. The financial impact of removing the subsidy for all meals services is included in the MTFS 2014/15–2016/17.
- 22 Where service users receive a personal budget which includes a provision towards meal services the subsidised element of the meal cost is included in the personal budget and, therefore, included in the calculation of the individual's contribution towards their personal budget. This anomaly means that those service users are charged differently to individuals who are not in receipt of a personal budget. Because personal budget planning concentrates on the outcomes for the service user rather than the method by which care is delivered it is not possible to determine how many service users receive a personal budget which includes a provision towards meals services as case recording looks at outcomes rather than how the service is provided. With the full implementation of the personalisation programme, all eligible service users will eventually receive a personal budget.

- 23 Approximately 270 service users receive County Council commissioned meals; these service users do not receive a means test and contribute £3.25 towards their meal. Approximately 11 people subject to Section 117 of the Mental Health Act 1983 are not currently required to contribute towards their meals service. Approximately 680 community meals per week are provided for individuals attending lunch clubs and Adults and Communities day services; these services are also currently subsidised.
- 24 Meals are considered, by the Government Fairer Charging Guidance 2002, to be a substitute charge, ie the service user would have to pay for the meal regardless of whether the Adults and Communities Department provides the service. This includes people subject to Section 117 of the Mental Health Act 1983.
- 25 It is acknowledged that there is currently some disparity and inequity in treatment between County Council commissioned meals and the provision of meals services as part of a personal budget. It is intended, as part of this review, to remove meals provision from the personal budget calculation to improve clarity and transparency for staff and service users.

Proposals

- 26 It is proposed that consultation takes place on removing the subsidy for care services, including meals, for all service users. This would ensure that those service users who could afford to contribute towards their care did so and that no one service user group was less fairly treated in relation to contributing to care services. All charges for care services, apart from meals services, would remain subject to a means test so that no service user would be asked to contribute more than they could afford and around 27% would continue to receive a free service. Service users receiving meals services would be asked to contribute the full cost of the meal. People subject to Section 117 of the Mental Health Act 1983 are exempt from contributing towards their care services, but would be required to contribute the full cost of their meals service.
- 27 As outlined above, there is a clear rationale for charging all service users for community meals. The Council places continuing importance on preventative approaches to maintain the health and wellbeing of vulnerable people, but the need to prioritise services to meet savings targets requires that the Council reviews its decision to continue a level of subsidy for County Council commissioned meals. If any individual is placed at risk due to the removal of the subsidy, the Adults and Communities Department will ensure that suitable alternative arrangements are in place.
- 28 It is also proposed that consultation takes place on amending and clarifying the charging policy for Extra Care services so that all individuals receiving these services contribute towards the cost of those services.
- 29 It is proposed that the consultation will consider whether:
- The subsidy should be removed from all non-residential care charges including community meals and County Council commissioned meals.
 - Individuals subject to Section 117 of the Mental Health Act should be required to pay the full cost of their meals.

- The charging policy for non-residential care charges should be amended and clarified to include all Extra Care services whether they are provided by a CCA or not.

30 The outcomes of the proposed consultation exercise will inform the amendments to the Fairer Charging Policy, charge rates, and the MTFs, and will enable a more informed and transparent decision-making process.

Consultation

31 Two consultation exercises commenced on 19 May 2014 and will run until the 11 August 2014. The first of these relates to the proposal to remove subsidies in respect of meals services. The second relates to the proposed changes to the charging policy for care and support services in Extra Care schemes. Both of These exercises will give stakeholders an opportunity to make their views known on all the proposed changes. This will include specific opportunities for current service users of Extra Care services and the County Council commissioned meals service to contribute.

32 The consultation exercises will use appropriate ways to engage with stakeholders through communication with service user groups, service providers, forums representing older and disabled people, voluntary organisations and the general public. This will include information on the County Council website, some targeted meetings, press releases, adverts, and questionnaires.

Resources Implications

33 As outlined in the MTFs from 2014/15, the Adults and Communities Department have £5.2m of budgeted savings to deliver in 2014/15 rising to £22.8m by 2017/18. These savings include increasing income and the proposals outlined in this report contribute to these targets as follows:

- £150,000 part year increased income contributions in 2014/15 increasing to annual increased income of £300,000 for "Removing the subsidy for Community and Day Centre meals".
- Extra care charging is estimated to generate £6,000 part year in 2014/15 increasing to £25,000 annually from and including 2015/16. This contributes to the "Increased income from Fairer Charging and removal of subsidy/aligning increases" increased income line in the MTFs."

34 The Director of Corporate Resources and the County Solicitor have been consulted on the contents of this report.

Timetable for Decisions (including Scrutiny)

35 A report detailing the results of the consultation exercise and proposals for changes to the charging policies for removal of the meals subsidy and for Extra Care will be submitted to the Cabinet in September 2014.

36 Subject to agreement by the Cabinet, any policy changes would be implemented from 3 November 2014.

Background Papers

- Report to the Cabinet: 3 September 2002 – The Outcome of the consultation on “Fairer Charging” for Home Care and other Non-residential Social Services
[http://politics.leics.gov.uk/Published/C00000135/M00000764/AI00004794/\\$CABFairerCharging3902.doc.pdf](http://politics.leics.gov.uk/Published/C00000135/M00000764/AI00004794/$CABFairerCharging3902.doc.pdf)
- Report to the Cabinet: 15 December 2009 – Proposal to Amend the Policy for Non-Residential Care Charges for Service Users
[http://politics.leics.gov.uk/Published/C00000135/M00002688/AI00024133/\\$GNonResidentialCareCharges.doc.pdf](http://politics.leics.gov.uk/Published/C00000135/M00002688/AI00024133/$GNonResidentialCareCharges.doc.pdf)
- Report to the Cabinet: 14 September 2012 – Outcome of the Consultation on the Review of the Non-Residential Charging Policy for Adult Social Care
[http://politics.leics.gov.uk/Published/C00000135/M00003613/AI00032267/\\$CReviewoftheNonResChargingPolicyforAdultSocialCare140912.doc.pdf](http://politics.leics.gov.uk/Published/C00000135/M00003613/AI00032267/$CReviewoftheNonResChargingPolicyforAdultSocialCare140912.doc.pdf)
- Report to the Cabinet: 5 March 2014 – Review of the Non-Residential Charging Policy for Adult Social Care
[http://politics.leics.gov.uk/Published/C00000135/M00003988/AI00037202/\\$6reviewofnonresidentialchargingpolicy.docA.ps.pdf](http://politics.leics.gov.uk/Published/C00000135/M00003988/AI00037202/$6reviewofnonresidentialchargingpolicy.docA.ps.pdf)

Circulation under the Local Issues Alert Procedure

- 37 This Cabinet reported dated the 5 March 2014 was circulated to all members of the Council via the Members’ News in Brief Service.

Officers to Contact

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Adults and Communities Department
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List of Appendices

Appendix A - Equality Impact Assessment Questionnaire

Relevant Impact Assessments

Equal Opportunities and Human Rights Implications

- 38 If the charging policy is not reviewed there is a risk that service users receiving similar services will be charged differently and that people in similar circumstances will be assessed differently. An Equality Impact Assessment Questionnaire is attached as an Appendix to this report.

- 39 If all Extra Care services were included in the policy there would be a clear policy in place for all Extra Care users regardless of how care is commissioned or funded.
- 40 If the Council's subsidy was removed from all non-residential care services all service users who could afford to do so would contribute equally towards their care.
- 41 Removing the cost of meals from individual personal budget calculations would improve transparency and equity for service users.
- 43 Reviewing the charging policy will ensure that all service users are treated fairly and equally according to their individual circumstances. A comprehensive Equality Impact Assessment will be undertaken as part of this review and will be reported to the Cabinet in September 2014.
- 43 A full consultation exercise would ensure that vulnerable service users and carers are able to contribute to the decision making process.
- 44 A full consultation would assist the Cabinet with the exercise of its Public Sector Equality Duty under the Equality Act 2010. The Equality Act 2010 imposes a duty on the local authority when making decisions to exercise due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between people who have a protected characteristic and those who do not.

Risk Assessment

- 45 If the review is not undertaken the Council will be at risk of challenge from individuals in receipt of non-residential services due to lack of clarity, equity and transparency in the charging policy.

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Equality Questionnaire

This questionnaire is a pre Equality Impact Assessment tool which will enable you to decide whether or not the **new, proposed or significantly changed** policy/ practice/ procedure/ function/ service needs to go through a full Equality Impact Assessment. For further information on the equality questionnaire see the [guidance](#).

Name of policy/ practice/ procedure/ function/ service being assessed:	Charging for Non-Residential Services
Department and Section:	Adults & Communities, Community Care Finance
Name of lead officer and others completing this assessment:	Colleen Smith, Head of Service
Contact telephone numbers:	0116 305 8369
Date EIA assessment completed:	Previous EIA reviewed Feb 2014. New EIA assessment to be completed after consultation 2014
1.	<p>What is its purpose? Charging Policy for Non Residential Services specifically:</p> <ul style="list-style-type: none"> • Removal of subsidy from the Adults & Communities' budget towards the cost of all non-residential services including meals. • Requirement for individuals subject to section 117 of the Mental Health Act 1983 to contribute the full cost of their meals service • Application of Fairer Charging Policy in respect of extra care services regardless of whether they are provided as part of a community care assessment <p>However, the decision whether to implement these proposals will be made by Cabinet and will take account of feedback received from public consultation undertaken between 1 April 2014 and 30 June 2014.</p>
2.	<p>What are its main objectives? To review how the Council charges for non-residential social care services and to create a charging policy that is fair and equitable by implementing the following proposals:</p> <ol style="list-style-type: none"> 1. Removal of the subsidy that is paid from the Adults & Communities budget towards the cost of some non-residential social care services (i.e. meals services). 2. Requirement for individuals subject to section 117 of the Mental Health Act 1983 to contribute the full cost of their meals service. 3. To charge service users living in Extra Care Housing Schemes¹ for the extra care services they receive regardless of whether they are provided as part of a community care assessment. It should be noted that this charge will be in addition to the support services received as part of their Extra Care housing provision. The costs of these support services are included within the housing costs (i.e. rent or service charges) paid by the individual. No individual will be charged twice for the same service <p>However, the decision whether to implement these proposals will be made by Cabinet and will take account of feedback received from public consultation undertaken 1 April 2014 and 30 June 2014.</p>
3.	<p>What will it achieve? Who are its beneficiaries? An equitable and transparent charging policy is created, that ensures everyone is paying only what they can afford to pay. Everyone receiving non-residential care services and extra care services will be subject to the same charging policy.</p>

¹ Extra Care Housing is specially adapted housing with access to 24 hour support (excluding personal care) which provides an alternative to residential care.

4.	Who is responsible for implementing it? Colleen Smith, Head of Service, Community Care Finance, Adults & Communities Department		
		Yes	No
5.	Has prior consultation on the proposal been undertaken? Request to consult being submitted to Cabinet Mar 5 2014		No
6.	Has this consultation indicated any dissatisfaction with it from a particular section of the community?		N/A
7.	If yes to Question 6, please state what this dissatisfaction is: Consultation not yet undertaken. Request to consult being submitted to Cabinet Mar 5 2014.		
		Yes	No
8.	Is there evidence or any other reason to suggest that it could have a different effect or adverse impact on any section of the community? Or more specifically, one or more of the protected characteristics?		Yes
9.	Is a system in place to monitor its impact?		Not yet
10.	If yes to Q9, what does this monitoring show?		
<p>Note: If no to Question 9, you will need to ensure that monitoring systems are established to check for impact on all nine protected characteristics. If a change to the policy is approved monitoring systems will be amended to include the changes.</p>			
11.	Who is likely to be affected by the proposal? Which of the protected characteristics? (Please tick) Explain how each protected characteristic is likely to be affected below: [NB. Alternatively, if no protected characteristic is deemed to be affected, please explain why]		
		Yes	No
Age		Yes	<p>The majority of people (64.5%) in receipt of social care are older people (65+). The majority of people in receipt of extra care services are older people (65+) Older people with assets accumulated over a lifetime, may be in the most risk of having their charges increased by the changes.</p>
Disability		Yes	<p>The vast majority (97%) of service users have some sort of physical disability, learning disability, or mental health issue and therefore likely to be affected by any changes to the Charging Policy. However, it should be noted that the charges an individual pays are based on a means test/financial assessment to ensure they do not have to contribute more than they can afford (i.e. defined basic levels of Income Support or the Guarantee Credit of Pension Credit plus 25%). The cost of meals is excluded from the financial assessment as it is considered by Government to be a substitute service, i.e. would have to be paid for whether commissioned by Adults & Communities or not.</p>

			<p>Any written materials (including consultation documents, website information, etc.) must be accessible for those with a learning disability and/or sensory impairment.</p> <p>Consultation events must be accessible for people with a range of disabilities. This will include holding events at physically accessible venues which are near to public transport and/or offer disabled car parking. In addition, information regarding the consultation and subsequent Fairer Charging Policy (presentations, agendas, questionnaires, etc.) must be presented in accessible formats such as Easy Read and large print.</p> <p>The timings of such events should also be considered to prevent clashes with delivery of social care services, medical appointments and caring responsibilities.</p>
Gender Reassignment		No	<p>The charging policy strives for equity; therefore there is no reason why a person would be charged more due gender reassignment. However, this may impact on the individual's care needs and preferences regarding service delivery. We must be aware of this throughout the consultation.</p>
Marriage and Civil Partnership		No	<p>Where an individual has been identified as being part of a couple (including married couples, civil partners, co-habitees), two fairer charging assessments are completed.</p> <p>The first will assess the service user as an individual and the second will assess the service user as part of the couple (i.e. considering the income, savings and expenditure of both partners). The outcome of the assessment that is most financially beneficial to the service user will be used as the basis for charging.</p> <p>This approach ensures that those service users who live with a partner are not treated less fairly under the Fairer Charging policy. However, issues may arise when one member of the couple is unwilling to share information about their financial circumstances with A&C and/or their partner.</p>
Pregnancy and Maternity	Yes		<p>New or expectant mothers can be affected more than most by unexpected or additional costs. Data about new or expectant mothers that might be affected will be collected via the consultation.</p> <p>The timings of consultation events should also be considered to prevent clashes with medical appointments and child care responsibilities.</p>
Race		No	<p>The charging policy strives for equity; therefore there is no reason why one race would be charged more than any other. However, a person's racial background may impact on their care needs and preferences regarding</p>

			<p>service delivery.</p> <p>In addition, individuals' racial backgrounds will need to be considered when undertaking consultation. For example, by ensuring that if requested, documents are made available in appropriate community languages.</p>
	Religion or Belief	No	<p>The charging policy strives for equity; therefore there is no reason why person would be charged more than any other because of their religion. However, a person's religious requirements may impact on their care needs and preferences regarding service delivery.</p> <p>In addition, individuals' religions will need to be considered when undertaking consultation. For example, by ensuring that consultation events do not clash with key religious festivals or practices.</p>
	Sex	No	<p>The charging policy strives for equity; therefore there is no reason why person would be charged more than any other because of their sex. However, a person's sex may impact on their care needs and preferences regarding service delivery. We must be aware of this throughout the consultation.</p>
	Sexual Orientation	No	<p>The charging policy strives for equity; therefore there is no reason why a person would be charged more than any other because of their sexual orientation. However, a person's sexual orientation may impact on their care needs and preferences regarding service delivery.</p> <p>See also comments above re "Marriage and Civil Partnership".</p>
	Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities	No	<p>Changes to the charging policy will also affect carers. Therefore to ensure they are able to participate the location and timings of consultation events should be considered to prevent clashes with delivery of social care services, medical appointments and caring responsibilities.</p>
	Community Cohesion	No	<p>One of the major perceived impacts would be on people of different financial means. However, it should be noted that the charges an individual pays are based on a means test/financial assessment to ensure they do not have to contribute more than they can afford (i.e. defined basic levels of Income Support or the Guarantee Credit of Pension Credit plus 25%).</p> <p>As those with more money may see an increase in their charges they may feel discriminated against. However, the consultation will show us if this is the case.</p>
12.	Other comments:		

13.	Decision:		
	No Impact <input type="checkbox"/>	Positive Impact <input type="checkbox"/>	Neutral Impact <input type="checkbox"/>
			Negative Impact or Impact Not Known ² <input checked="" type="checkbox"/>
Note: If ticked 'Negative Impact or Impact Not Known' box at Question 15, will need to progress to full EIA.			
14.	Proceed to full EIA?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
15.	What are your reasons for your decision? Consultation is needed to fully understand the impact on individuals. Request to consult is being considered by Cabinet 5 Mar 2014		

1st Authorised signature (Lead Officer):

Date:

2nd Authorised Signature (Member of DMT):

Date:

Once completed and authorised by the Departmental Equalities Group, this Equality Questionnaire will need to be published on our website. Please send a copy of this form to the Members Secretariat in the Chief Executives Department to louisa.jordan@leics.gov.uk

² 'Impact Not Known' – tick this box if there is no up-to-date data or information to show the effects or outcomes of the function, policy, procedure or service on all of the equality strands.



ADULTS AND COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE:
10 JUNE 2014

COST EFFECTIVE CARE POLICY FOR ADULT SOCIAL CARE

REPORT OF THE DIRECTOR OF ADULTS AND COMMUNITIES

Purpose of Report

1. The purpose of this report is to invite members of the Adults and Communities Overview and Scrutiny Committee to comment on the draft Cost Effective Care policy for Adult Social Care, which has been developed to deliver the required savings in line with the Medium Term Financial Strategy (MTFS) 2014/15–2017/18, as part of a 12 week public consultation process.
2. The draft Cost Effective Care policy for Adult Social Care, attached as Appendix A, sets out how the amount paid to individuals in their personal budgets is to be limited to the most cost effective care option.

Policy Framework and Previous Decisions

3. The Council's duty to complete assessments of need is set out in a number of key pieces of legislation, notably the NHS and Community Care Act 1990; National Assistance Act 1948; Chronically Sick and Disabled Person's Act 1970 and the Carers and Disabled Children Act 2000.
4. The duty to arrange/provide services for people with eligible needs is set out in "Prioritising need in the context of Putting People First: A whole system approach to eligibility for social care" Department of Health Guidance on Eligibility Criteria for Adult Social Care, England 2010. This sets out a framework that Councils are required to use for allocating social care resources in a fair, transparent and consistent way. Councils are entitled to take account of their available resources when setting their eligibility criteria and may have regard to their resources when assessing needs and choosing between different ways of meeting those needs. The draft Cost Effective Care policy has been developed within this legislative context.
5. On the 1 April 2014, the Cabinet noted the draft Cost Effective Care policy for use by the Adults and Communities Department and approved a 12 week period of public consultation on the policy, with a view to a further report summarising the outcome of the consultation and the associated review of the Resource Allocation System (RAS), being presented to the Cabinet in autumn 2014.
6. It is necessary to consider the implementation of the draft Cost Effective Care policy in order to contribute towards the delivery of £500k savings set out in the MTFS

2014-2018. The relevant budget line is S33: Limiting service user choice to the most cost effective option.

7. Adult Social Care is experiencing an increase in demand for services as a result of demographic change. Faced with this increased level of demand and budget reductions, it is necessary to consider introducing a policy that establishes a reasonable cost approach so that the needs of as many eligible service users as possible can be met within the budget available. A number of other authorities are considering a similar approach, for example Worcestershire and Nottinghamshire County Councils and Birmingham City Council.
8. It is also important to have a draft Cost Effective Care policy in place in readiness for the implementation of the Care Bill from April 2015. It will be relevant for a number of provisions included in the Bill, notably the new national eligibility criteria and the funding reforms. The new eligibility criteria may result in more people becoming eligible. The funding reforms, due to be implemented in April 2016, include the 'cap' on lifetime care costs funded by individuals and will result in a significant increase in people requiring an assessment.

Background

9. Leicestershire is facing an increasing level of demand for social care services, largely due to demographic factors, such as an ageing population and increasing numbers of disabled children surviving into adulthood, which have resulted in rising levels of social care needs. In the current financial climate, it is important to have in place a policy that establishes how the needs of all people who are eligible for adult social care and support are to be met within the financial resources available to the Council. The policy needs to reflect a balance between resources, preferences and different ways of meeting assessed needs.
10. The Council uses a RAS, to determine the amount of money that will be paid as a personal budget to meet an individual's assessed eligible needs. The RAS converts the eligible needs into a monetary value, which then forms the basis for support planning. The RAS was originally introduced in 2011 and is due to be reviewed during 2014 to ensure that it is transparent, consistent and sufficiently accurate to generate a reasonable and cost effective calculation. The review of the RAS will support the aims of the draft Cost Effective Care policy.
11. The Council also needs to look ahead and prepare for the implementation of the Care Bill from April 2015. The Bill emphasises the importance of preventing or delaying the development of needs for care and support and the importance of reducing needs that already exist. It introduces a new national eligibility threshold for adults who need care and support and includes eligibility criteria for carers. The new threshold is expected to be set at a level equivalent to the current level used in Leicestershire, critical and substantial, but the final regulations have yet to be released.
12. The funding reforms that will be introduced in April 2016 will revise the financial thresholds for eligibility for local authority funding and introduce a 'cap' on the lifetime care costs paid by individuals. The Council will be expected to create independent personal budgets for self-funders that will set out the amount that can accumulate towards their care cap. Initial estimates suggest that there will be an increase of between 7,000 to 8,000 people who will approach the Council for an assessment and

the creation of an independent personal budget. The draft Cost Effective Care policy will set out a framework for agreeing a reasonable and cost effective amount for care costs that will accrue towards the care cap.

13. The draft Cost Effective Care policy would need to include consideration of the Council's Public Sector Equality Duty and be compliant with the Human Rights Act 1998. This is particularly important in a policy of this nature, which has the potential for adverse impact on people with protected characteristics, so the policy needs to be demonstrably fair, equitable and transparent.
14. Other local authorities have introduced similar policies, such as Worcestershire County Council's 'Usual Maximum Expenditure policy'. Worcestershire County Council has defended its policy successfully at judicial review and its example has some useful learning points for the development of Leicestershire's policy. Nottinghamshire County Council has recently completed a public consultation on their "Proposed policy for the Use of Resources in Adult Social Care". Similar proposals are included in Birmingham City Council's "Social care for Adults in Birmingham - A Fair Deal in Times of Austerity" and also in Walsall's "Vision for Social care in Walsall".
15. The draft Cost Effective Care policy would also assist the Council to ensure that it has sufficient availability of care services to meet people's care and support needs. The rising level of demand for social care puts increased pressure on the supply of social care provision. The policy aims to move away from more expensive care provision where there is an alternative lower cost option. This is expected to release some care capacity and will help to ensure there is enough care for everyone who needs it.

Proposals and/or Options

16. The main elements that are included in the draft Cost Effective Care policy are set out below:
 - The policy will apply to all adults who use social care services arranged by the Council or who may need such services in the future. This includes older people, adults with learning disabilities, physical disabilities, mental health needs and people with a visual or hearing impairment;
 - People will be encouraged to find solutions to their care needs from within their family, local community and themselves. The Council will then look to enhance this informal support or to meet the gap where there is no other source of support;
 - There is an emphasis on advice and information, early intervention, prevention and reablement services as well as equipment, adaptations and assistive technology that will prevent or delay the development of longer term care and support needs;
 - The policy sets out how personal budgets will be calculated to meet outcomes in the most cost effective way for the Council. Residential care placements will be treated in a similar way; the Council will expect to provide residential accommodation that does not exceed the usual cost that it expects to pay;

- People will be able to choose a more expensive care option if they or a third party can fund the additional amount needed;
- The Council will encourage people to receive their personal budget as a cash payment so that they can manage their own money, resources and care wherever they can and as a result have increased choice and control;
- The policy will be applied to existing service users at the time of their next review. If the review identifies that the assessed needs can be met through a lower cost support package, we would expect to reduce the provision accordingly.
- The Council will always give reasonable consideration in circumstances where there is a compelling reason for a higher cost care package to be provided, for example, if there are particular cultural needs that require more specialist provision.
- An exceptions process will be in place, whereby a senior manager will consider the circumstances of individual cases and decide if a higher cost care package can be agreed;
- The policy sets out a process whereby people can request a review of the decision that has been made about their personal budget funding and also their right to make a complaint.

17. The full version of the draft Cost Effective Care policy is attached to this report as Appendix A.

Consultations

18. A 90 day public consultation on the principles of the draft Cost Effective Care policy will commence on 22 May 2014 and remain open until 20 August 2014. The consultation will follow the guidance set out in the Council's consultation principles, namely ensuring that it reaches relevant sections of the community in appropriate formats and is open and transparent in the use of information. The consultation will be informed by the findings of the Equalities and Human Rights Impact Assessment (EHRIA) screening, and the results included and considered in the final EHRIA report.
19. A consultation questionnaire will be sent to a sample of current service users, carers and potential future service users in transition from the Children and Young People's Service. The sample group will be representative of the major service user groups: learning disability, mental health, physical disability and carers and also representative of age, ethnicity and gender. The questionnaire will be available to the general public on the Council's website at: http://www.leics.gov.uk/sc_research.htm.
20. Partner agencies, including voluntary organisations, service providers and NHS organisations will also be invited to contribute their views to the consultation, together with Leicestershire Healthwatch.
21. Two public consultation meetings will take place in July, where people will be able to find out more about the proposed policy, ask questions and contribute their views to

the consultation. The meetings are being held jointly with Communities in Partnership.

Resources Implications

22. The MTF5 sets out efficiency savings and service reductions for the Adult Social Care budget of £4.8m in 2014/15, rising to £20.8m in 2017/18.
23. Limiting service user choice to the most cost effective option (S33) is listed as a service reduction expected to contribute £500k in savings from 2014/15.
24. The Director of Corporate Resources and the County Solicitor have been consulted on the contents of this report.

Timetable for Decisions (including Scrutiny)

25. The 12 week consultation commenced on 22 May 2014 and will end on 20 August 2014. A further report summarising the outcome of the consultation and the associated review of the RAS, will be presented to the Cabinet in autumn 2014

Conclusions

26. The Council is facing an increasing level of demand for social care services, largely as a result of an ageing population and more younger people living with complex needs, whilst at the same time there is less money available to meet these needs. The draft Cost Effective Care policy has been created to establish how the limited resources available to the Adults and Communities Department are to be targeted at providing care that is cost effective, provides good value for money and meets statutory duties.
27. The Adults and Communities Department wishes to undertake a public consultation on the proposals contained in the draft policy so that the views of people who may be affected by it can be considered and used to inform the Cabinet in the final stages of the decision-making process.

Background Papers

- Report to Cabinet: 1 April 2014 – Cost Effective Care Policy for Adult Social Care [http://politics.leics.gov.uk/Published/C00000135/M00003989/AI00037765/\\$9CostEffectiveCarePolicyForAdultSocialCare.docA.ps.pdf](http://politics.leics.gov.uk/Published/C00000135/M00003989/AI00037765/$9CostEffectiveCarePolicyForAdultSocialCare.docA.ps.pdf)
- Prioritising need in the context of Putting People First: A whole system approach to eligibility for social care’ – Department of Health Guidance on Eligibility Criteria for Adult Social Care, England 2010 - http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_113154

Circulation under the Local Issues Alert Procedure

28. The Cabinet report dated the 1 April 2014 was circulated to all Members of the County Council via the Members’ News in Brief.

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List of Appendices

Appendix A – Draft Cost Effective Care Policy for Adult Social Care 2014
Appendix B – Equality and Human Rights Impact Assessment (EHRIA)

Relevant Impact Assessments

Equal Opportunities Implications

Equality

29. Councils have statutory duties to have due regard for the need to promote equality as part of the Public Sector Equality Duty and also to be compliant with the Human Rights Act 1998.
30. An EHRIA has been completed and is attached as Appendix B to this report for it to be considered as part of the decision making process. Further impact assessments will be completed dependant on the issues arising from the proposed consultation.

Safeguarding Adults

30. The Safeguarding Adults Policy includes a clear statement of every person's right to live a life free from abuse and neglect. In Leicestershire we have a policy and procedures that ensure relevant agencies and services work together to prevent abuse and to help and support adults with community care needs who may have been the victim of abuse.
31. The group of people identified as coming under the Safeguarding Adults Policy are:
 - People aged 18 and over;
 - Those who may be experiencing abuse or neglect;
 - Those who are or may be in need of community care services.
32. The support to individuals within the Safeguarding Adults Policy and procedures is available as outlined above, regardless of the level of care and support being provided.

Carers

33. The draft Cost Effective Care policy does not include the support that the Council provides to informal carers. However, carers may be affected by decisions made under the policy that affect the person they care for. Carers will be included in the consultation sample and groups that represent carers will also be invited to contribute.



Cost Effective Care Policy for Adult Social Care 2014

Adults and Communities Department

DRAFT

Contents

Document control:.....	1
Introduction.....	2
Background.....	2
Who the Policy Applies to.....	3
Purpose.....	4
Principles.....	4
Early Intervention, Prevention and Reablement.....	4
Eligibility.....	4
Meeting Eligible Needs.....	4
Reviews.....	5
Equalities.....	5
Complaints.....	6

Document control:

Owner:	Sandy McMillan, Assistant Director, Strategy and Commissioning.		
Author:	Katy Griffith, Project Manager	Date:	18 March 2014
Approved by:		Date:	
Version No:	Draft version 1.4		
Revised by:		Revision number:	Date:
Due to be reviewed:	October 2014	Date:	

Introduction

The Adults and Communities Department's key strategic aims are to understand the needs and aspirations of the people of Leicestershire; develop strong and independent communities; promote health and wellbeing; increase people's choice and control and continually improve the way that we work. Funding and services are targeted to support vulnerable people to lead rewarding, fulfilling and purposeful lives. Where people are eligible for social care support, our aim is to support them to achieve their outcomes in a way that reflects their preferences.

Leicestershire County Council has to use its financial resources wisely to ensure that we can maintain quality and provide effective services within the available budget. This means that we have to balance people's preferences with what can be afforded. This issue has always been present to some degree but has become more prominent in this time of very significant reductions in the Council's budget. It is for this reason that we have decided to produce a policy that will clearly set out how the Council plans to balance our response to meeting people's needs in a way that is cost effective and provides good value for money.

Background

The Council is facing an increasing level of demand for social care services, largely as a result of demographic change. Leicestershire has an ageing population with the proportion of those aged 65 and over expected to increase from about one-sixth in 2010 to one-fifth in 2020 to one-quarter in 2030. People with learning disabilities are living longer. This is predicted to result in the number of people aged 65 and over with moderate or severe learning disabilities rising from 323 in 2010 to 499 in 2030, an increase of 54%¹.

At the same time there is less money available to meet this increasing level of need. The Council's Medium Term Financial Strategy for 2014 -2018 sets out efficiency savings and service reductions for the Adult Social Care budget of £4.8m in 2014/15, rising to £20.8m in 2017/18. We therefore have to think carefully about how to use the limited financial resources available so that we can meet people's eligible needs.

The Council has a legal duty to complete assessments of need, which is set out in a number of key pieces of legislation, notably the NHS and Community Care Act 1990; National Assistance Act 1948; Chronically Sick and Disabled Person's Act 1970 and the Carers and Disabled Children Act 2000.

¹ http://www.lsr-online.org/reports/leicestershire_joint_strategic_needs_assessment_jsna_2012_full_length/download/35/2012%20Leicestershire%20JSNA%20Older%20Persons.pdf

The duty to arrange/provide services for people with eligible needs is set out in “Prioritising need in the context of *Putting People First: A whole system approach to eligibility for social care*” Department of Health Guidance on Eligibility Criteria for Adult Social Care, England 2010. This sets out a framework that Councils are required to use for allocating social care resources in a fair, transparent and consistent way. Councils are entitled to take account of their available resources when setting their eligibility criteria and may have regard to their resources when assessing needs and choosing between different ways of meeting those needs.

The Council also needs to look ahead and prepare for the implementation of the Care Bill from April 2015. The Bill introduces the well-being principle, making this the central purpose for adult social care. It also emphasises the importance of preventing or delaying the development of needs for care and support and of reducing needs that already exist. It will create a new national eligibility threshold for adults who need care and support and include eligibility criteria for carers.

The funding reforms that will be introduced in April 2016 will revise the financial thresholds for eligibility for local authority funding and introduce a “cap” on the lifetime care costs paid by individuals. The Council will be expected to create independent personal budgets for self-funders that will set out the amount that can accumulate towards their care cap. Initial estimates suggest that there will be an increase of between 7000 to 8000 people who will approach the Council for an assessment and the creation of an independent personal budget. The Cost Effective Care policy will set out a framework for agreeing a reasonable and cost effective amount for care costs that will accrue towards the care cap.

Who the Policy Applies to

This policy will affect adults aged 18 or over who use social care services arranged by the Council or who may need such services in the future.

This includes older people, adults with learning disabilities, physical disabilities, mental health needs and people with a visual or hearing impairment.

The policy does not include the support that the Department provides to informal carers. However, carers may be affected by decisions made under the policy for the person they care for.

This policy will affect new service users at the time of their assessment and will be applied to existing service users at the time of their next review or reassessment.

Purpose

The Cost Effective Care policy has been created to establish how the limited resources available to the Department are to be targeted at providing care that meets our statutory responsibilities, provides care that is cost effective and provides good value for money.

Principles

We will encourage people to find solutions to their care needs from within their family, local community and themselves. The Department will then look to enhance this informal support or to meet the gap where there is no other source of support.

Early Intervention, Prevention and Reablement

Good quality advice and information will be available to help people to plan for the future and help them maintain their independence at home.

Our early intervention and prevention approach focuses resources on those most likely to need health and social care support in the future. It aims to prevent or delay the development of a need for longer term support.

We provide a wide range of equipment and adaptations to help people to live safely at home.

We promote the use of new types of assistive technology which can support an individual's independence and reduce reliance on paid support.

We provide a short- term reablement service to people who have experienced a period of illness or a stay in hospital. This support helps people to regain their independence and get back to coping with the practical aspects of day to day living.

We prioritise recovery and rehabilitation to enable people to live as independently as possible.

Eligibility

The Council will continue to provide longer term support for people who have a substantial or critical level of need as defined in the eligibility framework.

We will always meet any unmet eligible needs that have been identified during a person's assessment.

Meeting Eligible Needs

Personal budgets will be calculated to meet outcomes in the most cost effective way for the Council.

We will provide sufficient funds in personal budgets for people to purchase care, and their support costs if they are in supported living, which is suitable for their assessed needs but we will place greater emphasis on the achievement of outcomes and value for money over the level of choice available.

We will not normally increase personal budgets above the cost effective amount but people can choose to purchase more care or use a more expensive care option if they or a third party is willing to fund the additional amount needed. This would be in addition to any financial contribution that is required under the Fairer Charging policy.

We will encourage people to receive their personal budget as a cash payment so that they can manage their own money, resources and care wherever they can and as a result have increased choice and control.

When we are making arrangements for people who require a residential or nursing home placement we will always seek to provide accommodation that is available and suitable for the person's assessed needs.

We will expect to provide residential accommodation that does not exceed the usual cost that the Council expects to pay.

If a person chooses a more expensive placement, then the difference in the cost would need to be met by a 'top up' payment from a third party, or in some circumstances from the person themselves. This is in addition to the assessed financial contribution to their care.

This policy applies to funding from the Council for adult social care needs. It does not include other sources of funding, for example from Continuing Healthcare or the Independent Living Fund.

Reviews

The policy will be applied to existing service users at the time of their next review. If the review identifies that a lower cost support package can meet the unmet assessed needs then we would expect to reduce the provision accordingly.

Our staff will help people to find alternative support options and will give them reasonable time to make the transition to the new support package.

Equalities

The Council will give due consideration to people's rights as set out in the Human Rights Act 1998, such as those set out in Article 8 which gives a right to respect for private and family life.

We will ensure that the Council complies with our duties as set out in the Equality Act 2010 and with disability discrimination legislation.

We will always give reasonable consideration in circumstances where there is a compelling reason for a higher cost care package to be provided. For example, if there are particular cultural needs that require more specialist provision. This example is illustrative of the way that discretion will be used in the application of the policy.

An exceptions process will be in place, whereby a senior manager will consider the circumstances of individual cases and decide if a higher cost care package can be agreed.

Complaints

People will be informed of their right to request a review of the decision that we make about the amount of their personal budget. They can choose to submit further information that will be considered by the decision-maker.

They will also be informed of their right to complain using the Council's adult social care complaints procedure and that an advocate can be provided to support them with this. The Council funds an Advocacy service in the County which is provided by Leicestershire Community Projects Trust.

People can also contact the Local Government Ombudsman for an independent review of their complaint if they are not satisfied with the Council's response to it.

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APPENDIX B**Equality & Human Rights Impact Assessment (EHRIA)**

This Equality and Human Rights Impact Assessment (EHRIA) will enable you to assess the **new, proposed or significantly changed** policy/ practice/ procedure/ function/ service** for equality and human rights implications.

Undertaking this assessment will help you to identify whether or not this policy/ practice/ procedure/ function/ service** may have an adverse impact on a particular community or group of people. It will ultimately ensure that as an Authority we do not discriminate and we are able to promote equality, diversity and human rights.

Before completing this form please refer to the EHRIA [guidance](#), for further information about undertaking and completing the assessment. For further advice and guidance, please contact your Departmental Equalities Group or equality@leics.gov.uk

***Please note: The term 'policy' will be used throughout this assessment as shorthand for policy, practice, procedure, function or service.*

Key Details	
Name of policy being assessed:	Draft Cost Effective Care policy (MTFS S33 Limiting Service User Choice)
Department and section:	Efficiencies and Service Reduction team, Adults and Communities Department.
Name of lead officer/ job title and others completing this assessment:	Katy Griffith, Project Manager
Contact telephone numbers:	0116 305 6913
Name of officer/s responsible for implementing this policy:	Mick Connell, Director of Adults and Communities
Date EHRIA assessment started:	05/02/14
Date EHRIA assessment completed:	

Section 1: Defining the policy

Section 1: Defining the policy

You should begin this assessment by defining and outlining the scope of this policy. You should consider the impact or likely impact of the policy in relation to all areas of equality, diversity and human rights, as outlined in Leicestershire County Council's Equality Strategy.

1	<p>What is new or changed in this policy? <i>What has changed and why?</i></p> <p>The draft Cost Effective Care policy has been created to establish how the limited resources available to the Adults and Communities Department are to be targeted at providing care that is cost effective and provides good value for money. It sets out how the amount paid to individuals in their personal budgets to meet their eligible needs is to be limited to the most cost effective option.</p> <p>This new policy is being introduced in response to an increasing level of demand for social care services, largely due to demographic factors, which have resulted in rising levels of social care needs. It also seeks to prepare for the implementation of the Care Bill from April 2015, particularly the introduction of wide-ranging funding reforms in the following year, which is expected to result in a significant increase in the number of people who will approach the Council for an assessment and the creation of an independent personal budget.</p> <p>Previously, the Department used an internal guidance document called "Normal Limits" to manage spending on high cost care packages. This guidance was not included in the introduction of the self- directed support care pathway and resource allocation system (RAS) in 2010 and as a result its usage declined. A new policy was therefore required that would establish how the needs of all people who are eligible for adult social care and support are to be met within the financial resources available to the Council. The policy seeks to reflect a balance between resources, preferences and different ways of meeting assessed needs.</p>
2	<p>Does this relate to any other policy within your department, the Council or with other partner organisations? <i>If yes, please reference the relevant policy or EHRIA. If unknown, further investigation may be required.</i></p> <p>The draft Cost Effective Care policy has been developed by the Effective Support Project, which is part of the Adults and Communities Efficiencies and Service Reduction Programme. An equality questionnaire was completed for the project in 2013:</p> <p>http://website/effective_support_project_eia.doc</p> <p>The policy also links with the Eligibility Criteria for Community Care Services, which sets out who is eligible to receive social care services. The Council changed its eligibility criteria in April 2011, when the threshold was raised to limit provision to people with substantial and critical needs only. An Equality Impact Assessment for the Eligibility Criteria change was completed in December 2010 and a link to the document is included here:</p> <p>http://website/eligibility_eia.doc</p>
3	<p>Who are the people/ groups (target groups) affected and what is the intended change or outcome for them?</p> <p>The policy will affect adults aged over 18 or over who use social care services arranged by the Council, or who may need such services in the future. The</p>

	<p>cohort of people who currently receive services has a higher proportion of women, people with disabilities and older people than are present in the general population and it is these groups that will be primarily affected.</p> <p>The policy gives a clear commitment that the Council will always meet people's assessed unmet eligible needs and will provide care that is suitable for those needs. However, financial constraints mean that the Council has to limit the funding it provides in a personal budget and to people needing residential care to the most cost effective option. This may restrict the choices available to people as whilst the care provided will meet their needs it may not be delivered in a way that they prefer.</p> <p>The policy sets out how people can choose to use a more expensive care option if they or a third party are willing to fund the additional amount needed. It also includes an exceptions process whereby consideration is given in circumstances where there is a compelling reason for a higher cost care package to be provided.</p>		
4	Will this policy meet the Equality Act 2010 requirements to have due regard to the need to meet any of the following aspects? (Please tick and explain how)		
	Yes	No	How?
Eliminate unlawful discrimination, harassment and victimisation	√		The Council's Safeguarding Adults policy works to prevent abuse and to help and support adults who have experienced any form of abuse. The Safeguarding policy applies to adults who may be experiencing abuse or neglect and may be in need of community care services; this is regardless of the level of care and support being provided, therefore the draft Cost Effective Care policy will not affect the Council's ability to safeguard vulnerable adults.
Advance equality of opportunity between different groups	√		The exceptions process set out in the draft Cost Effective Care policy includes provision for situations where a higher cost care package can be agreed, for example where there are particular cultural needs that require more specialist provision. This will support the advancement of opportunity and access to appropriate services between different groups.
Foster good relations between different groups	√		The policy seeks to establish a fair and equitable way to use the resources available to fund and provide adult social care services. It therefore aims to foster good relations between the different groups who use these services.

Section 2: Equality and Human Rights Impact Assessment (EHRIA) Screening

The purpose of this section of the assessment is to help you decide if a full EHRIA is required.

If you have already identified that a full EHRIA is needed for this policy/ practice/ procedure/ function/ service, either via service planning processes or other means, then please go straight to [Section 3](#) on Page 7 of this document.

Section 2

A: Research and Consultation

5.	Have the target groups been consulted about the following?	Yes	No*
	a) their current needs and aspirations and what is important to them;		√
	b) any potential impact of this change on them (positive and negative, intended and unintended);		√
	c) potential barriers they may face		√
	6. If the target groups have not been consulted directly, have representatives been consulted or research explored (e.g. Equality Mapping)?		√
	7. Have other stakeholder groups/ secondary groups (e.g. carers of service users) been explored in terms of potential unintended impacts?		√
8.	<p>*If you answered 'no' to the question above, please use the space below to outline what consultation you are planning to undertake, or why you do not consider it to be necessary.</p> <p>A public consultation on the principles of the draft Cost Effective Care policy is planned to commence in May 2014 for a period of 12 weeks. The consultation will follow the guidance set out in the Council's consultation principles, namely ensuring that it reaches relevant sections of the community and is open and transparent in the use of information.</p> <p>A consultation questionnaire will be sent to a sample of current service users, carers and potential future service users in transition from the Children and Young People's Service. The sample group will be representative of the major service user groups: learning disability, mental health, physical disability and carers and also representative of age, ethnicity and gender. The questionnaire will be available to the general public on the Council's website.</p> <p>Partner agencies, including voluntary organisations, service providers and the two health Clinical Commissioning Groups will also be invited to contribute their views to the consultation.</p> <p>The outcome of the consultation will be reported back to the Council's Cabinet in the autumn, when a final decision will be made whether to implement the policy.</p>		

Section 2

B: Monitoring Impact

8.	Are there systems set up to: a) monitor impact (positive and negative, intended and unintended) for different groups; b) enable open feedback and suggestions from different communities	Yes	No
		√	
		√	

Note: If no to Question 8, you will need to ensure that monitoring systems are established to check for impact on the protected characteristics.

Section 2**C: Potential Impact**

9.	Use the table below to specify if any individuals or community groups who identify with any of the ' protected characteristics ' may <u>potentially</u> be affected by this policy and describe any positive and negative impacts, including any barriers.		
	Yes	No	Comments
Age	√		The service user cohort has a higher proportion of older people than is present in the general population. There is the potential for them to be affected by this policy; chiefly in respect of the cost limit that may restrict their choice of the type of care they receive. Specific needs related to a person's age are considered when a decision is made about the amount of money allocated to a person in their personal budget.
Disability	√		The service user cohort has a higher proportion of people with disabilities than is present in the general population. There is the potential for them to be affected by this policy; chiefly in respect of the cost limit that may restrict their choice of the type of care they receive. Specific needs related to a person's disability are considered when a decision is made about the amount of money allocated to a person in their personal budget.

Gender Reassignment		√	
Marriage and Civil Partnership		√	
Pregnancy and Maternity		√	
Race	√		Specific needs related to a person's ethnicity are considered when a decision is made about the amount of money allocated to a person in their personal budget.
Religion or Belief	√		Specific needs related to a person's religion or belief system are considered when a decision is made about the amount of money allocated to a person in their personal budget.
Sex	√		Women form a slightly higher proportion of the service user population than men. There is the potential for them to be affected by this policy; chiefly in respect of the cost limit that may restrict their choice of the type of care they receive. Specific needs related to a person's gender are considered when a decision is made about the amount of money allocated to a person in their personal budget.
Sexual Orientation		√	
Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities	√		Carers: the draft Cost Effective Care policy does not include the support that the Council provides to informal carers and the policy will not be applied directly to them. However, carers may be affected by decisions made under the policy that affect the person they care for. Carers will be included in the consultation sample and groups that represent carers will also be invited to contribute.

	Community Cohesion		√	
10.	<p>Are the human rights of individuals <u>potentially</u> affected by this proposal? Could there be an impact on human rights for any of the protected characteristics? (Please tick)</p> <p>Explain why you consider that any particular article in the Human Rights Act may apply to your policy/ practice/ function or procedure and how the human rights of individuals are likely to be affected below: [NB. Include positive and negative impacts as well as barriers in benefiting from the above proposal]</p>			
	Yes	No	Comments	
Part 1: The Convention- Rights and Freedoms				
Article 2: Right to life	√		<p>Assessment and support planning always aims to reduce and manage risk and helps people to live safely and independently. The amount of funding allocated to meet a person's needs takes account of any risks identified.</p> <p>This includes situations where a vulnerable person needs to be safeguarded and where a protection plan is in place. The policy positively supports and upholds the right to life.</p>	
Article 3: Right not to be tortured or treated in an inhuman or degrading way	√		<p>Using a more cost effective service does not compromise on the quality of the care being provided, whether that is at home, at a day centre or in residential care. All care providers who have a contract with the Council have to meet the same quality standards, regardless of the cost of their services. Standards are upheld by regular contract monitoring and additional support is provided by the Quality Improvement Team.</p>	
Article 4: Right not to be subjected to slavery/ forced labour		√		
Article 5: Right to liberty and security		√		
Article 6: Right to a fair trial	√		<p>People have the right to request a review of the decision that is made about the amount of their personal budget. They can choose to submit further information that will be</p>	

			<p>considered by the decision-maker.</p> <p>They also have the right to make a complaint if they believe that their case has not been handled fairly.</p> <p>An advocate can be provided to support people in making a complaint. The Council funds an Advocacy service in the County which is provided by Leicestershire Community Projects Trust.</p>
Article 7: No punishment without law		√	
Article 8: Right to respect for private and family life	√		<p>The policy may affect Article 8 in a number of ways:</p> <p>1) There is a potentially adverse impact arising from the decision to allocate funds to personal budgets in the most cost effective way to meet people's assessed needs. This may limit the options available to them as more expensive care options will be excluded. In some cases residential care would be identified as more cost effective when compared with an intensive package of support at home. People will not be forced to accept a particular type of care, such as residential care, when it is not their choice to do and we will make every effort to plan for support in the community within the allocated budget. We can help people to reduce the cost of their support at home, for example by using assistive technology or sharing support where appropriate. People can also consider using the steps outlined in point 2 below.</p> <p>2) A number of mitigating measures are included in the policy:</p>

			<ul style="list-style-type: none"> • People will be encouraged to receive their budget as a cash payment so that they can manage their own money, care and resources and have increased choice and control as a result. • People can choose to use a more expensive care option if they or a third party is willing to fund the additional amount needed. • An exceptions process will be in place which will allow consideration of circumstances, including on human rights grounds, where a higher cost care package is required. <p>2) The emphasis on prevention and early intervention within the policy will have a positive impact as it supports people to live safely and independently at home.</p>
Article 9: Right to freedom of thought, conscience and religion		√	
Article 10: Right to freedom of expression		√	
Article 11: Right to freedom of assembly and association		√	
Article 12: Right to marry		√	
Article 14: Right not to be discriminated against			<p>The policy will be implemented by Adults and Communities staff in a fair and transparent manner. Staff will take account of PSED protected characteristics when support planning and will make sure that personal budgets are appropriately tailored to individual needs and protected characteristics. People will also have recourse to the exceptions process as outlined above and have the right to make a complaint about any aspect of their contact with the Council.</p>
Part 2: The First Protocol			

	Article 1: Protection of property/ peaceful enjoyment		√	
	Article 2: Right to education		√	
	Article 3: Right to free elections		√	
Section 2				
D: Decision				
11.	Is there evidence or any other reason to suggest that:	Yes	No	Unknown
	a) this policy could have a different affect or adverse impact on any section of the community;	√		
	b) any section of the community may face barriers in benefiting from the proposal		√	
12.	Based on the answers to the questions above, what is the likely impact of this policy?			
	No Impact <input type="checkbox"/>	Positive Impact <input type="checkbox"/>	Neutral Impact <input type="checkbox"/>	Negative Impact or Impact Unknown <input checked="" type="checkbox"/>
Note: If the decision is 'Negative Impact' or 'Impact Not Known' an EHRIA Report is required.				
13.	Is an EHRIA report required?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	

1st Authorised Signature (EHRIA Lead Officer):

.....

Date:

2nd Authorised Signature (DEG Chair):

Deather Broughton

Date: ...26/03/2014.....



ADULTS AND COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE:
10 JUNE 2014

IMPLEMENTATION OF THE CARE ACT 2014

REPORT OF THE DIRECTOR OF ADULTS AND COMMUNITIES

Purpose of Report

- 1 The purpose of this report is to inform the Adults and Communities Overview and Scrutiny Committee about the proposed reforms to Adult Social Care within the Care Act 2014, the implications and risks for the Council and the steps being taken to respond to these challenges.

Policy Framework and Previous Decisions

- 2 The reforms outlined in this report are contained within the Care Act which received royal assent on the 14 May this year.
- 3 The detailed requirements for implementing the Act will be set out in enabling regulations and guidance due to be issued for consultation at the end of May 2014. The implications for current policy plans and strategies will need to be reviewed once that detail becomes available.
- 4 Proposals for reforms to Adult Social Care funding were set out in the consultation "Caring for Our Future". A report on this consultation was considered by the Cabinet on the 15 October 2013.

Background

What does the Act require of local authorities?

- 5 The Care Act, together with supporting regulations and guidance, will replace much of the existing social care legislation and re-establish the current legal basis for adult social care in England.
- 6 With the promotion of individual wellbeing as a fundamental principle, the Act defines the general responsibilities for local authorities with regard to social care, preventing needs for care and support, promoting diversity and quality in the provision of services and how needs should be met.
- 7 The majority of provisions within the Act are due to be implemented from April 2015 including:
 - Provision of information and advice services, introducing, a new requirement for access to financial advice.

- Nationally set eligibility criteria to enable a consistent minimum threshold to access services across local authorities. The intention is this should be set at an equivalent to the current “Substantial” level. Regulations and guidance will specify the approach to assessing eligibility, meeting needs for care and support, support planning and provision of personal budgets.
- The duties outlined above will extend to carers placing them on the same statutory footing as service users.
- Introduces/clarifies local authority duties for providing care and support to people in prison.
- Managing transition from children and young peoples to adult services which includes a right to request an “adults” assessment prior to the 18th birthday. This right also extends to the carers of children and young people.
- Safeguarding adults at risk of abuse or neglect and introducing the legal requirement to establish a Safeguarding Adults Board and to conduct reviews.
- Co-operation and working towards integration with other services such as Health will become a legally enforceable duty.
- Re-establishing the legal basis for direct payments. Part of the proposals include extension of direct payments to residential care, which is being piloted before being rolled out from April 2016 onwards.
- Duties and powers around local care market oversight, intervention in the event of provider failure, including the responsibility to produce a “market position statement” and arrangements for oversight and inspection of the care system by the Care Quality Commission.

Social Care Funding reforms

- 8 The Act also introduces reforms to the funding of social care; the most significant of these are intended to address the recommendations from the report by the Dilnot Commission. The funding reforms are scheduled to be implemented in two phases.
- 9 Phase 1 reforms taking effect from April 2015 will introduce:
 - An integrated nationally set charging regime, replacing the currently separate “Fairer Charging” and “Charging for Residential Accommodation Guidance”. The regime will also encompass financial assessment and charging for services provided to carers under the new duties for them which will come into effect at the same time.
 - Transitional arrangements for current users to manage any adverse impact of moving from locally set charging regimes to the new approach.
 - A universal duty for all local authorities to provide deferred payment replacing the current discretionary offer. This will include provisions to charge interest at a nationally set rate.

- Other enabling processes, such as debt recovery. Although indications so far are that these will consolidate current practice, this will need to be verified when the guidance is issued.
- 10 These provisions will require the authority to review these activities, which it already undertakes and revise the way they are delivered by April 2015.
- 11 Phase 2 reforms taking effect from April 2016 are more significant and include:
- Increasing the current financial thresholds for access to public funding for social care from £23,250 to £27,000 where property is excluded from the assessment and £118,000 when it is included (these figures were put forward in earlier consultation and are yet to be confirmed).
 - A lifetime cap on care costs paid by an eligible service user. The total costs of care (at rates payable by the local authority) will count towards the cap, excluding a nationally prescribed amount for daily living costs in the case of residential care. Once the cap is reached responsibility for funding the person's care (but not daily living costs in a residential setting) will fall to the local authority.
- 12 As well as increasing the costs payable by the authority, this will require changes to be made to our processes and systems; it is also likely to create additional demand for assessment as more people become eligible for public funding.
- 13 The cap will require the introduction of new enabling processes which do not currently exist, these include:
- Care Accounts for every eligible service user which will capture and track eligible costs to be accrued against that person's cap, and enable a forecast to be made of when their cap will be reached.
 - Independent Personal Budgets for those service users arranging their own care, which will define the costs which the local authority would have paid for the person's care, for the purpose of establishing and maintaining their care account.
 - Direct Payments in residential care and relaxation of restrictions over additional payments (top ups). Pilots for direct payments in residential care are taking place from which the detailed approach to this innovation is expected to emerge.

Implications of the Act

- 14 Although there are new provisions within the Act, much of what is included consolidates good practice currently being implemented by the County Council within the new legal framework.
- 15 An initial impact assessment has been conducted to identify where significant change will be required based on currently available information.
- 16 The details of change required will not become clear until draft regulations and guidance have been issued for consultation. At this time these are expected to be

published toward the end of May 2014, at which point there will be an opportunity to respond to the proposals and attempt to influence them, and for detailed analysis and implementation planning to be undertaken.

- 17 Final regulations for the reforms due in April 2015 will not be published until November 2014 at which point plans and assumptions will then need to be confirmed and validated.
- 18 The delivery of the Care Act reforms is being supported by a national programme jointly supported by the Association of Directors of Adult Social Services (ADASS), Department of Health and the Local Government Association (LGA) and key support agencies such as Skills for Care. This programme is responsible for developing the regulations and guidance and a programme of support for implementation.
- 19 In addition to the need to review and revise current practice, processes and systems, the Act introduces other substantial challenges:

Increased demand for eligibility and financial assessment and support planning

- 20 The Act introduces new rights for carers, a nationally set eligibility threshold, and extends the financial thresholds so that more people will be able to access local authority funding, all of which is expected to increase demand within local authority pathways for assessment, care planning and review.
- 21 The introduction of the cap is expected to create a specific and significant pressure of its own. It is anticipated that people currently funding and arranging their own care, will come forward not particularly because they want support from the authority, but in order to establish their eligibility for a care account and to protect their financial position once the cap is introduced in April 2015.
- 22 To manage demand the national programme anticipates that local authorities should begin to assess such people from the autumn of 2015 in advance of the cap taking effect from April 2016.
- 22 The increase will vary depending on the population profile of the local authority and the number of people funding their own care. The County Council, along with other local authorities, are currently quantifying this demand; initial estimates vary between 40% and 100%.
- 24 Current estimates suggest there would be likely to be some 6,500 additional people in Leicestershire currently funding their own care who would be likely to ask for an assessment in order to establish a care account and cap, and approximately 4,000 carers who may ask for an assessment.

Resource implications

- 25 As well as resourcing the additional demands for assessment and support planning and review referred to above, the reforms are intended to transfer more of the responsibility for social care costs from individuals to the taxpayer.
- 26 By 2025/26, national estimates indicate an additional cost to Local Government of £2.64bn. In more affluent areas like Leicestershire, more of the costs which are currently self-funded by service users would pass to the taxpayer. Subsequent independent analysis suggests the national impact assessments may be a substantial underestimation of the true costs which will be incurred.

- 27 The additional care costs arising from the cap are hard to quantify precisely, due to the lack of information about service users who currently fund and manage their own care outside of the social care system and the complexity of the modelling required, which needs to take into account future care costs, duration and levels of care, income levels, property values and revised financial limits for access to public funding
- 28 The proposals will significantly reduce current income from charges, particularly for under 65s many of whom will receive long term free services. There are likely to be more deferred payments for care costs (although the Council will be empowered to charge interest on these) adversely impacting Council cashflow.
- 29 The national programme is developing a national model for the costing the reforms and the County Council is working with other authorities in the region to model the local costs and validate the national approach, however, a definitive approach is yet to emerge.
- 30 Despite this, it is clear that costs will escalate quickly; the current forecasting model developed by the national programme indicates additional costs to the County Council could reach £30m by 2016 and by 2028 could be significantly higher.
- 31 Although the Government has undertaken to fund new burdens there is uncertainty about the formula that will be used to allocate funding to local authorities. Due to the complexity of the necessary modelling and variation in costs between authorities, the formula will need to be very sophisticated. It is by no means clear if all additional costs will be covered. Until this is clearer there is a significant risk of a funding shortfall for the Council.
- 32 These risks have been made plain to the national programme both by this authority, other local authorities, ADASS and the LGA.
- 33 The Director of Corporate Resources and County Solicitor have been consulted on the contents of this report.

Other risks and issues

- 34 National eligibility criteria may increase demand but the Council may receive no additional government funding for this. Early engagement on the proposed criteria revealed that the criteria if applied in practice would actually establish eligibility below this level which was not the intention, whether or not this has been addressed remains to be seen in the forthcoming consultation.
- 35 The Council may face increased exposure to the rise and fall in value of residential properties if there are a greater number of deferred payments secured against property.
- 36 There is some risk around ordinary residence, which could mean the Council funding more service users who are currently funded by other local authorities. This will be dependent on the exact wording of the regulations and guidance.
- 37 Reconciling the need to potentially recruit more staff to meet the additional demand created by the reforms with the need to downsize to meet efficiency requirements creates an increased risk around workforce continuity where key skills will be required. The alternative is to retain skilled staff but this would impact the ability to

deliver existing Medium Term Financial Savings such as the £1m identified for Customer Journey Simplification.

- 38 The Council is planning substantial transformation, budget reductions and increased integration with NHS partners. This creates a risk of inadequate organisational change capacity to deal with simultaneous service changes.

Preparing for the Reforms

- 39 In recognition of the significance of the reforms and associated risks a Project Board was established last autumn chaired by the Director of Adults and Communities to:
- Monitor developments as the Bill passes through Parliament and the House of Lords and supporting guidance emerges and respond to opportunities to influence the process.
 - Identify, and assess the organisational and financial risks arising from these reforms and secure appropriate mitigation.
 - Identify and define what is required to implement the financial reforms set out in the final version of the Care Act.
 - Ensure the reforms to adult social care funding arising from the Care Act are successfully implemented.
- 40 As part of the assessment and planning for the Act, there has been active engagement with other local authorities who share the same challenges, through the ADASS regional network, which has been allocated additional funding from the national programme to establish regional support infrastructure, and more recently through an implementation group within the County Council Network.
- 41 The Bill has been analysed clause by clause to identify those aspects which can be addressed through minor operational changes, those that can be dealt with by changes that are already planned and those which represent a major change where a substantial response will be required.
- 42 This analysis suggests that the many of the changes can be accommodated within the service or currently planned work with appropriate refinement. However, there are several changes which require a significant response.
- 43 The changes requiring a significant response identified so far are:
- Those relating to eligibility assessment and care planning for service users and carers.
 - Portability of care planning and care accounts when service users move between authorities.
 - The funding reforms.
- 44 These assessments will need to be reviewed when the draft regulations and guidance becomes available. The systematic examination of the consultation guidance by subject matter experts has been planned, to inform the preparation of a consultation response, identify any new risks and to inform detailed preparation and estimation.
- 45 In response to those risks already identified, two specific projects are being established as part of the emerging corporate Transformation Programme:

- **Adult Social Care Customer Journey Simplification**, which will address the implications of increased demand through the Care Pathway, ensuring it is compliant with the emerging regulations and guidance whilst offering an improved customer experience.
- **Adult Social Care Funding Reform**, which will support the implementation of the funding reforms required in April 2015 and 2016 respectively. Assessing and modelling the financial impact of the reforms will form part of this.

- 46 These projects along the integration and other projects within the Transformation Programme will be supported by enabling projects delivering the required changes to business systems, communication and engagement with customers, and workforce development.
- 47 Detailed project planning has commenced on these projects in accordance with the Transformation Programme approach.
- 48 Other changes within the Act will be addressed within existing projects and workstreams within the Department. A temporary Head of Service is being recruited to take the lead on these aspects and a specific work plan for the necessary changes will be developed based on the review and analysis of the requirements within the draft regulation and guidance.
- 49 As part of the preparations work has already commenced on:
- Modelling the financial implications of the Act and estimating demand levels. This is a complex piece of work. Finance and business staff are working with the national leads to arrive at reliable estimates.
 - Developing a financial advice pathway.

Conclusions

- 50 The requirements in the Care Act will result in significant change and risk for Adult Social Care and the whole Council. The detailed implications will emerge as the national programme for implementation develops and are being kept under review.
- 51 The major risks and challenges the Act presents are fully recognised and being addressed through the Transformation Programme and Adults and Communities Department's own work programme.
- 52 Ultimately local implementation is dependent on the timely and effective delivery of the national programme.

Background Papers

Report to the Cabinet: 15 October 2013 – Response to the Government Consultation 'Caring for our Future':

[HTTP://POLITICS.LEICS.GOV.UK/PUBLISHED/C00000135/M00003635/AI00035919/\\$CARINGFOROURFUTURERESPONSETOTHEGOVERNMENTSCONSULTATION.DOCA.PS.PDF](http://POLITICS.LEICS.GOV.UK/PUBLISHED/C00000135/M00003635/AI00035919/$CARINGFOROURFUTURERESPONSETOTHEGOVERNMENTSCONSULTATION.DOCA.PS.PDF)

Fairer Care Funding - The report of the Commission on Funding of Care and Support:

<http://webarchive.nationalarchives.gov.uk/20130221130239/https://www.wp.dh.gov.uk/carecommission/files/2011/07/Fairer-Care-Funding-Report.pdf>

'Caring for our future: Consultation on what and how people pay for their care and support', Department of Health, published 18 July 2013:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/239393/CONSULTATION_CaringForOurFuture_acc.pdf

Care Act 2014:

http://www.publications.parliament.uk/pa/Acts/IAct/2013-2014/0001/IAct_2013-20140001_en_1.htm

Circulation under the Local Issues Alert Procedure

None.

Officer to Contact

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Relevant Impact Assessments

Equal Opportunities Implications

- 53 The national criteria and new funding system will offer greater clarity for people about their entitlement for support and what they have to pay. There will be free care for people who have eligible social care needs before the age of 25 in recognition of their considerably reduced opportunity to earn and save money. There will also be a lower cap on care costs for adults of working age who have eligible social care needs, on the same basis. Carers will have the same legal entitlement to assessment of their needs and support where found eligible as service users.
- 53 Equalities Impact Assessments for various aspects of the Act will be completed by appropriate Adults and Communities staff to inform the process of implementing the reforms in Leicestershire.

Partnership working and associated issues

- 54 The Care Act requires local authorities and other relevant bodies in particular the NHS, to co-operate and integrate services. This forms a fundamental part of the council's Transformation Programme and the approach already developed in the Department.

ADULTS AND COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE:
10 JUNE 2014

REPORT OF THE DIRECTOR OF ADULTS AND COMMUNITIES

**LOCAL SAFEGUARDING CHILDREN BOARD/SAFEGUARDING ADULT
BOARD BUSINESS PLAN 2014/15**

Purpose of report

1. The purpose of this report is to bring to the Adults and Communities Overview and Scrutiny Committee's attention the Local Safeguarding Children Board/Safeguarding Adult Board (LSCB/SAB) Business Plan for 2014/15.

Policy Framework and Previous Decisions

2. The SAB is not at present a partnership required by regulation. However it will become a regulatory requirement shortly as a result of the Care Act 2014. Its purpose is to bring together local statutory and independent sector agencies working with vulnerable adults at risk of abuse. The SAB is responsible for ensuring the Multi-Agency Safeguarding Adults Policy and Procedures are effective and prevent adults from experiencing significant harm.
3. The LSCB is a partnership that is required by regulation.

Background

4. In 2012 a decision was made to align the LSCB with the SAB. This has enabled the Boards to produce an integrated Business Plan, since there are a number of priority issues which are common to both Boards. Where strands of activity are specific to one or other Board, this is made clear.
5. The Plan is intended primarily to set out the key outcomes and impact that the Boards wish to achieve across the next year, to ensure that children, young people and adults in Leicestershire and Rutland are safe. It does not show business as usual items unless they are addressing an issue that has been highlighted for specific or remedial work within 2013/14. The priorities for 2014/15 are as follows:-
 - Priority 1: To be assured that 'Safeguarding is Everyone's Responsibility';
 - Priority 2a: To be assured that children and young people are safe;
 - Priority 2b - To be assured that adults in need of safeguarding are safe;
 - Priority 2c – To be assured that services for children, services for adults and services for families are effectively coordinated to ensure children and adults are safe;
 - Priority 3a: To be assured of the quality of care for any child not living with a parent or someone with parental responsibility;
 - Priority 3b: To be assured of the quality of care for any adult supported by registered providers;

- Priority 4: To be assured that our Learning and Improvement Framework is raising service quality and outcomes for children, young people and adults;
- Priority 5: To be assured that the workforce is fit for purpose.

Proposals/Options

6. The committee is asked to note and comment on the content of the LSCB/SAB Business Plan 2014/15.

Consultation

7. The formulation of the Business Plan has been undertaken with the engagement of members of both the LSCB and SAB and other stakeholders.

Conclusions

8. The Adults and Communities Overview and Scrutiny Committee is asked to note and comment on the attached Business Plan.

Officer to Contact

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Paul Burnett, Independent Chair, Leicestershire and Rutland LSCB/SAB
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Relevant Impact Assessments

Equality and Human Rights Implications

9. Safeguarding vulnerable children, young people and vulnerable adults concerns individuals who are likely to be disadvantaged in a number of ways. The Business Plan sets out how the LSCB/SAB shall seek to ensure that a fair, effective and equitable service is discharged by the partnership. Likewise the Business Plan sets out how the partnership will seek to engage with all parts of the community in the coming year.

Partnership Working and associated issues

10. Safeguarding is dependent on the effective work of the partnership as set out in national regulation, Working Together 2013, published by the Department for Education.

List of Appendices

Appendix A - LSCB/SAB Business Plan 2014/15



Leicestershire and Rutland
Local Safeguarding Children and Safeguarding Adults Boards
Business Plan 2014-15

Effective from: April 7th 2014
Review dates: Quarterly Review: July, October, January 2015 April 2015

Introduction

I am pleased to present the LRLSCB and SAB Business Plan for 2014/15. The Plan is intended primarily to set out the key outcomes and impact that the Boards wish to achieve across the next year, to ensure that children, young people and adults in Leicestershire and Rutland are safe. It does not show business as usual items unless they are addressing an issue that has been highlighted for specific or remedial work within 2013/14.

This is the third Business Plan that we have presented since agreement to better align the two Safeguarding Boards in 2012. This year we present an integrated Business Plan since there is a number of priority issues that are common to both Boards. Where strands of activity are specific to one or other Board this is made clear.

The formulation of this Business Plan has been undertaken with the engagement of members of both Boards and other stakeholders. It aims to articulate the key improvement objectives that will underpin our work in the period 2014/15 and, most importantly, to set out the actions that will be taken to address these priorities. This increased emphasis on specific actions is also intended to ensure that we are more explicit about the outputs, outcomes and impact that the Boards intend to achieve. This we believe will strengthen our ability better to quality assure, performance monitor and risk manage the work of the Boards and their impact on safeguarding service delivery and on safeguarding outcomes for children, young people and adults.

The priorities in this Business Plan have been identified against a range of national and local drivers including:

- National policy drives to strengthen safeguarding arrangements and the roles of LSCBs and SABs
- Recommendations from regulatory inspections;
- The outcomes of Serious Case Reviews and Serious Incident Learning Processes (SILPs) – emerging from both national and local reports;
- Evaluations of the impact of previous Business Plans and analysis of need in Leicestershire and Rutland;
- Priorities for action emerging from Quality Assurance and Performance Management arrangements operated by both Boards;
- Responses to the views of stakeholders including the outcomes of engagement activities;
- Best practice reports issued by Ofsted, ADCS and ADASS

Having considered these matters members of the Boards have agreed to reflect the five priorities within our performance management framework within this plan. These priorities are:

Priority 1: To be assured that 'Safeguarding is Everyone's Responsibility'

Priority 2a: To be assured that children and young people are safe

Priority 2b - To be assured that adults in need of safeguarding are safe

Priority 2c – To be assured that services for children, services for adults and services for families are effectively coordinated to ensure children and adults are safe

Priority 3a: To be assured of the quality of care for any child not living with a parent or someone with parental responsibility

Priority 3b: To be assured of the quality of care for any adult supported by registered providers

Priority 4: To be assured that our Learning and Improvement Framework is raising service quality and outcomes for children, young people and adults

Priority 5: To be assured that the workforce is fit for purpose

This Business Plan sets out the key actions proposed to support work in support of these objectives with a view to further enhancing the impact of the two Boards in supporting improved outcomes in safeguarding the children, adults and communities of Leicestershire and Rutland. Safeguarding is everyone's business. Never has it been more critical for LSCBs and SABs to show strong, robust and effective leadership in securing the safeguarding and well-being of our communities. This Business Plan is intended to set a clear framework within which this leadership can be delivered. The collaborative support of all agencies is essential to securing the impact this Business Plan seeks.

I commend the Plan to all partners and look forward to your support in achieving our goals.

Paul Burnett

Independent Chair, Leicestershire and Rutland LSCB and SAB

Business Plan Priorities 2014/15

Priority 1: To be assured that ‘Safeguarding is Everyone’s Responsibility’

Priority 2: To be assured that children and young people are safe

Priority 2b: To be assured that adults in need of safeguarding are safe

Priority 2C: To be assured that services for children, services for adults and services for families are effectively coordinated to ensure children and adults are safe

Priority 3a: To be assured of the quality of care for any child not living with a parent or someone with parental responsibility

Priority 3b: To be assured of the quality of care for any adult supported by registered providers

Priority 4: To be assured that our Learning and Improvement Framework is raising service quality and outcomes for children, young people and adults

Priority 5: To be assured that the workforce is fit for purpose

CROSS CUTTING

- Safeguarding services are co-ordinated
- The voices of children and adults are heard
- The voices of staff are heard
- Sub-regional and regional co-ordination will be maximised
- Effective communication must underpin all Board activity

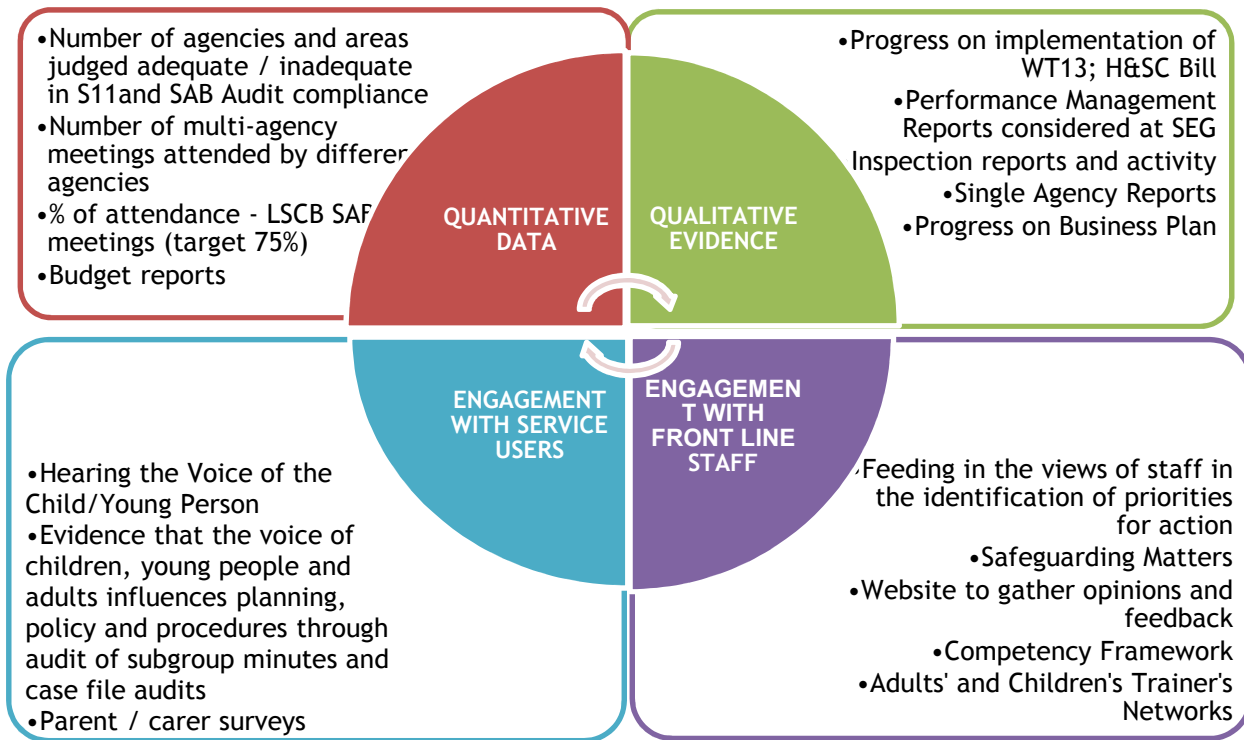
For each Priority this will be completed:

Action Log		Date
Comments from SEG:		
Recommendations from SEG:		
Identified Risks and Mitigation:		
RAG Rating proposal by SEG:		
Comments by Executive Group:		
Identified Risks and Mitigation:		
RAG Rating decision by Exec:		

Priority 1: To be assured that ‘Safeguarding is Everyone’s Responsibility’

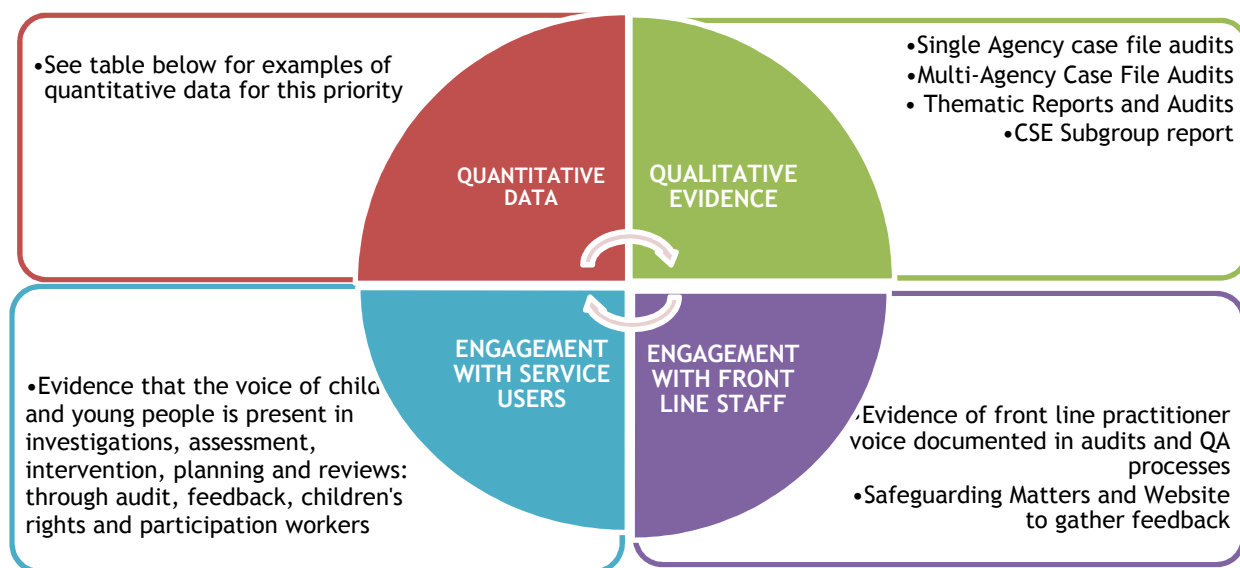
- Ensure all agencies fulfil their responsibilities as set out in Working Together 2013 (WT13)
- Increase in compliance across Section 11(CA2004) and SAB Compliance Audits
- Ensure that the Board, Executive and Subgroups have appropriate agency representation and high levels of attendance/participation to fulfil the objectives of the Business Plan and meet the requirements of WT13 and Health & Social Care Bill (H&SC Bill)
- Ensure SAB and partner agencies readiness for implementation of H&SC Bill

- Ensure that the Board knows the safeguarding strengths and weaknesses of agencies, both individually and collectively, through challenge, scrutiny and performance management
- The Board drives partnerships and partner agencies to own, prioritise, resource, improve and positively impact on safeguarding and receives management information to scrutinise and challenge performance
- To be assured that the ‘voice’ of children, young people and adults is heard and acted on
- To ensure partner agency contributions secure ‘value for money’
- To secure inspection readiness across the partnerships



Priority 2a: To be assured that children and young people are safe

- To be assured of the quality and impact/effectiveness of services across the ‘child’s journey’
- To be assured that thresholds for safeguarding children are clear, understood and consistently applied
- To be assured that the impact of universal and early help intervention reduces the numbers of children requiring protection and care
- To be assured that the quality and impact of single and multi-agency children protection practice is effective
- To be assured that children at high risk/vulnerable are being identified (e.g. Child Sexual Exploitation, Children Missing from home and care, bullying) and risks managed to secure a positive outcome

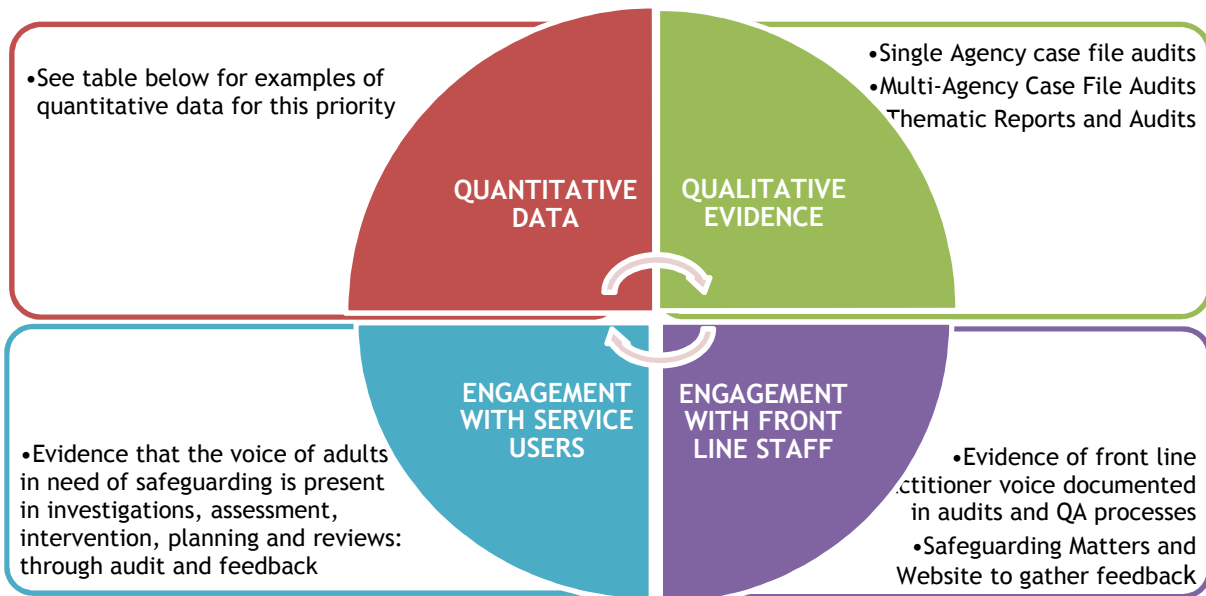


- Contacts recorded by Duty/ First Response
- Number of Early Help / CAF referrals made by different agencies
- Number of referrals to Supporting Leicestershire Families / Changing Lives Rutland
- Referrals recorded by Duty/ First Response
- Sources and outcomes of referrals
- Re-referrals
- Number of referrals and assessments where [domestic abuse] [CSE] [children missing] [bullying] [FGM] [priority] is a factor
- Factors identified at referral and assessment
- Number of children reported to police as missing from home (>24 hours)
- Number of offences recorded by police where a parent or carer wilfully assaults, ill-treats, neglects, abandons or exposes a child <16 in a manner likely to cause the unnecessary suffering or injury to health
- Number of internet safety incidents where the police were involved

- Sexual offences recorded by the police including rape, sexual assault, child grooming and offences related to indecent images of children
- Number of first time entrants into the youth justice system
- The rate of A&E attendance caused by unintentional and deliberate injuries to children and young people aged 0-17 (N6)
- Timeliness of assessments
- Strategy Discussions
- Number of Child protection enquiries
- Child protection conferences
- Number /% of children who have been subject of a child protection plan for more than 2 years or for a 2nd or subsequent time
- Child protection plans by category of abuse
- Children who are subject of a child protection plan per 10,000 population aged under 18

Priority 2b - To be assured that adults in need of safeguarding are safe

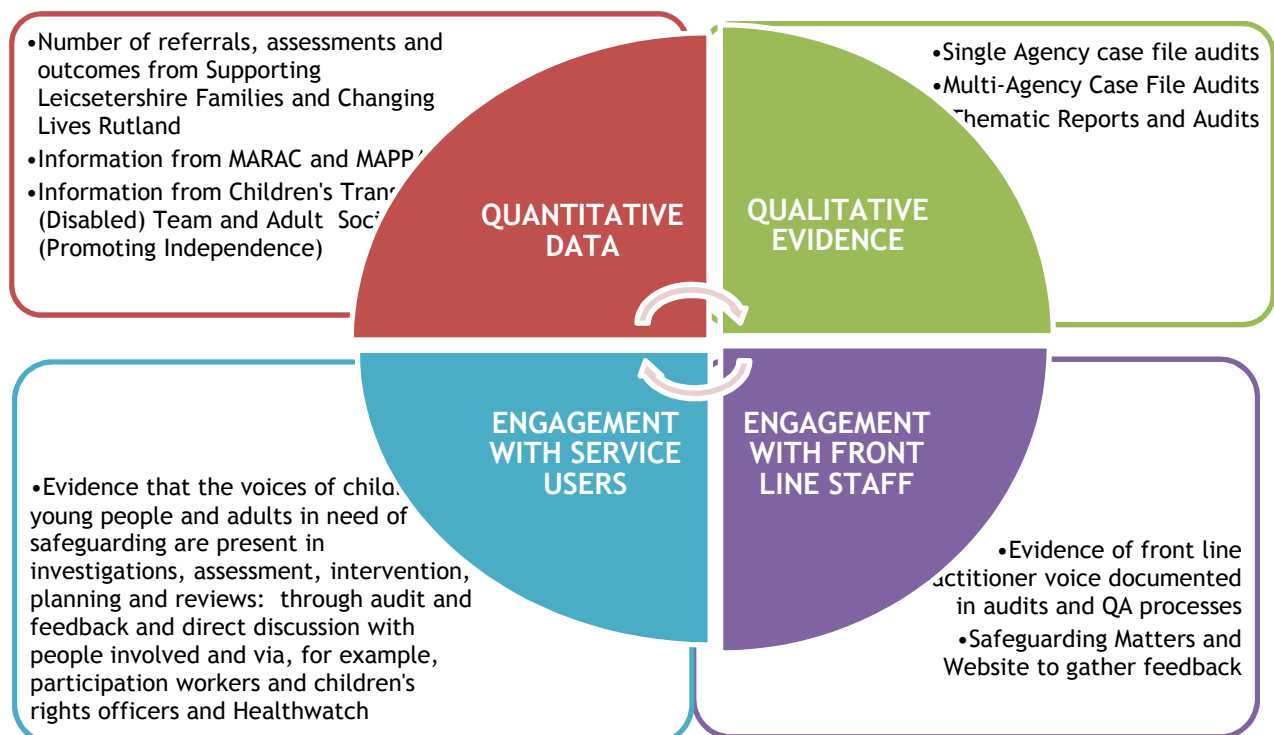
- To be assured of the quality and impact/effectiveness of services to adults in need of safeguarding
- To be assured that thresholds for safeguarding adults are clear, understood and consistently applied.
- To be assured that the impact of universal and early help intervention reduces the numbers of adults requiring protection and care.
- To be assured that the quality and impact of single and multi-agency adult protection practice is effective.
- To be assured that adults at high risk/vulnerable are being identified (e.g. mental health, domestic violence) and risks managed to secure a positive outcome



- Number of Referrals to Social Care
- Primary Client Type
- Outcome of referrals
- Repeat Referrals
- Primary Age Group
- Source of Referral
- Type of Abuse
- Offenders discussed at MAPPAs that have an assessed learning disability or allocated CPN
- Protection Plans
- Deprivation of Liberty (DoLs) information
- Numbers of vulnerable adult referrals that do not have a crime report attached
- Numbers of adult referrals that do have a crime attached
- Multi-agency investigations in the community
- Total number of referrals processed by the police
- Multi-agency investigations in registered settings

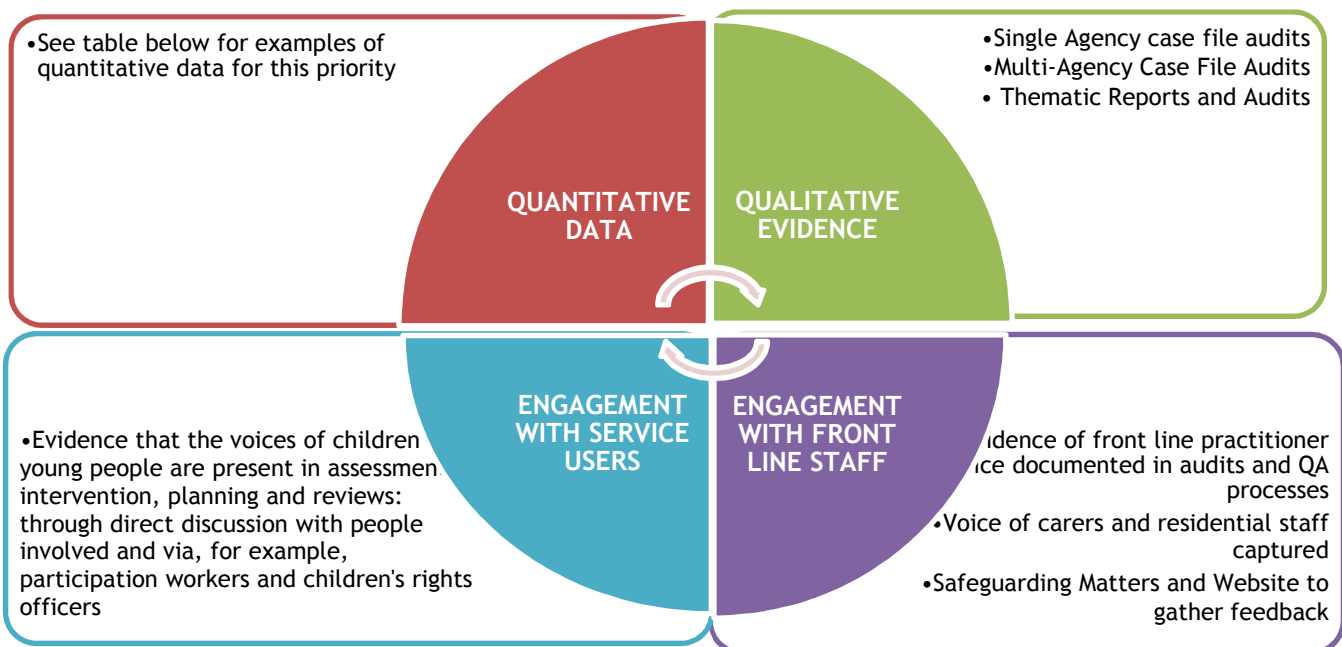
Priority 2C - To be assured that services for children, services for adults and services for families are effectively coordinated to ensure children and adults are safe

- To be assured that young people who are receiving services from children's services successfully transition to adult services where necessary
- That adults who are assessed as posing risk to children, young people and adults in need of safeguarding (such as MAPPA and MARAC) are effectively managed and that risk to others is mitigated
- To be assured that services that work with "whole" families are effectively coordinated - e.g. Supporting Leicestershire Families and Changing Lives Rutland and secure added value in ensuring and co-ordinating effective safeguarding.



Priority 3a: To be assured of the quality of care for any child not living with a parent or someone with parental responsibility

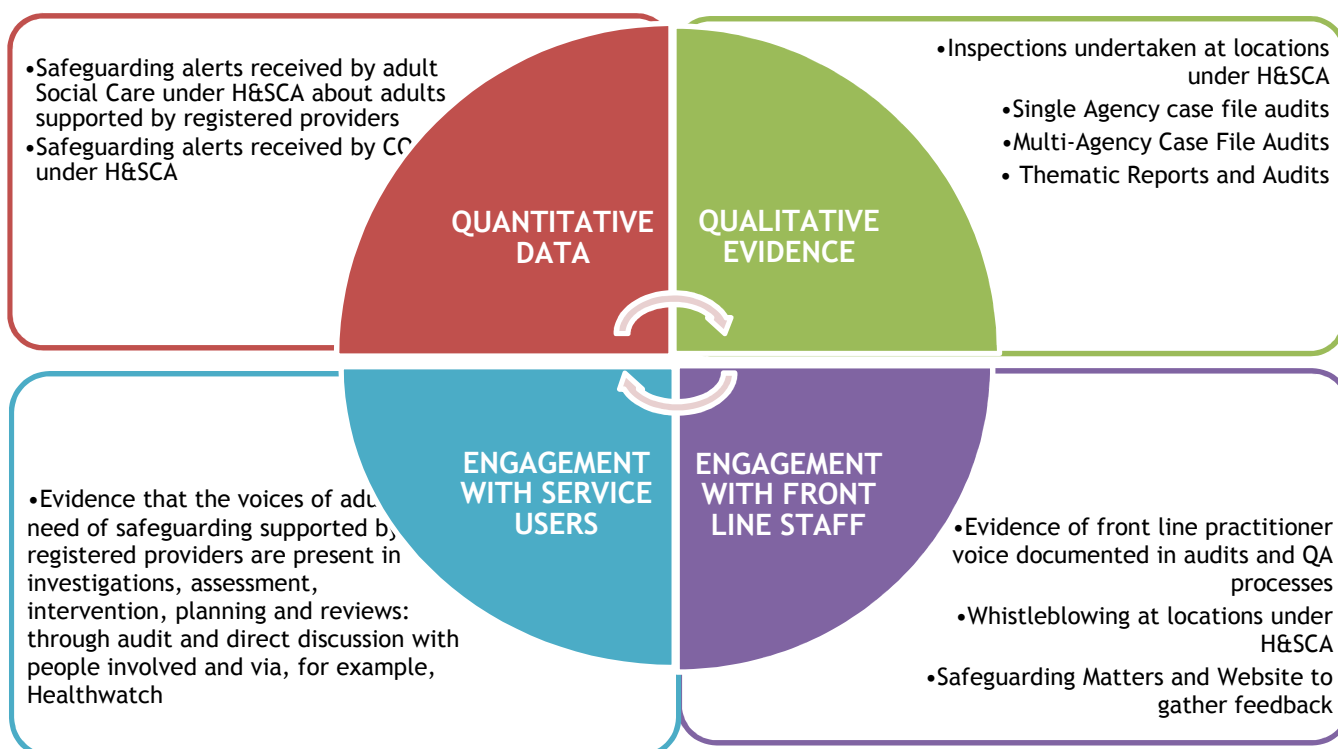
- To be assured that partner agencies are fulfilling their responsibilities as corporate parents (e.g. sufficient local accommodation)
- To be assured that children/young people who are privately fostered are identified and supported
- To ensure awareness is raised of the notification requirements for private fostering, and the effectiveness of this is monitored
- To be assured that children and young people placed in L&R from other areas are safe
- To establish and maintain robust interface with other LAC bodies (charity, respective roles and responsibilities)



- Number of referrals re Private Fostering
- Number of children supported in Private Fostering
- The number of Looked after Children
- Number of children referred as moving into Leicestershire or Rutland from another LA
- The number of Looked after Children by placement type
- Stability of placements of LAC: length of placement
- The number of Looked after Children who are placed out of county
- LAC cases which were reviewed within required timescales
- Number and proportion of LAC with three or more placements
- Number of Looked after Children missing from care
- The number of Looked after Children achieving health and education outcomes
- Care leaver information

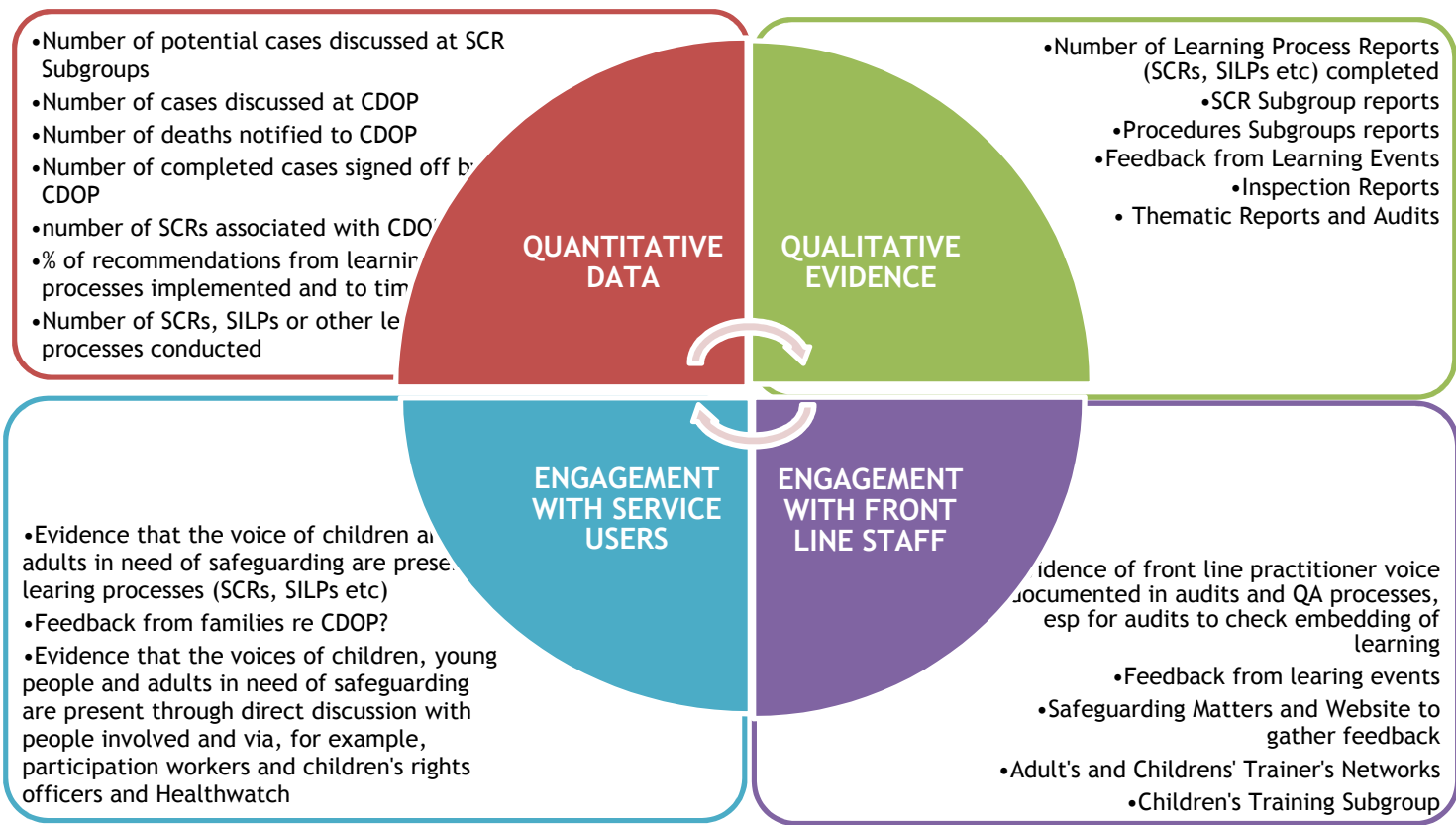
Priority 3b: To be assured of the quality of care for any adult supported by registered providers

- To be assured that adults living with or receiving services from registered providers are safe
- To be assured that providers are effective in carrying out their safeguarding responsibilities and that as a result service users are safe.
- To be assured that safeguarding roles and responsibilities and outcomes are explicit in commissioning, contracting, monitoring and review of services



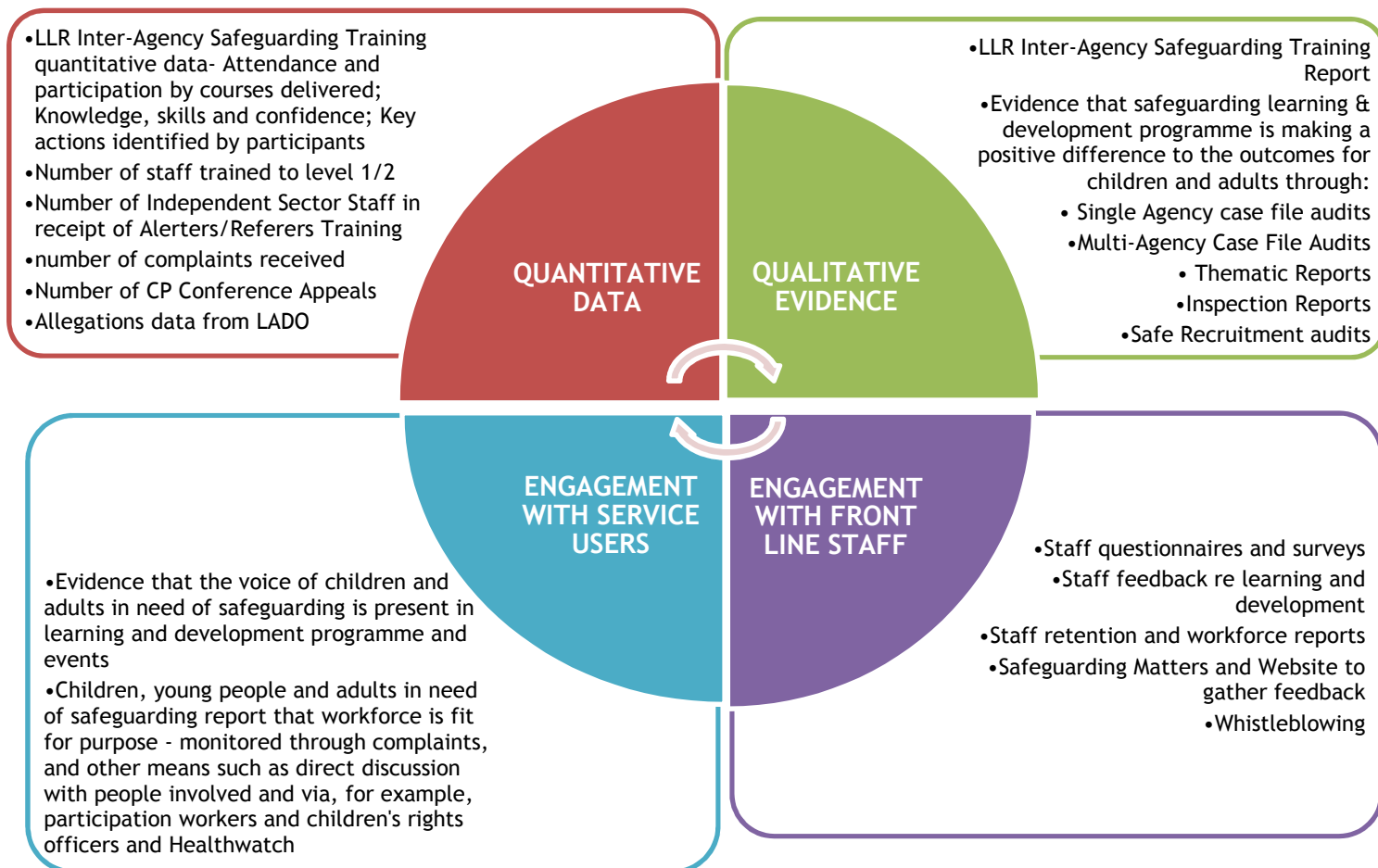
Priority 4: To be assured that our Learning and Improvement Framework is raising service quality and outcomes for children, young people and adults

- Apply the Learning & Development Framework and ensure its effectiveness (including national SCRs)
- Ensure learning from national and regional SCRs and other learning processes is incorporated into the practice of partner agencies and the partnership
- Ensure the effectiveness of CDOP for L&R and that lessons from child deaths in L&R are understood and consistently acted upon
- Implement the PMF and ensure its effectiveness
- To ensure that policies and procedures are ‘fit for purpose’



Priority 5: To be assured that the workforce is fit for purpose

- To be assured that the workforce is competent as measured by the Competency Frameworks through quality assurance
- To monitor and evaluate the effectiveness of training and development in terms of the impact on the quality of safeguarding practice and outcomes for service users
- To be assured that the workforce is safely recruited
- To be assured that allegations made against people who work with children and adults are dealt with effectively
- To hear the voice of practitioners



Priority 1: To be assured that 'Safeguarding is Everyone's Responsibility'					
Ref. no.	In 2014/5 we will	Outcome/Evidence Measure	Who will lead?	Timescale	Progress
1.1	Conduct strategic self-assessment audits for both Boards for consideration at the Board development day. (section 11 audit and Adult compliance audit)	Both Boards understand the strengths and weaknesses across the partnership. All partners demonstrate improved compliance. The Board understands the current risks to safeguarding. An action plan is developed to address the weaknesses.	SEG / Executive	Audit Plan developed by June 2014 Implemented from October 2014 Presentations in January 2015	
1.2	Produce and implement a plan to ensure the Safeguarding Adults Board meets the requirements of the Health and Social Care bill. This will include training where necessary. Audit multi agency understanding of the new legislation.	The Board will be compliant with the new legislation. Board members will understand the changes the new legislation brings.	Executive and Board	Audit current understanding in June 2014 Plan in place by December 2014 Implementation in 2015	
1.3	Significantly increase the engagement activity of the Boards. This will include direct engagement by the Boards with young people and Adults in need of Safeguarding. Create a task and finish group on Engagement, made up of engagement leads/staff from across the partnership. Undertake Children and Young People safeguarding survey to inform next year's business plan.	The new group will have multi agency representation. Feedback from Children, young people and adults in need of safeguarding will be presented at the Development day. A safeguarding matters edition will focus on engagement. Survey results will be published in Safeguarding matters Priorities will be included in the business plan.	New Task and finish group	Task and finish group created by June 2014 Engagement activity reported to each Board meeting. Safeguarding matter edition to be published by December 2014	

1.4	Increase community understanding and involvement within the safeguarding referral process	Direct feedback from Adults, young people and children	Engagement task and finish group	March 2015	
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Priority 2a: To be assured that children and young people are safe					
Ref. no.	In 2014/5 we will	Outcome/Evidence Measure	Who will lead?	Timescale	Progress
2a. 1	Develop a multi-agency audit programme for 2014/15 to measure the effectiveness of frontline practice, with a particular focus on the application of thresholds and effectiveness and impact of the new single assessment.	The multi-agency audits identify areas of good practice and areas in need of improvement. SMART action is taken to address areas in need of improvement. Follow up audits will measure the impact of the action	SEG	Audit Plan developed by June 2014 Implemented from August 2014 Evaluation of the impact of audit activity Feb 2015	
2a. 2	Introduce a new co-located multi-agency team to respond to children who go missing and/or are at risk of CSE	Co-located team operational Performance demonstrates, improved identification and effective reduction of risk	CSE Sub group	To go live in August 2014 Quarterly monitoring of performance	

2a. 3	Respond to feedback from young people (just over 1,000 completed surveys in 2013/14 and discussions from the youth councils) and consider how the issues of self harm and stranger danger are effecting young people and involve them in developing action by the Board	Young People are involved in developing action Follow up surveys with young people show that stranger danger and self harm are less of an issue for them.	Engagement subgroup	Consultation with young people June 2014 Action implemented From September 2014 Young peoples survey Feb 2015.	
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Priority 2b: To be assured that adults in need of safeguarding are safe					
Ref. no.	In 2014/5 we will	Outcome/Evidence Measure	Who will lead?	Timescale	Progress
2b. 1	Gain feedback from Adults and carers on the referral process via engagement activity including the use of surveys	Adults and carers feel referrals were made at the right time, for the right reasons, by the right agencies Survey's conducted and reported to the Board. Key highlights and messages published via safeguarding matters.	Engagement group	December 2014	
2b. 2	Ensure that the policies, procedures, thresholds and pathways are compliant with new expectations of the Health and Social Care Bill	New policies and procedures are developed and introduced Audit universal and preventative services to evidence understanding of thresholds and pathways to safeguarding.	Procedures and development subgroup SEG	October 2014 January 2015	

2b.3	Evaluate the effectiveness of the application of thresholds across the partnership	Through the Performance management framework (audits, data, feedback) Evidence of action to address performance issues as they occur	SEG	Quarterly monitoring of PMF	
2b.4	Understand why referrals to Leicestershire Adult Social Care have increased. We will work with a university to help us scrutinise why the increase has happened.	A report detailing the outcomes of the research.	Executive group	December 2014	

Priority 2c: To be assured that services for children, adults and families are effectively coordinated to ensure children and adults are safe					
Ref. no	In 2014/5 we will	Outcome/Evidence Measure	Who will lead?	Timescale	Progress
2c.1	Evaluate the impact of 'whole family' initiatives on safeguarding children and adults, this to include; Domestic Abuse, Prevent and Vulnerability of Adults with	The performance management framework will increase the Boards understanding of whole family issues and identify areas for improvement	SEG and Executive group	October Board meeting	

	Learning Disabilities.				
2c. 2	Review the effectiveness of the existing transition pathways for young people transitioning to adulthood which will include the voice of children and adults	The Board will be assured that existing transition arrangements are effective and appropriate action plans are in place. The performance management framework will provide evidence for scrutiny by the Board.	Executive group	October Board meeting Action plan agreed February 2015	
2c. 3	Establish the extent of Female Genital Mutilation across Leicestershire and Rutland, evaluate the effectiveness of existing policies, procedures and practices. Develop and implement an action plan	Multi-agency FGM task and finish group formed Action plan developed and agreed	SEG	May 2014 September 2014	

Priority 3: To be assured of the quality of care for any child not living with a parent or someone with parental responsibility					
Ref. no.	In 2014/5 we will	Outcome/Evidence Measure	Who will lead?	Timescale	Progress
3a. 1	Improve the identification of children and young people in Private Fostering arrangements. A private fostering communication plan will be developed and the performance will be monitored through the PMF. All agencies will be asked	The numbers of Children identified in private fostering will be comparable to statistical neighbours Communication plan in place (publications, website, media) Written reports from all agencies.	Executive group	Private Fostering communication plan agreed June 2014 Quarterly monitoring of performance	

	for evidence of what they are doing to improve performance			All agencies provide a written account of what they have done to improve the identification of Privately Fostered Children. February 2015	
3a. 2	<p>Improve the identification of children placed in Leicestershire and Rutland by other Local Authorities</p> <p>Ensure the new legislation is implemented. (children and young people placed more than 20 miles from home)</p> <p>Create a new task and finish group to implement changes required.</p>	<p>Referral and communication systems are in place and effective.</p> <p>New legislation on Children placed is implemented and monitored.</p> <p>Safe commissioning and contracting arrangements are in place</p> <p>Performance information on children placed is collected dynamically via the performance management framework. Appropriate scrutiny and relevant action is implemented.</p> <p>The performance management framework to report the profile of children referred as moving into Leicestershire or Rutland from another LA by risk factors and originating authorities.</p>	Executive group and Task and finish group	Task and finish group established May 2014, New legislation embedded Data received on a quarterly basis.	

Priority 3b To be assured of the quality of care for any adults supported by registered provider					
Ref. no.	In 2014/5 we will	Outcome/Evidence Measure	Who will lead?	Timescale	Progress
3b. 1	Seek assurances that Safeguarding is explicit in	The board will know that adults living with or receiving services from registered providers are	Executive group	September 2014	

	commissioning, contracting, monitoring and reviewing of services	safe.			
3b.2	Conduct a multi -agency case file audit to evidence the following: a) care and treatment must reflect service users' needs and preferences; b) care and treatment must only be provided with consent; c) all care and treatment provided must be appropriate and safe; d) service users' nutritional needs must be met;	Providers are effective at carrying out their safeguarding responsibilities. Outcomes of audit to be presented to the SAB. Highlights to be published in Safeguarding matters.	Safeguarding effectiveness group.	December 2014	
3b.3	Feedback will be sought from service users to evidence That they are treated with dignity and respect and are not subject to abuse.	The voice of the service user will be heard. The outcomes to be presented to the board. Highlights to be published in Safeguarding matters.	Engagement task and finish group	March 2015	

	Priority 4: To be assured that our Learning and Improvement Framework is raising Service quality and outcomes for children, young people and adults				
Ref. no.	In 2014/5 we will	Outcome/Evidence Measure	Who will lead?	Timescale	Progress
4.1	Capture learning and recommendations from National SCRs and present the relevant information for Leicestershire	learning from SCRs and other national processes are embedded within the practice of professionals from partner agencies. The learning identified and corresponding actions	SCR sub group Training and Learning group	March 2015	

	<p>and Rutland to the SCR sub group. Key themes and learning points will be disseminated in the following ways:</p> <ul style="list-style-type: none"> • Safeguarding matters special edition • SCR learning event • Incorporated within relevant training sessions. <p>We will evaluate the effectiveness of the above via a multi-agency staff survey</p>	<p>from 2013/4 includes:</p> <ul style="list-style-type: none"> • Private fostering awareness • The voice of 'invisible' children • Addressing disguised compliance • The importance of information sharing to enable individual agencies to carry out their safeguarding activity <p>The board will request evidence that the multi agency training programme and the safeguarding adult training programme includes key messages from published serious case reviews.</p>			
4.2	<p>Ensure that CDOP reports in the format that the Board requires</p> <p>Test to see that the lessons learnt from child deaths in the area are translated into multi agency or single agency learning activities such as training, workshops, publications etc.</p>	<p>The CDOP annual report is received by the Board</p> <p>Ensure the effectiveness of CDOP for L&R and that lessons from child deaths in L&R are understood and consistently applied.</p> <p>The lessons learnt will be summarised and reported to the Board. This will include:</p> <ul style="list-style-type: none"> • Disaggregating LLR data • Auditing CDOP case/process 	<p>CDOP</p> <p>Executive group</p>	<p>July 2014</p> <p>January 2015</p>	

Priority 5: To be assured that the workforce is fit for purpose					
Ref. no.	In 2014/5 we will	Outcome/Evidence Measure	Who will lead?	Timescale	Progress
5.1	Evaluate and act on the findings of the new training Quality Assurance process that is currently being implemented.	The effectiveness of training and development is monitored and evaluated in terms of the impact on the quality of safeguarding practice for children, young people and adults in need of safeguarding. Feedback from practitioners undertaken multi agency training has had a positive impact on outcomes for children, young people and adults in need of safeguarding.	Safeguarding effectiveness group	February 2015	

5.2	Roll out the competency framework for the children's workforce: Deliver multi agency training sessions, Survey staff understanding of the framework and managers understanding – including it's use within supervision.	The survey results should show that the competency framework is being used within supervision to evidence understanding and competency.	Childrens Training group	December 2014	
5.3	Roll out the revised competency framework for the safeguarding adult workforce Deliver multi agency training sessions, Survey staff understanding of the framework and managers understanding – including it's use within supervision.	Reconvene a LLR safeguarding Adults Training group The survey results should show that the competency framework is being used within supervision to evidence understanding and competency.	Adults Training group	February 2015	
5.4	Using the performance management framework we will collect, analyse and report staff caseloads across the partnership, quality and frequency of supervision.	The board is assured that the partnership workforce has capacity to discharge it's safeguarding responsibilities	Safeguarding effectiveness group	June, September and December 2014	
5.5	Finalise and publish the LLR Adult procedures. Roll out training to accompany the procedures.	Procedures published. Training delivered.	Adult Procedures group	March 2015.	

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